

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE  
FOR  
4 HOUSE BILL NO. 2791

By: Caldwell (Trey) and Kane of  
the House

5 and

6 Hall and Haste of the  
7 Senate

11 COMMITTEE SUBSTITUTE

12 An Act relating to the Department of Human Services;  
making appropriations; identifying source;  
13 establishing amounts; providing purposes; requiring  
and limiting the utilization of funds; creating  
14 certain special accounts; limiting duration of  
accounts; requiring certain determination; providing  
15 and limiting the nature of the accounts and the funds  
within the accounts; authorizing agency to submit  
16 request for certain deposits or transfers; requiring  
certain compliance and verifications; authorizing  
17 certain memorandums of understanding; limiting scope;  
prohibiting certain memoranda terms; authorizing and  
18 limiting the promulgation of rules and utilization of  
procedures; authorizing and limiting the retention of  
19 monies for administration costs; requiring certain  
reports and submissions to certain entities;  
requiring appearance before certain joint committee;  
20 limiting duration of certain requirements; providing  
for noncodification; providing an effective date; and  
declaring an emergency.

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

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

3 There is hereby appropriated to the Department of Human Services  
4 from the Statewide Recovery Fund created in Section 255 of Title 62  
5 of the Oklahoma Statutes, the sum of One Hundred Ninety-five  
6 Thousand Dollars (\$195,000.00) or so much thereof as may be  
7 necessary due to increased costs of the project funded in Section 4  
8 of Enrolled House Bill No. 2884 of the 1st Regular Session of the  
9 59th Oklahoma Legislature. Such funds shall be utilized in a manner  
10 consistent with recommendations adopted by the Joint Committee on  
11 Pandemic Relief Funding on May 12, 2025.

12 SECTION 2. NEW LAW A new section of law not to be  
13 codified in the Oklahoma Statutes reads as follows:

14 There is hereby appropriated to the Department of Human Services  
15 from the Statewide Recovery Fund created in Section 255 of Title 62  
16 of the Oklahoma Statutes, the sum of Three Hundred Twenty-eight  
17 Thousand Dollars (\$328,000.00) or so much thereof as may be  
18 necessary due to increased costs of the project funded in Section 7  
19 of Enrolled House Bill No. 2884 of the 1st Regular Session of the  
20 59th Oklahoma Legislature. Such funds shall be utilized in a manner  
21 consistent with recommendations adopted by the Joint Committee on  
22 Pandemic Relief Funding on May 12, 2025.

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

1       There is hereby appropriated to the Department of Human Services  
2 from the Statewide Recovery Fund created in Section 255 of Title 62  
3 of the Oklahoma Statutes, the sum of Five Million Dollars  
4 (\$5,000,000.00) or so much thereof as may be necessary due to  
5 increased costs of the project funded in Section 1 of Enrolled House  
6 Bill No. 2884 of the 1st Regular Session of the 59th Oklahoma  
7 Legislature. Such funds shall be utilized in a manner consistent  
8 with recommendations adopted by the Joint Committee on Pandemic  
9 Relief Funding on May 12, 2025.

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

12       A. There is hereby created in the State Treasury a Statewide  
13 Recovery Special Account for the Department of Human Services for  
14 each appropriation section of this act. The duration of such  
15 accounts shall continue for the period of time that monies related  
16 to the American Rescue Plan Act of 2021 are being budgeted,  
17 expended, or managed in the state. The ending of such period shall  
18 be determined by the State Treasurer, and shall result in the  
19 closing of such accounts as a matter of law. Such accounts shall be  
20 continuing accounts as otherwise provided in this section, not  
21 subject to fiscal year limitations, and shall exclusively consist of  
22 monies related to the relevant appropriations made in this act and  
23 as otherwise directed by law. All monies deposited to the credit of  
24 such accounts are hereby appropriated and may be budgeted and

1 expended by the Department of Human Services in accordance with the  
2 provisions of this act. Expenditures from such accounts shall be  
3 made upon warrants issued by the State Treasurer against claims  
4 filed as prescribed by law with the Director of the Office of  
5 Management and Enterprise Services for approval and payment.

6       B. The Department of Human Services is authorized to request in  
7 writing that the monies appropriated by the provisions of this act  
8 be deposited or transferred to the accounts created pursuant to  
9 subsection A of this section. No later than seven (7) calendar days  
10 from the date of such request, the Director of the Office of  
11 Management and Enterprise Services shall comply with such request  
12 and verify to the requesting agency that such deposit or transfer  
13 has been completed.

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

16       The Department of Human Services may enter into memorandums of  
17 understanding with other agencies of the State of Oklahoma for the  
18 auditing, documentation, evaluation, implementation, oversight,  
19 reporting, and management of funds and associated efforts related to  
20 the appropriations made in this act; provided, no such memorandum of  
21 understanding shall require or include, as an option or condition,  
22 the direct or practical transfer or relinquishment of control by the  
23 agency appropriated such funds to budget, expend, allocate, and  
24 request the distribution of the funds appropriated by this act.

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

3 The Department of Human Services may promulgate rules, utilize  
4 existing rules, establish procedures, and utilize existing  
5 procedures to implement the provisions of this act, provided such  
6 rules and procedures do not conflict with or impede the provisions  
7 of this act.

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

10 The Department of Human Services shall retain no more than two  
11 percent (2%) of the funds appropriated by this act to reimburse:

- 12 1. Costs incurred by the Department of Human Services; or
- 13 2. Costs incurred on the agency's behalf,

14 associated with the administration of the appropriated funds and  
15 programming required by the Department of Human Services under the  
16 provisions of this act; provided, no funds shall be retained that  
17 would be disallowable under the provisions of the American Rescue  
18 Plan Act of 2021.

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

- 21 A. The Department of Human Services shall:

22 1. Submit to the chairs of the Joint Committee on Pandemic  
23 Relief Funding, or any successor Oklahoma House of Representatives  
24 or Oklahoma State Senate legislative committee or joint committee,

1 as designated by the Speaker of the Oklahoma House of  
2 Representatives and the President Pro Tempore of the Oklahoma State  
3 Senate:

- a. a written or electronic quarterly report detailing the budgeting, expenditure, and management of all monies appropriated in this act, and
- b. a copy of all memorandums of understanding and contracts with third parties entered into by the Department of Human Services to facilitate, assist, or administer powers and duties provided to the Department under the provisions of this act; and

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

17       B. The provisions of subsection A of this section shall remain  
18 applicable for the period of time that monies appropriated under  
19 this act are being budgeted, expended, or managed in the state. The  
20 ending of such period shall be determined by the State Treasurer,  
21 and shall be reported to the Governor, the Speaker of the Oklahoma  
22 House of Representatives, and the President Pro Tempore of the  
23 Oklahoma State Senate.

24 SECTION 9. This act shall become effective July 1, 2025.

1 SECTION 10. It being immediately necessary for the preservation  
2 of the public peace, health or safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

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