

OKLAHOMA HOUSE OF REPRESENTATIVES  
COMMITTEE REPORT

5/16/2023 4:59:11 PM

JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET COMMITTEE

**HB2943**

By: Wallace et al of the House

Thompson (Roger) et al of the Senate

Title: Public finance; Public Finance Act of 2023; effective date.

Coauthored By:

Recommendation: **DO PASS AS AMENDED BY CS**

Amendments:

1. Committee Substitute Attached



\_\_\_\_\_  
Chr.  
Representative Kevin Wallace

YEAS: 37

Baker, Bashore, Bennett, Blancett, Boatman, Boles, Echols, Fetgatter, Ford, Goodwin, Hasenbeck, Hilbert, Hill, Kannady, Kerbs, Lawson, Lepak, Lowe (D), Luttrell, Martinez, McBride, McEntire, Miller, Moore, Munson, Newton, Nichols, O'Donnell, Osburn, Pfeiffer, Provenzano, Ranson, Sterling, Strom, Vancuren, Wallace, West (T)

NAYS: 0

CONSTITUTIONAL PRIVILEGE: 0

**OKLAHOMA STATE SENATE  
JOINT  
COMMITTEE REPORT**

May 16, 2023

JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET

HB2943

By: Thompson (Roger) et al of the Senate and Wallace et al of the House

Title: Public finance; Public Finance Act of 2023; effective date.

Recommendation: **DO PASS AS AMENDED BY CS**

AYES: 19

Brooks, Burns, Dugger, Floyd, Hall, Haste, Hicks, Howard, Jech, Kirt,  
Matthews, Montgomery, Prieto, Pugh, Rader, Rosino, Stephens,  
Thompson (K), Thompson (R)

NAYS: 1

Woods

CONSTITUTIONAL PRIVILEGE: 0

Senator Roger Thompson, Chair

Committee Substitute, motion by Senator Kirt - Adopted (Request No: 15066)

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

COMMITTEE SUBSTITUTE  
FOR

HOUSE BILL NO. 2943

By: Wallace and Martinez of the  
House

and

Thompson (Roger) and Hall  
of the Senate

COMMITTEE SUBSTITUTE

An Act relating to the State Department of Health;  
making appropriations; identifying source;  
establishing amount; providing purpose; requiring and  
limiting the utilization of funds; creating certain  
special accounts; limiting duration of accounts;  
requiring certain determination; providing and  
limiting the nature of accounts and funds within  
accounts; authorizing agency to submit request for  
certain deposit or transfer; requiring certain  
compliance and verification; 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; providing for noncodification;  
and declaring an emergency.

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

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

4 There is hereby appropriated to the State Department of Health  
5 from monies not otherwise appropriated from the Statewide Recovery  
6 Fund of the State Treasury created in Enrolled House Bill No. 3349  
7 of the 2nd Session of the 58th Oklahoma Legislature, the sum of Four  
8 Million Dollars (\$4,000,000.00) or so much therefore as may be  
9 necessary to a nonprofit to establish and build out a family  
10 residence building located North of State Highway 3 and West of  
11 State Highway 74, aimed at providing care and housing to families  
12 with children undergoing long-term care and treatment at medical  
13 facilities.

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

16 There is hereby appropriated to the Oklahoma State Department of  
17 Health from monies not otherwise appropriated from the Statewide  
18 Recovery Fund of the State Treasury created in Enrolled House Bill  
19 No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the  
20 sum of Two Million Dollars (\$2,000,000.00) or so much therefore as  
21 may be necessary to a nonprofit located within twenty-five (25)  
22 miles of Lake Hefner to retrofit and expand a facility to provide  
23 expanded services to children needing long-term care and treatment.

24

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

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

21       B. The State Department of Health is authorized to request in  
22 writing that the monies appropriated by the provisions of this act  
23 be deposited or transferred to the accounts created pursuant to  
24 subsection A of this section. No later than seven (7) calendar days

1 from the date of such request, the Director of the Office of  
2 Management and Enterprise Services shall comply with such request  
3 and verify to the requesting agency that such deposit or transfer  
4 has been completed.

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

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

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

19 The State Department of Health may promulgate rules, utilize  
20 existing rules, establish procedures, and utilize existing  
21 procedures to implement the provisions of this act; provided, such  
22 rules and procedures do not conflict with or impede the provisions  
23 of this act.

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

3       The State Department of Health shall retain no more than two  
4       percent (2%) of the funds appropriated by this act to reimburse:

5       1.   Costs incurred by the State Department of Health; or

6       2.   Costs incurred on the agency's behalf, associated with the  
7       administration of the appropriated funds and programming required by  
8       the State Department of Health under the provisions of this act;  
9       provided, that no funds shall be retained that would be disallowable  
10      under the provisions of the American Rescue Plan Act of 2021.

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

13      A. The State Department of Health shall:

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

19          a.   a written or electronic quarterly report detailing the  
20                budgeting, expenditure, and management of all monies  
21                appropriated in this act, and

22          b.   a copy of all memorandums of understanding and  
23                contracts with third parties entered into by the State  
24                Department of Health to facilitate, assist, or



1 administer powers and duties provided to the State  
2 Department of Health under the provisions of this act;  
3 and

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

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

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

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20 59-1-8395 MKS 05/16/23  
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