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**AS AMENDED**

By: David of the Senate

and

[ law enforcement mental wellness - Mental Wellness  
Division - policies and procedures - Mental Wellness  
Division Revolving Fund - codification - effective  
date ]

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

SECTION 1. NEW LAW A new section of law to be codified

A. The Department of Public Safety shall establish and maintain

B. The **Director** of the Mental Wellness Division shall report to

1 No privileged personal health information shall ever be shared with  
2 the Commissioner or made public without the consent of that person.  
3 However, aggregate mental health information may be shared with the  
4 Commissioner. Aggregate mental health information may be made  
5 public by the Commissioner if, in the judgment of the Commissioner,  
6 doing so could improve public safety mental wellness policies for  
7 public safety personnel and is made public for this sole purpose.  
8 Provided, no aggregate mental health information may be shared or  
9 made public if doing so could reveal otherwise privileged personal  
10 mental health information about any specific individual. It shall  
11 be the duty of the **Director** of the Division to establish the  
12 necessary policies and procedures to ensure the privacy and  
13 confidentiality requirements of this section and of all other  
14 applicable health privacy laws. Any breach of the privacy  
15 provisions of this section and of any other applicable health  
16 privacy laws must be timely and thoroughly investigated and the  
17 appropriate disciplinary and corrective actions taken.

18 C. The Mental Wellness Division is authorized to enter into  
19 partnerships with private entities to fulfill its mandate.

20 D. The offices, records, communications, information  
21 technology, equipment, and any other resources of the Mental  
22 Wellness Division shall be located and maintained separately from  
23 that of the other divisions within the Department.  
24

1       SECTION 2.       NEW LAW       A new section of law to be codified  
2 in the Oklahoma Statutes as Section 9102 of Title 74, unless there  
3 is created a duplication in numbering, reads as follows:

4       There is hereby created in the State Treasury a revolving fund  
5 for the Department of Public Safety on behalf of the Mental Wellness  
6 Division of the Department of Public Safety to be designated the  
7 "Mental Wellness Division Revolving Fund". The fund shall be a  
8 continuing fund, not subject to fiscal year limitations, and shall  
9 consist of those monies appropriated to the fund by law or deposited  
10 in the fund as provided pursuant to the provisions of Section 3 of  
11 this act. All monies accruing to the credit of the fund are hereby  
12 appropriated and may be budgeted and expended by the Mental Wellness  
13 Division for the purpose of providing mental wellness services and  
14 programs to public safety personnel. Expenditures from the fund  
15 shall be made upon warrants issued by the State Treasurer against  
16 claims filed as prescribed by law with the Director of the Office of  
17 Management and Enterprise Services for approval and payment.

18       SECTION 3.       NEW LAW       A new section of law to be codified  
19 in the Oklahoma Statutes as Section 9103 of Title 74, unless there  
20 is created a duplication in numbering, reads as follows:

21       A. There is hereby authorized the establishment of a not-for-  
22 profit foundation to raise funds for the Mental Wellness Division  
23 Revolving Fund, created in Section 2 of this act, and the  
24 achievement of the goals of this act.

1       B. The foundation created pursuant to this section may receive  
2 funds from any public or private source to carry out the purposes of  
3 this act including, but not limited to, gifts or grants from any  
4 department, agency, or instrumentality of the United States or of  
5 this state for any purpose consistent with the provisions of this  
6 act.

7       C. Upon proper incorporation, the foundation shall secure tax-  
8 exempt status under the appropriate provision of Section 501(c) of  
9 the Internal Revenue Code, 26 U.S.C., Section 501(c).

10       D. Any member of the foundation who may have a financial  
11 interest in an action under consideration by the foundation shall  
12 abstain from voting on such matter.

13       SECTION 4. This act shall become effective in accordance with  
14 the provisions of Section 58 of Article V of the Oklahoma  
15 Constitution.

16 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
17 March 3, 2022 - DO PASS AS AMENDED  
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