

1 ENGROSSED HOUSE
2 BILL NO. 2789

By: Caldwell (Trey) and Kane of
the House

3 and

4 Hall and Haste of the
5 Senate

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

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

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

32 There is hereby appropriated to the Oklahoma Water Resources
33 Board from any monies not otherwise appropriated from the Statewide

1 Recovery Fund of the State Treasury created in Section 255 of Title
2 62 of the Oklahoma Statutes, the sum of Three Million Three Hundred
3 Thousand Dollars (\$3,300,000.00), or so much thereof as may be
4 necessary due to increased costs of the project funded in Section 7
5 of Enrolled Senate Bill No. 13 of the 2nd Extraordinary Session of
6 the 58th Oklahoma Legislature. Such funds shall be utilized in a
7 manner consistent with the recommendations adopted by the Joint
8 Committee on Pandemic Relief Funding on May 12, 2025.

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

11 There is hereby appropriated to the Oklahoma Water Resources
12 Board from any monies not otherwise appropriated from the Statewide
13 Recovery Fund of the State Treasury created in Section 255 of Title
14 62 of the Oklahoma Statutes, the sum of Six Million Six Hundred
15 Twenty-five Thousand Six Hundred Sixty-one Dollars and forty-eight
16 cents (\$6,625,661.48), or so much thereof as may be necessary to
17 complete projects that did not receive funds in the grant programs
18 described in Sections 2 and 3 of Enrolled Senate Bill No. 13 of the
19 2nd Extraordinary Session of the 58th Oklahoma Legislature. Such
20 funds shall be utilized in a manner consistent with the
21 recommendations adopted by the Joint Committee on Pandemic Relief
22 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 A. There is hereby created in the State Treasury a Statewide
2 Recovery Special Account for the Oklahoma Water Resources Board for
3 each appropriation section of this act. The duration of such
4 accounts shall continue for the period of time that monies related
5 to the American Rescue Plan Act of 2021 are being budgeted,
6 expended, or managed in the state. The ending of such period shall
7 be determined by the State Treasurer, and shall result in the
8 closing of such accounts as a matter of law. Such accounts shall be
9 continuing accounts as otherwise provided in this section, not
10 subject to fiscal year limitations, and shall exclusively consist of
11 monies related to the relevant appropriations made in this act and
12 as otherwise directed by law. All monies deposited to the credit of
13 such accounts are hereby appropriated and may be budgeted and
14 expended by the Oklahoma Water Resources Board in accordance with
15 the provisions of this act. Expenditures from such accounts shall
16 be made upon warrants issued by the State Treasurer against claims
17 filed as prescribed by law with the Director of the Office of
18 Management and Enterprise Services for approval and payment.

19 B. The Oklahoma Water Resources Board is authorized to request
20 in writing that the monies appropriated by the provisions of this
21 act be deposited or transferred to the accounts created pursuant to
22 subsection A of this section. No later than seven (7) calendar days
23 from the date of such request, the Director of the Office of
24 Management and Enterprise Services shall comply with such request

1 | and verify to the requesting agency that such deposit or transfer
2 | has been completed.

3 | SECTION 4. 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 may enter into memorandums of
6 | understanding with other agencies of the State of Oklahoma for the
7 | auditing, documentation, evaluation, implementation, oversight,
8 | reporting, and management of funds and associated efforts related to
9 | the appropriations made in this act; provided, that no such
10 | memorandum of understanding shall require or include, as an option
11 | or condition, the direct or practical transfer or relinquishment of
12 | control by the agency appropriated such funds to budget, expend,
13 | allocate, and request the distribution of the funds appropriated by
14 | this act.

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

17 | The Oklahoma Water Resources Board may promulgate rules, utilize
18 | existing rules, establish procedures, and utilize existing
19 | procedures to implement the provisions of this act; provided, such
20 | rules and procedures do not conflict with or impede the provisions
21 | of this act.

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

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

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

8 From the funds appropriated by Sections 1 and 2 of this act, the
9 Oklahoma Water Resources Board shall retain no more than four
10 percent (4%) of the funds appropriated by this act to reimburse:

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

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

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

- 20 A. The Oklahoma Water Resources Board shall:

21 1. Submit to the Chairs of the Joint Committee on Pandemic
22 Relief Funding, or any successor, Oklahoma House of Representatives,
23 or Oklahoma State Senate legislative committee or joint committee,
24 as designated by the Speaker of the Oklahoma House of

1 Representatives and the President Pro Tempore of the Oklahoma State
2 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 Oklahoma Water Resources Board to facilitate, assist, or administer powers and duties provided to the Oklahoma Water Resources Board 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 House of
22 Representatives, and President Pro Tempore of the Senate.

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.

5 Passed the House of Representatives the 20th day of May, 2025.
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8 Presiding Officer of the House
9 of Representatives

10 Passed the Senate the ____ day of _____, 2025.
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13 Presiding Officer of the Senate
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