

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2951

By: Wallace and Hilbert of the
House

and

Thompson and Hall of the
Senate

12 COMMITTEE SUBSTITUTE

13 An Act relating to State-Tribal litigation; creating
14 the State-Tribal Litigation Revolving Fund; placing
15 the fund with the Office of Management and Enterprise
16 Services; establishing fund characteristics;
17 authorizing budgeting and expenditure of funds for
18 certain purposes; limiting the expenditure of certain
19 funds; providing certain requirements prior to
20 expenditure; requiring unexpended balance revert to
21 General Revenue Fund under certain circumstances;
22 providing use for reverted funds; and declaring an
23 emergency.

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

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 1222A of Title 74, unless there
24 is created a duplication in numbering, reads as follows:

1 A. There is hereby created in the State Treasury a revolving
2 fund for the Office of Management and Enterprise Services to be
3 designated the "State-Tribal Litigation Revolving Fund". The fund
4 shall be a continuing fund, not subject to fiscal year limitations,
5 and shall consist of all monies designated for deposit by law. All
6 monies accruing to the credit of said fund are hereby appropriated
7 and may be budgeted and expended, as otherwise provided in this act,
8 by the Office of Management and Enterprise Services for the purpose
9 of hiring legal counsel and paying legal expenses of the State
10 related to legal controversies between the State of Oklahoma and
11 tribal governments.

12 B. Expenditures from said fund shall only be made for legal
13 services relating to cases and controversies that the Joint
14 Committee on State-Tribal Relations, (created pursuant to Section
15 1222 of Title 74 of the Oklahoma Statutes), has formally recommended
16 the State of Oklahoma pursue or litigate.

17 C. Expenditures from said fund for the reimbursement of
18 services by third-party legal counsel shall only be made if the
19 contract for such services was formally approved by the Joint
20 Committee on State-Tribal Relations, (created pursuant to Section
21 1222 of Title 74 of the Oklahoma Statutes), prior to the performance
22 of such services.

23 D. Expenditures from said fund shall be made upon warrants
24 issued by the State Treasurer against claims filed as prescribed by

1 law with the Director of the Office of Management and Enterprise
2 Services for approval and payment.

3 E. If any of the provisions of this section are determined by a
4 court of competent jurisdiction to be unconstitutional, any
5 unexpended balance remaining in the State-Tribal Litigation
6 Revolving Fund created pursuant to this section shall revert to the
7 General Revenue Fund of this state and shall be used for general
8 expenses of state government to be paid out pursuant to direct
9 appropriation of the Legislature.

10 SECTION 2. It being immediately necessary for the preservation
11 of the public peace, health or safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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15 COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS
16 AND BUDGET, dated 05/17/2021 - DO PASS, As Amended.
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