

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3131 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Kevin West _____

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 PROPOSED OVERSIGHT
4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3131

By: West (Kevin)

7
8 PROPOSED OVERSIGHT COMMITTEE SUBSTITUTE

9 An Act relating to homeless shelter standards;
10 creating the Oklahoma Homeless Shelter Safety and
11 Accountability Act; establishing minimum statewide
12 standards for certain providers receiving state-
13 administered funds and state-administered federal
14 funds; limiting rulemaking authority; providing for
15 financial transparency and aggregate reporting;
16 providing complaint, enforcement, and appeal
17 procedures; preserving local zoning authority;
18 creating an advisory board with limited duration;
19 providing for sunset; providing for noncodification;
20 providing for codification; and providing an
21 effective date.

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

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

This act shall be known and may be cited as the "Oklahoma
Homeless Shelter Safety and Accountability Act".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1200 of Title 63, unless there
3 is created a duplication in numbering, reads as follows:

4 As used in this act:

5 1. "Homeless shelter provider" means a public or private entity
6 operating a facility providing temporary overnight shelter to
7 individuals experiencing homelessness and receiving state-
8 administered funds or state-administered federal funds;

9 2. "Material noncompliance" means failure to meet a minimum
10 standard expressly authorized in Section 5 of this act after written
11 notice and expiration of the cure period provided in Section 9 of
12 this act;

13 3. "Material safety event" means:

- 14 a. death not resulting from natural causes,
- 15 b. serious bodily injury requiring emergency transport or
16 hospitalization,
- 17 c. fire requiring response by a fire department,
- 18 d. violent felony offense reported to law enforcement, or
- 19 e. a condition presenting an imminent threat to life or
20 physical safety;

21 4. "On the premises" means within property under control of the
22 provider;

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1 5. "State-administered federal funds" means federal funds
2 received by a state agency and distributed through grant, contract,
3 or subrecipient agreement; and

4 6. "State-administered funds" means funds appropriated by the
5 Legislature or otherwise disbursed by a state agency.

6 SECTION 3. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 1201 of Title 63, unless there
8 is created a duplication in numbering, reads as follows:

9 A. Nothing in this act shall create, replace, alter, redefine,
10 or supersede any continuum of care established pursuant to federal
11 law or administered by the United States Department of Housing and
12 Urban Development.

13 B. Nothing in this act shall:

14 1. Establish a statewide continuum of care;

15 2. Replace or modify federal homeless management information
16 system (HMIS) governance structures; or

17 3. Alter coordinated entry systems established under federal
18 law.

19 C. In the event of a conflict between this act and applicable
20 federal grant requirements, federal requirements shall control.

21 D. Compliance with this act shall be a condition of eligibility
22 for receipt of state-administered funds and state-administered
23 federal funds.

24

1 E. To the extent practicable, the State Department of Health
2 shall accept existing federal or state reports in satisfaction of
3 reporting requirements under this act.

4 SECTION 4. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 1202 of Title 63, unless there
6 is created a duplication in numbering, reads as follows:

7 This act applies only to homeless shelter providers receiving
8 state-administered funds and state-administered federal funds.

9 Providers receiving federal funds directly from a federal agency
10 without state administration are not subject to this act unless
11 otherwise required by state law.

12 SECTION 5. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 1203 of Title 63, unless there
14 is created a duplication in numbering, reads as follows:

15 A. The State Department of Health may promulgate rules strictly
16 limited to implementing the minimum standards expressly authorized
17 in this section.

18 B. Rulemaking authority is confined solely to:

19 1. Basic life safety standards consistent with existing
20 applicable building and fire codes;

21 2. Minimum sanitation and hygiene standards;

22 3. Reporting procedures for material safety events;

23 4. Documentation verifying occupancy limits consistent with
24 local approvals; and

1 5. Staff training standards limited to safety, emergency
2 response, and facility operations.

3 C. The State Department of Health shall not:

4 1. Create or establish a statewide continuum of care structure;

5 2. Establish mandatory performance benchmarks or outcome
6 thresholds;

7 3. Create system-wide reduction targets;

8 4. Require submission of client-level personally identifiable
9 information;

10 5. Duplicate federal homeless management information system
11 (HMIS) reporting requirements;

12 6. Impose zoning or land use requirements;

13 7. Establish licensing requirements beyond those required by
14 law;

15 8. Regulate clinical or medical services unless required by
16 separate statute; or

17 9. Expand the scope of this act beyond providers receiving
18 state-administered funds.

19 D. Any expansion beyond subsection B of this section requires
20 express legislative enactment.

21 SECTION 6. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 1204 of Title 63, unless there
23 is created a duplication in numbering, reads as follows:

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1 A. As a condition of eligibility for state-administered funds
2 or state-administered federal funds, a homeless shelter provider
3 shall submit to the Oklahoma Department of Commerce documentation
4 sufficient to demonstrate lawful expenditure of such funds.

5 B. The Department may require:

6 1. Audit documentation consistent with federal single audit
7 requirements when applicable;

8 2. Tiered financial review thresholds based on the amount of
9 state-administered funds or state-administered federal funds
10 received;

11 3. Financial statements appropriate to the level of funding
12 received; and

13 4. Documentation already required under federal or state grant
14 agreements.

15 C. The Department shall align reporting requirements with
16 existing federal and state grant documentation and shall, to the
17 extent practicable, accept substantially similar documentation in
18 satisfaction of this section.

19 SECTION 7. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1205 of Title 63, unless there
21 is created a duplication in numbering, reads as follows:

22 A. Providers shall submit annual aggregate data including:

23 1. Authorized bed or unit capacity;

24 2. Average occupancy rates;

- 1 3. Aggregate counts of material safety events;
- 2 4. Aggregate counts of emergency responses;
- 3 5. Aggregate exits to permanent housing;
- 4 6. Aggregate returns to homelessness or unknown exits; and
- 5 7. Aggregate referrals to treatment or behavioral health
- 6 services.

7 B. Outcome data shall be used solely for transparency and
8 public planning purposes.

9 C. Funding eligibility shall not be conditioned on achieving
10 specific outcome percentages or performance benchmarks beyond those
11 required as a condition of receipt of state-administered funds or
12 state-administered federal funds.

13 D. Reports shall not include personally identifiable
14 information beyond what is required under applicable federal law.

15 SECTION 8. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 1206 of Title 63, unless there
17 is created a duplication in numbering, reads as follows:

18 A. The State Department of Health shall maintain a complaint
19 process limited to health and safety compliance pursuant to Section
20 5 of this act.

21 B. The Oklahoma Department of Commerce shall maintain
22 administrative procedures related to financial compliance and
23 funding eligibility.

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1 C. No provider shall retaliate against an employee, volunteer,
2 client, or other individual who submits a complaint in good faith.

3 SECTION 9. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 1207 of Title 63, unless there
5 is created a duplication in numbering, reads as follows:

6 A. Upon written notice of deficiency issued by the State
7 Department of Health, a provider shall have thirty (30) days to
8 cure.

9 B. If a condition presents an imminent threat to life or
10 safety, the State Department of Health may take immediate action
11 consistent with its statutory authority and shall notify the
12 Oklahoma Department of Commerce.

13 C. If a provider fails to cure a material health and safety
14 deficiency, the Department of Health shall formally notify the
15 Oklahoma Department of Commerce.

16 D. Upon receipt of such notification, or upon independent
17 determination of financial noncompliance, the Oklahoma Department of
18 Commerce may:

19 1. Suspend, withhold, or declare ineligible the provider's
20 receipt of state-administered funds and state-administered federal
21 funds; and

22 2. Issue formal written recommendations to both the Board of
23 County Commissioners and the governing body of the municipality in
24

1 which the provider operates that the provider be restricted or
2 terminated from continuing to provide services.

3 E. Enforcement actions are administrative in nature.

4 F. Providers are entitled to appeal enforcement actions
5 pursuant to the Oklahoma Administrative Procedures Act.

6 G. Nothing in this act creates a private right of action.

7 H. Neither the State Department of Health nor the Oklahoma
8 Department of Commerce shall have authority to revoke or suspend
9 local permits, zoning approvals, or certificates of occupancy.

10 SECTION 10. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 1208 of Title 63, unless there
12 is created a duplication in numbering, reads as follows:

13 Nothing in this act supersedes or preempts local zoning, land
14 use, building, fire, health, or permitting authority, nor requires a
15 political subdivision to approve or site a homeless facility. Local
16 governments may adopt and enforce standards more stringent than
17 those established pursuant to this act.

18 SECTION 11. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1209 of Title 63, unless there
20 is created a duplication in numbering, reads as follows:

21 A. There is hereby created the Oklahoma Homeless Shelter
22 Standards Advisory Board.

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1 B. The Board shall be advisory only and shall consist of nine
2 (9) voting members. Recommendations shall not have the force of law
3 unless enacted by the Legislature.

4 C. The Commissioner of Health shall serve as chair and shall
5 vote only in the event of a tie.

6 D. Membership of the board shall consist of:

7 1. One member appointed by the Governor;

8 2. One member appointed by the Speaker of the Oklahoma House of
9 Representatives;

10 3. One member appointed by the President Pro Tempore of the
11 Oklahoma State Senate;

12 4. One county commissioner appointed by the Oklahoma
13 Association of County Commissioners;

14 5. One municipal representative appointed by the Oklahoma
15 Municipal League, preferably from a municipality with demonstrated
16 experience administering homeless shelter services;

17 6. One representative of a homeless services provider appointed
18 by the Governor;

19 7. One public health professional appointed by the Speaker of
20 the House;

21 8. One representative of law enforcement or emergency medical
22 services appointed by the President Pro Tempore of the Senate; and

23 9. One additional member appointed jointly by the Speaker of
24 the House and the President Pro Tempore of the Senate.

1 E. The Board shall:

2 1. Advise the State Department of Health regarding health and
3 safety rule development;

4 2. Advise the Oklahoma Department of Commerce regarding
5 financial reporting alignment; and

6 3. Submit annual recommendations to the Legislature.

7 F. The Board may, by majority vote, call upon up to five (5)
8 at-large, non-voting subject matter experts for consultation. Such
9 individuals shall serve in an advisory capacity only and shall not
10 possess voting authority.

11 G. Members shall serve without compensation.

12 SECTION 12. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 1210 of Title 63, unless there
14 is created a duplication in numbering, reads as follows:

15 The Oklahoma Homeless Shelter Standards Advisory Board shall
16 cease to exist five (5) years from the effective date of this act.

17 SECTION 13. This act shall become effective November 1, 2026.

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19 60-2-16868 TJ 03/03/26
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