

1 STATE OF OKLAHOMA

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

3 SUBCOMMITTEE RECOMMENDATION
4 FOR
5 HOUSE BILL NO. 3698

6
7 By: Pogemiller

8 SUBCOMMITTEE RECOMMENDATION

9 An Act relating to unstable housing; creating the
10 Student Eviction Assistance Pilot Program Revolving
11 Fund; directing the State Department of Education to
12 use the fund to provide legal representation to
13 certain parties in forcible entry and detainer
14 actions; providing requirements to qualify for
15 representation; directing the State Board of
16 Education to determine service area for the legal
17 services providing the representation; providing for
18 administrative fee; providing requirements to qualify
19 for funding; defining term; requiring contracted
20 organizations to determine the eligibility of
21 individuals seeking legal services; requiring certain
22 report; providing for certain recordkeeping;
23 requiring an annual audit; providing for costs
24 related to audit; requiring audit by the State
Auditor and Inspector or independent auditing firm;
providing for expiration of pilot program; providing
for codification; and providing an effective date.

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 10-110 of Title 70, unless there
is created a duplication in numbering, reads as follows:

1 A. To help school districts address chronic absenteeism linked
2 to unstable housing, the "Student Eviction Assistance Pilot Program
3 Revolving Fund" is hereby created in the State Treasury for the
4 State Department of Education. The fund shall be a continuing fund,
5 not subject to fiscal year limitations, and shall consist of all
6 monies appropriated to or otherwise received by the State Department
7 of Education to provide legal services from funds appropriated to
8 the fund, federal funds, gifts, donations, and grants. All monies
9 accruing to the credit of said fund are hereby appropriated and may
10 be budgeted and expended by the State Department of Education for
11 the purpose of contracting for legal services to provide
12 representation for indigent tenants with children enrolled in a
13 public or private school in the State of Oklahoma pursuant to the
14 provisions of this section. Expenditures from said fund shall be
15 made upon warrants issued by the State Treasurer against claims
16 filed as prescribed by law with the Director of the Office of
17 Management and Enterprise Services for approval and payment.

18 B. To the extent funds are available, the State Department of
19 Education shall allocate funds from the Student Eviction Assistance
20 Pilot Program Revolving Fund to provide legal representation to
21 indigent persons with students enrolled in a public or private
22 school in pre-kindergarten through grade twelve:

23
24

1 1. In cities in this state that have a population of six
2 hundred thousand (600,000) or more, as determined by the last
3 Federal Decennial Census; and

4 2. In cities in this state that have a population of between
5 fifty thousand (50,000) and seventy-five thousand (75,000), as
6 determined by the last Federal Decennial Census, and are more than
7 sixty (60) miles from a city with a population of more than four
8 hundred thousand (400,000), as determined by the last Federal
9 Decennial Census,

10 for representation in forcible entry and detainer cases (commonly
11 referred to as eviction cases) filed pursuant to the Oklahoma
12 Residential Landlord and Tenant Act, Sections 1148.1 through 1148.16
13 of Title 12 of the Oklahoma Statutes. To qualify for
14 representation, the person must be referred to the legal services
15 organization by the school district where the student is enrolled.

16 C. The State Board of Education shall be responsible for
17 determining the service area for the legal services organization and
18 for allocating the funds pursuant to contracts with eligible
19 regional or statewide organizations which ordinarily render legal
20 services to indigent persons. The State Department of Education may
21 charge an administrative fee for administering the contracts. The
22 funds shall be allocated for the benefit of indigent persons with
23 students enrolled in a public or private school in pre-kindergarten
24 through grade twelve in all seventy-seven (77) counties of the state

1 on a formula to be determined by the State Board of Education,
2 utilizing an allocation formula that distributes funds according to
3 the number of residents whose incomes are less than the official
4 United States federal poverty guidelines, based on United States
5 census data, as a percentage of the total number of these residents
6 in this state and on the percentage of students within the school
7 district reported to be chronically absent in the previous school
8 year.

9 D. As used in this section, "eligible organization" means an
10 entity that:

11 1. Is organized as a not-for-profit corporation that is tax
12 exempt pursuant to the provisions of Section 501(c) (3) of the United
13 States Internal Revenue Code of 1986, as amended; and
14 2. Is incorporated pursuant to any applicable laws of this
15 state.

16 E. As a condition of the contract, the organization shall be
17 required to determine the eligibility of any person seeking legal
18 services pursuant to this section.

19 F. The State Department of Education shall prepare annually and
20 distribute to the Governor, the President Pro Tempore of the
21 Oklahoma State Senate and the Speaker of the Oklahoma House of
22 Representatives a report detailing expenditures of funds.

23 G. Each organization that contracts to provide legal services
24 pursuant to subsection B of this section shall maintain books and

1 records in accordance with generally accepted accounting principles.
2 The books and records shall account for the receipt and expenditure
3 of all funds paid pursuant to contract. Books and records shall be
4 maintained for a period of five (5) years from the close of the
5 fiscal year of the contract period. The State Auditor and Inspector
6 may audit each organization annually. The necessary expense of each
7 audit, including, but not limited to, the cost of typing, printing,
8 and binding, shall be paid from funds of the organization. In lieu
9 of the audit by the State Auditor and Inspector, the organization
10 may submit an audit prepared by an independent auditing firm for
11 compliance with federal auditing requirements. A copy of the audit
12 prepared by or submitted to the State Auditor and Inspector shall be
13 submitted to the Attorney General.

14 H. This pilot program shall terminate three (3) years after the
15 effective date of this act.

16 SECTION 2. This act shall become effective November 1, 2026.
17

18 60-2-16436 AQH 02/17/26
19
20
21
22
23
24