

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 610

By: McCortney

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5
6 AS INTRODUCED

7 An Act relating to public finance; creating the
8 Opioid Settlement and Judgment Revolving Fund;
9 specifying type of fund; providing sources of monies;
10 requiring the Attorney General to ensure deposit of
11 funds; requiring investment of monies; authorizing
12 appropriation of portion of monies; providing method
13 of calculation; providing for expenditure of fund;
14 providing allowable expenses; providing for
15 codification; and declaring an emergency.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 2401 of Title 62, unless there
19 is created a duplication in numbering, reads as follows:

20 There is hereby created in the State Treasury a revolving fund
21 to be designated the "Opioid Settlement and Judgment Revolving
22 Fund". The fund shall be a continuing fund, not subject to fiscal
23 year limitations. The fund shall consist of all monies received by
24 this state:

25 1. From any settlement agreement entered into on or after the
effective date of this act with one or more manufacturers,

1 distributors or wholesalers of opioid drugs or any other person or
2 entity involved in the opioid drug supply chain, to the extent
3 allowed under the terms of such settlement agreement; or

4 2. From any final judgment issued on or after the effective
5 date of this act against one or more manufacturers, distributors or
6 wholesalers of opioid drugs or any other person or entity involved
7 in the opioid drug supply chain, to the extent allowed under the
8 terms of such judgment.

9 It shall be the duty of the Attorney General to ensure that
10 funds received by the state pursuant to a settlement agreement or
11 final judgment are promptly deposited into the revolving fund.

12 SECTION 2. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 2402 of Title 62, unless there
14 is created a duplication in numbering, reads as follows:

15 The State Treasurer shall invest the entirety of the Opioid
16 Settlement and Judgment Revolving Fund established in Section 1 of
17 this act as provided by law including, but not limited to, Sections
18 89.1a and 89.2 of Title 62 of the Oklahoma Statutes. For each state
19 fiscal year, beginning with the state fiscal year ending June 30,
20 2023, a portion of the fund, not to exceed four percent (4%) of the
21 balance of the fund, may be appropriated by the Legislature solely
22 for the purposes listed in Section 3 of this act. No later than
23 February 1 of each year, the State Treasurer shall calculate the
24 numerical value in dollars and cents of four percent (4%) of the

1 balance of the fund as of January 1 of the same year and shall
2 provide the amount in a written report to the chair of the Senate
3 Appropriations Committee and the chair of the House Appropriations
4 and Budget Committee.

5 SECTION 3. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 2403 of Title 62, unless there
7 is created a duplication in numbering, reads as follows:

8 To the extent allowed under the terms of applicable settlement
9 agreements or judgments, the portion of monies from the Opioid
10 Settlement and Judgment Revolving Fund available for appropriation
11 by the Legislature as provided in Section 2 of this act shall be
12 expended solely to abate the opioid epidemic utilizing strategies
13 including, but not limited to, evidence-based treatment, counseling,
14 prevention, education and coordination of services for opioid use
15 disorder and co-occurring substance use disorders including, but not
16 limited to, medication-assisted treatment and drug court programs.

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

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