

An Act

ENROLLED SENATE
BILL NO. 1814

By: Stanley of the Senate

and

Hardin (Tommy), Gann, and
Roberts (Sean) of the House

An Act relating to veterans affairs; amending 26 O.S. 2021, Sections 4-120.3, 14-101.1, 14-115, and 14-115.5, which relate to deceased persons voting registration, absentee ballot harvesting, voters confined to veterans centers, and composition of absentee voting boards; amending 43A O.S. 2021, Section 6-102, which relates to transfer of patient to federal agencies for care and treatment; amending 62 O.S. 2021, Section 46.1, which relates to the transfer of surplus funds accruing to the General Revenue Fund; amending 63 O.S. 2021, Section 1-1903, which relates to licensure requirements; amending 72 O.S. 2021, Sections 63.5, 202, 221, 221.1, 221.2, 221.2A, 221.5, 226, 229, 229.1, and 240, which relate to payment for care and maintenance of veterans, spouses, widows, and widowers, management of Oklahoma Veterans Centers, establishment of sites, purpose, administration, and control, transfer of operations and administration, continuation of operation, Oklahoma Veterans Center facility at Lawton, individual purchasing entity status, Oklahoma Veterans Centers at Clinton and Talihina, construction of a long-term care facility to assume the operations at the Oklahoma Veterans Center at Talihina, and petty cash funds; amending 73 O.S. 2021, Section 301, which relates to the authority to acquire real property; changing name; updating statutory language; updating statutory references; and declaring an emergency.

SUBJECT: Veterans

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 4-120.3, is amended to read as follows:

Section 4-120.3. A. The State Department of Health shall each month transmit to the Secretary of the State Election Board a certified list of all deaths of residents that have occurred within the state for the immediately preceding month. The Secretary of the State Election Board shall transmit such list to the secretary of the county election board who shall then use the list to ascertain those voters who are deceased, and shall remove such deceased person's name from the central registry and voter registration database within thirty (30) days from the date the list was received by the county election board. Such list shall be used only for the purposes hereinbefore described.

B. The registration of a deceased voter may be canceled by the secretary of a county election board upon the receipt of a certified copy of a death certificate from any person or upon the execution by the next of kin of such deceased voter of a form and upon the nature of proof of the fact thereof as prescribed by the Secretary of the State Election Board. Such form must be executed in person by the deceased voter's next of kin at the county election board office, in which case it shall be witnessed by the secretary or other designated employees, at the deceased voter's precinct polling place or at the next of kin's precinct polling place in the same county on the day of any election, in which case it shall be witnessed by the inspector of such precinct, or the form may be personally signed by the next of kin, such signature to be notarized by a notary public or witnessed by two persons whose signatures and addresses shall appear on the form, and returned to the county election board.

C. The administrator of a nursing facility, as defined in Section 1-1902 of Title 63 of the Oklahoma Statutes, or the administrator of a ~~veterans center~~ State Veterans Home established pursuant to Title 72 of the Oklahoma Statutes, also may execute a form prescribed by the Secretary of the State Election Board to notify the secretary of the county election board of the death of a nursing facility resident who is a registered voter. The

administrator's signature on such form shall be witnessed by a member of the nursing home absentee voting board, shall be notarized or shall be witnessed by two persons whose signatures and addresses shall appear on the form.

D. A funeral director, as defined in Section 396.2 of Title 59 of the Oklahoma Statutes, may execute a form prescribed by the Secretary of the State Election Board to notify the secretary of the county election board of the death of a resident of the county. The funeral director's signature on such form either shall be notarized or shall be witnessed by two persons whose signatures and addresses shall appear on the form. Upon receipt of such form or any notice setting forth substantially the same facts and witnessed or notarized as provided in this section, the secretary of the county election board shall be authorized to cancel the voter registration of such deceased person.

E. The registration of a deceased voter who was a member of the Oklahoma National Guard or the ~~armed forces~~ Armed Forces of the United States and who died in the line of duty may be canceled by the secretary of a county election board upon the receipt of notification of the voter's death from the Oklahoma National Guard or the ~~armed forces~~ Armed Forces of the United States. The Secretary of the State Election Board may prescribe the forms of such notification to be accepted by the county election board in order to cause the registration of the voter to be canceled. The Secretary shall further request the Oklahoma National Guard and the ~~armed forces~~ Armed Forces of the United States to provide notifications to the county election board as provided for in this section.

F. The Secretary of the State Election Board is authorized to obtain official death records from the Social Security Administration and from other states. The Secretary of the State Election Board may compare such death records against the state's voter registration database. Any possible match of a death record to a registered voter shall be transmitted to the secretary of the county election board in the county in which the voter is registered. The secretary of the county election board shall ascertain any voter who is deceased, and shall remove such deceased person's name from the central registry and voter registration database.

SECTION 2. AMENDATORY 26 O.S. 2021, Section 14-101.1, is amended to read as follows:

Section 14-101.1. A. For the purposes of this section, "absentee ballot harvesting" means:

1. Collecting or obtaining an absentee ballot from another person with the intent to submit, transmit or return the ballot to election officials on behalf of that person;

2. Submitting, returning or transmitting an absentee ballot to election officials on behalf of another person;

3. Collecting or obtaining an absentee ballot from another person under a false pretense or promise of transmitting, returning or submitting it to election officials on behalf of that person;

4. Requesting or receiving an absentee ballot on behalf of another person;

5. Partially or fully completing an application for an absentee ballot on behalf of another person without that person's prior consent; or

6. Notarizing or witnessing more absentee ballots than allowed by law.

B. Absentee ballot harvesting shall be unlawful at any election conducted by a county election board, the State Election Board or any political subdivision of this state; provided, the following shall not be deemed to be ballot harvesting:

1. A voter's assistant or agent acting pursuant to law as otherwise allowed by Title 26 of the Oklahoma Statutes;

2. An absentee voting board member, as described in Title 26 of the Oklahoma Statutes, who assists a voter confined to a nursing home or ~~veterans center~~ State Veterans Home pursuant to law;

3. An employee of the Federal Voting Assistance Program, the United States Department of Defense or the Oklahoma National Guard

who assists a uniformed-services voter in returning or transmitting an absentee ballot;

4. A spouse, relative in the first or second degree of consanguinity or affinity or cohabitant of a voter who forwards an absentee ballot to the voter when absent from the home;

5. A voter's spouse who, with the voter's consent, returns the voter's absentee ballot by mail; or

6. An official action by an election official that is required or authorized by law.

SECTION 3. AMENDATORY 26 O.S. 2021, Section 14-115, is amended to read as follows:

Section 14-115. A. If the secretary of a county election board receives a request from an incapacitated elector confined to a nursing facility, as defined in Section 1-1902 of Title 63 of the Oklahoma Statutes, or a ~~veterans center~~ State Veterans Home established pursuant to Title 72 of the Oklahoma Statutes within the county of the jurisdiction of the secretary, the secretary shall cause to be implemented the following procedures:

1. On the Thursday, Friday, Saturday or Monday preceding the election, the absentee voting board shall deliver to each registered voter who is confined to a nursing facility, as defined in Section 1-1902 of Title 63 of the Oklahoma Statutes, or a ~~veterans center~~ State Veterans Home established pursuant to Title 72 of the Oklahoma Statutes and who requested ballots for an incapacitated voter the ballots and materials as may be necessary to vote same.

2. The voter must mark the ballots in the manner hereinbefore provided in the presence of the absentee voting board, but in such a manner as to make it impossible for any person other than the voter to ascertain how the ballots are marked. Insofar as is possible, the voting procedure shall be the same as if the voter were casting a vote in person at a precinct.

3. The voter shall then seal the ballots in the plain opaque envelope and shall seal the plain opaque envelope in the envelope bearing an affidavit. The voter must complete the affidavit, and

the signature of the voter on same must be witnessed by both members of the absentee voting board.

4. The envelope bearing an affidavit then must be sealed in the return envelope, which shall be returned by the absentee voting board to the secretary of the county election board on the same day the affidavit was executed.

5. Ballots cast in such manner shall be counted in the same manner as regular mail absentee ballots.

B. The voter may request the assistance of the absentee voting board members to mark a ballot, complete the affidavit or seal the envelopes as described in this section.

C. 1. An administrator or employee of a nursing facility or ~~veterans center~~ State Veterans Home who attempts to coerce or influence the vote of a person residing in or confined to that facility shall be deemed to be in violation of Section 16-109 of this title.

2. An administrator or employee of a nursing facility or ~~veterans center~~ State Veterans Home who prevents or attempts to prevent a person residing in or confined to that facility from voting pursuant to this section shall be deemed to be in violation of Section 16-113 of this title.

SECTION 4. AMENDATORY 26 O.S. 2021, Section 14-115.5, is amended to read as follows:

Section 14-115.5. A. To carry out the provisions of Sections 14-115 and 14-115.4 of this title, the secretary of the county election board shall designate one or more absentee voting boards, to be composed of two (2) members each, with each member to be of a different political affiliation.

B. No later than June 1 in each even-numbered year, the chair of the county central committees of the two political parties having the highest number of registered voters in the county shall each submit a list of ten names to the secretary. Such lists shall contain names of registered voters of the county, who shall meet the

same eligibility requirements for precinct officials as described in Section 2-131 of this title.

C. The secretary shall utilize such lists in designating membership on the absentee voting board or boards, unless all persons on such lists are ineligible, unable or unwilling to serve. In the event the chair of the county central committee of a political party fails to submit a list as herein provided, the secretary shall appoint membership to such board or boards from the ranks of registered voters of such party within the county. Provided further, that in the event the list of names of either or both parties is exhausted and additional absentee voting boards are needed, the secretary shall appoint additional members to such boards from the ranks of such party or parties in the county.

D. Members of an absentee voting board shall be compensated at the same rate as a precinct judge or clerk.

E. One member of each such board serving a nursing home, ~~veterans center~~ State Veterans Home or convalescent hospital, shall be allowed mileage reimbursement at the rate prescribed for travel by state employees according to the State Travel Reimbursement Act.

SECTION 5. AMENDATORY 43A O.S. 2021, Section 6-102, is amended to read as follows:

Section 6-102. A. 1. Upon receipt of a certificate of the United States Public Health Service or any agency of the United States Government or a ~~veterans center in the state~~ State Veterans Home that facilities are available for the care or treatment of any person who has been admitted to a facility within the Department of Mental Health and Substance Abuse Services in accordance with the provisions of this title and that such person is eligible for care or treatment, the Commissioner of Mental Health and Substance Abuse Services, upon recommendation by the person in charge of the facility in which the consumer is located, may transfer the consumer to:

- a. the United States Public Health Service or other agency of the United States Government, or

- b. a ~~veterans center in the state~~ State Veterans Home or other agency of the state for care and treatment.

2. If the consumer has been admitted under involuntary court-ordered commitment proceedings, the Commissioner shall notify the committing court of any transfer when it has been effected.

3. Any consumer transferred as provided in this section shall be deemed to be committed to the United States Public Health Service or other agency of the United States Government or a ~~veterans center in the state~~ State Veterans Home or other agency of the state pursuant to the original commitment the same as if the person had been originally committed.

B. 1. In the event that a consumer transferred under provisions of this section subsequently becomes ineligible for continued services, or if required services cannot be provided by the entity or facility where the consumer is committed and residing, the Commissioner shall upon notification accept the return of the consumer to the appropriate facility of the Department.

2. If the consumer has been admitted under this title, the Commissioner shall notify the committing court of the transfer when it has been effected.

3. Any consumer transferred as provided in this section shall be deemed to be committed to the Department pursuant to the original commitment the same as if the person had been originally committed.

SECTION 6. AMENDATORY 62 O.S. 2021, Section 46.1, is amended to read as follows:

Section 46.1. A. On July 1, 2005, or as soon thereafter as feasible, the Office of Management and Enterprise Services shall transfer any surplus funds which accrue to the General Revenue Fund of ~~the State of Oklahoma~~ this state for the fiscal year ending June 30, 2005, over and above that which is placed in the Constitutional Reserve Fund pursuant to Section 23 of Article X of the Constitution of the State of Oklahoma for the fiscal year ending June 30, 2005, to the following funds and in the specified amounts:

1. Fifty percent (50%) to the Oklahoma Dynamic Economy and Budget Security Fund established in Section 46.2 of this title; and

2. Fifty percent (50%) to the Oklahoma Taxpayer Relief Revolving Fund established in Section 2355.2 of Title 68 of the Oklahoma Statutes.

B. On July 1, 2006, or as soon thereafter as feasible, the Office of Management and Enterprise Services shall transfer the following amounts of surplus funds which accrue to the General Revenue Fund of ~~the State of Oklahoma~~ this state for the fiscal year ending June 30, 2006, over and above that which is placed in the Constitutional Reserve Fund pursuant to Section 23 of Article X of the Constitution of the State of Oklahoma for the fiscal year ending June 30, 2006:

1. The first Eighty-five Million Five Hundred Thousand Dollars (\$85,500,000.00) to the State Regents Revolving Fund of the Oklahoma State Regents for Higher Education, to be used for operations of The Oklahoma State System of Higher Education;

2. Contingent upon passage and approval of Enrolled House Bill No. 1169 of the 2nd Extraordinary Session of the 50th Oklahoma Legislature, the next Forty-five Million Dollars (\$45,000,000.00) to the Oklahoma Opportunity Fund created in Section 48 of this title;

3. Contingent upon passage and approval of Enrolled Senate Bill No. 99 of the 2nd Extraordinary Session of the 50th Oklahoma Legislature, the next One Hundred Fifty Million Dollars (\$150,000,000.00) to the Economic Development Generating Excellence (EDGE) Fund created in Section 47 of this title;

4. The next Twenty-five Million Dollars (\$25,000,000.00) to the County Bridges and Road Improvement Fund, to be expended for repair, renovation, rehabilitation, or replacement of county bridges;

5. The next Seven Million Dollars (\$7,000,000.00) to the Oklahoma Department of Veterans Affairs Revolving Fund, to be used for expenses associated with the ~~veterans center~~ State Veterans Home in Sulphur;

6. The next Five Million Dollars (\$5,000,000.00) to the Rural Fire Equipment Grant Revolving Fund of the Oklahoma Department of Agriculture, Food, and Forestry;

7. The next Eighty Million Dollars (\$80,000,000.00) to the Comprehensive University Capital Projects Revolving Fund created in Section 2, Chapter 84, O.S.L. 2006;

8. The next Eight Million Dollars (\$8,000,000.00) to the Tourism Equipment Revolving Fund of the Oklahoma Tourism and Recreation Department, to be used for operations, capital improvements and maintenance of state parks; ~~and~~

9. The next Fifteen Million Dollars (\$15,000,000.00) to the State Emergency Fund created in Section 139.42 of this title;

10. The next Nine Hundred Thousand Dollars (\$900,000.00) to the Oklahoma Tax Commission Fund created pursuant to Section 221 of this title for the implementation of a digital license plate system;

11. The next Thirty-five Million Dollars (\$35,000,000.00) to the Oklahoma Firefighters Pension and Retirement System in order to replace monies that would otherwise have been apportioned over a period of years pursuant to paragraph 1 of subsection C of Section 312.1 of Title 36 of the Oklahoma Statutes if such modified apportionment is enacted pursuant to legislation passed during the 2nd Extraordinary Session of the 50th Oklahoma Legislature. If such modification to the apportionment is not enacted as a result of the passage of such legislation, the sum specified by this paragraph shall not be transferred to the Oklahoma Firefighters Pension and Retirement System; and

12. The next Nine Hundred Thousand Dollars (\$900,000.00) to the Oklahoma Tax Commission Fund created pursuant to Section 221 of this title for the acquisition of a main frame computer.

The transfers authorized pursuant to the provisions of paragraphs 1 through 12 of this subsection shall not be subject to fiscal year 2007 agency category or budget limits.

SECTION 7. AMENDATORY 63 O.S. 2021, Section 1-1903, is amended to read as follows:

Section 1-1903. A. No person shall establish, operate, or maintain in this state any nursing facility without first obtaining a license as required by the Nursing Home Care Act.

B. The Nursing Home Care Act shall not apply to residential care homes, assisted living facilities or adult companion homes which are operated in conjunction with a nursing facility, a home or facility approved and annually reviewed by the United States Department of Veterans Affairs as a medical foster home in which care is provided exclusively to three or fewer veterans, or to hotels, motels, boarding houses, rooming houses, or other places that furnish board or room to their residents.

C. Each ~~Oklahoma Veterans Center~~ State Veterans Home nursing facility licensed pursuant to the provisions of this section shall be regulated as an existing nursing facility for the purposes of meeting state and federal standards.

D. Certificate of need review shall not be required for any addition, deletion, modification or new construction of current or future State Veterans ~~Center~~ Home nursing facilities.

E. The Nursing Home Care Act shall not authorize any person to engage in any manner in the practice of the healing arts or the practice of medicine, as defined by law.

F. The Nursing Home Care Act shall not apply to a facility which is not charging or receiving periodic compensation for services rendered, and not receiving any county, state, or federal assistance.

SECTION 8. AMENDATORY 72 O.S. 2021, Section 63.5, is amended to read as follows:

Section 63.5. The Oklahoma Veterans Commission is hereby authorized to make collections from eligible patients and members for care and maintenance. Payments shall be established in the following manner:

1. All sources of personal income, except wages of a working spouse, except as provided in this section, shall be considered when

computing care and maintenance charges, including pensions and awards for aid and attendance from the Veterans Administration;

2. Care and maintenance charges shall be computed in a manner to maximize the Veterans Administration pension and compensation benefits to which the veteran is entitled and shall allow a veteran to retain not less than One Hundred Fifty Dollars (\$150.00) per month of total monthly income;

3. The care and maintenance charge shall not exceed the full cost of care minus the Veterans Administration per diem payment;

4. Spouses, widows and widowers of eligible war veterans are authorized to be admitted and maintained in the ~~Oklahoma veterans centers~~ State Veterans Homes. The facilities admitting and maintaining spouses, widows and widowers shall make collections from the spouses, widows and widowers first and to the fullest extent from sources of income other than pension and compensation paid by the Veterans Administration; and

5. The claim of the state for such care and maintenance shall constitute a valid indebtedness against any such patient or member and the patient's estate and shall not be barred by any statute of limitations except as otherwise allowed by the Oklahoma Indigent Health Care Act. At the death of the patient or member, this claim shall be allowed and paid as other lawful claims against the estate. Provided, no admission of a veteran of a period of war, as referenced in 38 U.S.C., Section 1521 or detention of a patient in ~~an Oklahoma veterans center~~ a State Veterans Home shall be limited or conditioned in any manner by the lack of ability to pay of a patient or member, the patient's estate, or any relative of the patient or member. Any monies collected by the provisions of this section shall be deposited in the Oklahoma Department of Veterans Affairs Revolving Fund.

SECTION 9. AMENDATORY 72 O.S. 2021, Section 202, is amended to read as follows:

Section 202. The ~~Oklahoma Veterans Centers~~ State Veterans Homes shall be under the management and control of the Oklahoma Department of Veterans Affairs which shall:

1. Make all necessary rules, regulations and procedures for the operation and management of ~~veterans centers~~ State Veterans Homes operated by the Oklahoma Department of Veterans Affairs;

2. Ensure compliance with all federal and state statutes and rules which are applicable to the operation of long-term care facilities;

3. Appoint and fix the duties and compensation of ~~veterans center~~ State Veterans Homes administrators and other necessary employees;

4. Provide necessary clothing, food, and care to all residents, including medications and proper medical care;

5. Provide for the burial of deceased residents who have no surviving relatives or whose relatives do not claim their bodies; and

6. Assure the protection of the rights of all residents, including the right to be free of neglect and abuse.

SECTION 10. AMENDATORY 72 O.S. 2021, Section 221, is amended to read as follows:

Section 221. There is hereby established at Sulphur, Oklahoma, on the site of the Oklahoma State Veterans Hospital, and at Ardmore, Oklahoma, on the site of the Oklahoma State Veterans Home Facilities, and at Norman, Oklahoma, on the site of the Veterans Ward of the Griffin Memorial Hospital, further described as follows:

Starting at the Southeast corner of the Northeast Quarter (NE 1/4) of Section twenty-nine (29), Township nine (9) North, Range two (2) West, of the Indian Meridian; thence North seventeen hundred (1700) feet to a point on the East boundary of Section twenty-nine (29), Township nine (9) North, Range two (2) West; thence West six hundred (600) feet; thence South eight hundred fifty (850) feet; thence West three hundred twenty-five (325) feet; thence South four hundred (400) feet; thence in a Southwest direction five hundred forty (540) feet to a point on the South boundary of the Northeast Quarter (NE 1/4) of Section twenty-nine (29), Township nine (9) North, Range two (2) West of the Indian Meridian; thence East a

distance of one thousand two hundred twenty-three (1,223) feet to the point of beginning;

facilities to be known as the ~~Oklahoma Veterans Centers~~ State Veterans Homes (for the purpose of securing special treatment or hospitalization the adjoining facilities of Griffin Memorial Hospital shall be considered an integral part of the ~~Oklahoma Veterans Centers~~ State Veterans Homes at Norman, and may be utilized to care for eligible veterans), which shall be available for care of war veterans discharged other than under dishonorable conditions. Further provided such centers shall be under the administration and control of the Oklahoma Veterans Commission.

SECTION 11. AMENDATORY 72 O.S. 2021, Section 221.1, is amended to read as follows:

Section 221.1. Effective July 1, 1979, the responsibility for the operation and administration of the ~~Oklahoma Veterans Center~~ State Veterans Home, Norman, Oklahoma, shall be assumed by the Oklahoma Department of Veterans Affairs. Thereafter, the ~~Oklahoma Veterans Center~~ State Veterans Home, Norman, shall operate as a separate institution under the direction and control of the Department of Veterans Affairs. The facility shall be described as such real property situated in Cleveland County, State of Oklahoma, and more particularly described as follows: The North half (N 1/2) of Section 28, Township 9 North, Range 2 West, Indian Meridian, Cleveland County, less and except the West half (W 1/2) of the Northwest quarter (NW 1/4) of Section 28, ~~said~~ the tract containing 240 acres more or less.

SECTION 12. AMENDATORY 72 O.S. 2021, Section 221.2, is amended to read as follows:

Section 221.2. In addition to the ~~Oklahoma Veterans Centers~~ State Veterans Homes established by Sections 203, 221, 221.1, 226 and 229 of this title, the facility known as the ~~Oklahoma Veterans Center~~ State Veterans Home, Claremore Division, since March, 1987, shall continue to be operated as a ~~veterans center~~ State Veterans Home by the Oklahoma Department of Veterans Affairs; such property described as the real property situated in Rogers County, State of Oklahoma, and more particularly described as follows:

A tract of land located in Lot 1, Section 7, Township 21 North, Range 16 East of I.B. & M., further described as follows: Beginning at the Northwest corner of ~~said~~ Lot 1, thence North 89 degrees 42'40" East along the North line thereof 671.00 feet; thence South parallel to the West line of ~~said~~ Lot 1, 750.00 feet; thence North 89 degrees 42'40" East 361.51 feet; thence South 567.53 feet to the South line of ~~said~~ Lot 1; thence South 89 degrees 44' West along the South line of ~~said~~ Lot 1, 1032.51 feet to the Southwest corner thereof; thence North 1317.14 feet to the point of beginning, ~~said~~ the tract containing 25 acres, more or less.

SECTION 13. AMENDATORY 72 O.S. 2021, Section 221.2A, is amended to read as follows:

Section 221.2A. Effective April 16, 1997, the Oklahoma Department of Veterans Affairs is directed within the availability and limitations of its revolving funds, not otherwise encumbered or specified, to proceed with the development of a new ~~Oklahoma Veterans Center~~ State Veterans Home facility at Lawton, Oklahoma.

In addition to the ~~Oklahoma Veterans Centers~~ State Veterans Homes established by Sections 203, 221, 221.1, 221.2, 226 and 229 of this title, the facility known as the ~~Oklahoma Veterans Center~~ State Veterans Home, Lawton/Ft. Sill Division, shall be operated as a ~~veterans center~~ State Veterans Home by the Department of Veterans Affairs located on a tract of land described as the E/2NE/4 SEC 33-2N-11 WIM, Comanche County, Oklahoma, and leased to the Oklahoma Department of Veterans Affairs by the Commissioners of the Land Office, State of Oklahoma.

SECTION 14. AMENDATORY 72 O.S. 2021, Section 221.5, is amended to read as follows:

Section 221.5. For the determination of compliance with limits set forth in ~~The~~ the Oklahoma Central Purchasing Act, each division of the Oklahoma Department of Veterans Affairs that operates a ~~Veterans Center~~ State Veterans Home shall, if the division has a Certified Procurement Officer and makes purchases in compliance with internal purchasing procedures of the Oklahoma Department of Veterans Affairs that are approved by the Office of Management and Enterprise Services, be regarded as an individual purchasing entity.

SECTION 15. AMENDATORY 72 O.S. 2021, Section 226, is amended to read as follows:

Section 226. There is hereby established, in addition to the ~~Oklahoma Veterans Centers~~ State Veterans Homes established by Section 221 of Title 72 of the Oklahoma Statutes, the ~~Oklahoma Veterans Center~~ State Veterans Home at Clinton, Oklahoma, on the site of the former Western Oklahoma Tuberculosis Sanatorium. All persons serving as employees of the Western Oklahoma Tuberculosis Sanatorium under provisions of the State Merit System of Personnel Administration shall continue to serve as employees of the ~~Oklahoma Veterans Center~~ State Veterans Home at Clinton, provided that such employees shall remain in the classified service. All employees hired by the ~~Oklahoma Veterans Center~~ State Veterans Home at Clinton on or after ~~the effective date of this act~~ April 1, 1972, shall be under the Oklahoma Merit System of Personnel Administration, except one superintendent, one principal assistant or deputy, one private secretary, part-time physicians and other professional personnel engaged in clinical and consultant services. The buildings and equipment and the following described land of the Western Oklahoma Tuberculosis Sanatorium are hereby transferred to the ~~Oklahoma Veterans Center~~ State Veterans Home at Clinton:

A strip, piece or parcel of land lying in the NE 1/4 of Section 26, T 12 N, R 17 W, in Custer County, Oklahoma, ~~said the~~ the parcel of land being described by metes and bounds as follows:

Beginning at the point where the present east right-of-way line of US Highway 183 intersects the north line of ~~said the~~ the NE 1/4 a distance of 2,142.3 feet west of the NE corner of ~~said the~~ the NE 1/4, thence southwesterly along ~~said the~~ the right-of-way line along a curve to the right having a radius of 2,914.9 feet a distance of 155.2 feet, thence S 28 degrees 14' W along ~~said the~~ the right-of-way line a distance of 106.5 feet, thence S 51 degrees 46' E along ~~said the~~ the right-of-way line a distance of 10.0 feet, thence S 28 degrees 14' W along ~~said the~~ the right-of-way line a distance of 279.0 feet, thence S 21 degrees 46' E a distance of 180.0 feet, thence S 01 degree 38' E a distance of 608.5 feet, thence S 83 degrees 54' E a distance of 2,323.6 feet to a point on the east line of ~~said the~~ the NE 1/4, thence north along the east line of ~~said the~~ the NE 1/4 to the NE corner of ~~said the~~ the NE 1/4 a distance of 1,503.5 feet, thence west along the

north line of ~~said~~ the NE 1/4 a distance of 2,142.3 feet to the point of beginning.

Containing 73.09 acres more or less.

SECTION 16. AMENDATORY 72 O.S. 2021, Section 229, is amended to read as follows:

Section 229. ~~A.~~ Until operations are transferred pursuant to subsection B of this section, there is hereby established, in addition to the ~~Oklahoma Veterans Centers~~ State Veterans Homes established by Sections 221 and 226 of this title, the ~~Oklahoma Veterans Center~~ State Veterans Home at Talihina, Oklahoma, on the site of the Oklahoma State Sanatorium, Talihina, Oklahoma. All persons serving as employees of the Oklahoma State Sanatorium under the provisions of the State Merit System of Personnel Administration shall continue to serve as employees of the ~~Oklahoma Veterans Center~~ State Veterans Home at Talihina, provided that such employees remain in the classified service. All employees hired by the ~~Oklahoma Veterans Center~~ State Veterans Home at Talihina on or after ~~the effective date of this act~~ July 1, 1975, shall be under the Oklahoma Merit System of Personnel Administration, except one manager, one principal assistant or deputy, one private secretary, part-time physicians and other professional personnel engaged in clinical and consultant services. The average number of full-time-equivalent employees utilized in the total operation of the ~~Oklahoma Veterans Center~~ State Veterans Home, Talihina, shall not exceed one hundred fifty-three (153) during the fiscal year ending June 30, 1976. The buildings, equipment and land under the jurisdiction of the Oklahoma State Sanatorium, Talihina, are hereby transferred to the ~~Oklahoma Veterans Center~~ State Veterans Home, Talihina.

~~B. Operations of the Oklahoma Veterans Center established pursuant to this section shall continue until such time as operations are transferred to the location identified pursuant to the authority conferred upon the Oklahoma Veterans Commission under Section 2 of this act.~~

SECTION 17. AMENDATORY 72 O.S. 2021, Section 229.1, is amended to read as follows:

Section 229.1. A. The Oklahoma Department of Veterans Affairs is authorized to plan, develop and construct two long-term care facilities for the following purposes:

1. To assume the operations of the ~~Oklahoma Veterans Center~~ State Veterans Home established in Talihina pursuant to Section 229 of this title; and

2. To replace the ~~Oklahoma Veterans Center~~ State Veterans Home established in Ardmore pursuant to Section 221 of this title.

B. For the two long-term care facilities authorized in subsection A of this section, the Department may construct new facilities or refurbish any existing facilities on property currently owned by ~~the State of Oklahoma~~ this state or on property purchased or donated from other sources, including but not limited to private owners, tribal entities or other governmental or municipal entities.

C. The location of the facility referenced in paragraph 1 of subsection A of this section shall be subject only to such geographical constraints as are imposed by the United States Department of Veterans Affairs to preserve and continue recognition and certification of the facility as a State Veterans Home. The facility referenced in paragraph 2 of subsection A of this section shall be located within the corporate limits of the city of Ardmore or within five (5) miles of the corporate limits of the city of Ardmore.

D. The locations and sites of the two facilities referenced in subsection A of this section shall be determined by the Oklahoma Veterans Commission. The Oklahoma Veterans Commission may consider any and all criteria which, in its sole discretion, further the interests of Oklahoma veterans.

E. ~~Operations of the Oklahoma Veterans Center established in Talihina pursuant to Section 229 of this title shall continue until such time as its operations are transferred to the location identified pursuant to the authority conferred upon the Oklahoma Veterans Commission under subsection D of this section~~ The project constituting the construction of the replacement, long-term care facility for the Ardmore Veterans Home shall be exempt from the

requirements of Sections 9030 through 9030.8 of Title 74 of the Oklahoma Statutes.

F. The proceeds received from the sale of the State Veterans Home in Talihina, along with all associated real and personal property, shall belong to the Oklahoma Department of Veterans Affairs and shall be used for any one or more of the following purposes:

1. To purchase land upon which the replacement, long-term care facility for the Ardmore Veterans Home will be located;

2. To purchase any other personal property needed for the construction and furnishing of the replacement, long-term care facility for the Ardmore Veterans Home; and

3. To complete the state match for a grant offered under the State Veterans Home Construction Grant Program of the United States Department of Veterans Affairs.

SECTION 18. AMENDATORY 72 O.S. 2021, Section 240, is amended to read as follows:

Section 240. There is hereby created a petty cash fund at the Oklahoma Department of Veterans Affairs, at the ~~Oklahoma Veterans Center~~ State Veterans Home, Ardmore, Oklahoma, at the ~~Oklahoma Veterans Center~~ State Veterans Home, Clinton, Oklahoma, at the ~~Oklahoma Veterans Center~~ State Veterans Home, Sulphur, Oklahoma, at the ~~Oklahoma Veterans Center~~ State Veterans Home, Talihina, Oklahoma, at the ~~Oklahoma Veterans Center~~ State Veterans Home, Norman, Oklahoma, at the ~~Oklahoma Veterans Center~~ State Veterans Home, Claremore, Oklahoma, and at the ~~Oklahoma Veterans Center~~ State Veterans Home, Lawton/Ft. Sill, Oklahoma. The Director of the Office of Management and Enterprise Services and the Director of the Oklahoma Department of Veterans Affairs are authorized to fix the maximum amount of these petty cash funds and the Director of the Office of Management and Enterprise Services shall prescribe the rules and procedures for the administration of these petty cash funds.

SECTION 19. AMENDATORY 73 O.S. 2021, Section 301, is amended to read as follows:

Section 301. A. The Oklahoma Capitol Improvement Authority is authorized to acquire real property, together with improvements located thereon, and personal property, to construct buildings and other improvements to real property and to provide funding for repairs, refurbishments and improvements to real and personal property and for funding for the following capital projects in the following amounts:

1. Capital projects at institutions of higher education which are part of The Oklahoma State System of Higher Education in a total amount not to exceed Forty-five Million Dollars (\$45,000,000.00) with debt retirement payments to be made by the Oklahoma State Regents for Higher Education;

2. Construction of a History Center for the Oklahoma Historical Society in a total amount not to exceed Thirty-two Million Dollars (\$32,000,000.00) with debt retirement payments to be made by the Oklahoma Historical Society. Of such total amount, the sum of Four Million One Hundred Thousand Dollars (\$4,100,000.00) shall be transferred to the Capital Improvement Revolving Fund as reimbursement for improvements and renovations to the property made in preparation for the construction of the History Center;

3. Renovation of the Wiley Post Historical Building for occupancy by appellate courts in a total amount not to exceed Ten Million Dollars (\$10,000,000.00) with debt retirement payments to be made by the Oklahoma Supreme Court;

4. Land acquisition, demolition, landscaping, environmental remediation and other costs associated with the Lincoln Boulevard Renaissance Project in a total amount not to exceed Thirteen Million Eight Hundred Thousand Dollars (\$13,800,000.00) with debt retirement payments to be made by the Office of Management and Enterprise Services;

5. Construction of a new building for the J.D. McCarty Center for Children with Developmental Disabilities in a total amount not to exceed Ten Million Three Hundred Thousand Dollars (\$10,300,000.00) with debt retirement payments to be made by the J.D. McCarty Center for Children with Developmental Disabilities;

6. Funding for capital costs of a Technology Incubator Program for the University Hospitals Authority in a total amount not to exceed Two Million Dollars (\$2,000,000.00) with debt retirement payments to be made by the University Hospitals Authority;

7. Funding for capital costs for the Native American Cultural and Educational Authority of Oklahoma in a total amount not to exceed Five Million Dollars (\$5,000,000.00) with debt retirement payments to be made by the Native American Cultural and Educational Authority of Oklahoma;

8. Funding for capital costs for systemwide equipment for the Oklahoma Department of Career and Technology Education in a total amount not to exceed Five Million Dollars (\$5,000,000.00) with debt retirement payments to be made by the Oklahoma Department of Career and Technology Education;

9. Capital projects for the Oklahoma School for the Deaf in a total amount not to exceed Six Million Seven Hundred Fifty Thousand Dollars (\$6,750,000.00) with debt retirement payments to be made by the State Department of Rehabilitation Services;

10. Capital projects for the Oklahoma School for the Blind in a total amount not to exceed Six Million Seven Hundred Fifty Thousand Dollars (\$6,750,000.00) with debt retirement payments to be made by the State Department of Rehabilitation Services;

11. Construction of a new ~~Veterans Center~~ State Veterans Home in Lawton, Oklahoma, in a total amount not to exceed Twelve Million Dollars (\$12,000,000.00) with debt retirement payments to be made by the Oklahoma Department of Veterans Affairs;

12. Capital costs for financial management information systems in a total amount not to exceed One Million Dollars (\$1,000,000.00) with debt retirement payments to be made by the Office of Management and Enterprise Services;

13. Funding for the purchase of computer hardware and software for the Central Purchasing Division of the Office of Management and Enterprise Services in a total amount not to exceed Two Million Dollars (\$2,000,000.00) with debt retirement payments to be made by the Office of Management and Enterprise Services;

14. Funding for implementation of the Boll Weevil Eradication Act in a total amount not to exceed Three Million Dollars (\$3,000,000.00) with debt retirement payments to be made by the State Department of Agriculture;

15. Funding for construction and other capital costs at Quartz Mountain Lodge and Arts and Conference Center in a total amount not to exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00) with debt retirement payments to be made by the Oklahoma Tourism and Recreation Department. Of such total amount appropriated pursuant to this section, the sum of Three Million Five Hundred Thousand Dollars (\$3,500,000.00) shall be transferred to the Capital Improvement Revolving Fund as reimbursement for the construction and other capital costs at the Quartz Mountain Lodge and Arts and Conference Center; and

16. The following capital projects to be funded by the obligations authorized herein in the amounts to be allocated and expended by the following entities and in the following amounts:

- | | | |
|----|--|----------------|
| a. | the Oklahoma Aeronautics Commission | \$2,990,000.00 |
| b. | the State Department of Agriculture | \$5,044,194.00 |
| c. | the Oklahoma State Bureau of Investigation | \$300,000.00 |
| d. | the Oklahoma Capitol Complex and Centennial Commission | \$5,470,101.00 |
| e. | the Office of Management and Enterprise Services | \$975,000.00 |
| f. | the Oklahoma Department of Commerce | \$1,250,000.00 |
| g. | the Oklahoma Conservation Commission | \$100,000.00 |
| h. | the Oklahoma Oklahoma Department of Corrections | \$260,101.00 |
| i. | the State Department of Education | \$700,000.00 |

| | | |
|----|--|-----------------|
| j. | the Oklahoma Educational Television Authority | \$250,000.00 |
| k. | the Grand River Dam Authority | \$220,000.00 |
| l. | the State Department of Health | \$735,000.00 |
| m. | the Oklahoma State Regents for Higher Education | \$30,617,909.00 |
| n. | the Oklahoma Historical Society | \$10,456,303.00 |
| o. | the Oklahoma House of Representatives | \$46,434.00 |
| p. | the Department of Human Services | \$2,010,101.00 |
| q. | the J.D. McCarty Center for Children with Developmental Disabilities | \$485,101.00 |
| r. | the Office of Juvenile Affairs | \$1,227,601.00 |
| s. | the Oklahoma Department of Mental Health and Substance Abuse Services | \$2,075,000.00 |
| t. | the Oklahoma Military Department <u>of the State of Oklahoma</u> | \$5,700,101.00 |
| u. | the Department of Public Safety | \$1,194,000.00 |
| v. | the Oklahoma Department of Tourism and Recreation <u>Department</u> | \$10,565,005.00 |
| w. | the Oklahoma Department of Transportation | \$5,241,412.00 |
| x. | the Oklahoma Department of Veterans Affairs | \$1,450,000.00 |
| y. | the Oklahoma Department of Career and Technology Education | \$13,845,303.00 |
| z. | the Oklahoma Water Resources Board | \$1,850,000.00 |

| | | |
|-----|--|------------------|
| aa. | the Oklahoma Department of Wildlife Conservation | \$608,000.00 |
| bb. | the Office of Management and Enterprise Services | \$51,833,333.00 |
| | GRAND TOTAL | \$157,499,999.00 |

The funds allocated in subparagraph bb of this paragraph shall be spent for capital projects which are important to the furtherance of state functions, as directed by the Governor.

B. The Authority may hold title to the real and personal property and improvements until such time as any obligations issued for this purpose are retired or defeated and may lease the real property and improvements to the agencies indicated herein. Upon final redemption or defeasance of the obligations created pursuant to this section, title to the real and personal property and improvements shall be transferred from the Oklahoma Capitol Improvement Authority, to the agencies indicated herein.

C. For the purpose of paying the costs for acquisition and construction of the real property and improvements and personal property and making the repairs, refurbishments, and improvements to real and personal property, and providing funding for the projects authorized in subsection A of this section, and for the purpose authorized in subsection D of this section, the Authority is hereby authorized to borrow monies on the credit of the income and revenues to be derived from the leasing of such real and personal property and improvements and, in anticipation of the collection of such income and revenues, to issue negotiable obligations in a total amount not to exceed Three Hundred Twenty-five Million Dollars (\$325,000,000.00) whether issued in one or more series. The Office of Management and Enterprise Services is authorized and directed to expend funds from the Capital Improvement Revolving Fund in amounts sufficient to make required payments pursuant to such obligations during the fiscal year ending June 30, 1999. For subsequent fiscal years, it is the intent of the Legislature to appropriate to the indicated state agencies sufficient monies to make rental payments for the purposes of retiring the obligations created pursuant to this section. Provided, the Authority shall not issue any

obligations pursuant to this section for the purpose of providing funding for the projects authorized in paragraph 16 of subsection A of this section prior to January 1, 2001. For the fiscal year ending June 30, 2002, and thereafter, it is the intent of the Legislature to appropriate to the agencies administering the projects sufficient monies to make rental payments for the purpose of retiring the obligations created pursuant to this section.

D. To the extent funds are available from the proceeds of the borrowing authorized by subsection C of this section, the Oklahoma Capitol Improvement Authority shall provide for the payment of professional fees and associated costs related to the projects authorized in subsection A of this section.

E. The Authority may issue obligations in one or more series and in conjunction with other issues of the Authority. The Authority is authorized to hire bond counsel, financial consultants, and such other professionals as it may deem necessary to provide for the efficient sale of the obligations and may utilize a portion of the proceeds of any borrowing to create such reserves as may be deemed necessary and to pay costs associated with the issuance and administration of such obligations.

F. The obligations authorized under this section may be sold at either competitive or negotiated sale, as determined by the Authority, and in such form and at such prices as may be authorized by the Authority. The Authority may enter into agreements with such credit enhancers and liquidity providers as may be determined necessary to efficiently market the obligations. The obligations may mature and have such provisions for redemption as shall be determined by the Authority, but in no event shall the final maturity of such obligations occur later than thirty (30) years from the first principal maturity date.

G. Any interest earnings on funds or accounts created for the purposes of this section may be utilized as partial payment of the annual debt service or for the purposes directed by the Authority.

H. The obligations issued under this section, the transfer thereof and the interest earned on such obligations, including any profit derived from the sale thereof, shall not be subject to

taxation of any kind by ~~the State of Oklahoma~~ this state, or by any county, municipality or political subdivision therein.

I. The Authority may direct the investment of all monies in any funds or accounts created in connection with the offering of the obligations authorized under this section. Such investments shall be made in a manner consistent with the investment guidelines of the State Treasurer. The Authority may place additional restrictions on the investment of such monies if necessary to enhance the marketability of the obligations.

J. Insofar as they are not in conflict with the provisions of this section, the provisions of Section 151 et seq. of this title shall apply to this section.

K. To the extent that the provisions of paragraph 3 of subsection K of Section 85.4 of Title 74 of the Oklahoma Statutes would otherwise be applicable, such provisions shall be inapplicable to assets acquired, for ownership or for use, through the proceeds from the obligations authorized by paragraph 16 of subsection A of this section.

L. The Legislature finds that several functions of state government are properly performed through the delivery of state services by use of political subdivisions. In order to facilitate the delivery of essential state services and in furtherance of state governmental functions by the construction, acquisition or improvement of assets which may be located within the corporate limits of a municipality of ~~the State of Oklahoma~~ this state or which may be located in unincorporated areas of the state and subject to the jurisdiction of a board of county commissioners, but which nonetheless serve an important function of state government, ~~the State of Oklahoma~~ this state finds that the use of the proceeds from the issuance of obligations pursuant to this section effectuates the performance of essential state governmental functions, including, but not limited to:

1. Fire protection services;

2. Roads, bridges and highways located either partially within or completely within the corporate limits of a municipality or in an unincorporated area of the state;

3. Historic preservation;
4. Recreational facilities;
5. Air transportation infrastructure;
6. Facilities for the housing and care of the elderly;
7. Juvenile delinquency prevention and treatment facilities;
8. Agricultural and horticultural event facilities;
9. Health care facilities, including, but not limited to, facilities the primary purpose of which is the treatment or prevention of communicable diseases or illness;
10. Promotion of tourism;
11. Promotion of economic development and business site selection; and
12. Public safety.

M. Notwithstanding any other provision of law to the contrary, each and every agency, board, commission, department or other entity of state government as identified in paragraph 16 of subsection A of this section shall have the authority to acquire or to transfer such property, whether real or personal, tangible or intangible, as may be required to fully fund the projects and to acquire or improve the assets for which the proceeds from the obligations authorized by this section are available.

SECTION 20. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 9th day of March, 2022.

Presiding Officer of the Senate

Passed the House of Representatives the 20th day of April, 2022.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____