

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2884

By: Wallace and Martinez of the
House

and

Thompson and Hall of the
Senate

11 COMMITTEE SUBSTITUTE

12 An Act relating to the Department of Human Services;
13 making appropriations; identifying source;
14 establishing amounts; providing purposes; requiring
15 and limiting the utilization of funds; creating
16 certain special accounts; limiting duration of
17 accounts; requiring certain determinations; providing
18 and limiting the nature of accounts and funds within
19 accounts; authorizing agency to submit request for
20 certain deposits or transfers; requiring certain
21 compliance and verifications; authorizing certain
22 memorandums of understanding; limiting scope;
23 prohibiting certain memoranda terms; authorizing and
24 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.

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

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

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

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

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

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

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

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

15 There is hereby appropriated to the Department of Human Services
16 from any monies not otherwise appropriated from the Statewide
17 Recovery Fund of the State Treasury created in Enrolled House Bill
18 No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the
19 sum of One Million Dollars (\$1,000,000.00) or so much thereof as may
20 be necessary for capital improvements to a facility that serves
21 victims of domestic violence, sexual assault, and human sex
22 trafficking. Such funds shall be utilized in a manner consistent
23 with the recommendations adopted by the Joint Committee on Pandemic
24 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

1 the recommendations adopted by the Joint Committee on Pandemic
2 Relief Funding on September 20, 2022.

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

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

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

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

1 closing of such accounts as a matter of law. Such accounts shall be
2 continuing accounts as otherwise provided in this section, not
3 subject to fiscal year limitations, and shall exclusively consist of
4 monies related to the relevant appropriation made in this act and as
5 otherwise directed by law. All monies deposited to the credit of
6 such accounts are hereby appropriated and may be budgeted and
7 expended by the Department of Human Services in accordance with the
8 provisions of this act. Expenditures from such accounts shall be
9 made upon warrants issued by the State Treasurer against claims
10 filed as prescribed by law with the Director of the Office of
11 Management and Enterprise Services for approval and payment.

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

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

22 The Department of Human Services may enter into memorandums of
23 understanding with other agencies of the State of Oklahoma for the
24 auditing, documentation, evaluation, implementation, oversight,

1 reporting, and management of funds and associated efforts related to
2 the appropriations made in this act; provided, that no such
3 memorandum of understanding shall require or include, as an option
4 or condition, the direct or practical transfer or relinquishment of
5 control by the agency appropriated such funds to budget, expend,
6 allocate, and request the distribution of the funds appropriated by
7 this act.

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

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

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

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

- 19 1. Costs incurred by the Department of Human Services; or
 - 20 2. Costs incurred on the agency's behalf,
- 21 associated with the administration of the appropriated funds and
22 programming required by the Department of Human Services under the
23 provisions of this act; provided, that no funds shall be retained
24

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

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

5 A. The Department of Human Services shall:

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

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

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

21 2. At the Joint Committee on Pandemic Relief Funding's request,
22 appear before the Joint Committee no later than six (6) months after
23 the effective date of this act, and as otherwise requested by the
24

1 Joint Committee to provide a status update regarding the
2 implementation of the provisions of this act.

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

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

12 A. For all projects funded in this measure, if a non-profit
13 501(c)(3) organization may help implement the project, the
14 Department of Human Services shall require the non-profit show:

15 1. It provides direct services to residents of Oklahoma;

16 2. It is in good standing with the Office of the Secretary of
17 State;

18 3. Is in compliance with the applicable federal and Oklahoma
19 Tax laws for years 2019, 2020, and 2021; and

20 4. It continues to provide its good standing with the Office of
21 the Secretary of State and in compliance with applicable federal and
22 Oklahoma tax laws for all years the non-profit is helping implement
23 the program.
24

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.

COMMITTEE REPORT BY: COMMITTEE ON JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET, dated 03/13/2023 - DO PASS, As Amended.