

An Act

ENROLLED HOUSE
BILL NO. 2951

By: Wallace and Hilbert of the
House

and

Thompson and Hall of the
Senate

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

SUBJECT: State-Tribal litigation

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 monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended, as otherwise provided in this act, by the Office of Management and Enterprise Services for the purpose of hiring legal counsel and paying legal expenses of the state

related to legal controversies between the State of Oklahoma and tribal governments.

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

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

D. Expenditures from said 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.

E. If any of the provisions of this section are determined by a court of competent jurisdiction to be unconstitutional, any unexpended balance remaining in the State-Tribal Litigation Revolving Fund created pursuant to this section shall revert to the General Revenue Fund of this state and shall be used for general expenses of state government to be paid out pursuant to direct appropriation of the Legislature.

SECTION 2. 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 House of Representatives the 18th day of May, 2021.

Presiding Officer of the House
of Representatives

Passed the Senate the 20th day of May, 2021.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____