

1 **SENATE FLOOR VERSION**

2 February 24, 2021

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 610

By: McCortney of the Senate

and

Hilbert of the House

8 An Act relating to public finance; creating the  
9 Opioid Settlement and Judgment Revolving Fund;  
10 specifying type of fund; providing sources of monies;  
11 requiring the Attorney General to ensure deposit of  
12 funds; requiring investment of monies; authorizing  
13 appropriation of portion of monies; providing method  
14 of calculation; providing for expenditure of fund;  
15 providing allowable expenses; providing for  
16 codification; and declaring an emergency.

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

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 2401 of Title 62, unless there  
20 is created a duplication in numbering, reads as follows:

21 There is hereby created in the State Treasury a revolving fund  
22 to be designated the "Opioid Settlement and Judgment Revolving  
23 Fund". The fund shall be a continuing fund, not subject to fiscal  
24 year limitations. The fund shall consist of all monies received by  
this state:

1. From any settlement agreement entered into on or after the  
effective date of this act with one or more manufacturers,

1 distributors or wholesalers of opioid drugs or any other person or  
2 entity involved in the opioid drug supply chain, to the extent  
3 allowed under the terms of such settlement agreement; or

4 2. From any final judgment issued on or after the effective  
5 date of this act against one or more manufacturers, distributors or  
6 wholesalers of opioid drugs or any other person or entity involved  
7 in the opioid drug supply chain, to the extent allowed under the  
8 terms of such judgment.

9 It shall be the duty of the Attorney General to ensure that  
10 funds received by the state pursuant to a settlement agreement or  
11 final judgment are promptly deposited into the revolving fund.

12 SECTION 2. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 2402 of Title 62, unless there  
14 is created a duplication in numbering, reads as follows:

15 The State Treasurer shall invest the entirety of the Opioid  
16 Settlement and Judgment Revolving Fund established in Section 1 of  
17 this act as provided by law including, but not limited to, Sections  
18 89.1a and 89.2 of Title 62 of the Oklahoma Statutes. For each state  
19 fiscal year, beginning with the state fiscal year ending June 30,  
20 2023, a portion of the fund, not to exceed four percent (4%) of the  
21 balance of the fund, may be appropriated by the Legislature solely  
22 for the purposes listed in Section 3 of this act. No later than  
23 February 1 of each year, the State Treasurer shall calculate the  
24 numerical value in dollars and cents of four percent (4%) of the

1 balance of the fund as of January 1 of the same year and shall  
2 provide the amount in a written report to the chair of the Senate  
3 Appropriations Committee and the chair of the House Appropriations  
4 and Budget Committee.

5 SECTION 3. NEW LAW A new section of law to be codified  
6 in the Oklahoma Statutes as Section 2403 of Title 62, unless there  
7 is created a duplication in numbering, reads as follows:

8 To the extent allowed under the terms of applicable settlement  
9 agreements or judgments, the portion of monies from the Opioid  
10 Settlement and Judgment Revolving Fund available for appropriation  
11 by the Legislature as provided in Section 2 of this act shall be  
12 expended solely to abate the opioid epidemic utilizing strategies  
13 including, but not limited to, evidence-based treatment, counseling,  
14 prevention, education and coordination of services for opioid use  
15 disorder and co-occurring substance use disorders including, but not  
16 limited to, medication-assisted treatment approved by the Food and  
17 Drug Administration and drug court programs.

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

22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
23 February 24, 2021 - DO PASS AS AMENDED  
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