

1 STATE OF OKLAHOMA

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

3 POLICY COMMITTEE  
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 3131

By: West (Kevin)

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8 POLICY COMMITTEE RECOMMENDATION

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; and providing an effective  
20 date.

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

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

24 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. "Department" means the Oklahoma State Department of Health;

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

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

14          4. "Material safety event" means:

15           a. death not resulting from natural causes,

16           b. serious bodily injury requiring emergency transport or  
17 hospitalization,

18           c. fire requiring response by a fire department,

19           d. violent felony offense reported to law enforcement, or

20           e. a condition presenting an imminent threat to life or  
21 physical safety;

22          5. "On the premises" means within property under control of the  
23 provider;

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

4       7. "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.

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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. Written intake and discharge policy requirements;

23 4. Reporting procedures for material safety events;

24

1           5. Documentation sufficient to demonstrate lawful expenditure  
2 of state-administered funds or state-administered federal funds;

3           6. Tiered financial audit thresholds based on the amount of  
4 public funds received;

5           7. Standardized aggregate reporting formats necessary to  
6 implement Sections 6 and 7 of this act; and

7           8. Staff training standards limited to safety, emergency  
8 response, and facility operations.

9           C. The Department shall not:

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

11           2. Establish mandatory performance benchmarks or outcome  
12 thresholds;

13           3. Create system-wide reduction targets;

14           4. Require submission of client-level personally identifiable  
15 information;

16           5. Duplicate federal homeless management information system  
17 (HMIS) reporting requirements;

18           6. Impose zoning or land use requirements;

19           7. Establish licensing requirements beyond those required by  
20 law;

21           8. Regulate clinical or medical services unless required by  
22 separate statute; or

23           9. Expand the scope of this act beyond providers receiving  
24 state-administered funds.

1 D. Any expansion beyond subsection B of this section requires  
2 express legislative enactment.

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

6 A. Each provider shall comply with the tiered financial audit  
7 or review requirements based on the amount of state-administered  
8 funds received.

9 B. Each provider shall prepare an annual public summary report  
10 including:

- 11 1. Total public and private funding sources;
- 12 2. Expenditures by major category;
- 13 3. Total number of individuals served; and
- 14 4. Aggregate referrals made for housing, treatment, or  
15 supportive services.

16 C. Reports shall not include personally identifiable  
17 information.

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

21 A. Providers shall submit annual aggregate data including:

- 22 1. Authorized bed or unit capacity;
- 23 2. Average occupancy rates;
- 24 3. Aggregate counts of material safety events;

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

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

8 C. The State Department of Health shall not condition funding  
9 eligibility on achieving specific outcome percentages or performance  
10 benchmarks beyond those required as a condition of receipt of state-  
11 administered funds.

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

15 A. The State Department of Health shall maintain a process for  
16 receiving complaints regarding compliance.

17 B. No provider shall retaliate against an employee, volunteer,  
18 client, or other individual who submits a complaint in good faith.

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

22 A. Upon written notice of deficiency, a provider shall have  
23 thirty (30) days to cure.

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1 B. If a condition presents an imminent threat to life or  
2 safety, the State Department of Health may take immediate action.

3 C. For material or continued noncompliance, the Department may:

4 1. Suspend, withhold, or declare ineligible the provider's  
5 receipt of state-administered funds and state-administered federal  
6 funds; and

7 2. Issue formal written recommendations to both the Board of  
8 County Commissioners and the governing body of the municipality that  
9 the provider be restricted or terminated from continuing to provide  
10 services.

11 D. Enforcement actions are administrative in nature.

12 E. Providers are entitled to appeal enforcement actions  
13 pursuant to the Oklahoma Administrative Procedures Act.

14 F. Nothing in this act creates a private right of action.

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

18 Nothing in this act supersedes or preempts local zoning, land  
19 use, building, or permitting authority, nor requires a political  
20 subdivision to approve or site a homeless facility.

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

1       A. There is hereby created the Oklahoma Homeless Shelter  
2 Standards Advisory Board.

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

6       C. The Board shall review rules promulgated pursuant to this  
7 act and submit annual recommendations to the Legislature.

8       D. Membership of the board shall consist of:

9       1. The Commissioner of Health, who shall serve as chair and  
10 shall vote only in the event of a tie;

11       2. One member appointed by the Governor;

12       3. One member appointed by the Speaker of the House;

13       4. One member appointed by the President Pro Tempore of the  
14 Senate;

15       5. One county commissioner appointed by the Oklahoma  
16 Association of County Commissioners;

17       6. One municipal representative appointed by the Oklahoma  
18 Municipal League, preferably from a municipality with demonstrated  
19 experience administering homeless shelter services;

20       7. One representative of a homeless services provider appointed  
21 by the Governor;

22       8. One public health professional appointed by the Speaker of  
23 the House; and

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1 9. One representative of law enforcement or emergency medical  
2 services appointed by the President Pro Tempore of the Senate.

3 E. Members shall serve without compensation.

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

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

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

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