

An Act

ENROLLED HOUSE
BILL NO. 2884

By: Wallace and Martinez of the
House

and

Thompson (Roger) and Hall
of the Senate

An Act relating to the Department of Human Services; making appropriations; identifying source; establishing amounts; providing purposes; requiring and limiting the utilization of funds; creating certain special accounts; limiting duration of accounts; requiring certain determinations; providing and limiting the nature of accounts and funds within accounts; authorizing agency to submit request for certain deposits or transfers; requiring certain compliance and verifications; authorizing certain memorandums of understanding; limiting scope; prohibiting certain memoranda terms; authorizing and limiting the promulgation of rules and utilization of procedures; authorizing and limiting the retention of monies for administration costs; requiring certain reports and submissions to certain entities; requiring appearance before certain joint committee; limiting duration of certain requirements; providing determination process; establishing requirements; providing for noncodification; and declaring an emergency.

SUBJECT: Department of Human Services

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Statewide Recovery Fund of the State Treasury created in Enrolled House Bill No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the sum of Twenty-five Million Dollars (\$25,000,000.00) or so much thereof as may be necessary for promoting healthy childhood environments through expanding capacity for child care services. Such funds shall be utilized in a manner consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on September 20, 2022.

SECTION 2. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Statewide Recovery Fund of the State Treasury created in Enrolled House Bill No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the sum of Two Million Eight Hundred Thousand Dollars (\$2,800,000.00) or so much thereof as may be necessary to provide semi-independent housing, food security, and transitional tools to victims of domestic violence. Such funds shall be utilized in a manner consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on September 20, 2022.

SECTION 3. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Statewide Recovery Fund of the State Treasury created in Enrolled House Bill No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the sum of Seven Hundred Thousand Dollars (\$700,000.00) or so much thereof as may be necessary for services to reduce child abuse and neglect by focusing programs on fathers and high-risk communities. Such funds shall be utilized in a manner consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on September 20, 2022.

SECTION 4. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Statewide Recovery Fund of the State Treasury created in Enrolled House Bill

No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the sum of One Million Dollars (\$1,000,000.00) or so much thereof as may be necessary for capital improvements to a facility that serves victims of domestic violence, sexual assault, and human sex trafficking. Such funds shall be utilized in a manner consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on September 20, 2022.

SECTION 5. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Statewide Recovery Fund of the State Treasury created in Enrolled House Bill No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the sum of Two Million Dollars (\$2,000,000.00) or so much thereof as may be necessary to develop a multipurpose community facility aimed at providing assistance to individuals impacted by domestic violence and sexual abuse. Such funds shall be utilized in a manner consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on September 20, 2022.

SECTION 6. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Statewide Recovery Fund of the State Treasury created in Enrolled House Bill No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the sum of Thirty Million One Hundred Thousand Dollars (\$30,100,000.00) or so much thereof as may be necessary to promote healthy childhood environments and address educational disparities. Such funds shall be utilized in a manner consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on September 20, 2022.

SECTION 7. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Statewide Recovery Fund of the State Treasury created in Enrolled House Bill No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the sum of Three Million Dollars (\$3,000,000.00) or so much thereof as may be necessary to develop a food program which focuses on food

distribution, education, workforce development, and health assessments. Such funds shall be utilized in a manner consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on September 20, 2022.

SECTION 8. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Statewide Recovery Fund of the State Treasury created in Enrolled House Bill No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the sum of Three Hundred Forty-two Thousand Three Hundred Sixty Dollars (\$342,360.00) or so much thereof as may be necessary to address the needs of at-risk youth in Oklahoma by providing counseling and other support services for youth and their parents for child care services. Such funds shall be utilized in a manner consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on September 20, 2022.

SECTION 9. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the Department of Human Services from any monies not otherwise appropriated from the Statewide Recovery Fund of the State Treasury created in Enrolled House Bill No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the sum of Three Hundred Thousand Dollars (\$300,000.00) or so much thereof as may be necessary for addressing holistic approaches and violence prevention through mental health and substance abuse services, education, and job training and placement. Such funds shall be utilized in a manner consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on September 20, 2022.

SECTION 10. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. There is hereby created in the State Treasury a Statewide Recovery Special Account for the Department of Human Services for each appropriation section of this act. The duration of such accounts shall continue for the period of time that monies related to the American Rescue Plan Act of 2021 are being budgeted, expended, or managed in the state. The ending of such period shall be determined by the State Treasurer, and shall result in the

closing of such accounts as a matter of law. Such accounts shall be continuing accounts as otherwise provided in this section, not subject to fiscal year limitations, and shall exclusively consist of monies related to the relevant appropriation made in this act and as otherwise directed by law. All monies deposited to the credit of such accounts are hereby appropriated and may be budgeted and expended by the Department of Human Services in accordance with the provisions of this act. Expenditures from such accounts 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.

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

SECTION 11. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

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

SECTION 12. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The Department of Human Services may promulgate rules, utilize existing rules, establish procedures, and utilize existing procedures to implement the provisions of this act; provided, such rules and procedures do not conflict with or impede the provisions of this act.

SECTION 13. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The Department of Human Services shall retain no more than two percent (2%) of the funds appropriated by this act to reimburse:

1. Costs incurred by the Department of Human Services; or
2. Costs incurred on the agency's behalf,

associated with the administration of the appropriated funds and programming required by the Department of Human Services under the provisions of this act; provided, that no funds shall be retained that would be disallowable under the provisions of the American Rescue Plan Act of 2021.

SECTION 14. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. The Department of Human Services shall:

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

- a. a written or electronic quarterly report detailing the budgeting, expenditure, and management of all monies appropriated in this act, and
- b. a copy of all memorandums of understanding and contracts with third parties entered into by the Department of Human Services to facilitate, assist, or administer powers and duties provided to the Department of Human Services under the provisions of this act; and

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

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

SECTION 15. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

For all projects funded in this measure, if a nonprofit 501(c)(3) organization may help implement the project, the Department of Human Services shall require the nonprofit show:

1. It provides direct services to residents of Oklahoma;
2. It is in good standing with the Office of the Secretary of State;
3. It is in compliance with the applicable federal and Oklahoma tax laws for years 2019, 2020, and 2021; and
4. It continues to provide its good standing with the Office of the Secretary of State and is in compliance with applicable federal and Oklahoma tax laws for all years the nonprofit is helping implement the program.

SECTION 16. 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 House of Representatives the 14th day of March, 2023.

Presiding Officer of the House
of Representatives

Passed the Senate the 21st day of March, 2023.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____