

ENGROSSED SENATE
BILL NO. 953

By: Snyder of the Senate
and
Seikel of the House

An Act relating to poor persons; amending 56 O.S. 1991, Sections 26.3, 26.5, 31, 32, 33, 34, 35, 36, 42, 44, 46, 47, 49, 50, 51, 52, 53, 98, 99, 111, 112, 114, 121, 122, 126, 127, 128 and 241, as amended by Section 1, Chapter 177, O.S.L. 1993 (56 O.S. Supp. 1993, Section 241), which relate to emergency relief and general assistance, care of the poor, county homes or poor farms, aid to poor mothers and assistance; modifying language; modifying definitions; defining term; specifying certain restrictions related to the duties of county commissioners with regard to the poor; stating duties of overseer; authorizing boards of county commissioners to establish certain department; providing for appointment of a director and method of appointment and compensation; limiting salary of the director; changing references from county home to indigent care facility; providing for an administrator; modifying authority of the board of county commissioners; deleting requirements for certain notice; stating method of employing administrator of indigent care facility; providing for method of fixing salary of the administrator; clarifying duties of county

commissioners as overseers of the poor; requiring overseers of the poor to compile and maintain certain documentation related to the poor; modifying rate of pay for certain services; modifying purpose of certain county facilities; modifying method of supervision of treatment of patients; modifying method of care for certain persons and facilities by certain professionals; allowing county commissioners to utilize certain reimbursement procedures for food stamp expenditures under certain conditions; repealing 56 O.S. 1991, Sections 43, 45, 81, 82 and 141, which relate to care of the poor, county homes or poor farms and aid to poor mothers; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 56 O.S. 1991, Section 26.3, is amended to read as follows:

Section 26.3 It shall be the purpose of this act to:

~~(A)~~ 1. Provide aid and assistance for ~~destitute and/or indigent~~ or unemployable citizens of the state ~~that~~ who meet the minimum requirements hereinafter described;i

~~(B)~~ To provide 2. Provide temporary emergency assistance to those victims of emergencies ~~as a result of~~ resulting from fire, flood, tornado and other acts of God;r; and

~~(C)~~ 3. Provide for the receipt, warehousing, transporting and distributing of any item of value donated to the State of Oklahoma by the United States Department of Agriculture, or any other agency of the federal government, or any agency or subdivisions of state,

county or city government, with whom the Oklahoma Emergency Relief Board enters into a contract.

SECTION 2. AMENDATORY 56 O.S. 1991, Section 26.5, is amended to read as follows:

Section 26.5 A. The word "unemployable", as used in this act, is hereby defined as meaning those persons who are unable to ~~secure:~~

1. Secure employment ~~by reason of~~ due to physical or mental disability, infirmity ~~or,~~ temporary illness, or other disability which prevents such person from securing ~~ordinary~~ employment; or ~~who are unable to secure~~

2. Secure employment ~~by reason of~~ due to Federal Relief Administration rules ~~as to~~ regarding age requirements or work relief programs; or

3. Secure employment due to ~~being ineligible~~ ineligibility for Workmen's Compensation Insurance; and ~~persons who are unable to leave~~

4. Leave their homes to procure employment because of illness of persons who are in their care ~~requiring~~ and who require constant supervision and attention.

B. "Indigent" means a person who does not have sufficient property or means to support members of his or her family who are lawfully dependent upon him or her for support, and who has no one legally liable to support and maintain him or her.

SECTION 3. AMENDATORY 56 O.S. 1991, Section 31, is amended to read as follows:

Section 31. The county commissioners of the ~~several~~ counties of ~~the State of Oklahoma~~ this state shall be overseers of the ~~poor~~ indigent for their respective counties, and shall perform all the duties with reference to the ~~poor~~ indigent of their ~~said~~ counties that may be prescribed by law and under such restrictions as the county commissioners shall consider most advantageous for the

interests of their respective counties and the welfare of the people therein.

SECTION 4. AMENDATORY 56 O.S. 1991, Section 32, is amended to read as follows:

Section 32. The overseers of the ~~poor~~ indigent in each county shall have the oversight and care of all the ~~poor~~ indigent persons in their county so long as ~~they~~ such persons remain a county charge, ~~and.~~ Such overseers shall see that they the indigent are properly relieved and taken care of in the manner provided by law, and under such restrictions as the county commissioners shall consider most advantageous for the interests of their respective counties and the welfare of the people therein.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 32.1 of Title 56, unless there is created a duplication in numbering, reads as follows:

In all counties of this state having a population in excess of two hundred thousand (200,000), as shown by the last Federal Decennial Census, the boards of county commissioners are hereby given authority in their respective counties to establish a department which shall be known as the "Human Services Center" or "Social Services Center," wherein may be housed the "Indigent Care Facility" and any other services for the care of the indigent which the board of county commissioners may deem to be in the best interests of their respective counties and the welfare of the people therein.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 32.2 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. Whenever, under the provisions of Section 5 of this act, a Human Services Center or Social Services Center for the indigent has been established in a county by the board of county commissioners, the board shall employ a person who is a resident of the county in

which the center is established to take charge of such center upon such terms and under such restrictions as the board shall consider most advantageous for the interests of their respective counties and the welfare of the people therein. Such person shall also serve as overseer of the indigent.

B. The person so employed shall be called the Director of Human Services/Social Services of said center and shall be appointed wholly on the basis of ability and experience qualifying him or her for the position of director. The director shall serve at the pleasure of the board and the salary of the director shall be fixed by the board of county commissioners. The salary of the director shall be exempt from the provisions of the comprehensive salary code as provided in Section 180.67 of Title 19 of the Oklahoma Statutes, but shall not exceed ninety percent (90%) of the salary of the county commissioner.

SECTION 7. AMENDATORY 56 O.S. 1991, Section 33, is amended to read as follows:

Section 33. Every county of this state shall relieve and support all ~~poor and~~ indigent persons lawfully ~~settled~~ residing therein, whenever they shall actually need assistance, and shall allow such temporary relief to persons not ~~settled~~ residing therein as shall be actually necessary pending the ascertainment of his or her legal ~~settlement and removal thereto~~ residence. The boards of county commissioners of the respective counties of this state may, if they deem it to be in the best interest ~~interests~~ of the county, purchase land for a county ~~home~~ indigent care facility and erect such buildings and make such other improvements thereon as shall be necessary to establish a county ~~home~~ indigent care facility for such ~~poor indigent~~ of the county; ~~and the said.~~ The board of county commissioners is hereby given authority in their respective counties to place all ~~poor and~~ indigent persons, who are desirous of, needing and entitled to support from the county, ~~in such home:~~ Provided

facility; and to receive into such facility all indigent and homeless persons who are in need of shelter or a place to convalesce; provided, however, that the ~~said~~ boards of county commissioners shall not establish any county ~~home~~ indigent care facility in any county of this state, having a valuation of less than Seven Million Dollars (\$7,000,000.00), at a greater expense to the county, for lands and improvements thereon, than ~~7~~ the sum of Five Thousand Dollars (\$5,000.00); in counties having a valuation of more than Seven Million Dollars (\$7,000,000.00), and less than Fifteen Million Dollars (\$15,000,000.00), at a greater expense to the county, for lands and improvements thereon, than the sum of Ten Thousand Dollars (\$10,000.00); ~~and~~ in counties having a valuation of Fifteen Million Dollars (\$15,000,000.00), and up to Fifty Million Dollars (\$50,000,000.00), at a greater expense to the county, for lands and improvements thereon, than the sum of Fifteen Thousand Dollars (\$15,000.00); and in counties having Fifty Million Dollars (\$50,000,000.00), valuation or more, at a greater expense to the county, for lands and improvements thereon, than the sum of Forty Thousand Dollars (\$40,000.00), without having submitted the proposition for the establishment of such ~~home~~ facility to a vote of the people of the county at some general election, at which it shall take a majority of all votes cast to carry the proposition; ~~provided, further, that nothing in this act shall affect any purchase of a poor farm or the erection of buildings thereon, heretofore made by any county in the state.~~

SECTION 8. AMENDATORY 56 O.S. 1991, Section 34, is amended to read as follows:

Section 34. Such counties of the State of Oklahoma as are not ready or able to purchase a ~~poor farm and erect a county asylum~~ or erect an indigent care facility, but which desire a place to keep the ~~poor~~ indigent of the county together, are authorized to rent a suitable place and establish a ~~county asylum~~ an indigent care

facility in all other respects the same as though such county or counties had purchased ~~a poor farm~~ an indigent care facility, and thus obtained ~~an asylum~~ a facility for the ~~poor~~ indigent, except that instead of levying a tax to pay for such ~~asylum~~ facility, the overseers shall levy a tax annually to pay the rental of such ~~asylums~~ facilities.

SECTION 9. AMENDATORY 56 O.S. 1991, Section 35, is amended to read as follows:

Section 35. It shall be the duty of the overseers of the ~~poor~~ indigent in counties where no common ~~poorhouse~~ indigent care facility is established, two (2) weeks next preceding the first Monday of April, in each year, to give public notice by having published in the newspaper or newspapers in their respective counties, or in case no such newspaper is published in the county, by posting upon three public places in the county, an advertisement certifying the ~~poor~~ indigent that are to be provided for and asking for sealed proposals for their maintenance during the coming year, ~~which~~. The sealed proposals shall be opened and acted upon by ~~said~~ the overseers of the ~~poor~~ indigent at their regular meeting, beginning on the said first Monday in April; but nothing herein contained shall prohibit any overseers of the ~~poor~~ indigent from receiving and accepting propositions at any time for the keeping of such ~~poor~~ indigent persons as may in the interim become a county charge, or of rejecting the propositions of such persons as they know to be unable to fulfill their obligations to ~~said poor~~ the indigent.

SECTION 10. AMENDATORY 56 O.S. 1991, Section 36, is amended to read as follows:

Section 36. The overseers of the ~~poor~~ indigent shall examine ~~into~~ any application made to them by, or on behalf of any ~~poor~~ indigent person for relief, and if such applicant ~~have~~ has a ~~settlement~~ residence in the county, they shall determine whether

such relief ~~be~~ is temporary and such as may be supplied by said overseers, or the applicant, if desired, shall be removed to the county ~~asylum~~ indigent care facility. If, in such case, the relief sought ~~be of a~~ is temporary character, or the person seeking relief cannot be removed, ~~it~~ the relief shall be furnished by said overseers; if otherwise, and such ~~poor~~ indigent person can be removed, he or she shall be placed in the county ~~asylum~~ indigent care facility. ~~If the person seeking relief have no settlement in the county, or the overseers are in doubt as to where the settlement of such person is, or if there is a poor person in the county that is likely to become a charge on the county, in either of these events, the said overseers may file a complaint in the county court in the county where the pauper is found, setting forth the facts in the case upon which notice shall issue, which shall be served upon said poor person in like manner as a summons is served from the justice court fixing a time for a hearing, to determine the settlement of such poor persons, whereupon the said court shall hear evidence and determine the legal settlement of said poor person, and if found to be within the state, but outside of said county, the court shall issue an order of removal, and said poor person shall be removed to the county in which his legal settlement was, or, if said settlement is found to be outside of the state, then said poor person shall be removed outside the state. No fee shall be received, charged or taxed for official services in any proceeding to determine the residence of any poor person.~~

SECTION 11. AMENDATORY 56 O.S. 1991, Section 42, is amended to read as follows:

Section 42. Whenever, under the provisions of this ~~article~~ title, an ~~asylum~~ indigent care facility for the ~~poor~~ indigent has been established by the overseers of the ~~poor~~ indigent of any county, in this state, ~~said~~ the overseers shall employ ~~some good and responsible person~~ a resident of the county wherein the ~~asylum~~

indigent care facility is erected to take charge of the same upon such terms and under such restrictions as such overseers shall consider most advantageous for the interests of the county and the welfare of the ~~inmates of~~ indigent persons residing in said ~~asylum~~ facility. The party so employed shall be called ~~superintendent~~ administrator of the county ~~asylum~~ indigent care facility. ~~He shall give a bond to the county, with sureties to be approved by the board of county commissioners, conditioned that he will care for,~~ and shall protect the property of the county in his or her charge, and under his or her control, and ~~for the faithful~~ shall faithfully discharge ~~of~~ his or her duties as guardian of the ~~poor~~ indigent. He or she shall be appointed ~~or employed~~ by the ~~year and at~~ Director of Human Services/Social Services and shall serve at his or her discretion. At the end of ~~the~~ each fiscal year ~~for which he is appointed,~~ he or she shall make and transmit to the Director who shall file with the county clerk, to be considered by the board of county commissioners, a complete report of all business transacted by him or her as such ~~superintendent~~ administrator, and shall attach to such report an invoice of all the personal property in his or her possession as such ~~superintendent~~ administrator. The ~~said~~ ~~superintendent~~ administrator shall have authority to ~~cause~~ solicit as volunteers the ~~inmates of~~ indigent persons residing in such ~~asylum~~ indigent care facility, who are able to do so, to labor ~~upon~~ ~~said poor farm and in and about the buildings thereon~~ such facility, under his or her direction. Said ~~superintendent~~ administrator shall have such salary as the said overseers shall fix, ~~not exceeding the sum of six hundred dollars per annum and board for himself and family at said asylum~~ and in accordance with such laws regulating the salaries of county employees.

SECTION 12. AMENDATORY 56 O.S. 1991, Section 44, is amended to read as follows:

Section 44. The board of county commissioners may provide for a special tax each year ~~of,~~ not to exceed one-half (1/2) mill on the dollar, of the assessed valuation of said county, to be applied to the payment ~~of said poor farm~~ for an indigent care facility and improvements, thereon, until said ~~poor farm~~ facility is fully paid for.

SECTION 13. AMENDATORY 56 O.S. 1991, Section 46, is amended to read as follows:

Section 46. ~~It~~ In any county in this state where the indigent are cared for pursuant to the provisions of Section 33 of this title, it shall be the duty of ~~said~~ the overseers of the ~~poor indigent,~~ on any complaint made to them in behalf of the ~~poor indigent,~~ to examine ~~into~~ the grounds of such complaint, and if, in their judgment, the said poor indigent have not been sufficiently provided with the common ~~necessaries~~ necessities of life, or have in any respect been ill-treated by the person or persons under whose charge they shall have been placed, the overseers have the authority to withhold any part of the compensation allowed to such person or persons for keeping them, as such overseers may deem reasonable and proper, and remove said ~~poor~~ indigent and place them in the care of some other person.

SECTION 14. AMENDATORY 56 O.S. 1991, Section 47, is amended to read as follows:

Section 47. The overseers of the ~~poor~~ indigent shall ~~enter into~~ compile and maintain documentation concerning the poor book indigent of their respective counties ~~all poor persons in their counties~~ who are unable to care for themselves, and who shall, in their judgment, be entitled to the benefits of the provisions of this ~~article~~ title, together with the date of such entry.

SECTION 15. AMENDATORY 56 O.S. 1991, Section 49, is amended to read as follows:

Section 49. If anyone within the description of ~~poor~~ indigent persons specified in this ~~article~~ title, shall be found in any county, and the overseers of the ~~poor~~ indigent of such county shall be unable to ascertain and establish the last place of legal ~~settlement~~ residence of such person, they shall proceed in their discretion to provide for such ~~poor~~ indigent person, in the same manner as other persons are hereby directed to be provided for by law and under such restrictions as the county commissioners shall consider most advantageous for the interests of their respective counties and the welfare of the people therein.

SECTION 16. AMENDATORY 56 O.S. 1991, Section 50, is amended to read as follows:

Section 50. Whenever any person entitled to temporary relief as ~~a pauper~~ an indigent person shall be in any county in this state in which he or she ~~has~~ is not a legal ~~settlement~~ resident, the overseers of the ~~poor~~ indigent thereof may, if the same is deemed advisable, grant such relief by placing him or her temporarily in the ~~poorhouse~~ indigent care facility of such county, if there be one; but if there be no ~~poorhouse~~ indigent care facility then they shall provide the same relief as is customary in cases where a legal ~~settlement~~ residence has been obtained.

SECTION 17. AMENDATORY 56 O.S. 1991, Section 51, is amended to read as follows:

Section 51. ~~The~~ In any county in this state where the indigent are cared for pursuant to Section 33 of this title, the overseers of the ~~poor~~ indigent shall make ~~a return~~ an account to the clerk of the board of county commissioners of the sums of money required by the ~~poor~~ indigent of their respective counties, within fifteen (15) days after such contract hereinbefore provided for shall have been made, which sums shall be paid quarterly out of the county treasury, upon the order of the board of county commissioners in the same manner as other claims against the county are paid.

SECTION 18. AMENDATORY 56 O.S. 1991, Section 52, is amended to read as follows:

Section 52. ~~The~~ In any county in this state where the indigent are cared for pursuant to the provisions of Section 33 of this title, the overseers of the ~~poor~~ indigent in each such county shall be entitled to receive each One Dollar and fifty cents (\$1.50) per day the prevailing rate of pay per day for each and every day during which they shall be necessarily employed in the discharge of their several duties as such, to be allowed by the board of county commissioners.

SECTION 19. AMENDATORY 56 O.S. 1991, Section 53, is amended to read as follows:

Section 53. ~~The~~ In any county in this state where the indigent are cared for pursuant to the provisions of Section 33 of this title, the overseers of the ~~poor of the several counties~~ indigent shall annually, at the first session of the board of county commissioners in the year, submit their accounts and make a sworn statement of their proceedings for the past year, which report shall be presented to the clerk of the board of county commissioners at least one (1) day prior to the meeting of said board, ~~and said.~~ The board may then credit and allow ~~said~~ the accounts so presented, and may draw on the county treasurer therefor, whose duty it shall be to pay the same out of any money in the county treasury not otherwise appropriated.

SECTION 20. AMENDATORY 56 O.S. 1991, Section 98, is amended to read as follows:

Section 98. Out of the proceeds of the sale of ~~said~~ bonds the board of county commissioners shall ~~proceed to~~ purchase lands or grounds for ~~poor farm~~ indigent care facility purposes, or ~~to~~ erect buildings and make improvements thereon as the case may be. ~~Said~~ The board of county commissioners shall have the right to purchase ~~said~~ the lands at private or public sale.

SECTION 21. AMENDATORY 56 O.S. 1991, Section 99, is amended to read as follows:

Section 99. The board of county commissioners shall admit all ~~poor and~~ indigent persons, ~~lawfully settled in~~ who are legal residents of such county, to ~~said poor farm~~ the indigent care facility, under such rules and regulations as may be prescribed by said commissioners. The board of county commissioners shall have complete authority and supervision over ~~said poor farm~~ the facility and shall provide for managing and controlling the ~~same~~ facility.

SECTION 22. AMENDATORY 56 O.S. 1991, Section 111, is amended to read as follows:

Section 111. The board of county commissioners of the ~~several~~ counties throughout the state shall have power to erect buildings upon land occupied by county poor farms indigent care facilities for the isolation and treatment of all indigent persons who are afflicted with tuberculosis an illness or disease which makes it necessary that these measures be taken, and that ~~said~~ the patients may, if ~~said~~ the building is erected, be cared for out of the ~~Peer and Insane Fund~~ indigent care budget of the county of which ~~said~~ the patients are residents.

SECTION 23. AMENDATORY 56 O.S. 1991, Section 112, is amended to read as follows:

Section 112. The board of county commissioners shall provide for and supervise the treatment of said patients residing in the indigent care facility in ~~the same a~~ a manner ~~as is now~~ provided by law ~~for the care of all indigent persons in county poor farms and~~ under such restrictions as the board of county commissioners shall consider most advantageous for the interests of their respective counties and the welfare of the people therein.

SECTION 24. AMENDATORY 56 O.S. 1991, Section 114, is amended to read as follows:

Section 114. The board of county commissioners shall be authorized to employ a suitable person or persons to care for such patients and quarters, upon such terms and conditions as provided by law, and under such restrictions as the board of county commissioners shall consider most advantageous for the ~~interest~~ interests of ~~the county~~ their respective counties and the welfare of the people therein, ~~under the same terms and conditions as is now provided by law for superintending of county poor farms.~~

SECTION 25. AMENDATORY 56 O.S. 1991, Section 121, is amended to read as follows:

Section 121. The board of county commissioners of any county of this state is hereby authorized and empowered to sell and convey any real estate deeded to or held by such county for the purpose of ~~county farms or poor farms~~ indigent care facilities, when in the opinion of ~~said~~ the board of commissioners such real estate is not needed, is unsuitable or inconvenient for such purposes, ~~such.~~ Such sale ~~to~~ shall be in the manner hereinafter provided.

SECTION 26. AMENDATORY 56 O.S. 1991, Section 122, is amended to read as follows:

Section 122. Before any such sale or conveyance shall be made, the board of county commissioners, in regular or special session, shall adopt a resolution declaring that said real estate is not needed for ~~county farm or county poor farm~~ indigent care facility purposes, or is unsuitable or inconvenient for such purpose, or that other or more suitable or convenient real property within the county is obtainable at a fair and reasonable value, ~~said.~~ The resolution ~~to~~ shall be published with other proceedings of ~~said~~ the board, and a copy of ~~said~~ the resolution shall be certified by the county clerk to the judge of the district court of such county, ~~and said.~~ The judge shall determine whether such sale is ~~for~~ in the best interest of the county. The judge shall order and direct ~~said~~ the board to sell ~~said~~ the real estate, as hereinafter provided, and he or she

shall appoint three disinterested freeholders of ~~said~~ the county to appraise ~~said~~

the real estate, ~~said appraisement~~. The appraisal is to be returned by ~~said~~ the appraisers to the board of county commissioners.

SECTION 27. AMENDATORY 56 O.S. 1991, Section 126, is amended to read as follows:

Section 126. Proceeds derived by a county from any sale of real estate deeded to it or held by it for use as ~~county farms or poor farms~~ indigent care facilities shall be credited to the county's building fund.

SECTION 28. AMENDATORY 56 O.S. 1991, Section 127, is amended to read as follows:

Section 127. The board of county commissioners of any county in this state is hereby authorized and empowered to hold, own, or use for any other lawful county purpose, or lease for any other lawful purpose, any real estate deeded to or held by such county for the purpose of county ~~farms or poor farms~~ indigent care facilities, when, in the opinion of the board of county commissioners, such real estate is not needed, is unsuitable, or inconvenient for ~~such~~ the purpose of an indigent care facility; provided that nothing contained in this section shall prevent the said county from selling the said property as provided by law, and the power to hold, own, or use said property for any lawful county purpose, or lease said property for any lawful purpose, shall be in addition to the power to sell said property as provided in ~~56 O.S. 1961,~~ Sections 121 through 126, inclusive of this title.

SECTION 29. AMENDATORY 56 O.S. 1991, Section 128, is amended to read as follows:

Section 128. Before any real estate deeded to or held by any such county for the purpose of county ~~farms or poor farms~~ indigent care facilities shall be held, owned, or used for any other lawful county purpose, or leased for any other lawful purpose, the board of

county commissioners in regular or special session shall adopt a resolution declaring that said real estate is not needed for county ~~farm or poor farm~~ indigent care facility purposes, or is unsuitable or inconvenient for such purposes, or that other or more suitable or convenient real property within the county is obtainable at a fair and reasonable value, ~~said~~ such resolution to be published with other proceedings of the ~~said~~ county commissioners.

SECTION 30. AMENDATORY 56 O.S. 1991, Section 241, as amended by Section 1, Chapter 177, O.S.L. 1993 (56 O.S. Supp. 1993, Section 241), is amended to read as follows:

Section 241. A. It shall be the mandatory duty of the board of county commissioners of any county in this state to participate in the food stamp program under the Food Stamp Act of 1977, as amended, and to enter into an agreement for such purpose with the Commission for Human Services.

B. The board of county commissioners of any county in this state may have federal food stamps issued to eligible recipients of the county in pursuance of an agreement for such purpose entered into by the board with the Commission for Human Services.

C. The cost of distributing the food stamps shall be paid by the county. Except as provided in subsection D of this section, the board of county commissioners shall be required to pay the estimated cost in advance on the calendar quarter basis, with an adjustment within thirty (30) days after the end of the quarter to reflect actual cost payable by the county. If the county fails to make such payment at least fifteen (15) days prior to the first day of the first month of a quarter, the agreement between the board of county commissioners and the Commission for Human Services may terminate and the Commission may discontinue the issuance of food stamps in the county at the beginning of such quarter.

D. 1. The board of county commissioners may l at its option l operate the program of distributing food stamps to families,

certified as eligible by the Commission for Human Services, within the county.

2. The board of county commissioners may also contract with private or public entities to provide for the distribution of food stamps.

3. Any program for food stamps or coupon distribution operated pursuant to the provisions of this subsection shall provide:

- a. adequate qualified personnel, suitable facilities for storing and issuing stamps, any bonding of personnel, and insurance that may be required by the Commission for Human Services, and
- b. that such sale, distribution and accounting of food stamps shall be in compliance with all federal and state regulations applicable thereto.

E. If the distribution of food stamps within the county is to be handled by the Commission for Human Services, at its election, the food stamps may be distributed through one or more issuing offices, or through local banks, or through other means. The board of county commissioners shall be required to reimburse the Commission for a prorated share of the total cost of such distribution, based upon the number of persons participating in the county.

F. If the county initially funds one hundred percent (100%) of the cost of food stamp distribution and is required to file for reimbursement for fifty percent (50%) of the amount expended, the county shall be allowed to utilize reimbursement procedures as specified in Section 335 of Title 62 of the Oklahoma Statutes.

SECTION 31. REPEALER 56 O.S. 1991, Sections 43, 45, 81, 82 and 141, are hereby repealed.

SECTION 32. This act shall become effective September 1, 1994.

Passed the Senate the 22nd day of February, 1994.

President of the Senate

Passed the House of Representatives the ____ day of
_____, 1994.

Speaker of the House of
Representatives