

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1814

By: Stanley

AS INTRODUCED

An Act relating to veterans affairs; amending 26 O.S. 2021, Sections, 4-120.3, 14-101.1, 14-115, 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 Center at Clinton and Talihina, construction 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; providing an effective date; and declaring an emergency.

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

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

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

14 B. The registration of a deceased voter may be canceled by the
15 secretary of a county election board upon the receipt of a certified
16 copy of a death certificate from any person or upon the execution by
17 the next of kin of such deceased voter of a form and upon the nature
18 of proof of the fact thereof as prescribed by the Secretary of the
19 State Election Board. Such form must be executed in person by the
20 deceased voter's next of kin at the county election board office, in
21 which case it shall be witnessed by the secretary or other
22 designated employees, at the deceased voter's precinct polling place
23 or at the next of kin's precinct polling place in the same county on
24 the day of any election, in which case it shall be witnessed by the

1 inspector of such precinct, or the form may be personally signed by
2 the next of kin, such signature to be notarized by a notary public
3 or witnessed by two persons whose signatures and addresses shall
4 appear on the form, and returned to the county election board.

5 C. The administrator of a nursing facility, as defined in
6 Section 1-1902 of Title 63 of the Oklahoma Statutes, or the
7 administrator of a ~~veterans center~~ State Veterans Home established
8 pursuant to Title 72 of the Oklahoma Statutes, also may execute a
9 form prescribed by the Secretary of the State Election Board to
10 notify the secretary of the county election board of the death of a
11 nursing facility resident who is a registered voter. The
12 administrator's signature on such form shall be witnessed by a
13 member of the nursing home absentee voting board, shall be notarized
14 or shall be witnessed by two persons whose signatures and addresses
15 shall appear on the form.

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

1 election board shall be authorized to cancel the voter registration
2 of such deceased person.

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

15 F. The Secretary of the State Election Board is authorized to
16 obtain official death records from the Social Security
17 Administration and from other states. The Secretary of the State
18 Election Board may compare such death records against the state's
19 voter registration database. Any possible match of a death record
20 to a registered voter shall be transmitted to the secretary of the
21 county election board in the county in which the voter is
22 registered. The secretary of the county election board shall
23 ascertain any voter who is deceased, and shall remove such deceased
24

1 person's name from the central registry and voter registration
2 database.

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

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

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

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

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

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

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

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

22 B. Absentee ballot harvesting shall be unlawful at any election
23 conducted by a county election board, the State Election Board or
24

1 any political subdivision of this state; provided, the following
2 shall not be deemed to be ballot harvesting:

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

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

8 3. An employee of the Federal Voting Assistance Program, the
9 United States Department of Defense or the Oklahoma National Guard
10 who assists a uniformed-services voter in returning or transmitting
11 an absentee ballot;

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

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

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

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

21 Section 14-115. A. If the secretary of a county election board
22 receives a request from an incapacitated elector confined to a
23 nursing facility, as defined in Section 1-1902 of Title 63 of the
24 Oklahoma Statutes, or a ~~veterans center~~ State Veterans Home

1 established pursuant to Title 72 of the Oklahoma Statutes within the
2 county of the jurisdiction of the secretary, the secretary shall
3 cause to be implemented the following procedures:

4 1. On the Thursday, Friday, Saturday or Monday preceding the
5 election, the absentee voting board shall deliver to each registered
6 voter who is confined to a nursing facility, as defined in Section
7 1-1902 of Title 63 of the Oklahoma Statutes, or a ~~veterans center~~
8 State Veterans Home established pursuant to Title 72 of the Oklahoma
9 Statutes and who requested ballots for an incapacitated voter the
10 ballots and materials as may be necessary to vote same.

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

17 3. The voter shall then seal the ballots in the plain opaque
18 envelope and shall seal the plain opaque envelope in the envelope
19 bearing an affidavit. The voter must complete the affidavit, and
20 the signature of the voter on same must be witnessed by both members
21 of the absentee voting board.

22 4. The envelope bearing an affidavit then must be sealed in the
23 return envelope, which shall be returned by the absentee voting
24

1 board to the secretary of the county election board on the same day
2 the affidavit was executed.

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

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

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

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

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

20 Section 14-115.5. A. To carry out the provisions of Sections
21 14-115 and 14-115.4 of this title, the secretary of the county
22 election board shall designate one or more absentee voting boards,
23 to be composed of two (2) members each, with each member to be of a
24 different political affiliation.

1 B. No later than June 1 in each even-numbered year, the chair
2 of the county central committees of the two political parties having
3 the highest number of registered voters in the county shall each
4 submit a list of ten names to the secretary. Such lists shall
5 contain names of registered voters of the county, who shall meet the
6 same eligibility requirements for precinct officials as described in
7 Section 2-131 of this title.

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

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

21 E. One member of each such board serving a nursing home,
22 ~~veterans center~~ State Veterans Home or convalescent hospital, shall
23 be allowed mileage reimbursement at the rate prescribed for travel
24 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

1 pursuant to the original commitment the same as if the person had
2 been originally committed.

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

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

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

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

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

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

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

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

14 1. The first Eighty-five Million Five Hundred Thousand Dollars
15 (\$85,500,000.00) to the State Regents Revolving Fund of the Oklahoma
16 State Regents for Higher Education, to be used for operations of The
17 Oklahoma State System of Higher Education;

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

22 3. Contingent upon passage and approval of Enrolled Senate Bill
23 No. 99 of the 2nd Extraordinary Session of the 50th Oklahoma
24 Legislature, the next One Hundred Fifty Million Dollars

1 (\$150,000,000.00) to the Economic Development Generating Excellence
2 (EDGE) Fund created in Section 47 of this title;

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

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

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

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

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

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

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

1 11. The next Thirty-five Million Dollars (\$35,000,000.00) to
2 the Oklahoma Firefighters Pension and Retirement System in order to
3 replace monies that would otherwise have been apportioned over a
4 period of years pursuant to paragraph 1 of subsection C of Section
5 312.1 of Title 36 of the Oklahoma Statutes if such modified
6 apportionment is enacted pursuant to legislation passed during the
7 2nd Extraordinary Session of the 50th Oklahoma Legislature. If such
8 modification to the apportionment is not enacted as a result of the
9 passage of such legislation, the sum specified by this paragraph
10 shall not be transferred to the Oklahoma Firefighters Pension and
11 Retirement System; and

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

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

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

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

23 B. The Nursing Home Care Act shall not apply to residential
24 care homes, assisted living facilities or adult companion homes
25

1 which are operated in conjunction with a nursing facility, a home or
2 facility approved and annually reviewed by the United States
3 Department of Veterans Affairs as a medical foster home in which
4 care is provided exclusively to three or fewer veterans, or to
5 hotels, motels, boarding houses, rooming houses, or other places
6 that furnish board or room to their residents.

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

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

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

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

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

23 Section 63.5. The Oklahoma Veterans Commission is hereby
24 authorized to make collections from eligible patients and members
25

1 for care and maintenance. Payments shall be established in the
2 following manner:

3 1. All sources of personal income, except wages of a working
4 spouse, except as provided in this section, shall be considered when
5 computing care and maintenance charges, including pensions and
6 awards for aid and attendance from the Veterans Administration;

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

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

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

21 5. The claim of the state for such care and maintenance shall
22 constitute a valid indebtedness against any such patient or member
23 and the patient's estate and shall not be barred by any statute of
24 limitations except as otherwise allowed by the Oklahoma Indigent
25

1 Health Care Act. At the death of the patient or member, this claim
2 shall be allowed and paid as other lawful claims against the estate.
3 Provided, no admission of a veteran of a period of war, as
4 referenced in 38 U.S.C., Section 1521 or detention of a patient in
5 an Oklahoma ~~veterans center~~ State Veterans Home shall be limited or
6 conditioned in any manner by the lack of ability to pay of a patient
7 or member, the patient's estate, or any relative of the patient or
8 member. Any monies collected by the provisions of this section
9 shall be deposited in the Department of Veterans Affairs Revolving
10 Fund.

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

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

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

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

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

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

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

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

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

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

15 Starting at the Southeast corner of the Northeast Quarter (NE
16 1/4) of Section twenty-nine (29), Township nine (9) North, Range two
17 (2) West, of the Indian Meridian; thence North seventeen hundred
18 (1700) feet to a point on the East boundary of Section twenty-nine
19 (29), Township nine (9) North, Range two (2) West; thence West six
20 hundred (600) feet; thence South eight hundred fifty (850) feet;
21 thence West three hundred twenty-five (325) feet; thence South four
22 hundred (400) feet; thence in a Southwest direction five hundred
23 forty (540) feet to a point on the South boundary of the Northeast
24 Quarter (NE 1/4) of Section twenty-nine (29), Township nine (9)

1 North, Range two (2) West of the Indian Meridian; thence East a
2 distance of one thousand two hundred twenty-three (1,223) feet to
3 the point of beginning;
4 facilities to be known as the Oklahoma ~~Veterans Centers~~ State
5 Veterans Home (for the purpose of securing special treatment or
6 hospitalization the adjoining facilities of Griffin Memorial
7 Hospital shall be considered an integral part of the Oklahoma
8 ~~Veterans Centers~~ State Veterans Homes at Norman, and may be utilized
9 to care for eligible veterans), which shall be available for care of
10 war veterans discharged other than under dishonorable conditions.
11 Further provided such centers shall be under the administration and
12 control of the Oklahoma Veterans Commission.

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

15 Section 221.1. Effective July 1, 1979, the responsibility for
16 the operation and administration of the Oklahoma ~~Veterans Center~~
17 State Veterans Home, Norman, Oklahoma, shall be assumed by the
18 Department of Veterans Affairs. Thereafter, the Oklahoma ~~Veterans~~
19 ~~Center~~ State Veterans Home, Norman, shall operate as a separate
20 institution under the direction and control of the Department of
21 Veterans Affairs. The facility shall be described as such real
22 property situated in Cleveland County, State of Oklahoma, and more
23 particularly described as follows: The North half (N 1/2) of
24 Section 28, Township 9 North, Range 2 West, Indian Meridian,

1 Cleveland County, less and except the West half (W 1/2) of the
2 Northwest quarter (NW 1/4) of Section 28, said tract containing 240
3 acres more or less.

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

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

14 A tract of land located in Lot 1, Section 7, Township 21 North,
15 Range 16 East of I.B. & M., further described as follows: Beginning
16 at the Northwest corner of said Lot 1, thence North 89 degrees
17 42'40" East along the North line thereof 671.00 feet; thence South
18 parallel to the West line of said Lot 1, 750.00 feet; thence North
19 89 degrees 42'40" East 361.51 feet; thence South 567.53 feet to the
20 South line of said Lot 1; thence South 89 degrees 44' West along the
21 South line of said Lot 1, 1032.51 feet to the Southwest corner
22 thereof; thence North 1317.14 feet to the point of beginning, said
23 tract containing 25 acres, more or less.

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

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

8 In addition to the Oklahoma ~~Veterans Centers~~ State Veterans
9 Homes established by Sections 203, 221, 221.1, 221.2, 226 and 229 of
10 this title, the facility known as the Oklahoma ~~Veterans Center~~ State
11 Veterans Home, Lawton/Ft. Sill Division, shall be operated as a
12 ~~veterans center~~ State Veterans Home by the Department of Veterans
13 Affairs located on a tract of land described as the E/2NE/4 SEC 33-
14 2N-11 WIM, Comanche County, Oklahoma, and leased to the Oklahoma
15 Department of Veterans Affairs by the Commissioners of the Land
16 Office, State of Oklahoma.

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

19 Section 221.5. For the determination of compliance with limits
20 set forth in The Oklahoma Central Purchasing Act, each division of
21 the Oklahoma Department of Veterans Affairs that operates a ~~Veterans~~
22 ~~Center~~ State Veterans Home shall, if the division has a Certified
23 Procurement Officer and makes purchases in compliance with internal
24 purchasing procedures of the Oklahoma Department of Veterans Affairs

1 that are approved by the Office of Management and Enterprise
2 Services, be regarded as an individual purchasing entity.

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

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

1 A strip, piece or parcel of land lying in the NE 1/4 of Section
2 26, T 12 N, R 17 W, in Custer County, Oklahoma, said parcel of land
3 being described by metes and bounds as follows:

4 Beginning at the point where the present east right-of-way line
5 of US Highway 183 intersects the north line of said NE 1/4 a
6 distance of 2,142.3 feet west of the NE corner of said NE 1/4,
7 thence southwesterly along said right-of-way line along a curve to
8 the right having a radius of 2,914.9 feet a distance of 155.2 feet,
9 thence S 28 degrees 14' W along said right-of-way line a distance of
10 106.5 feet, thence S 51 degrees 46' E along said right-of-way line a
11 distance of 10.0 feet, thence S 28 degrees 14' W along said right-
12 of-way line a distance of 279.0 feet, thence S 21 degrees 46' E a
13 distance of 180.0 feet, thence S 01 degree 38' E a distance of 608.5
14 feet, thence S 83 degrees 54' E a distance of 2,323.6 feet to a
15 point on the east line of said NE 1/4, thence north along the east
16 line of said NE 1/4 to the NE corner of said NE 1/4 a distance of
17 1,503.5 feet, thence west along the north line of said NE 1/4 a
18 distance of 2,142.3 feet to the point of beginning.

19 Containing 73.09 acres more or less.

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

22 Section 229. A. Until operations are transferred pursuant to
23 subsection B of this section, there is hereby established, in
24 addition to the Oklahoma ~~Veterans Centers~~ State Veterans Homes

1 established by Sections 221 and 226 of this title, the Oklahoma
2 ~~Veterans Center~~ State Veterans Home at Talihina, Oklahoma, on the
3 site of the Oklahoma State Sanatorium, Talihina, Oklahoma. All
4 persons serving as employees of the Oklahoma State Sanatorium under
5 the provisions of the State Merit System of Personnel Administration
6 shall continue to serve as employees of the Oklahoma ~~Veterans Center~~
7 State Veterans Home at Talihina, provided that such employees remain
8 in the classified service. All employees hired by the Oklahoma
9 ~~Veterans Center~~ State Veterans Home at Talihina on or after the
10 effective date of this act shall be under the Oklahoma Merit System
11 of Personnel Administration, except one manager, one principal
12 assistant or deputy, one private secretary, part-time physicians and
13 other professional personnel engaged in clinical and consultant
14 services. The average number of full-time-equivalent employees
15 utilized in the total operation of the Oklahoma ~~Veterans Center~~
16 State Veterans Home, Talihina, shall not exceed one hundred fifty-
17 three (153) during the fiscal year ending June 30, 1976. The
18 buildings, equipment and land under the jurisdiction of the Oklahoma
19 State Sanatorium, Talihina, are hereby transferred to the Oklahoma
20 ~~Veterans Center~~ State Veterans Home, Talihina.

21 B. Operations of the Oklahoma ~~Veterans Center~~ State Veterans
22 Home established pursuant to this section shall continue until such
23 time as operations are transferred to the location identified
24

1 pursuant to the authority conferred upon the Oklahoma Veterans
2 Commission under Section 2 of this act.

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

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

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

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

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

19 C. The location of the facility referenced in paragraph 1 of
20 subsection A of this section shall be subject only to such
21 geographical constraints as are imposed by the United States
22 Department of Veterans Affairs to preserve and continue recognition
23 and certification of the facility as a State Veterans Home. The
24 facility referenced in paragraph 2 of subsection A of this section

1 shall be located within the corporate limits of the city of Ardmore
2 or within five (5) miles of the corporate limits of the city of
3 Ardmore.

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

9 E. Operations of the Oklahoma ~~Veterans Center~~ State Veterans
10 Home established in Talihina pursuant to Section 229 of this title
11 shall continue until such time as its operations are transferred to
12 the location identified pursuant to the authority conferred upon the
13 Oklahoma Veterans Commission under subsection D of this section.

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

16 Section 240. There is hereby created a petty cash fund at the
17 Oklahoma Department of Veterans Affairs, at the Oklahoma ~~Veterans~~
18 ~~Center~~ State Veterans Home, Ardmore, Oklahoma, at the Oklahoma
19 ~~Veterans Center~~ State Veterans Home, Clinton, Oklahoma, at the
20 Oklahoma ~~Veterans Center~~ State Veterans Home, Sulphur, Oklahoma, at
21 the Oklahoma ~~Veterans Center~~ State Veterans Home, Talihina,
22 Oklahoma, at the Oklahoma ~~Veterans Center~~ State Veterans Home,
23 Norman, Oklahoma, at the Oklahoma ~~Veterans Center~~ State Veterans
24 Home, Claremore, Oklahoma, and at the Oklahoma ~~Veterans Center~~ State

1 Veterans Home, Lawton/Ft. Sill, Oklahoma. The Director of the
2 Office of Management and Enterprise Services and the Director of the
3 Oklahoma Department of Veterans Affairs are authorized to fix the
4 maximum amount of these petty cash funds and the Director of the
5 Office of Management and Enterprise Services shall prescribe the
6 rules and procedures for the administration of these petty cash
7 funds.

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

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

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

22 2. Construction of a History Center for the Oklahoma Historical
23 Society in a total amount not to exceed Thirty-two Million Dollars
24 (\$32,000,000.00) with debt retirement payments to be made by the
25

1 Oklahoma Historical Society. Of such total amount, the sum of Four
2 Million One Hundred Thousand Dollars (\$4,100,000.00) shall be
3 transferred to the Capital Improvement Revolving Fund as
4 reimbursement for improvements and renovations to the property made
5 in preparation for the construction of the History Center;

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

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

16 5. Construction of a new building for the J.D. McCarty Center
17 for Children with Developmental Disabilities in a total amount not
18 to exceed Ten Million Three Hundred Thousand Dollars
19 (\$10,300,000.00) with debt retirement payments to be made by the
20 J.D. McCarty Center for Children with Developmental Disabilities;

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

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

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

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

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

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

23 12. Capital costs for financial management information systems
24 in a total amount not to exceed One Million Dollars (\$1,000,000.00)

1 with debt retirement payments to be made by the Office of Management
2 and Enterprise Services;

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

8 14. Funding for implementation of the Boll Weevil Eradication
9 Act in a total amount not to exceed Three Million Dollars
10 (\$3,000,000.00) with debt retirement payments to be made by the
11 State Department of Agriculture;

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

22 16. The following capital projects to be funded by the
23 obligations authorized herein in the amounts to be allocated and
24 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 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 | \$5,700,101.00 |
| u. | the Department of Public Safety | \$1,194,000.00 |
| v. | the Oklahoma Department of Tourism and | |
| | Recreation | \$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

1 property and improvements to the agencies indicated herein. Upon
2 final redemption or defeasance of the obligations created pursuant
3 to this section, title to the real and personal property and
4 improvements shall be transferred from the Oklahoma Capitol
5 Improvement Authority, to the agencies indicated herein.

6 C. For the purpose of paying the costs for acquisition and
7 construction of the real property and improvements and personal
8 property and making the repairs, refurbishments, and improvements to
9 real and personal property, and providing funding for the projects
10 authorized in subsection A of this section, and for the purpose
11 authorized in subsection D of this section, the Authority is hereby
12 authorized to borrow monies on the credit of the income and revenues
13 to be derived from the leasing of such real and personal property
14 and improvements and, in anticipation of the collection of such
15 income and revenues, to issue negotiable obligations in a total
16 amount not to exceed Three Hundred Twenty-five Million Dollars
17 (\$325,000,000.00) whether issued in one or more series. The Office
18 of Management and Enterprise Services is authorized and directed to
19 expend funds from the Capital Improvement Revolving Fund in amounts
20 sufficient to make required payments pursuant to such obligations
21 during the fiscal year ending June 30, 1999. For subsequent fiscal
22 years, it is the intent of the Legislature to appropriate to the
23 indicated state agencies sufficient monies to make rental payments
24 for the purposes of retiring the obligations created pursuant to

1 this section. Provided, the Authority shall not issue any
2 obligations pursuant to this section for the purpose of providing
3 funding for the projects authorized in paragraph 16 of subsection A
4 of this section prior to January 1, 2001. For the fiscal year
5 ending June 30, 2002, and thereafter, it is the intent of the
6 Legislature to appropriate to the agencies administering the
7 projects sufficient monies to make rental payments for the purpose
8 of retiring the obligations created pursuant to this section.

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

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

22 F. The obligations authorized under this section may be sold at
23 either competitive or negotiated sale, as determined by the
24 Authority, and in such form and at such prices as may be authorized

1 by the Authority. The Authority may enter into agreements with such
2 credit enhancers and liquidity providers as may be determined
3 necessary to efficiently market the obligations. The obligations
4 may mature and have such provisions for redemption as shall be
5 determined by the Authority, but in no event shall the final
6 maturity of such obligations occur later than thirty (30) years from
7 the first principal maturity date.

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

11 H. The obligations issued under this section, the transfer
12 thereof and the interest earned on such obligations, including any
13 profit derived from the sale thereof, shall not be subject to
14 taxation of any kind by the State of Oklahoma, or by any county,
15 municipality or political subdivision therein.

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

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

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

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

24 1. Fire protection services;

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

4 3. Historic preservation;

5 4. Recreational facilities;

6 5. Air transportation infrastructure;

7 6. Facilities for the housing and care of the elderly;

8 7. Juvenile delinquency prevention and treatment facilities;

9 8. Agricultural and horticultural event facilities;

10 9. Health care facilities, including, but not limited to
11 facilities the primary purpose of which is the treatment or
12 prevention of communicable diseases or illness;

13 10. Promotion of tourism;

14 11. Promotion of economic development and business site
15 selection; and

16 12. Public safety.

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

1 SECTION 20. This act shall become effective July 1, 2022.

2 SECTION 21. It being immediately necessary for the preservation
3 of the public peace, health or safety, an emergency is hereby
4 declared to exist, by reason whereof this act shall take effect and
5 be in full force from and after its passage and approval.
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