

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 ENGROSSED SENATE
5 BILL NO. 844

 By: Thompson (Roger),
6 Pemberton, Rader, and
7 Pederson of the Senate

 and

 Miller, Waldron, and
8 **Cantrell** of the House

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10
11 An Act relating to mental health; amending 57 O.S.
12 2021, Section 631, which relates to the County
13 Community Safety Investment Fund; designating fund
14 for the Department of Mental Health and Substance
15 Abuse Services; transferring certain duties to the
16 Department; modifying applicability of section;
17 clarifying language; amending 57 O.S. 2021, Section
18 632, which relates to savings and averted costs from
19 implementation of the Oklahoma Smart Justice Reform
20 Act; transferring certain duties to the Legislative
21 Office of Fiscal Transparency; clarifying time period
22 and applicability of certain calculation; amending 57
23 O.S. 2021, Section 633, which relates to
24 appropriations to the County Community Safety
 Investment Fund; transferring certain duties to the
 Legislative Office of Fiscal Transparency; clarifying
 and modifying applicability of certain provisions;
 requiring the Department to issue certain request for
 proposals subject to availability of funds; listing
 programs eligible for funding; stipulating criteria
 for proposals; requiring submission of necessary
 documents; giving the Department certain discretion
 over awards based on specified criteria; requiring
 submission of certain annual report; renumbering 57
 O.S. 2021, Sections 631, 632, and 633, as amended by
 Sections 1, 2, and 3 of this act, which relate to the
 County Community Safety Investment Fund; providing

1 for codification; providing an effective date; and
2 declaring an emergency.

3
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5 SECTION 1. AMENDATORY 57 O.S. 2021, Section 631, is
6 amended to read as follows:

7 Section 631. A. There is hereby created in the State Treasury
8 a revolving fund for the Department of Mental Health and Substance
9 Abuse Services to be designated the "County Community Safety
10 Investment Fund". The fund shall be a continuing fund, not subject
11 to fiscal year limitations, and shall consist of all monies ~~received~~
12 ~~pursuant to Section 633 of Title 57 of the Oklahoma Statutes~~
13 appropriated to the fund under Section 633 of this title.

14 B. All monies ~~appropriated and~~ accruing to the credit of the
15 fund shall be budgeted and expended by the ~~Office of Management and~~
16 ~~Enterprise Services~~ Department of Mental Health and Substance Abuse
17 Services for the sole purpose of providing funds to counties ~~to~~
18 ~~provide community rehabilitative programming, including but not~~
19 ~~limited to mental health and substance abuse services. Funds shall~~
20 ~~be disbursed in proportion to county population, as reported in the~~
21 ~~most recent census~~ for development and implementation of the
22 programs listed in Section 4 of this act.

23 C. Expenditures from the fund shall be made upon warrants
24 issued by the State Treasurer against claims filed as prescribed by

1 law with the Director of the Office of Management and Enterprise
2 Services for approval and payment.

3 ~~D. The Director of the Office of Management and Enterprise~~
4 ~~Services shall promulgate rules necessary to implement the~~
5 ~~provisions of this act.~~

6 SECTION 2. AMENDATORY 57 O.S. 2021, Section 632, is
7 amended to read as follows:

8 Section 632. No later than July 31 of ~~the year following the~~
9 ~~effective date of this act, and no later than July 31 every year~~
10 ~~thereafter each year,~~ the ~~Office of Management and Enterprise~~
11 ~~Services~~ Legislative Office of Fiscal Transparency shall calculate
12 the annual savings and averted costs from the prior fiscal year that
13 accrued to the state ~~from the~~ due to the reduction of the number and
14 length of incarcerations attributed to the implementation of the
15 Oklahoma Smart Justice Reform Act. In making the calculation
16 required by this section, the ~~Office of Management and Enterprise~~
17 ~~Services~~ Legislative Office of Fiscal Transparency shall use actual
18 data or best available estimates where actual data is not available.
19 The calculation shall be final and shall not be adjusted for any
20 subsequent changes in the underlying data.

21 SECTION 3. AMENDATORY 57 O.S. 2021, Section 633, is
22 amended to read as follows:

23 Section 633. An amount equal to the savings calculated by the
24 ~~Office of Management and Enterprise Services~~ Legislative Office of

1 Fiscal Transparency pursuant to ~~Section 632 of Title 57~~ Section 632
2 of this title shall, subject to appropriation by the Legislature, be
3 paid to the County Community Safety Investment Fund created in
4 Section 631 of this title.

5 This section is intended to comply with, and is subject to,
6 Article V, Section 55, Article VI, Section 12, Article X, Section
7 23, and the other applicable provisions of the Oklahoma
8 Constitution.

9 SECTION 4. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 2-312.4 of Title 43A, unless
11 there is created a duplication in numbering, reads as follows:

12 A. Subject to availability of funds under Section 631 of Title
13 57 of the Oklahoma Statutes, the Department of Mental Health and
14 Substance Abuse Services shall annually issue a request for
15 proposals by which county governments or multi-county partnerships
16 may apply for funds for the development and implementation of
17 evidence-based:

- 18 1. Mental health and substance abuse treatment programs or
19 other health care programs;
 - 20 2. Pretrial diversion programs;
 - 21 3. Employment programs;
 - 22 4. Education programs; or
 - 23 5. Housing programs.
- 24

1 B. The request for proposals shall include, but not be limited
2 to, the proposed services, number of individuals to be served by the
3 proposed services or programs, and the manner in which the services
4 or programs will partner with or be supported by local Department-
5 contracted or -certified entities.

6 C. For a proposal to be considered, the applying county
7 government or multi-county partnership must submit all necessary
8 documents to meet the requirements outlined in the request for
9 proposals.

10 D. The number of awards and funding amounts of each award shall
11 be at the discretion of the Department and shall be based on total
12 available funds, total county population, and the criteria in
13 subsection B of this section.

14 E. The Department shall submit an annual report to the
15 President Pro Tempore of the Senate and the Speaker of the House of
16 Representatives that includes the amount awarded to each county
17 government or multi-county partnership and a summary of services
18 provided by each county government or multi-county partnership.

19 F. The Board of Mental Health and Substance Abuse Services
20 shall promulgate rules to implement the provisions of this act
21 including, but not limited to, rules that set qualifications for
22 programs eligible to receive funds under this section.

23 SECTION 5. RECODIFICATION 57 O.S. 2021, Section 631, as
24 amended by Section 1 of this act, shall be recodified as Section 2-

1 312.1 of Title 43A of the Oklahoma Statutes, unless there is created
2 a duplication in numbering.

3 SECTION 6. RECODIFICATION 57 O.S. 2021, Section 632, as
4 amended by Section 2 of this act, shall be recodified as Section 2-
5 312.2 of Title 43A of the Oklahoma Statutes, unless there is created
6 a duplication in numbering.

7 SECTION 7. RECODIFICATION 57 O.S. 2021, Section 633, as
8 amended by Section 3 of this act, shall be recodified as Section 2-
9 312.3 of Title 43A of the Oklahoma Statutes, unless there is created
10 a duplication in numbering.

11 SECTION 8. This act shall become effective July 1, 2023.

12 SECTION 9. It being immediately necessary for the preservation
13 of the public peace, health or safety, an emergency is hereby
14 declared to exist, by reason whereof this act shall take effect and
15 be in full force from and after its passage and approval.

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17 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 04/05/2023 -
18 DO PASS, As Coauthored.

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