

1 ENGROSSED SENATE
2 BILL NO. 844

By: Thompson (Roger),
Pemberton, Rader, and
Pederson of the Senate

3
4 and

5 Miller and Waldron of the
6 House

7 An Act relating to mental health; amending 57 O.S.
8 2021, Section 631, which relates to the County
9 Community Safety Investment Fund; designating fund
10 for the Department of Mental Health and Substance
11 Abuse Services; transferring certain duties to the
12 Department; modifying applicability of section;
13 clarifying language; amending 57 O.S. 2021, Section
14 632, which relates to savings and averted costs from
15 implementation of the Oklahoma Smart Justice Reform
16 Act; transferring certain duties to the Legislative
17 Office of Fiscal Transparency; clarifying time period
18 and applicability of certain calculation; amending 57
19 O.S. 2021, Section 633, which relates to
20 appropriations to the County Community Safety
21 Investment Fund; transferring certain duties to the
22 Legislative Office of Fiscal Transparency; clarifying
23 and modifying applicability of certain provisions;
24 requiring the Department to issue certain request for
proposals subject to availability of funds; listing
programs eligible for funding; stipulating criteria
for proposals; requiring submission of necessary
documents; giving the Department certain discretion
over awards based on specified criteria; requiring
submission of certain annual report; renumbering 57
O.S. 2021, Sections 631, 632, and 633, as amended by
Sections 1, 2, and 3 of this act, which relate to the
County Community Safety Investment Fund; providing
for codification; providing an effective date; and
declaring an emergency.

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

SECTION 1. AMENDATORY 57 O.S. 2021, Section 631, is

amended to read as follows:

Section 631. A. There is hereby created in the State Treasury a revolving fund for the Department of Mental Health and Substance Abuse Services to be designated the "County Community Safety Investment Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies ~~received pursuant to Section 633 of Title 57 of the Oklahoma Statutes~~ appropriated to the fund under Section 633 of this title.

B. All monies ~~appropriated and~~ accruing to the credit of the fund shall be budgeted and expended by the ~~Office of Management and Enterprise Services~~ Department of Mental Health and Substance Abuse Services for the sole purpose of providing funds to counties ~~to provide community rehabilitative programming, including but not limited to mental health and substance abuse services. Funds shall be disbursed in proportion to county population, as reported in the most recent census~~ for development and implementation of the programs listed in Section 4 of this act.

C. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

1 ~~D. The Director of the Office of Management and Enterprise~~
2 ~~Services shall promulgate rules necessary to implement the~~
3 ~~provisions of this act.~~

4 SECTION 2. AMENDATORY 57 O.S. 2021, Section 632, is
5 amended to read as follows:

6 Section 632. No later than July 31 of ~~the year following the~~
7 ~~effective date of this act, and no later than July 31 every year~~
8 ~~thereafter~~ each year, the ~~Office of Management and Enterprise~~
9 ~~Services~~ Legislative Office of Fiscal Transparency shall calculate
10 the annual savings and averted costs from the prior fiscal year that
11 accrued to the state ~~from the~~ due to the reduction of the number and
12 length of incarcerations attributed to the implementation of the
13 Oklahoma Smart Justice Reform Act. In making the calculation
14 required by this section, the ~~Office of Management and Enterprise~~
15 ~~Services~~ Legislative Office of Fiscal Transparency shall use actual
16 data or best available estimates where actual data is not available.
17 The calculation shall be final and shall not be adjusted for any
18 subsequent changes in the underlying data.

19 SECTION 3. AMENDATORY 57 O.S. 2021, Section 633, is
20 amended to read as follows:

21 Section 633. An amount equal to the savings calculated by the
22 ~~Office of Management and Enterprise Services~~ Legislative Office of
23 Fiscal Transparency pursuant to ~~Section 632 of Title 57~~ Section 632
24 of this title shall, subject to appropriation by the Legislature, be

1 paid to the County Community Safety Investment Fund created in
2 Section 631 of this title.

3 This section is intended to comply with, and is subject to,
4 Article V, Section 55, Article VI, Section 12, Article X, Section
5 23, and the other applicable provisions of the Oklahoma
6 Constitution.

7 SECTION 4. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 2-312.4 of Title 43A, unless
9 there is created a duplication in numbering, reads as follows:

10 A. Subject to availability of funds under Section 631 of Title
11 57 of the Oklahoma Statutes, the Department of Mental Health and
12 Substance Abuse Services shall annually issue a request for
13 proposals by which county governments or multi-county partnerships
14 may apply for funds for the development and implementation of
15 evidence-based:

16 1. Mental health and substance abuse treatment programs or
17 other health care programs;

18 2. Pretrial diversion programs;

19 3. Employment programs;

20 4. Education programs; or

21 5. Housing programs.

22 B. The request for proposals shall include, but not be limited
23 to, the proposed services, number of individuals to be served by the
24 proposed services or programs, and the manner in which the services

1 or programs will partner with or be supported by local Department-
2 contracted or -certified entities.

3 C. For a proposal to be considered, the applying county
4 government or multi-county partnership must submit all necessary
5 documents to meet the requirements outlined in the request for
6 proposals.

7 D. The number of awards and funding amounts of each award shall
8 be at the discretion of the Department and shall be based on total
9 available funds, total county population, and the criteria in
10 subsection B of this section.

11 E. The Department shall submit an annual report to the
12 President Pro Tempore of the Senate and the Speaker of the House of
13 Representatives that includes the amount awarded to each county
14 government or multi-county partnership and a summary of services
15 provided by each county government or multi-county partnership.

16 F. The Board of Mental Health and Substance Abuse Services
17 shall promulgate rules to implement the provisions of this act
18 including, but not limited to, rules that set qualifications for
19 programs eligible to receive funds under this section.

20 SECTION 5. RECODIFICATION 57 O.S. 2021, Section 631, as
21 amended by Section 1 of this act, shall be recodified as Section 2-
22 312.1 of Title 43A of the Oklahoma Statutes, unless there is created
23 a duplication in numbering.

SECTION 6. RECODIFICATION 57 O.S. 2021, Section 632, as amended by Section 2 of this act, shall be recodified as Section 2-312.2 of Title 43A of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 7. RECODIFICATION 57 O.S. 2021, Section 633, as amended by Section 3 of this act, shall be recodified as Section 2-312.3 of Title 43A of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 8. This act shall become effective July 1, 2023.

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

Passed the Senate the 6th day of March, 2023.

Presiding Officer of the Senate

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

Presiding Officer of the House
of Representatives