An Act

ENROLLED SENATE
BILL NO. 844

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

and

Miller, Waldron, Cantrell, Osburn, Munson and Humphrey of the House

An Act relating to mental health; amending 57 O.S. 2021, Section 631, which relates to the County Community Safety Investment Fund; designating fund for the Department of Mental Health and Substance Abuse Services; transferring certain duties to the Department; modifying applicability of section; clarifying language; amending 57 O.S. 2021, Section 632, which relates to savings and averted costs from implementation of the Oklahoma Smart Justice Reform Act; transferring certain duties to the Legislative Office of Fiscal Transparency; clarifying time period and applicability of certain calculation; amending 57 O.S. 2021, Section 633, which relates to 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 for codification; providing an effective date; and declaring an emergency.

SUBJECT: Mental health

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

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

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

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

C. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

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

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

Section 632. No later than July 31 of ~~the year following the effective date of this act, and no later than July 31 every year~~

~~thereafter~~ each year, the ~~Office of Management and Enterprise Services~~ Legislative Office of Fiscal Transparency shall calculate the annual savings and averted costs from the prior fiscal year that accrued to the state ~~from the~~ due to the reduction of the number and length of incarcerations attributed to the implementation of the Oklahoma Smart Justice Reform Act. In making the calculation required by this section, the ~~Office of Management and Enterprise Services~~ Legislative Office of Fiscal Transparency shall use actual data or best available estimates where actual data is not available. The calculation shall be final and shall not be adjusted for any subsequent changes in the underlying data.

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

Section 633. An amount equal to the savings calculated by the ~~Office of Management and Enterprise Services~~ Legislative Office of Fiscal Transparency pursuant to ~~Section 632 of Title 57~~ Section 632 of this title shall, subject to appropriation by the Legislature, be paid to the County Community Safety Investment Fund created in Section 631 of this title.

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

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

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

1. Mental health and substance abuse treatment programs or other health care programs;

2. Pretrial diversion programs;

3. Employment programs;

4. Education programs; or

5. Housing programs.

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

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

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

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

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

SECTION 5. RECODIFICATION 57 O.S. 2021, Section 631, as amended by Section 1 of this act, shall be recodified as Section 2-312.1 of Title 43A of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 6. RECODIFICATION 57 O.S. 2021, Section 632, as amended by Section 2 of this act, shall be recodified as Section 2-

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

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

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

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

Passed the Senate the 6th day of March, 2023.

Brent Howard
Presiding Officer of the Senate

Passed the House of Representatives the 25th day of April, 2023.

Reya Martin
Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 26th day of April, 20 23, at 12:35 o'clock p. M.

By: [signature]

Approved by the Governor of the State of Oklahoma this 2nd day of May, 20 23, at 9:17 o'clock a. M.

[signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 2nd day of May, 20 23, at 1:49 o'clock p M.

By: [signature]