

1 ENGROSSED SENATE
2 BILL NO. 2039

By: Treat of the Senate

3 and

4 McCall of the House

5
6
7 An Act relating to domestic violence; creating the
8 Domestic Violence and Sexual Assault Services
9 Revolving Fund; establishing fund procedures;
10 providing sources of funds; providing for
11 expenditures from fund; prescribing qualifications
12 for entities to receive certain grants; prescribing
13 procedure for grant amounts; requiring the return of
14 certain unused grants; providing for allocation of
15 returned funds; amending 74 O.S. 2021, Section 18p-1,
16 which relates to the Victim Services Unit of the
17 Office of the Attorney General; requiring certain
18 funds be allocated to certain entity; providing for
19 codification; providing an effective date; and
20 declaring an 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 19.4 of Title 74, unless there
24 is created a duplication in numbering, reads as follows:

25 A. There is hereby created in the State Treasury a revolving
26 fund for the Office of the Attorney General to be designated the
27 "Domestic Violence and Sexual Assault Services Revolving Fund". The
28 fund shall be a continuing fund, not subject to fiscal year

1 limitations, and shall consist of all appropriations, grants, gifts,
2 and apportionments designated for deposit in the fund. All monies
3 accruing to the credit of the fund are hereby appropriated and may
4 be budgeted and expended by the Office of the Attorney General for
5 the purposes of:

6 1. Providing statewide access to and a stable system of
7 delivery of services to victims of domestic violence and sexual
8 assault;

9 2. Promoting a coordinated community approach to serving
10 victims of domestic violence and sexual assault that includes
11 partnerships with law enforcement, courts, hospitals, local
12 departments of social services, and other related support agencies;
13 and

14 3. Providing access to equitable, appropriate, and accessible
15 services through dedicated support of underserved population
16 programs. For the purposes of this section, "underserved
17 populations" shall have the same meaning as set forth in 34 U.S.C.,
18 Section 12291.

19 B. To receive funds from the Domestic Violence and Sexual
20 Assault Services Revolving Fund, an entity providing domestic
21 violence and sexual assault victim services shall:

22 1. Have full certification as a domestic violence and sexual
23 assault victim service agency by the Office of the Attorney General,
24

1 as provided for in Section 18p-3 of Title 74 of the Oklahoma
2 Statutes;

3 2. Be a nonprofit entity exempt from taxation pursuant to
4 Section 501(c)(3) of the Internal Revenue Code, 26 U.S.C.,
5 501(c)(3), for the preceding three (3) years;

6 3. Have an annual audit performed by a qualified and
7 independent auditor; and

8 4. Have received no administrative sanctions pursuant to state
9 law or the Oklahoma Administrative Code.

10 C. Subject to the availability of funds, the following amounts
11 shall be granted each fiscal year:

12 1. The first five percent (5%) of deposits to the Domestic
13 Violence and Sexual Assault Services Revolving Fund to entities
14 qualified to receive funds pursuant to subsection B of this section
15 for at least one (1) year that serve underserved populations;

16 2. Two Hundred Thousand Dollars (\$200,000.00) to each entity
17 qualified to receive funds pursuant to subsection B of this section,
18 certified pursuant to paragraph 1 of subsection B of this section
19 for at least one (1) year, and operating a shelter program; and

20 3. One Hundred Fifty Thousand Dollars (\$150,000.00) to each
21 entity qualified to receive funds pursuant to subsection B of this
22 section, certified pursuant to paragraph 1 of subsection B of this
23 section for at least one (1) year, and operating a crisis
24 intervention center.

1 If the total grants made pursuant to paragraphs 2 and 3 of this
2 subsection exceed the remaining balance of the fund in any fiscal
3 year, after grants are disbursed pursuant to paragraph 1 of this
4 subsection, each grant shall be proportionally reduced. Entities
5 that receive grants pursuant to paragraph 1 of this subsection shall
6 not receive grants pursuant to paragraphs 2 and 3 of this subsection
7 and subsections E and F of this section.

8 D. Within the Domestic Violence and Sexual Assault Services
9 Revolving Fund there shall be established two separate accounts.
10 There shall be deposited into one account the sum of thirty percent
11 (30%) of the amount of the remaining balance of the Domestic
12 Violence and Sexual Assault Services Revolving Fund after
13 expenditures are made pursuant to subsection C of this section, and
14 the remainder shall be deposited into the other account.

15 E. The funds in the account that receive thirty percent (30%)
16 of the remaining balance pursuant to subsection D of this section
17 shall be granted to entities qualified to receive funds pursuant to
18 subsection B of this section and certified pursuant to paragraph 1
19 of subsection B of this section for at least five (5) years in
20 counties whose population exceeds six hundred thousand (600,000)
21 according to the latest Federal Decennial Census, in amounts needed
22 as determined by the Office of the Attorney General. Entities
23 certified pursuant to paragraph 1 of subsection B of this section
24 prior to the effective date of this act shall receive priority

1 consideration for grants provided pursuant to this subsection by the
2 Office of the Attorney General.

3 F. The funds in the account that receives the remainder of the
4 remaining balance pursuant to subsection D of this section shall be
5 granted to entities qualified to receive funds pursuant to
6 subsection B of this section and certified pursuant to paragraph 1
7 of subsection B of this section for at least five (5) years in
8 counties whose population is less than six hundred thousand
9 (600,000) according to the latest Federal Decennial Census by a
10 weighted ratio to be calculated as follows:

11 1. The summation of the following ratios for each county:

- 12 a. the ratio that the county in square miles bears to the
13 total area of all counties that contain entities that
14 qualify to receive grants pursuant to this subsection,
15 multiplied by three-tenths (0.3), and
16 b. the ratio that the population of the county bears to
17 the total population of all the counties that contain
18 entities that qualify to receive grants pursuant to
19 this subsection, multiplied by seven-tenths (0.7); and

20 2. If two or more entities that qualify to receive grants
21 pursuant to this subsection are located within a county, the amount
22 to be granted within that county shall be split equally between the
23 entities.
24

1 G. Notwithstanding any other provisions of this section, funds
2 granted but not expended by entities that qualify to receive funds
3 pursuant to this section shall be returned to the Domestic Violence
4 and Sexual Assault Services Revolving Fund and allocated equally to
5 qualifying entities with remaining services not paid for by grants
6 issued pursuant to this section, but in no event shall the
7 allocation exceed the amount of unpaid services.

8 SECTION 2. AMENDATORY 74 O.S. 2021, Section 18p-1, is
9 amended to read as follows:

10 Section 18p-1. A. There is hereby created within the Office of
11 the Attorney General a Victims Services Unit.

12 B. The duty of the Unit is to provide services for persons who
13 require domestic violence or sexual assault services through a
14 domestic violence or sexual assault program.

15 C. As used in this act, "domestic violence program" or "sexual
16 assault program" means an agency, organization, facility, or person
17 that offers, provides or engages in the offering of any shelter,
18 residential services or support services to:

19 1. Victims or survivors of domestic abuse as defined in Section
20 60.1 of Title 22 of the Oklahoma Statutes, any dependent children of
21 such victim or survivor, and any other member of the family or
22 household of such victim or survivor;

23 2. Victims or survivors of sexual assault;
24

1 3. Persons who are homeless as a result of domestic abuse or
2 sexual assault or both domestic abuse and sexual assault; and

3 4. Victims of stalking,
4 and which may provide other services, including, but not limited to,
5 counseling, case management, referrals or other similar services to
6 victims or survivors of domestic abuse, sexual assault or stalking.

7 D. As used in this act, "batterers intervention program" or
8 "batterers treatment program" means an agency, organization,
9 facility, or person who offers, provides or engages in the offering
10 of counseling or intervention services to persons who commit
11 domestic abuse.

12 E. For any county in which there is more than one sexual
13 assault program, domestic violence program, or batterers
14 intervention program and one or more of the programs operates a
15 shelter program, only the program or programs operating a shelter
16 program shall receive grants or funding from the Victim Services
17 Unit collected pursuant to subsection F of Section 153 of Title 28
18 of the Oklahoma Statutes and Section 2368.22 of Title 68 of the
19 Oklahoma Statutes.

20 SECTION 3. This act shall become effective July 1, 2024.

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

1 Passed the Senate the 28th day of May, 2024.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2024.

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8 _____
9 Presiding Officer of the House
10 of Representatives