

1 ENGROSSED HOUSE
2 BILL NO. 2951

By: Wallace and Hilbert of the
House

3 and

4 Thompson and Hall of the
5 Senate

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8 An Act relating to State-Tribal litigation; creating
9 the State-Tribal Litigation Revolving Fund; placing
10 the fund with the Office of Management and Enterprise
11 Services; establishing fund characteristics;
12 authorizing budgeting and expenditure of funds for
13 certain purposes; limiting the expenditure of certain
14 funds; providing certain requirements prior to
15 expenditure; requiring unexpended balance revert to
16 General Revenue Fund under certain circumstances;
17 providing use for reverted funds; and declaring an
18 emergency.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1222A of Title 74, unless there
is created a duplication in numbering, reads as follows:

A. There is hereby created in the State Treasury a revolving
fund for the Office of Management and Enterprise Services to be
designated the "State-Tribal Litigation Revolving Fund". The fund
shall be a continuing fund, not subject to fiscal year limitations,
and shall consist of all monies designated for deposit by law. All

1 monies accruing to the credit of said fund are hereby appropriated
2 and may be budgeted and expended, as otherwise provided in this act,
3 by the Office of Management and Enterprise Services for the purpose
4 of hiring legal counsel and paying legal expenses of the State
5 related to legal controversies between the State of Oklahoma and
6 tribal governments.

7 B. Expenditures from said fund shall only be made for legal
8 services relating to cases and controversies that the Joint
9 Committee on State-Tribal Relations, (created pursuant to Section
10 1222 of Title 74 of the Oklahoma Statutes), has formally recommended
11 the State of Oklahoma pursue or litigate.

12 C. Expenditures from said fund for the reimbursement of
13 services by third-party legal counsel shall only be made if the
14 contract for such services was formally approved by the Joint
15 Committee on State-Tribal Relations, (created pursuant to Section
16 1222 of Title 74 of the Oklahoma Statutes), prior to the performance
17 of such services.

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

22 E. If any of the provisions of this section are determined by a
23 court of competent jurisdiction to be unconstitutional, any
24 unexpended balance remaining in the State-Tribal Litigation

1 Revolving Fund created pursuant to this section shall revert to the
2 General Revenue Fund of this state and shall be used for general
3 expenses of state government to be paid out pursuant to direct
4 appropriation of the Legislature.

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

9 Passed the House of Representatives the 18th day of May, 2021.

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12 Presiding Officer of the House
of Representatives

13 Passed the Senate the ___ day of _____, 2021.

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17 Presiding Officer of the Senate