

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 2039

By: Treat of the Senate

and

McCall of the House

AS INTRODUCED

An Act relating to domestic violence; creating the Domestic Violence and Sexual Assault Services Revolving Fund; establishing fund procedures; providing sources of funds; providing for expenditures from fund; prescribing qualifications for entities to receive certain grants; prescribing procedure for grant amounts; requiring the return of certain unused grants; providing for allocation of returned funds; amending 74 O.S. 2021, Section 18p-1, which relates to the Victim Services Unit of the Office of the Attorney General; requiring certain funds be allocated to certain entity; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 19.4 of Title 74, unless there is created a duplication in numbering, reads as follows:

1 A. There is hereby created in the State Treasury a revolving
2 fund for the Office of the Attorney General to be designated the
3 "Domestic Violence and Sexual Assault Services Revolving Fund". The
4 fund shall be a continuing fund, not subject to fiscal year
5 limitations, and shall consist of all appropriations, grants, gifts,
6 and apportionments designated for deposit in the fund. All monies
7 accruing to the credit of the fund are hereby appropriated and may
8 be budgeted and expended by the Office of the Attorney General for
9 the purposes of:

10 1. Providing statewide access to and a stable system of
11 delivery of services to victims of domestic violence and sexual
12 assault;

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

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

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

4 1. Have full certification as a domestic violence and sexual
5 assault victim service agency by the Office of the Attorney General,
6 as provided for in Section 18p-3 of Title 74 of the Oklahoma
7 Statutes;

8 2. Be a nonprofit entity exempt from taxation pursuant to
9 Section 501(c)(3) of the Internal Revenue Code, 26 U.S.C.,
10 501(c)(3), for the preceding three (3) years;

11 3. Have an annual audit performed by a qualified and
12 independent auditor; and

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

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

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

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

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

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

13 D. Within the Domestic Violence and Sexual Assault Services
14 Revolving Fund there shall be established two separate accounts.
15 There shall be deposited into one account the sum of thirty percent
16 (30%) of the amount of the remaining balance of the Domestic
17 Violence and Sexual Assault Services Revolving Fund after
18 expenditures are made pursuant to subsection C of this section, and
19 the remainder shall be deposited into the other account.

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

8 F. The funds in the account that receives the remainder of the
9 remaining balance pursuant to subsection D of this section shall be
10 granted to entities qualified to receive funds pursuant to
11 subsection B of this section and certified pursuant to paragraph 1
12 of subsection B of this section for at least five (5) years in
13 counties whose population is less than six hundred thousand
14 (600,000) according to the latest Federal Decennial Census by a
15 weighted ratio to be calculated as follows:

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

- 17 a. the ratio that the county in square miles bears to the
18 total area of all counties that contain entities that
19 qualify to receive grants pursuant to this subsection,
20 multiplied by three-tenths (0.3), and
21 b. the ratio that the population of the county bears to
22 the total population of all the counties that contain
23 entities that qualify to receive grants pursuant to
24 this subsection, multiplied by seven-tenths (0.7); and
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1 2. If two or more entities that qualify to receive grants
2 pursuant to this subsection are located within a county, the amount
3 to be granted within that county shall be split equally between the
4 entities.

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

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

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

16 B. The duty of the Unit is to provide services for persons who
17 require domestic violence or sexual assault services through a
18 domestic violence or sexual assault program.

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

23 1. Victims or survivors of domestic abuse as defined in Section
24 60.1 of Title 22 of the Oklahoma Statutes, any dependent children of

1 such victim or survivor, and any other member of the family or
2 household of such victim or survivor;

3 2. Victims or survivors of sexual assault;

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

6 4. Victims of stalking,

7 and which may provide other services, including, but not limited to,
8 counseling, case management, referrals or other similar services to
9 victims or survivors of domestic abuse, sexual assault or stalking.

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

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

23 SECTION 3. This act shall become effective July 1, 2024.
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SECTION 4. 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.

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