

1 **SENATE FLOOR VERSION**

2 February 8, 2024

3 SENATE BILL NO. 1453

By: Rosino

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5  
6 An Act relating to the Attorney General; amending 74  
7 O.S. 2021, Section 30.5, as amended by Section 1,  
8 Chapter 75, O.S.L. 2022 (74 O.S. Supp. 2023, Section  
9 30.5), which relates to definitions used in the  
10 Political Subdivisions Opioid Abatement Grants Act;  
11 broadening certain definitions; removing obsolete  
12 language; amending 74 O.S. 2021, Section 30.6, which  
13 relates to the Oklahoma Opioid Abatement Revolving  
14 Fund; authorizing the Office of the Attorney General  
15 to withhold and use certain funds for certain  
16 purposes; updating statutory reference; and providing  
17 an effective date.

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

19 SECTION 1. AMENDATORY 74 O.S. 2021, Section 30.5, as  
20 amended by Section 1, Chapter 75, O.S.L. 2022 (74 O.S. Supp. 2023,  
21 Section 30.5), is amended to read as follows:

22 Section 30.5. As used in the Political Subdivisions Opioid  
23 Abatement Grants Act:

24 1. "Approved purpose" and "approved purposes" mean evidence-  
based, forward-looking strategies, programming and services used to:

- a. expand the availability of treatment for individuals  
affected by opioid use disorders, co-occurring  
substance use disorders and mental health issues,

- 1           b.    develop, promote and provide evidence-based opioid use  
2                prevention strategies,
- 3           c.    provide opioid use disorder and co-occurring substance  
4                use disorder avoidance and awareness education,
- 5           d.    decrease the oversupply of licit and illicit opioids,
- 6           e.    support recovery from addiction services performed by  
7                qualified and appropriately licensed providers,
- 8           f.    treat opioid use, abuse and disorders including early  
9                intervention screening, counseling and support,
- 10          g.    support individuals in treatment and recovery from  
11                opioid use, abuse and disorder,
- 12          h.    provide programs or services to connect individuals  
13                with opioid use, abuse or disorder, or who are at risk  
14                of developing opioid use disorder, co-occurring  
15                substance use disorder and mental health issues, with  
16                treatment and counseling programs and services,
- 17          i.    address the needs of individuals who are involved, or  
18                who are at risk of becoming involved, in the criminal  
19                justice system due to opioid use, abuse or disorder  
20                through programs or services in municipal and county  
21                criminal judicial systems including prearrest and  
22                postarrest diversion programs, pretrial services and  
23                drug or recovery courts,
- 24

- 1 j. address the needs of pregnant or parenting women with  
2 opioid use, abuse or disorder and their families,
- 3 k. address the needs of parents and caregivers caring for  
4 babies with neonatal abstinence syndrome,
- 5 l. support efforts to prevent overprescribing and ensure  
6 appropriate prescribing and dispensing of opioids,
- 7 m. support efforts to discourage or prevent misuse of  
8 opioids including the oversupply of licit and illicit  
9 opioids,
- 10 n. support efforts to prevent or reduce overdose deaths  
11 or other opioid-related harms including through  
12 increased availability and distribution of naloxone  
13 and other drugs that treat overdoses for use by first  
14 responders, persons who have experienced an overdose  
15 event, families, schools, community-based service  
16 providers, social workers and other members of the  
17 public,
- 18 o. reimburse or fund law enforcement and emergency  
19 responder expenditures relating to the opioid epidemic  
20 including costs of responding to emergency medical or  
21 police calls for service, equipment, treatment or  
22 response alternatives, mental health response training  
23 and training for law enforcement and emergency  
24 responders as to appropriate practices and precautions

1 when dealing with opioids or individuals who are at  
2 risk of opioid overdose or death,

3 p. reimburse attorney fees and allowable expenses  
4 directly related to opioid litigation incurred as part  
5 of legal services agreements entered into before May  
6 21, 2020,

7 q. support efforts to provide leadership, planning and  
8 coordination to abate the opioid epidemic through  
9 activities, programs or strategies for prevention and  
10 recovery models including regional intergovernmental  
11 efforts and not-for-profit agency support,

12 r. support education of youths regarding the dangers of  
13 opioid use, abuse and addiction,

14 s. fund training relative to any approved purpose,

15 t. monitor, surveil and evaluate opioid use, abuse or  
16 disorder, or

17 u. provide opioid abatement as identified by the Oklahoma  
18 Opioid Abatement Board as consistent with the purpose  
19 of the Political Subdivisions Opioid Abatement Grants  
20 Act.

21 Provided that, such strategies, programming and services occurred on  
22 or after January 1, 2015.

1 Approved purpose also includes any approved uses as authorized  
2 by opioid-related settlement agreements in which the State of  
3 Oklahoma is a litigant or participant;

4 2. "Board" means the Oklahoma Opioid Abatement Board;

5 3. "Eligible participant" means any political subdivision  
6 impacted by the opioid crisis;

7 4. "Nonapproved purpose" and "nonapproved purposes" mean  
8 strategies, programming and services not falling within the  
9 definition of approved purpose or approved purposes as defined in  
10 this section;

11 5. "Opioid funds" means all monetary amounts obtained through a  
12 settlement or judgment by the Attorney General on behalf of this  
13 state related to opioid litigation involving pharmaceutical supply  
14 chain participants including the Purdue Political Subdivisions Fund  
15 but excluding all other funds received pursuant to the Purdue  
16 Settlement Agreement;

17 6. "Opioid grant awards" means grants funded from the Oklahoma  
18 Opioid Abatement Revolving Fund, awarded pursuant to the provisions  
19 of the Political Subdivisions Opioid Abatement Grants Act;

20 7. "Pharmaceutical supply chain" means the process and channels  
21 through which controlled substances are manufactured, marketed,  
22 promoted, distributed or dispensed;

1 8. "Pharmaceutical supply chain participant" means any entity  
2 that engages in or has engaged in the manufacture, marketing,  
3 promotion, distribution or dispensing of an opioid analgesic;

4 9. "Political subdivision" and "political subdivisions" have  
5 the same meaning as provided in subparagraphs a, b, c and d of  
6 paragraph 11 of Section 152 of Title 51 of the Oklahoma Statutes.  
7 Political subdivision also means the board of regents or board of  
8 trustees of an institution of higher education within The Oklahoma  
9 State System of Higher Education;

10 10. "Purdue Political Subdivision Fund" means the Twelve  
11 Million Five Hundred Thousand Dollars (\$12,500,000.00) ~~plus any~~  
12 ~~interest accrued thereon received from the Revive Oklahoma Health~~  
13 ~~Foundation consisting~~ of funds received from the Purdue Settlement  
14 Agreement designed for distribution to political subdivisions which  
15 have executed a release of legal claims as required by the Purdue  
16 Settlement Agreement; and

17 11. "Purdue Settlement Agreement" means the settlement  
18 agreement entered into by this state and Purdue Pharma L.P., Purdue  
19 Pharma, Inc. and the Purdue Frederick Company on March 26, 2019, and  
20 approved by the Court on April 2, 2019.

21 SECTION 2. AMENDATORY 74 O.S. 2021, Section 30.6, is  
22 amended to read as follows:

23 Section 30.6. A. There is hereby created in the State Treasury  
24 a revolving fund for the Office of the Attorney General to be

1 designated the "Oklahoma Opioid Abatement Revolving Fund". The fund  
2 shall be a continuing fund, not subject to fiscal year limitations,  
3 and shall consist of all opioid funds obtained through a settlement  
4 or judgment by the Attorney General on behalf of the State of  
5 Oklahoma related to opioid litigation involving pharmaceutical  
6 supply chain participants:

- 7 1. Designated for deposit in the fund; or
- 8 2. Appropriated to the fund by the Legislature.

9 B. Provided that the Purdue Political Subdivisions Fund shall  
10 be maintained in a segregated State Treasury fund within the  
11 Oklahoma Opioid Abatement Revolving Fund, and that the Purdue  
12 Political Subdivisions Fund shall not be commingled with other  
13 opioid funds deposited in or appropriated to the Oklahoma Opioid  
14 Abatement Revolving Fund.

15 C. To the extent allowed by any settlement or judgment relating  
16 to opioid litigation involving pharmaceutical supply chain  
17 participants, the Office of the Attorney General may withhold not  
18 more than five percent (5%) of the funds received by the Oklahoma  
19 Opioid Abatement Revolving Fund for the staff and administrative  
20 support required by Section 30.7 of this title. Such funds may also  
21 be used to research and evaluate the effectiveness of grants  
22 disbursed by the Oklahoma Opioid Abatement Board.

23 D. All monies accruing to the credit of the fund are hereby  
24 appropriated and may be budgeted and expended by the Attorney

1 General for the purpose of funding opioid grant awards as authorized  
2 by ~~this act~~ the Political Subdivisions Opioid Abatement Grants Act.

3 SECTION 3. This act shall become effective November 1, 2024.

4 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
5 February 8, 2024 - DO PASS  
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