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BILLS MOVE DURING THE FIRST WEEK

This week was the first week of the 58th Legislature. Both chambers heard bills in committee with two additional weeks of committee work on the horizon.

COVID-19 Tele-Meetings - [SB 1031](#), by Sen. Pro Tempore Greg Treat (R-OKC) and Rep. Jon Echols (R-Echols), would extend the Tele-Meetings provisions implemented to address meetings governed by the open records act during the COVID-19 pandemic. The Municipal League has worked diligently since the provision expired recently to renew the provisions to protect our local municipal officials and municipal professionals. The bill passed unanimously in the Senate and will be sent to the House for consideration next week. We anticipate the bill will pass the House and be signed into law next week.

Municipal Public Safety Districts - This week, [SB 838](#), by Sen. Darrell Weaver (R-Moore) and Rep. Jadine Nollan (R-Sand Springs), passed the Senate General Government Committee by a vote of 7-2. This bill will allow municipal governments to create public safety districts for Police, Fire, and EMT services. The districts will be authorized to collect an ad valorem assessment to fund these services. The bill will now be sent to the full Senate for consideration.

GPT for Municipalities - [HB 2389](#), by Rep. Brad Boles (R-Marlow), would reapportion Gross Production Tax and direct 1/3 of the tax on new wells located within municipal boundaries to municipal governments for road repairs. A committee substitute version of the bill will be introduced next week and is expected to be heard in the House Transportation Committee.

Please visit with your team and municipal elected officials to ensure they are receiving the legislative communications from the League. They can sign up for those communications [HERE](#).

BILLS ON THE MOVE

Home Bakery Act: [HB 1032](#) by Rep. Garry Mize (R-Edmond) changes the name of the Home Bakery Act of 2013 to the Homemade Food Freedom Act. The bill modifies definitions. It exempts the production and sale of homemade food products that meet certain conditions from all licensing and other requirements of the State Department of Health and the Oklahoma Department of Agriculture, Food and Forestry. Nothing in the Homemade Food Freedom Act is to impede the State Department of Health in any investigation of a reported foodborne illness. No county, municipal corporation, consolidated government, or political subdivision of this state to adopt or continue in effect any ordinance, rule, regulation, or resolution prohibiting, impeding, or restricting honey sales or distribution in compliance with this law.

The bill has been assigned to the House Business and Commerce Committee.

Preemption/Religious Entities: [HB 1056](#) by Rep. Jim Olsen (R-Roland) prohibits the governor or any official of a municipality, county, political subdivision from restricting religious activities during a state declared state of emergency.

The bill has been assigned to the House Judiciary - Criminal Committee.

Preemption/Vaccination: [HB 1057](#) by Rep. Jim Olsen (R-Roland) prohibits an individual from being required to receive a vaccine as part of his/her public or private employment. It also preempts any employment-related vaccination mandate enacted by any agency, board, or commission with rulemaking authority or by any ordinance enacted by any political subdivision of the state, including, but not limited to, counties, cities, towns, and municipalities.

The bill has been assigned to the House States' Rights Committee.

Preemption/Firearms: [HB 1100](#) by Rep. Jim Olsen (R-Roland) amends firearm preemption to include "firearm and ammunition" and a "policy" of any political subdivision. If a person's rights via preemption are violated, the person may bring a civil action with reasonable expenses awarded if the person wins or the policy or ordinances is repealed after a lawsuit is filed but before the final determination by the court.

The bill has been assigned to the House Judiciary - Civil Committee.

Assault & Battery on Code Officers: [HB 1134](#) by Rep. Scott Fetgatter (R-Okmulgee) makes it unlawful to commit assaults, battery or assault and battery upon the person of a municipal or county code enforcement official who is performing his or her duty of investigating or enforcing the codes, rules or regulations adopted by municipal ordinance, county legislation upon conviction. The bill defines "code official." If convicted, the individual shall be guilty of a felony punishable by imprisonment of and a fine not to exceed \$3,000.

The bill has been assigned to the House Judiciary - Criminal Committee.

Nuisance/Liens: [HB 1606](#) by Rep. Colin Walke (D-OKC) allows a municipality, in addition to any liens or remedies available, to hold the owner of the property civilly liable for any actual expenses or costs incurred by the municipality for cleaning and mowing of property, dismantling and removal of dilapidated buildings or in relation to abating a public nuisance caused by an abandoned building and any other expenses as may be necessary in connection therewith.

The bill has been assigned to the House County & Municipal Government Committee.

Police Budgets: [HB 1664](#) by Rep. Kevin West (R-Moore) prohibits a city or town that reduces the budget of its law enforcement functions by five percent (5%) or more from the previous fiscal year from receiving any grant or similar funds for the fiscal year during the budget reductions were implemented. The bill also requires the city or town to make a report to the governor's office no later than fifteen (15) days after the final vote on the budget with the specific dollar amount for law enforcement functions for the fiscal year immediately prior to the fiscal year during which the law enforcement budget reduction was made and the level of funding for law enforcement in the fiscal year during which the reduction is to occur with the governor then distributing the reported budget reduction to the appropriate cabinet secretary for the appropriate entities providing grants to the city or town. There is an exception if a city or town can demonstrate that the budget reduction was for legitimate reasons. The bill requires the city or town to pay the county for law enforcement services.

The bill has been assigned to the House County & Municipal Government Committee.

DUI/Limited Criminal Courts of Record: [HB 1676](#) by Rep. Kevin West (R-Moore) prohibits a city or town that

reduces the budget of its law enforcement functions by five percent (5%) or more from the previous fiscal year from receiving any grant or similar funds for the fiscal year during the budget reductions were implemented. The bill also requires the city or town to make a report to the governor's office no later than fifteen (15) days after the final vote on the budget with the specific dollar amount for law enforcement functions for the fiscal year immediately prior to the fiscal year during which the law enforcement budget reduction was made and the level of funding for law enforcement in the fiscal year during which the reduction is to occur with the governor then distributing the reported budget reduction to the appropriate cabinet secretary for the appropriate entities providing grants to the city or town. There is an exception if a city or town can demonstrate that the budget reduction was for legitimate reasons. The bill requires the city or town to pay the county for law enforcement services.

The bill has been assigned to the House Rules Committee.

Tornado Safety/Hotels: [HB 1748](#) by Rep. Denise Crosswhite Hader (R-Yukon) requires the Department of Health to promulgate rules requiring hotels to conspicuously post tornado safety information in every room. The tornado safety information list must include the county the hotel is located, the hotel's location on state map, information on what hotel guests should do during a tornado and the day and time of the community tornado siren testing.

The bill passed the House Business and Commerce Committee on Wednesday by a vote of 8 to 0. The bill moves to the full House.

Interlocal Cooperative Agreements: [HB 1789](#) by Rep. Daniel Pae (R-Lawton) allows for any interlocal cooperative agreement authorized by state law to create a purchasing cooperative or contract with a purchasing cooperative which will provide leverage in achieving best value or the best terms in contracts. Additionally, the bill creates a streamlined bidding procedure for interlocal cooperatives and purchasing cooperatives.

The bill has been assigned to the House Government Modernization and Efficiency Committee.

Open Records/Employee Information: [HB 1876](#) by Rep. Tammy West (R-OKC) exempts the home addresses, home telephone numbers, social security numbers, private email addresses, and private mobile phone numbers of current and former public employees to be exempt from public inspection or disclosure; provided, however, that nothing is to be construed to exempt from

disclosure public records created using a private email address or private mobile phone.

The bill that has been assigned to the House General Government Committee.

Smoking Preemption/Repeal: [HB 1893](#) by Rep. Jeff Boatman (R-Tulsa) repeals 63 O.S. Supp. 2020, Section 1-229.20 which restricts agencies and other political subdivisions from regulating tobacco.

The bill has been assigned to the House Rules Committee.

Firearms/Municipal Employee Carry: [HB 1897](#) by Rep. Sean Roberts (R-Hominy) provides that municipalities may authorize municipal employees to carry concealed firearms for personal protections outlined in the bill. The bill contains extensive details.

The bill has been assigned to the House Judiciary - Criminal Committee.

Public Safety District: [HB 1970](#) by Rep. Jadine Nollan (R-Sand Springs) is new law creating the Oklahoma Public Safety Protection District Act via a 60% vote of the people with management and budget oversight vested within the existing administration of the municipal government. The District is funded with an annual assessment no greater than five (5) mill on the dollar of assessed value used for the operation and maintenance of the District including numerous related expenses including public safety equipment and vehicles, salaries and benefits for law enforcement, fire protection and emergency medical services and costs related to fire and police operations.

The assessment specifically EXEMPTS real property zoned for agriculture or industrial land use, livestock employed in support of the family, and personal property owned by agricultural business entities.

The bill has been assigned to the House Rules Committee.

Medical Marijuana: [HB 2022](#) by Rep. Scott Fetgatter (R-Okmulgee) amends the temporary medical marijuana license, which was to be granted to any license-holder from another state with a medical marijuana program, with a nonresident medical marijuana patient license. For an individual to qualify for a nonresident patient license, the applicant must be at least eighteen (18) years of age or older and the application for a nonresident medical marijuana patient license must be signed by an Oklahoma physician. A qualifying medical condition is not required for a nonresident patient license, but the Oklahoma Medical Marijuana Authority (OMMA) may contact the recommending physician to verify the applicant's need.

The application fee for the nonresident patient license is Two Hundred (\$200), and the license is valid for up to two years from the date of issuance, unless the recommendation of the physician is terminated, or the license is revoked by OMMA.

The committee substitute passed the House Alcohol, Tobacco and Controlled Substances Committee today by a vote of 8 to 0. The bill moves to the full House.

Medical Marijuana: [HB 2023](#) by Rep. Scott Fetgatter (R-Okmulgee) specifies that on or after November 1, 2019, the distance between a public or private school and a medical marijuana dispensary shall be measured from the nearest property of the medical marijuana dispensary to the nearest property line of the school. If any public or private school is established within one thousand (1,000) feet of any medical marijuana dispensary after a license has been issued by OMMA for that location, the prohibited distance between properties shall not apply as long as the licensed property is continuously used for that purpose. The bill prohibits OMMA from denying any issuance or renewal of licensure or deny any transfer of the licensure pursuant to a change in ownership or revoke any license due to a mistake in measurement by OMMA or any change in public or private school usage after an initial license has been issued at that location. The licensed property shall be grandfathered in by OMMA, as long as, the property continues to be used in accordance with the original licensed purpose, regardless of any change in ownership.

The committee substitute as [amended](#) passed the House Alcohol, Tobacco and Controlled Substances Committee today by a vote of 7 to 0. The bill moves to the full House.

Open Meetings/Virtual Meetings: [HB 2038](#) by Speaker Charles McCall (R-Atoka) extends the date for public bodies to hold virtual meetings through January 31, 2022.

The bill has been assigned to the House Rules Committee.

Preemption/Catastrophic Health Emergency Powers Act: [HB 2218](#) by Rep. Kevin McDugle (R-Tulsa) prohibits the Governor or any other governmental entity during a Catastrophic Health Emergency Powers Act from forcing a business to close, limit or in any way restrict the hours of operation of a business; or limit or restrict the number of occupants or patrons allowed in a business.

The bill has been assigned to the House Public Health Committee.

Workers' Compensation/COVID-19 Presumption: [HB 2239](#) by Rep. Stan May (R-Broken Arrow) requires that in the event a first responder tests positive for COVID-19,

the disease shall be presumed to have been contracted in the course and scope of employment unless the employer proves by a preponderance of the evidence that the disease was not contracted in the course and scope of employment. The presumption must apply to any claim filed on or after the effective date of this act and to any claim filed before the effective date of this act if the claim was denied and an appeal of the denial has been filed with the Workers' Compensation Commission. It defines "first responder" as a peace officer, reserve peace officer, firefighter, or emergency medical technician employed by a municipality, county, emergency medical services provider, or the State of Oklahoma, or a volunteer firefighter, who is exposed to COVID-19 during the performance of his or her duties.

The bill has been assigned to the House Judiciary - Civil Committee.

Smoking in Public Places and Indoor Workplaces Act: [HB 2301](#) by Rep. Dustin Roberts (R-Durant) prohibits smoking of tobacco or marijuana or vape marijuana in any public park, whether indoors or outdoors, whether owned or operated by the state or any political subdivision.

The bill has been assigned to the House Rules Committee.

Open Meetings Act/Virtual Meetings: [HB 2644](#) by Rep. Jon Echols (R-OKC) allows a public body to hold a meeting by teleconference until March 31, 2024.

The bill has been assigned to the House General Government Committee.

Firearms/Omnibus bill: [HB 2645](#) by Rep. Jon Echols (R-OKC) by Rep. Jon Echols (R-OKC) is the omnibus firearm bill for this Session. The bill allows an individual to transport a firearm on a public roadway. It also allows an individual to carry a weapon in a designated bar area of a restaurant if the individual is not consuming any alcohol. It reduces the penalty for a firearm in a liquor establishment to a misdemeanor. It also allows a court to require an individual violating rights to lawfully carry a firearm to pay reasonable expenses to a person under certain circumstances.

The bill has been assigned to the House Public Safety Committee.

Preemption/Religious Entities: [HB 2648](#) by Rep. Jon Echols (R-OKC) prohibits any governmental entity from closing any place of worship during a declared state of emergency.

The bill passed the House States' Rights Committee on Wednesday by a vote of 5 to 1. The bill moves to the full House.

Law Enforcement/Jurors: [HB 2746](#) by Rep. Ross Ford (R-Broken Arrow) amends 38 O.S. Section 28 by adding to those excused from jury service. This includes municipal or state law enforcement officers employed in any county with a population of 255,000 or more and federal law enforcement officers. Municipal or state law enforcement officers in a county with a population of less than 255,000 shall be eligible to serve on noncriminal actions only.

The bill has been assigned to the House Judiciary – Civil Committee.

PERB: [HB 2747](#) by Rep. Ross Ford (R-Broken Arrow) amends the Fire and Police Arbitration Act by requiring a municipal employer to recognize an association selected by majority vote as the exclusive bargaining agent for firefighters or police officers. The election process shall be agreed upon by the parties. If unable to agree, either party may request the American Arbitration Association to conduct and certify the election. The election cost is paid by the employer. If two associations seek recognition, the associations will pay the election costs. 11 O.S. Sections 51-104, 51-104a and 51-104b are repealed.

The bill has been assigned to the House County and Municipal Government Committee.

Emergency Management Services: [HB 2839](#) by Rep. Sean Roberts (R-Hominy) requires municipalities with a population less than 100,000 in population to create an agreement with the county for emergency management services but shall not employ an emergency manager or emergency management staff. Municipalities with a population greater than 100,000 are required to have an emergency management director.

The bill has been assigned to the House Rules Committee.

Grocery Sales Tax Exemption: [HB 2844](#) by Rep. Sean Roberts (R-Hominy) exempts foods sold in grocery stores, convenience stores and gasoline stations but excludes candy, soft drinks having carbonation, ice or food items sold in a manner subject to a tax levied in lieu of sales tax by other provisions of the law.

The bill has been assigned to the House Rules Committee.

Public Buildings/At-Risk Construction: [HB 2861](#) by Rep. Kevin Wallace (R-Wellston) amends 61 O.S. Section 2 impacting at-risk management contracts in which the at-risk construction manager, or a trade contractor under either an agency or an at-risk construction management

contract, is required to furnish a payment bond. Only persons having a direct contractual relationship with the party furnishing the payment bond shall have a right of action upon the payment bond in the same manner as set forth in subsection A.

The bill passed the House Appropriations and Budget Committee on Wednesday by a vote of 30 to 0. The bill moves to the full House.

Law Enforcement/Mental Health Transport: [HB 2877](#) by Rep. Kevin Wallace (R-Wellston) authorizes a peace officer to utilize telemedicine, when such capability is available and is in the possession of the local law enforcement agency, to have a person whose the officer reasonably believes is a person requiring treatment, as defined in Section 1-103 of Title 43A, assessed by a licensed mental health professional employed by or under contract with a facility operated by or contract with a facility operated by or contracted with the Department of Mental Health and Substance Abuse Services. To serve the mental health needs of persons of their jurisdiction, peace officers are responsible for transporting individuals indeed of examination, emergency detention or protective custody from the initial point of contact to the nearest facility within a thirty (30) mile radius of the peace officer's operation headquarters. If there is not a facility within the thirty (30) mile radius, transportation to a facility shall be completed by either ODMHSAS or an entity contracted by the Department for alternative transportation. Once an individual has been presented to a facility, the law enforcement officer, the transporting officer is responsible for any subsequent transportation pending completion of the examination, emergency detention, protective custody, or inpatient services within a thirty (30) mile radius.

The bill has been assigned to the House Appropriations and Budget Committee.

Collective Bargaining Agreements/Police: [HB 2920](#) by Rep. Regina Goodwin (D-Tulsa) states a collective bargaining agreement with a police department must not negotiate matters of police officer discipline, block accountability for actions taken by police officers, provide for the rehiring of police officers terminated for misconduct; and provide for negotiations without community representation. It mandates that the collective bargaining agreement with a police department includes a community component, which consists of individuals commensurate in number to other negotiating parties in the agreement and representative of those who have been adversely disproportionately impacted by police encounters.

The bill has been assigned to the House Judiciary – Civil Committee.

Emergency Medical Services District: [HJR 1028](#) by Rep. Dustin Roberts proposes a vote of the people to increase the ad valorem taxes for operational expense from three (3) mills to a maximum of ten (10) mills for emergency medical service districts.

The bill has been assigned to the House Rules Committee.

Law Enforcement/Mental Health Transport: [SB 3](#) by Sen. David Bullard (R-Durant) amends transportation for mental health services by law enforcement act by allowing officers to use telemedicine to have a person assessed by a mental health professional. If the person needs treatment, the officer shall transport the person to the nearest facility within a thirty (30) mile radius. This bill also amends Section 5-207 over emergency detention and allows the officer to use telemedicine for the initial assessment. subsection f is removed which discusses what to do if the facility is over fifty (50) miles away.

The bill passed the Senate Public Safety Committee on Wednesday by a vote of 10 to 0. The bill moves to the Senate Appropriations Committee.

Law Enforcement/Emergency Detention: [SB 7](#) by Sen. Micheal Bergstom (R-Adair) amends transportation for mental health services by law enforcement. This bill also allows an officer to use telemedicine with a licensed mental health professional for initial assessment. This bill however does not change the transportation distance that a law enforcement officer may travel to the nearest mental health facility. Section f which provides that an officer may transport the person to a facility in another state if there is not a facility in a fifty (50) mile radius.

The bill passed the Senate Public Safety Committee on Wednesday by a vote of 10 to 0. The bill moves to the full Senate.

Speeding Tickets: [SB 10](#) by Sen. Zack Taylor (R-Seminole) amends speed restrictions on county roads and highways by removing the expiration date of 2022 for the fine for speeding structure and makes the current fine structure permanent. Additionally, the provisions in section 2 were set to expire on November 1, 2020. This expiration is repealed, and no expiration is put in place.

The bill passed the Senate Public Safety Committee on Wednesday by a vote of 10 to 0. The bill moves to the full Senate.

Law Enforcement/DNA Testing Fee: [SB 11](#) by Sen. Darrell Weaver (R-Moore) adds additional misdemeanor

offences to the list of people arrested or convicted that must pay for a DNA testing fee. This DNA testing fee goes to the OSBI. Under the amendment, the misdemeanor "possession of a controlled dangerous substance prohibited under Schedule IV of the uniform controlled dangerous substances act" is altered by taking out "Schedule IV". This means all prohibited substances under the Uniform controlled dangerous substances act will be included in this misdemeanor for purposes of DNA testing. This change of taking out Schedule IV is also changed in the list of felonies and misdemeanors who are subject to DNA testing.

The bill passed the Senate Public Safety Committee on Wednesday by a vote of 7 to 3. The bill moves to the Senate Appropriations Committee.

Law Enforcement/Sexual Assault: [SB 16](#) by Sen. Kay Floyd (D-OKC) amends the Oklahoma Crime Victims Compensation Act to give the crime victims compensation board the power to have access to any written documentation included with sexual assault forensic evidence kit. For determining when a claim is timely filed for sexual assault, the board may use the date the forensic evidence was tested. The board may deny compensation to a victim of sexual assault if the victim did not get a forensic medical examination within 120 hours.

The bill passed the Senate Public Safety Committee on Wednesday by a vote of 10 to 0. The bill moves to the full Senate.

Law Enforcement/Domestic Violence: [SB 17](#) by Sen. Kay Floyd (D-OKC) requires officers during a preliminary investigation of a domestic violence victim to conduct a lethality assessment by using questions from the AG's website. If the assessments indicated that the victim has a capacity to cause serious harm or death and a rereferral is suggested, the officer will tell the victim the results of the assessment and call the domestic violence hotline for the victim if the victim wants the officer to.

The bill passed the Senate Public Safety Committee on Wednesday by a vote of 10 to 0. The bill moves to the full Senate.

Mental Health Courts: [SB 50](#) by Sen. Brent Howard amends 22 O.S. Section 472 requiring any criminal case be cross-referenced to a mental health court case file by the court clerk if the case is subsequently assigned to a mental health court program. The mental health court files remain closed to the public.

The bill passed the Senate Judiciary Committee on Tuesday by a vote of 9 to 0. The bill moves to the full Senate.

Alcoholic Beverages/Licenses: [SB 85](#) by Sen. Bill Coleman (R-Ponca City) and Rep. Judd Strom (R-Copan) amends 37A O.S. Section 2-102 impacting brewer licenses and the holder of multiple small brewer licenses.

The bill passed the Senate Business, Commerce and Tourism Committee today by a vote of 11 to 0. The bill moves to the full Senate.

Law Enforcement/Mental Health Diversion: [SB 87](#) by Sen. John Haste (R-Broken Arrow) modifies a treatment center where a person in possession of a controlled dangerous substance who appear to in need of help can go, in lieu of an arrest, an approved drug treatment center or approved center for substance abuse evaluation by a law enforcement officer. Such centers shall be subject to the appropriate county, municipal, or tribal authority. The Department of Mental Health and Substance Abuse Services may approve or disapprove individual treatment centers. Additionally, the treatment center must receive annual approval from the county's district attorney.

The bill passed the Senate Public Safety Committee on Wednesday by a vote of 10 to 0. The bill moves to the Senate Appropriations Committee.

Public Trusts: [SB 88](#) by Sen. Brent Howard (R-Altus) modifies voting requirements for public trusts to waive public bidding requirements. The bill allows public trusts with fewer than four (4) trustees to waive bidding requirements with 2/3's of the vote instead of 3/4's of the vote. Additionally, the measure exempts public trusts from auditing requirements provided the trust does not possess any debt obligations and has assets totaling less than Fifty Thousand Dollars (\$50,000).

The bill passed the Senate Judiciary Committee on Tuesday by a vote of 9 to 0. The bill moves to the full Senate.

Public Buildings/Efficiency Contracts: [SB 91](#) by Sen. Chuck Hall (R-Perry) and Rep. Brad Boles (R-Marlow) amends 61 O.S. Section 212 creating the method for calculating cost savings attributable to performance-based efficiency contracts. The public entity may consider capital cost avoidance and include additional revenue that is directly attributed to the contract.

The bill passed the Senate General Government Committee today by a vote of 9 to 0. The bill moves to the full Senate.

IT Consolidation and Coordination/OMPA: [SB 123](#) by Sen. Chuck Hall (R-Perry) and Rep. Mike Osburn (R-Edmond) amends the Information Technology Consolidation and Coordination Act by adding the Oklahoma Municipal Power Authority to the definition of "state agency".

This bill passed the Senate General Government Committee today by a vote of 9 to 0. The bill moves to the full Senate.

OUBCC: [SB 148](#) by Sen. Dave Rader (R-Tulsa) amends the Uniform Building Code Commission by adding two new board members.

The bill passed the Senate Business, Commerce and Tourism Committee today by a vote of 10 to 2. The bill moves to the full Senate.

Public Competitive Bidding Act/Public Trusts: [SB 173](#) by Sen. Paul Rosino (R-OKC) amends competitive bidding for trusts by amending 60 O.S. Section 176 related to engaging in activities outside the geographic boundaries of its beneficiary by removing current language requiring benefit to a large class of the public. In addition, construction contracts, when required, shall be administered, advertised, and awarded according to the Public Competitive Bidding Act of 1974. The equipment, materials "or repairs" may be purchased by a public trust directly from any contract "approved or" awarded by this state or state agency under the Oklahoma Central Purchasing Act or from any contract "approved or" awarded by a governmental entity which is a beneficiary of the public trust.

The bill has been assigned to the Senate Judiciary Committee.

Preemption/Immunization: [SB 223](#) by Sen. Nathan Dahm (R-Broken Arrow) prohibits state entities and political subdivisions from compelling or coercing any person to receive any immunization.

This bill has been assigned to the Senate Health and Human Services Committee.

Emergency Medical Services/Collections: [SB 240](#) by Sen. Chuck Hall (R-Perry) amends 68 O.S. Section 205.2 adding municipal governments, and authorities or trusts with the municipal government as a beneficiary who are seeking to collect debt for emergency medical services to the list of qualified entities by making a claim with the Tax Commission.

The bill has been assigned to the Senate Finance Committee.

Municipal Court Costs/Collections: [SB 343](#) by Sen. Lonnie Paxton (R-Tuttle) amends 68 O.S. Section 205.2 impacting municipal court's collection of fines and costs via the Oklahoma Tax Commission. The bill adds clarifying language to include district court fines.

The bill has been assigned to the Senate Judiciary Committee.

Preemption/Traffic Quotas: [SB 346](#) by Sen. Nathan Dahm (R-Broken Arrow) is new law prohibiting a political subdivision or any agency of this state from evaluating, promoting, compensating, or disciplining a peace officer's issuance of a predetermined or specified number of any type or combination of types of traffic citations. Also included are judges of county or municipal courts and many details. If there is a violation by an elected official this is misconduct and grounds for removal from office. For a non-elected official, a violation is grounds for removal from his/her position.

The bill passed the Senate General Government Committee today by a vote of 9 to 0. The bill moves to the Senate floor.

Peer-to-Peer Car Sharing: [SB 355](#) by Sen. Paul Rosino (R-OKC) is new law creating extensive regulation for the new Peer-to-Peer Car Sharing Program Act. This program means a business platform that connects vehicle owners with drivers to enable the sharing of vehicles for financial consideration and does not include the rental services offered by a rental car company or service provider who is solely providing hardware or software as a service to a person or entity that is not effectuating payment of financial consideration for use of a shared vehicle. This program shall not be considered a "transportation network company" as defined in 47 O.S. Section 1011. In addition to 20 sections of new law several Title 47 statutes are amended.

The bill has been assigned to the Senate Business, Commerce, and Tourism Committee.

Law Enforcement/Impaired Driving: [SB 366](#) by Sen. Kim David (R-Porter) makes a number of changes to various section of law in Title 47 on revocation and restoring of driving privileges including administrative and legal actions, the Impaired Driver Accountability Program changes and penalties. 47 O.S. Section 6-212.6 is repealed. The bill contains extensive details.

The bill passed the Senate Public Safety Committee on Wednesday by a vote of 9 to 1. The bill moves to the full Senate.

Law Enforcement/Impaired Driving: [SB 367](#) by Sen. Kim David (R-Porter) amends several sections of Title 47 impacting impaired driving including 47 O.S. Section 752 authorizing persons licensed as Intermediate Emergency Medical Technician, Advanced Emergency Medical Technician or Paramedic to withdraw blood to determine the concentration of alcohol or other intoxicating substance. Withdrawn from current law is language involving saliva or urine specimen and a test of breath to determine alcohol or other intoxicating substances. New law on blood and breath collection is placed in Section 3 of the bill. Changes are made to peace officer's required sworn statement for arrests.

The bill passed the Senate Public Safety Committee on Wednesday by a vote of 9 to 1. The bill moves to the full Senate.

Preemption/Photo Monitoring: [SB 441](#) by Sen. Nathan Dahm (R-Broken Arrow) prohibits any state agency, county, municipality, or political subdivision from contracting with any private corporation for the use of any photo monitoring device to detect any traffic control signal violation.

The bill passed the Senate Public Safety Committee on Wednesday by a vote of 10 to 0. The bill moves to the full Senate.

Water/Permits: [SB 453](#) by Sen. Dave Rader (R-Tulsa) requires the applicant to provide notice of an application, via certified mail, to the owner or owners of each tract of land adjacent to the stream identified in the permit application for a distance of one (1) mile upstream and one (1) mile downstream from the proposed diversion point or points to every stream water permit holder and to any person or entity with pending stream water permit application received by the Board prior to the notifying applicant's application.

The bill passed the Senate Energy Committee today by a vote of 9 to 0. The bill moves to the full Senate.

Tort Claims/Sanitary Sewer Overflow: [SB 458](#) by Sen. Julie Daniels (R-Bartlesville) amends the Governmental Tort Claims Act by providing an exemption to state and political subdivisions in instances of sanitary sewer overflow occurring on private property.

The bill has been assigned to the Senate Judiciary Committee.

Medical Marijuana/Safety-Sensitive Positions: [SB 459](#) by Sen. Lonnie Paxton (R-Tuttle) amends the Standards for Workplace Drug and Alcohol Testing Act in a variety of ways. Included is coverage of volunteers in a safety-

sensitive position with changes made to several definitions, alterations to marijuana statutes for applicants for safety sensitive positions, a new definition of “employee” regarding drug or alcohol testing policy and adding law enforcement duties to the definition of safety-sensitive.

The bill has been assigned to the Senate Business, Commerce and Tourism Committee.

Preemption/Sanctuary Cities: [SB 572](#) by Sen. Nathan Dahm (R-Broken Arrow) prohibits any municipality or political subdivision from enacting or adopting any sanctuary policy. It defines sanctuary policy. It gives authority to a legislator to request a legal opinion of the Attorney General upon receiving a complaint from a resident or prior to appropriate state monies to an entity as to whether a municipality or political subdivisions has adopted a sanctuary policy. If the Attorney General answers in the affirmative, the municipality or political subdivision is ineligible to receive money provided through appropriations, grants, brother disbursements administered by any state agency or department until the AG certifies that the policy is retracted. The governing body of each municipality is required to distribute this bill to each law enforcement officer.

The bill passed the Senate General Government Committee today by a vote of 7 to 2. The bill moves to the Senate floor.

Tax Commission/Debt Collections: [SB 599](#) by Sen. Dave Rader (R-Tulsa) amends the time by which a debt collection agency shall remit the funding from five (5) days to fifteen (15) days.

The bill passed the Senate Finance Committee on Tuesday by a vote of 12 to 0. The bill now moves to the full Senate.

Red River Boundary Commission: [SB 627](#) by Sen. David Bullard (R-Durant) by Sen. David Bullard (R-Durant) is new law creating the Red River Boundary Commission to evaluate criteria used to establish the boundary line between Oklahoma and Texas.

The bill passed the Senate Energy Committee today by a vote of 9 to 0. The bill moves to the full Senate.

Firearms/Municipal Employee Carry: [SB 644](#) by Sen. Blake Stephens (R-Tahlequah) authorizes municipalities, by ordinance, to allow municipal employees to carry concealed firearms for their personal protection once the employee has been issued a valid handgun license. Carrying a firearm shall not be considered a requirement for continued employment, the bill provides details on carrying the firearm, immunity is provided under certain

conditions, firearm-prohibited locations are created. In addition, the state preemption is expanded by adding “firearm and ammunition” and adding municipal “policies”, political subdivision legal exposure is expanded including “reasonable expenses” which includes attorney fees, expert witness fees and court costs.

The bill has been assigned to the Senate Public Safety Committee.

Workers’ Compensation/PTSD: [SB 655](#) by Sen. Roger Thompson (R-Okemah) amends Worker’s Compensation in 85A O.S. Section 13 authorizing mental injury or illness as a compensable injury, without a physical injury, for a first responder who suffers post-traumatic stress disorder (PTSD) after responding to an emergency. The employer must provide reasonable and necessary medical treatment subject to the Fee Schedule for workers’ compensation for a period not to exceed 1 year, if it is determined the first responder has suffered PTSD not accompanied by a physical injury. The employer is not responsible for prescription medication more than Ten Thousand Dollars (\$10,000). The bill provides compensation if the first responder is temporarily unable to perform his job or any alternative work offered by the employer, the employer shall pay to maintain health insurance coverage and the bill contains detailed definitions.

The bill has been assigned to the Senate Judiciary Committee.

CLEET/Tech Centers: [SB 688](#) by Sen. David Bullard (R-Durant) amends 70 O.S. Section 3311.17 impacting background investigations by submitted “prior to enrollment” with costs of the investigation requirement be required of the student.

The bill passed the Senate Public Safety Committee on Wednesday by a vote of 10 to 0. The bill moves to the full Senate.

Law Enforcement/Support: [SB 834](#) by Sen. Darrell Weaver (R-Moore) is new law authorizing municipalities to adopt ordinances enabling the painting of blue lines on streets and posting signage to express support for law enforcement.

The bill passed the Senate General Government Committee today by a vote of 7 to 2. The bill moves to the full Senate.

Medical Marijuana/Smoking in Public Places: [SB 862](#) by Sen. Lonnie Paxton (R-Tuttle) amends 21 O.S. Section 1247 expanding smoke free locations for counties and municipalities by including trusts with the counties and

municipalities as the beneficiary. A “smoke free location” is a location where the use of tobacco, nicotine, marijuana, or other lawful products consumed in a smoked or vaporized manner are prohibited. Additional changes include 63 O.S. Section 425 being amended by substituting “medical marijuana license holder” with “licensed medical marijuana patient” and by substituting “retail marijuana establishment” with “medical marijuana dispensaries”. Also, the distance of the medical marijuana dispensary is 1,000 feet from any public or private school entrance as measured from any entrance of the school to the nearest property line point of the dispensary.

The bill has been assigned to the Senate Health & Human Services Committee.

Utilities/Shut-Off: [SB 878](#) by Sen. Shane Jett (R-Shawnee) is new law providing that it is a matter of statewide concern that no municipality shall shut off utilities to any residential or business establishment for any reason other than nonpayment of bills.

The bill has been assigned to the Senate General Government Committee.

Defund the Police: [SB 879](#) by Sen. Shane Jett (R-Shawnee) is new law creating the Defund the Police Protocols Revolving Fund with money expended by the Department of Public Safety for the exclusive purpose of providing additional resources to law enforcement services effected by municipalities seeking to defund the police. The revenue for the Fund is from those municipalities that reduce the budget or abolish municipal law enforcement services. All revenue from citations, fines or other revenue derived from the duties of law enforcement shall be deposited into the Fund.

The bill has been doubly assigned to the Senate General Governments Committee and the Senate Appropriations Committee.

Election Dates: [SB 948](#) by Sen. David Bullard (R-Durant) amends the available election dates for political subdivisions. Impacted are dates to fill an elective office, as well as regular and special elections.

The bill has been assigned to the Senate Rules Committee.

Open Records/Confidential Information: [SB 970](#) by Sen. Kay Floyd (D-OKC) amends “record” to include information provided for a license or certificate including address, phone number, other contact information or any other material provided. The license or certificate shall be a public record. In addition, personnel records may be kept confidential “at the sole discretion of the public

body”. In addition, 51 O.S. Section 24A.10 is amended in Paragraph D by expanding “utility services” to “services” and current law’s “may” be changed to “shall” keep confidential “and shall redact from any record, personal email addresses”, or “any portion of any record that contains the name or any other identifier of the occupants of any residential structure.”

The bill has been assigned to the Senate Judiciary Committee.

Smoking in Public Places Act: [SB 986](#) by Sen. Carri Hicks (D-OKC) amends the Smoking in Public Places Act by adding vaping in public places to the list of acts prohibited on public property.

The bill has been assigned to the Senate Health & Human Services Committee.

Medical Marijuana/Retail Establishments: [SB 1033](#) by Sen. James Leewright (R-Bristow) specifies that on or after November 1, 2019, the distance between a public or private school and a medical marijuana dispensary shall be measured from the nearest property of the medical marijuana dispensary to the nearest property line of the school. If any public or private school is established within one thousand (1,000) feet of any medical marijuana dispensary after a license has been issued by OMMA for that location, the prohibited distance between properties shall not apply as long as the licensed property is continuously used for that purpose. The bill prohibits OMMA from denying any issuance or renewal of licensure or deny any transfer of the licensure pursuant to a change in ownership or revoke any license due to a mistake in measurement by OMMA or any change in public or private school usage after an initial license has been issued at that location. The licensed property shall be grandfathered in by OMMA, if, the property continues to be used in accordance with the original licensed purpose, regardless of any change in ownership.

The committee substitute passed the Senate Business, Commerce and Tourism Committee today by a vote of 12 to 0. The bill moves to the full Senate.

Next Week at the Capitol

(As of time of distribution this is a list of the meetings that have been posted.)

Monday, February 8, 2021

Senate Agriculture & Wildlife Committee **10:00 a.m. in Room 230**

Scrap Metal Dealers Act: [SB 1](#) by Sen. Chuck Hall (R-Perry) amends the Scrap Metal Dealers Act and names it after Sergeant Craig Johnson. The bill requires the scrap metal dealer to take a picture of the items purchased and the person selling the items. Other changes in the bill include the types of accepted proof of ownership are expanded, the process for the purchase of a vehicle by the scrap metal dealer is changed, and the prohibition against certain copper sales is eliminated.

Senate Retirement & Insurance Committee **10:00 a.m. in Room 459**

OPERS/Military Service Credit: [SB 465](#) by Sen. Frank Simpson (R-Ardmore) amends the Oklahoma Public Employees Retirement System impacting purchase of military service credit.

Firefighter Pension: [SB 826](#) by Sen. Brent Howard (R-Altus) amends the deterred option plan in the Firefighter Pension System for members whose participation in the plan began on or after November 1, 2013. At the option of the member, he/she shall receive a lump-sum payment equal to the option account balance, a direct rollover of the member's option account balance to a qualified IRA or the member may direct payment to a third-party annuity provider.

Firefighter Pension: [SB 897](#) by Sen. Lonnie Paxton (R-Tuttle) amends the Firefighter Pension System by altering the definition of "member" by removing current language requiring that a fire chief shall meet the age, agility, physical and other eligibility requirements at the time he/she becomes a member of the System. A "nonparticipating fire chief" is added. This is defined as a firefighter qualified to serve as fire chief per the employing municipality; provided, however, the firefighter shall not be required to be a current employee of a participating municipality or a previous employee of a participating municipality. Finally, 11 O.S. Section 49-135 is amended by adding language that this section shall not apply to "persons employed as fire chief of a participating municipality or a nonparticipating fire chief."

Firefighter Pension: [SB 1009](#) by Sen. Lonnie Paxton (R-Tuttle) amends the Board of Trustees of the Oklahoma Firefighters Pension by reducing it from 13 to 11 members with specific organizations represented.

Senate Public Safety **After Adjournment I in Room 230**

Law Enforcement/Doxing Officers: [SB 6](#) Sen. Paul Rosino (R-OKC) is a new law that makes it unlawful for a person to publish or attempt to publish personally identifiable information such as the officers address or photograph with the intent to threaten, intimidate, harass, or stalk. This information must cause or would be reasonably expected to cause the officer or members of his household substantial emotional distress or financial loss. any person who is found guilty is guilty of a misdemeanor.

DUI/Victims Impact Panel: [SB 283](#) by Sen. Michael Brooks (D-OKC) requires a person found guilty of providing alcoholic beverages to individuals under twenty-one (21) years of age to attend a victims impact panel program.

Law Enforcement/Unification Commission: [SB 371](#) by Sen. Kim David (R-Porter) is new law creating the Law Enforcement Unification Commission composed of state agencies, the Attorney General, legislators, and Governor appointed Special Advisor. The Commission will study the unification of the Oklahoma State Bureau of Investigation, the Oklahoma Bureau of Narcotics and Dangerous Drugs, the Department of Public Safety and the Oklahoma ABLE Commission and the creation of the Oklahoma Office of Inspector General with the Attorney General's office.

Municipal Operations/Disruption: [SB 403](#) by Sen. Brenda Stanley (R-OKC) amends 21 O.S. Section 280 making it unlawful to willfully disturb, interfere or disrupt business of any political subdivision, which includes publicly posted meetings or any employee, agent, official or representative of a political subdivision. It is also unlawful to willfully refuse to disperse or leave any property, building or structure owned, leased or occupied by any political subdivision or its employees after proper notice by a peace officer or security personnel.

Blocked Vehicle/Prosecution: [SB 560](#) by Sen. Nathan Dahm (R-Broken Arrow) limits criminal or civil prosecution of individuals in an occupied vehicle that is

approached and surrounded by persons engaged in unlawful activity who has blocked the road.

Law Enforcement/Malicious Intimidation: [SB 648](#) by Sen. Casey Murdock (R-Felt) and Rep. Carl Newton (R-Cherokee) amends 21 O.S. Section 850 by adding that no person shall maliciously incite or produce imminent violence, injury or death directed against law enforcement officers, emergency first responders because of the person's employment.

Law Enforcement/Citizens' Protection Act: [SB 806](#) by Sen. Darrell Weaver (R-Moore) is new law creating the Oklahoma Citizens' Protection Act and amending various sections of Title 21. Included are assaults on a peace officer, participants in riots, changes to various penalty provisions, racketeering activity, and the like.

Tuesday, February 9, 2021

House Elections and Ethics Committee

10:30 a.m. in Room 5S2

Removal of Officer: [HB 2361](#) by Sen. George Burns (R-Haworth) allows any officer not subject to impeachment

be removed from office for habitual absence from minimum required training events and dereliction of duty. The bill requires the district attorney to investigate whether an officer has been guilty of such offenses upon notice in writing and verified by the fifty-one percent (51%) of registered voters in the political subdivision. If on such investigation the district attorney finds that there is reasonable cause for such complaint, the district attorney shall institute proceedings in the district court of the county of the residence of the accused to fine or remove such officer from office.