

1 ENGROSSED SENATE
2 BILL NO. 1190

By: Thompson (Roger) and Hall
of the Senate

3 and

4 Wallace and Martinez of the
5 House

6
7 An Act relating to Military Department of the State
8 of Oklahoma; making appropriations; identifying
9 source; establishing amounts; providing purposes;
10 requiring and limiting the utilization of funds;
11 creating certain special accounts; limiting duration
12 of accounts; requiring certain determination;
13 providing and limiting the nature of the accounts and
14 the funds within the accounts; authorizing agency to
15 submit request for certain deposits or transfers;
16 requiring certain compliance and verifications;
17 authorizing certain memorandums of understanding;
18 limiting scope; prohibiting certain memoranda terms;
19 authorizing and limiting the promulgation of rules
20 and utilization of procedures; authorizing and
21 limiting the retention of monies for administration
22 costs; requiring certain reports and submissions to
23 certain entities; requiring appearance before certain
24 joint committee; limiting duration of certain
requirements; and declaring an emergency.

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

19 SECTION 1. There is hereby appropriated to the Military
20 Department of the State of Oklahoma from any monies not otherwise
21 appropriated from the Statewide Recovery Fund of the State Treasury
22 created in Enrolled House Bill No. 3349 of the 2nd Session of the
23 58th Oklahoma Legislature, the sum of Two Million Two Hundred
24 Fifteen Thousand Dollars (\$2,215,000.00) or so much thereof as may

1 be necessary due to increased costs of the project funded in Section
2 1 of Enrolled Senate Bill No. 15 of the 2nd Extraordinary Session of
3 the 58th Oklahoma Legislature.

4 SECTION 2. There is hereby appropriated to the Military
5 Department of the State of Oklahoma from any monies not otherwise
6 appropriated from the Statewide Recovery Fund of the State Treasury
7 created in Enrolled House Bill No. 3349 of the 2nd Session of the
8 58th Oklahoma Legislature, the sum of One Million One Hundred Ninety
9 Thousand Dollars (\$1,190,000.00) or so much thereof as may be
10 necessary due to increased costs of the project funded in Section 2
11 of Enrolled Senate Bill No. 15 of the 2nd Extraordinary Session of
12 the 58th Oklahoma Legislature.

13 SECTION 3. There is hereby appropriated to the Military
14 Department of the State of Oklahoma from any monies not otherwise
15 appropriated from the Statewide Recovery Fund of the State Treasury
16 created in Enrolled House Bill No. 3349 of the 2nd Session of the
17 58th Oklahoma Legislature, the sum of Eight Hundred Thousand Dollars
18 (\$800,000.00) or so much thereof as may be necessary due to
19 increased costs of the project funded in Section 3 of Enrolled
20 Senate Bill No. 15 of the 2nd Extraordinary Session of the 58th
21 Oklahoma Legislature.

22 SECTION 4. A. There is hereby created in the State Treasury a
23 Statewide Recovery Special Account for the Military Department of
24 the State of Oklahoma for each appropriation section of this act.

1 The duration of such accounts shall continue for the period of time
2 that monies related to the American Rescue Plan Act of 2021 are
3 being budgeted, expended, or managed in the state. The ending of
4 such period shall be determined by the State Treasurer, and shall
5 result in the closing of such accounts as a matter of law. Such
6 accounts shall be continuing accounts as otherwise provided in this
7 section, not subject to fiscal year limitations, and shall
8 exclusively consist of monies related to the relevant appropriations
9 made in this act and as otherwise directed by law. All monies
10 deposited to the credit of such accounts are hereby appropriated and
11 may be budgeted and expended by the Military Department of the State
12 of Oklahoma in accordance with the provisions of this act.
13 Expenditures from such accounts shall be made upon warrants issued
14 by the State Treasurer against claims filed as prescribed by law
15 with the Director of the Office of Management and Enterprise
16 Services for approval and payment.

17 B. The Military Department of the State of Oklahoma is
18 authorized to request in writing that the monies appropriated by the
19 provisions of this act be deposited or transferred to the accounts
20 created pursuant to subsection A of this section. No later than
21 seven (7) calendar days from the date of such request, the Director
22 of the Office of Management and Enterprise Services shall comply
23 with such request and verify to the requesting agency that such
24 deposit or transfer has been completed.

1 SECTION 5. The Military Department of the State of Oklahoma may
2 enter into memorandums of understanding with other agencies of the
3 State of Oklahoma for the auditing, documentation, evaluation,
4 implementation, oversight, reporting, and management of funds and
5 associated efforts related to the appropriations made in this act;
6 provided, no such memorandum of understanding shall require or
7 include, as an option or condition, the direct or practical transfer
8 or relinquishment of control by the agency appropriated such funds
9 to budget, expend, allocate, and request the distribution of the
10 funds appropriated by this act.

11 SECTION 6. The Military Department of the State of Oklahoma may
12 promulgate rules, utilize existing rules, establish procedures, and
13 utilize existing procedures to implement the provisions of this act,
14 provided such rules and procedures do not conflict with or impede
15 the provisions of this act.

16 SECTION 7. The Military Department of the State of Oklahoma
17 shall retain no more than two percent (2%) of the funds appropriated
18 by this act to reimburse:

19 1. Costs incurred by the Military Department of the State of
20 Oklahoma; or

21 2. Costs incurred on the agency's behalf,
22 associated with the administration of the appropriated funds and
23 programming required by the Military Department of the State of
24 Oklahoma under the provisions of this act; provided, no funds shall

1 be retained that would be disallowable under the provisions of the
2 American Rescue Plan Act of 2021.

3 SECTION 8. A. The Military Department of the State of Oklahoma
4 shall:

5 1. Submit to the chairs of the Joint Committee on Pandemic
6 Relief Funding, or any successor Oklahoma State Senate or Oklahoma
7 House of Representatives legislative committee or joint committee,
8 as designated by the President Pro Tempore of the Oklahoma State
9 Senate and the Speaker of the Oklahoma House of Representatives:

10 a. a written or electronic quarterly report detailing the
11 budgeting, expenditure, and management of all monies
12 appropriated in this act, and

13 b. a copy of all memorandums of understanding and
14 contracts with third parties entered into by the
15 Military Department of the State of Oklahoma to
16 facilitate, assist, or administer powers and duties
17 provided to the Department under the provisions of
18 this act; and

19 2. At the Joint Committee on Pandemic Relief Funding's request,
20 appear before the Joint Committee no later than six (6) months after
21 the effective date of this act, and as otherwise requested by the
22 Joint Committee, to provide a status update regarding the
23 implementation of the provisions of this act.

1 B. The provisions of subsection A of this section shall remain
2 applicable for the period of time that monies appropriated under
3 this act are being budgeted, expended, or managed in the state. The
4 ending of such period shall be determined by the State Treasurer,
5 and shall be reported to the Governor, the President Pro Tempore of
6 the Oklahoma State Senate, and the Speaker of the Oklahoma House of
7 Representatives.

8 SECTION 9. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

12 Passed the Senate the 17th day of May, 2023.

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14 _____
15 Presiding Officer of the Senate

16 Passed the House of Representatives the ____ day of _____,
17 2023.

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19 _____
20 Presiding Officer of the House
21 of Representatives
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