

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2937

By: Wallace and Caldwell (Trey)
of the House

6 and

7 Hall and Rosino of the
8 Senate

9
10 COMMITTEE SUBSTITUTE

11 An Act relating to the Pandemic Relief Primary Source
12 Revolving Fund; amending Enrolled House Bill No. 1022
13 of the 2nd Extraordinary Session of the 58th Oklahoma
14 Legislature; making an appropriation; identifying
15 sources; establishing amounts; providing purposes;
16 creating Statewide Recovery Special Accounts for the
17 Oklahoma Water Resources Board; making
18 appropriations; identifying source; establishing
19 amount; providing purpose; providing for
20 noncodification; providing an effective date; and
21 declaring an emergency.

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

23 SECTION 1. There is hereby amended Section 1 of Enrolled House
24 Bill No. 1022 of the 2nd Extraordinary Session of the 58th Oklahoma
Legislature, an appropriation to the Pandemic Relief Primary Source
Revolving Fund, created in Enrolled House Bill No. 1021 of the 2nd
Extraordinary Session of the 58th Oklahoma Legislature. There is

1 hereby appropriated to the Pandemic Relief Primary Source Revolving
2 Fund, created in Enrolled House Bill No. 1021 of the 2nd
3 Extraordinary Session of the 58th Oklahoma Legislature, from monies
4 not otherwise appropriated from the Statewide Recovery Fund of the
5 State Treasury created in Enrolled House Bill No. 3349 of the 2nd
6 Session of the 58th Oklahoma Legislature, the sum of Fifty Million
7 Dollars (\$50,000,000.00) to be administered in accordance with the
8 provisions of Enrolled House Bill No. 1021 of the 2nd Extraordinary
9 Session of the 58th Oklahoma Legislature

10 SECTION 2. There is hereby appropriated to the Pandemic Relief
11 Primary Source Revolving Fund, created in Enrolled House Bill No.
12 1021 of the 2nd Extraordinary Session of the 58th Oklahoma
13 Legislature, from interest monies not otherwise appropriated from
14 the Statewide Recovery Fund of the State Treasury created in
15 Enrolled House Bill No. 3349 of the 2nd Session of the 58th Oklahoma
16 Legislature, the sum of Ten Million Dollars (\$10,000,000.00) in
17 interest funds to be administered in accordance with the provisions
18 of Enrolled House Bill No. 1021 of the 2nd Extraordinary Session of
19 the 58th Oklahoma Legislature.

20 SECTION 3. There is hereby appropriated to the Oklahoma Water
21 Resources Board from any monies not otherwise appropriated from the
22 Statewide Recovery Fund of the State Treasury created in Enrolled
23 House Bill No. 3349 of the 2nd Session of the 58th Oklahoma
24 Legislature, the sum of Ten Million Dollars (\$10,000,000.00) or so

1 much thereof as may be necessary to establish a grant program, and
2 to match tribal investment in rural water infrastructure projects.

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

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

23 B. The Oklahoma Water Resources Board is authorized to request
24 in writing that the monies appropriated by the provisions of this

1 act be deposited or transferred to the accounts created pursuant to
2 subsection A of this section. No later than seven (7) calendar days
3 from the date of such request, the Director of the Office of
4 Management and Enterprise Services shall comply with such request
5 and verify to the requesting agency that such deposit or transfer
6 has been completed.

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

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

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

21 The Oklahoma Water Resources Board may promulgate rules, utilize
22 existing rules, establish procedures, and utilize existing
23 procedures to implement the provisions of this act; provided, such
24

1 rules and procedures do not conflict with or impede the provisions
2 of this act.

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

5 The Oklahoma Water Resources Board is authorized to enter into
6 contracts with financial institutions and execute such instruments
7 as may be necessary and convenient to hold and disseminate grant
8 funds in accordance with applicable federal and state regulations
9 and Board policies.

10 SECTION 8. NEW LAW A new section of law not to be
11 codified in the Oklahoma Statutes reads as follows:

12 From the funds appropriated by Section 3 of this act, the
13 Oklahoma Water Resources Board shall retain no more than four
14 percent (4%) of the funds appropriated by this act to reimburse:

- 15 1. Costs incurred by the Oklahoma Water Resources Board; or
16 2. Costs incurred on the agency's behalf,

17 associated with the administration of the appropriated funds and
18 programming required by the Oklahoma Water Resources Board under the
19 provisions of this act; provided, that no funds shall be retained
20 that would be disallowable under the provisions of the American
21 Rescue Plan Act of 2021.

22 SECTION 9. NEW LAW A new section of law not to be
23 codified in the Oklahoma Statutes reads as follows:

24 A. The Oklahoma Water Resources Board shall:

1 1. Submit to the Chairs of the Joint Committee on Pandemic
2 Relief Funding, or any successor Senate legislative or House of
3 Representatives legislative committee or joint committee, as
4 designated by the President Pro Tempore of the Senate and the
5 Speaker of the House of Representatives:

6 a. a written or electronic quarterly report detailing the
7 budgeting, expenditure, and management of all monies
8 appropriated in this act, and

9 b. a copy of all memorandums of understanding and
10 contracts with third parties entered into by the
11 Oklahoma Water Resources Board to facilitate, assist,
12 or administer powers and duties provided to the
13 Oklahoma Water Resources Board under the provisions of
14 this act; and

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

20 B. The provisions of subsection A of this section shall remain
21 applicable for the period of time that monies appropriated under
22 this act are being budgeted, expended, or managed in the state. The
23 ending of such period shall be determined by the State Treasurer,
24

1 and shall be reported to the Governor, President Pro Tempore of the
2 Senate and the Speaker of the House of Representatives.

3 SECTION 10. This act shall become effective July 1, 2024.

4 SECTION 11. It being immediately necessary for the preservation
5 of the public peace, health or safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

8

9 59-2-11202 MKS 05/27/24

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24