

13-21

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**Public Safety District on Governor Stitt's Desk**

**SB 838** by Sen. Darrell Weaver (R-Moore) and Rep. Jadine Nollan (R-Sand Springs) passed the House on Tuesday. This issue has been a longtime coming and will provide a less violative funding mechanism for emergency services. Governor Stitt has expressed support for the concept in the past and the measure has been submitted for his signature.

SB 838 creates the Oklahoma Public Safety Protection District Act allowing the governing body to send to a vote of the people the question of an annual assessment no greater than five (5) mills on the dollar of assessed value used for the operation and maintenance of the District for law enforcement, fire protection and emergency medical services and costs related to fire and police operations. The District must be approved by sixty (60) percent. 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.

**Mental Health Transport Bills Signed by Governor Stitt**

**HB 2877** by Rep. Kevin Wallace (R-Wellston) and Sen. Zack Taylor (R-Seminole) and **SB 3** Sen. David Bullard (R-Durant) and Rep. Justin Humphrey (R-Lane) were signed by Governor Kevin Stitt on Monday. The bill take effect on November 1, 2021.

Both bills impact law enforcement with the long and costly mental health transports by authorizing telemedicine for an individual to be assessed by a licensed mental health professional and limiting the number of miles the officers must transport the individuals. Transportation responsibility of peace officers for those in need of initial assessment, emergency detention or protective custody is from the initial point of contact to the nearest in state facility, within a thirty (30) mile radius of the peace officer's operational headquarters. If there is not a facility within a thirty (30) mile radius, transportation shall be completed by either Mental Health and Substance Abuse Services or an entity contracted by the Department.

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Oklahoma Municipal League  
201 N.E. 23rd Street  
OKC, OK 73105  
Phone: 1-800-324-6651 / 405-528- 7515  
Fax: 405-528-7560  
Email: daniel@oml.org  
Internet: www.oml.org

## BILLS SIGNED BY GOVERNOR STITT

**Criminal Procedure/Violation:** [HB 1022](#) by Rep. Rande Worthen (R-Lawton) and Sen. Darrell Weaver (R-Moore) amends 22 O.S. 1115.1A by impacting the citation form. This amendment provides that if the person pays the fines and costs but does not include a written plea of guilty or nolo contendere shall constitute a plea of nolo contendere entered by the defendant and shall function as a written, dated, and signed citation form acceptable to the court.

The bill goes into effect on November 1, 2021.

**Quality Events Incentive Act:** [HB 1121](#) by Rep. Jeff Boatman (R-Tulsa) and Sen. Roger Thompson (R-Okemah) amends the Oklahoma Quality Events Act by extending the effective date of the Oklahoma Quality Events Incentive Act until June 30, 2026. It also creates a required “economic impact study” impacting various areas including “incremental sales tax revenue” including duties by the Oklahoma Tax Commission. In addition, 68 O.S. Section 4304 is amended impacting a host community by altering several time periods.

The bill went into effect on April 19, 2021.

**Environment/DEQ:** [HB 1705](#) by Rep. Carl Newton (R-Woodward) and Sen. Casey Murdock (R-Felt) removes from the authority of the Department of Environmental Quality (DEQ) requiring and approving or disapproving disposal plans from all persons generating hazardous waste or shipping hazardous waste. Changes are also made to various DEQ fees.

The bill goes into effect on July 1, 2021.

**Law Enforcement/Doxing:** [HB 1643](#) by Rep. Mark Lepak (R-Claremore) and Sen. Micheal Bergstrom (R-Adair) is new law makes illegal the use of an electronic communication device to knowingly publish, post or otherwise make publicly available personally identifiable information of a peace officer or public official and as a result places this individual in reasonable fear of death or serious bodily injury. In addition, peace officers may

request the county assessor that personal information not be made publicly available on the Internet but be kept in a secure location at the office of the county assessor.

The bill goes into effect on November 1, 2021.

**Law Enforcement/Obstruction:** [HB 1674](#) by Rep. Kevin West (R-Moore) and Sen. Rob Standridge (R-Norman) is new law providing that a motor vehicle operator shall not be criminally or civilly liable for injury or death if he/she unintentionally causes injury or death to an individual while the driver was fleeing from a riot. An organization found to be a conspirator with a person found to have committed crimes in 21 O.S. Sections 1311 through 1320.5 and 1320.10 shall be punished by a fine ten times the amount of fine authorizes.

This bill goes into effect on November 1, 2021.

**Counties/Nuisance Properties:** [HB 1749](#) by Rep. Denise Crosswhite Hader (R-Yukon) and Sen. Lonnie Paxton (R-Tuttle) amends 68 O.S. Section 3129 impacting the county treasurer sale of real estate by creating an exception for “common area nuisance property” and providing detailed procedures for this property. Examples include greenbelts, common areas, easements, retention ponds and detention ponds if transference of ownership to either the county or a third party would cause a hardship to the neighborhood or subdivision these areas were meant to serve or to the county or third party. The bill contains definitions and details including nuisance property that has liens from a municipality.

The bill goes into effect on November 1, 2021.

**Law Enforcement/Tires:** [HB 2053](#) by Speaker Charles McCall (R-Atoka) and Sen. Rob Standridge (R-Norman) amends Title 47 impacting an officer issuing a citation for tires in use on a vehicle that is in an unsafe operating condition or a certain tread depth as indicated in the bill. The officer shall include the tread depth of the offending tire on the citation.

The bill goes into effect on November 1, 2021.

**Rural Areas/ODOT:** [HB 2079](#) by Speaker Charles McCall (R-Atoka) and Sen. Marty Quinn (R-Claremore) is new law establishing the Rural Economic Transportation Reliability and Optimization Fund, to be administered by the Oklahoma Department of Transportation. Monies appropriated to this Fund shall not result in a decrease in historic and traditional total state transportation funding levels or be used to supplant or replace existing state funds used for transportation purposes. The Board of Equalization is given duties to examine and investigate the funding levels including required reports. The Fund is used to assist in the equitable prioritization of construction, repair, and maintenance of state highways in rural areas where robust economic development has resulted in traffic safety and circulation difficulties. “Robust economic development” is defined as counties with a population of less than fifty thousand (50,000) where traffic volumes have increased to become so impaired or hazardous as to constitute a threat to the safety of persons or property.

The bill goes into effect on November 1, 2021.

**Driver License/Third Party:** [HB 2183](#) by Rep. Ronny Johns (R-Ada) and Sen. Rob Standridge (R-Norman) amends 47 O.S. Section 6-110 by authorizing the Commissioner of Public Safety to approve a “public transit agency or state, county or municipal government agency” to hire or employ designated examiners approved by the Department to be third-party examiners of the Class A, B or C driving skills portion of the Oklahoma driving examination.

The bill goes into effect on November 1, 2021.

**Firefighter Pension and Retirement Systems:** [HB 2278](#) by Rep. Josh West (R-Grove) and Sen. Paul Rosino (R-OKC) amends the Firefighter Pension System by altering distributions under 11 O.S. Sections 49-106 and 49-106.1. Provision is made for distributions for individuals 70 ½ years and those at age 72.

The bill goes into effect on November 1, 2021.

**Juveniles/Oversight:** [HB 2317](#) by Rep. Mark Lawson (R-Sapulpa) and Sen. John Haste (R-Broken Arrow) is new law requiring the Oklahoma Commission on Children and Youth to administer a grievance process to be utilized by children detained in an adult jail, adult lockup, adult detention or other adult facility. The process is available at any time prior to and after adjudication or conviction or during his or her incarceration. The Office of Juvenile System Oversight is given duties to investigate complaints and rulemaking authority.

The bill passed the Senate on Wednesday by a [vote](#) of 44 to 0.

**Water/Design Build Projects:** [HB 2402](#) by Rep. Todd Russ (R-Cordell) and Sen. Darcy Jech (R-Kingfisher) is new law authorizing “design-build” as a project delivery method for public water supply and wastewater treatment facilities and wastewater collection systems. Rulemaking by the Department of Environmental Quality is authorized as well as utilizing not more than five (5) pilot programs.

The bill goes into effect on July 1, 2021.

**Condemnation Procedures:** [HB 2506](#) by Rep. Chris Kannady (R-OKC) and Sen. Mark Allen (R-Spiro) alters the definition of a dilapidated building by providing that the structure was boarded and secured for more than “six” consecutive months. Current law is for more than “eighteen” months.

The bill goes into effect on November 1, 2021.

**Tax Commission/Refunds:** [HB 2780](#) by Rep. John Pfeiffer (R-Mulhall) and Sen. Dave Rader (R-Tulsa) amends various sections of Title 68 impacting tax refund claims in several contexts, garnishment actions of delinquent taxpayers, collections by debt collection agencies, changes to the County Government Education-Technical Revolving Fund and the like. For the disabled veteran sales tax exemption in 68 O.S. Section 1357 at paragraph 34, a claim for refund of sales taxes erroneously paid may only be made if a vendor refuses to honor the proof of eligibility issued by the Tax Commission and the

person eligible for the exemption submits to the Tax Commission a signed notification of the vendor's denial of exemption.

The bill goes into effect on November 1, 2021.

**Law Enforcement/Speeding Tickets:** [SB 10](#) by Sen. Zack Taylor (R-Seminole) and Rep. Dick Lowe (R-Amber) amends speed restrictions on county roads and highways in 47 O.S. Section 11-801 (G) by removing the expiration date of November 1, 2022 for the fine for speeding structure. Additionally, the provisions in section 2 of the bill were set to expire on November 1, 2020. This expiration is repealed, and no expiration is put in place.

The bill went into effect on April 19, 2021.

**Tort Claims Act/Political Subdivisions:** [SB 28](#) Sen. Micheal Bergstrom (R-Adair) and Rep. Josh West (R-Grove) amends the Governmental Tort Claims Act by adding to the definition of a political subdivision. Included is a substate planning district, regional council of government or other entity created via 74 O.S. Section 1001 and following.

The bill goes into effect on November 1, 2021.

**Law Enforcement/Failure to Appear:** [SB 44](#) by Sen. Carri Hicks (D-OKC) and Rep. Judd Strom (R-Copan) amends 22 O.S. Section 209 the duties of a law enforcement officer who has arrested a person on a misdemeanor charge or violation of city ordinance, without a warrant. Added to current law is dismissal if upon failure to appear the person can show the court that he/she was incarcerated or otherwise detained by law enforcement at the time of the failure to appear.

The bill goes into effect on November 1, 2021.

**Performance-Based Efficiency Contracts:** [SB 91](#) 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 goes into effect on November 1, 2021.

**OMPA/Open Meetings and Records:** [SB 118](#) by Sen. Chuck Hall (R-Perry) and Rep. Mike Osburn (R-Edmond) amends the Open Meeting Act authorizing the Oklahoma Municipal Power Authority to hold an executive session for discussing security plans and procedures including, but not limited to, cybersecurity matters. Similar language is added to the Open Records Act in 51 O.S. Section 24A.28 authorizing that applicable records may be kept confidential.

The bill goes into effect on November 1, 2021.

**Solid Waste Management/Recycling Products:** [SB 448](#) by Sen. Zack Taylor (R-Seminole) and Rep. Brad Boles (R-Marlow) amends the Solid Waste Management Act by adding "advanced plastic recycling", "advanced plastic recycling facility", "depolymerization", "gasification", "post-use polymer", "pyrolysis", "recovered feedstock" and "solvolysis". Solid waste is amended to not include post-use polymers or recovered feedstocks under conditions in the bill.

The bill goes into effect on November 1, 2021.

**OESC/Emergency Declarations:** [SB 789](#) by Sen. James Leewright (R-Bristow) and Rep. Kevin Wallace (R-Wellston) amends the Oklahoma Employment Security Commission impacting funding. Changes are made to contribution rates and when a state of emergency is declared by the Governor authorization for the Commission to claim federal emergency relief funds made available to the state under conditions contained in the bill.

The bill goes into effect on July 1, 2021.

**Open Records/Self-Insurance Pools:** [SB 1015](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Rick West (R-Heavner) adds to the confidential proprietary information of intergovernmental self-insurance pools. Added are records received from risk pool participants that can otherwise be obtained from risk pool participants.

The bill goes into effect on November 1, 2021.

## **BILLS ON GOV. STITT'S DESK**

**Scrap Metal Dealers Act:** [HB 1001](#) by Rep. Carol Bush (R-Tulsa) and Sen. Chuck Hall (R-Perry) amends the Oklahoma Scrap Metal Dealers Act by adding/amending various definitions including "digital image", "exempted seller", "remote storage battery" and "scrap metal". In addition, changes are made to record keeping requirements including digital images, a minor is defined as "under the age of 16", the written declaration of ownership is enhanced, regulation for used motor vehicles is expanded, exemptions are added, and items forbidden for purchase are expanded including copper wire.

The bill passed the Senate on Monday by a [vote](#) of 45 to 2.

**State Auditor/performance Audits:** [HB 1090](#) by Rep. Gerrid Kendrix (R-Altus) and Sen. Brent Howard (R-Altus) cleans up language in 74 O.S. Section 213.2 regarding the State Auditor and Inspector's duties to examine books and accounts, to instruct in the performance of officer's duties and prescribe cost-effective methods of operating.

This bill passed the Senate on Wednesday by a [vote](#) of 38 to 8.

**Interlocal Cooperative Agreements:** [HB 1789](#) by Rep. Daniel Pae (R-Lawton) and Sen. Brent Howard (R-Altus) amends 61 O.S. Section 103 providing local governmental units or local governmental units cooperating under any interlocal cooperative agreement may create a purchasing cooperative or to contract with a purchasing cooperative. Any such cooperative or interlocal cooperative entity may utilize a single legal newspaper to serve as the sufficient compliance for bid notice requirements of competitive bidding or solicitation of bids. If the purchasing cooperative or interlocal cooperative is engaging in a project exclusive to a county or a group of counties of this state, and not open to all governmental units or public trusts that wish to participate statewide, the bid notice shall be published in a legal newspaper located within the county or group of counties.

The bill passed the Senate on Wednesday by a [vote](#) of 44 to 1.

**Telecommunications/Broadband Expansion Council:** [HB 2090](#) by Speaker Charles McCall (R-Atoka) and Sen. James Leewright (R-Bristow) amends the Oklahoma Telecommunication Act impacting broadband in various ways. This includes several new definitions, creation of eligible entities which are terrestrial Internet service providers willing to go into unserved or underserved areas, expansion of the Rural Broadband Expansion Council, authorization to develop a set of broadband incentive award guidelines and the like.

The bill passed the Senate on Monday by a [vote](#) of 40 to 2.

**Personal Recognizance Bonds:** [HB 2295](#) by Rep. Dustin Roberts (R-Durant) and Sen. James Leewright (R-Bristow) amends criminal procedure in several sections of Title 22 including bailable offenses and personal recognizance bonds, pretrial release, forfeiture proceedings and the like.

The bill passed the Senate on Tuesday by a [vote](#) of 40 to 7.

**Police Pension and Retirement System:** [HB 2499](#) by Rep. Rusty Cornwell (R-Vinita) and Sen. Micheal Bergstrom (R-Adair) amends the Police Pension Act by altering authorized payments including to the beneficiary's estate or to a trust.

The bill passed the Senate on Wednesday by a [vote](#) of 45 to 0.

**ABLE/Vapor Products:** [HB 2511](#) by Rep. Chris Kannady (R-OKC) and Sen. Brent Howard (R-Altus) is new law requiring every manufacturer of a vapor product to execute an attestation under penalty of perjury to the Oklahoma Alcoholic Beverage Laws Commission. The bill includes certification requirements and development of a directory.

The bill passed the Senate on Monday by a [vote](#) of 42 to 1.

**Preemption/Religious Entities:** [HB 2648](#) by Rep. Brian Hill (R-Mustang) and Sen. David Bullard (R-Durant) amends 51 O.S. Section 253 prohibits any governmental entity pursuant to an emergency to require closure of any place of worship.

The bill passed the Senate on Tuesday by a [vote](#) of 38 to 8.

**Remote Quality Jobs/Incentive Act:** [HB 2860](#) by Rep. Wallace and Sen. Thompson is new law creating the Oklahoma Remote Quality Jobs Incentive Act to attract growth industries and sectors that employ remote workers to Oklahoma with duties to the Department of Commerce and the Tax Commission. The bill contains extensive definitions including a “proxy establishment”. This means a public trust for the benefit of a geographic area which includes a city or county or some combination thereof and benefits a geographic area where new direct jobs which meet the requirements of the Act are created by an establishment, other than the proxy establishment. There are duties for the proxy establishment, reporting requirements and incentive payments may be earned under detailed criteria in the bill. A new fund is created in the Tax Commission with requirements on its use, and rule-making authority is given to both state agencies.

The bill passed the Senate on Tuesday by a [vote](#) of 32 to 14.

**Drug Courts:** [SB 38](#) by Sen. Roger Thompson (R-Okemah) and Rep. Jon Echols (R-OKC) amends the Oklahoma Drug Court Act providing that judicial immunity extends to any duty required by law to be performed by a judge of a drug court. In addition, all funds received by a drug court be credited to and accounted for in the county treasurer's office in a special cash fund to be known as the "Drug Court Fund."

The bill passed the House on Wednesday by a [vote](#) of 82 to 0.

**Law Enforcement/Mental Health Diversion:** [SB 87](#) by Sen. John Haste (R-Broken Arrow) and Rep. Carol Bush (R-Tulsa) amends 43A O.S. Section 3-428 regarding intoxicated persons who consent to help by adding an “evaluation” facility to current law. Those in possession of controlled dangerous substances or drug paraphernalia who consents to offered help may be taken to drug treatment centers, centers for substance abuse evaluations or other facilities.

The bill passed the House on Monday by a [vote](#) of 82 to 13.

**Public Trusts/Governance:** [SB 88](#) by Sen. Brent Howard (R-Altus) and Rep. Rande Worthen (R-Lawton) amends several sections of Title 60 public trusts including the repeal of 60 O.S. Section 178.2. Included are amendments in Section 176 impacting bonds sold upon open competitive public offering, Section 180 termination of a trust by the “approval of a majority of the” governing body of the beneficiary and Section 180.1 audit requirements for trusts with “assets or revenues more than Fifty Thousand Dollars (\$50,000) or with outstanding debt obligations” and exemptions from audit requirements.

The bill passed the House on Wednesday by a [vote](#) of 80 to 0.

**Firearms/Self-Defense Act:** [SB 106](#) by Sen. Mark Allen (R-Spiro) and Rep. Terry O'Donnell (R-Catoosa) makes a number of changes to the Self-Defense Act including licenses and applications, background checks and the like.

The bill passed the House on Wednesday by a [vote](#) of 80 to 4.

**Sales Tax Exemption/City-County Libraries:** [SB 265](#) by Sen. Kevin Matthews (D-Tulsa) and Rep. Monroe Nichols (D-Tulsa) creates a new sales tax exemption for city-county library systems.

The bill passed the House on Wednesday by a [vote](#) of 88 to 0.

**DUI/Victim Impact Panel:** [SB 283](#) by Sen. Michael Brooks (D-OKC) and Rep. Ross Ford (R-Broken Arrow) amends several sections of Title 37A impacting serving alcohol beverages and any controlled dangerous substances to individuals under age 21 and required attendance of a victim impact panel.

The bill passed the House on Wednesday by a [vote](#) of 78 to 1.

**Cemeteries:** [SB 335](#) by Roland Pederson (R-Burlington) and Sen. Carl Newton (R-Woodward) is new law authorizing cemeteries, after a reasonable search for heirs, to determine unused burial sites as abandoned and the ownership of the site shall revert to the private or public cemetery. Certified letters or publication in a newspaper is required in addition to no recorded activity on the burial space for 75 years.

The bill passed the House on Monday by a [vote](#) of 88 to 0.

**Peer-to-Peer Car Sharing:** [SB 355](#) by Sen. Paul Rosino (R-OKC) and Rep. Lonnie Sims (R-Jenks) 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 a business of renting motor vehicles without drivers under 47 O.S. Section 8-101 or service providers who are 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

several sections of new law several Title 47 statutes are amended.

The bill passed the House on Tuesday by a [vote](#) of 83 to 0.

**Law Enforcement/Impaired Driving:** [SB 367](#) by Sen. Kim David (R-Porter) and Rep. Chris Kannady (R-OKC) 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 breath, saliva, or urine specimens. New law on blood and breath collection is placed in Section 3 of the bill. Changes are made to peace officer’s required sworn report for arrests.

The bill passed the House on Wednesday by a [vote](#) of 89 to 0.

**Preemption/Religious Entities:** [SB 368](#) by Sen. David Bullard(R-Durant) and Rep. Brian Hill (R-Mustang) amends 51 O.S. Section 253 prohibiting governmental entities from declaring a religious institution and certain activities to be nonessential.

The bill passed the House on Tuesday by a [vote](#) of 72 to 20.

**Firearms/Second Amendment Sanctuary Act:** [SB 631](#) by Sen. Warren Hamilton (R-McCurtain) and Rep. Sean Roberts (R-Hominy) is new law creating the Second Amendment Sanctuary State Act which preempts political subdivisions from infringing upon the right to keep and bear arms. Preemption includes regulation of arms and ammunition, pursuant to the National Firearms Act of 1934 and any regulations or provision of the Gun Control Act of 1968.

The bill passed the House on Tuesday by a [vote](#) of 78 to 17.

**Firearms/Alcohol:** [SB 646](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Jay Steagall (R-Yukon) amends statutes on carrying firearms where liquor is consumed and liquor store business owner's rights. An employee of an establishment that sells alcoholic beverages to carry or possess a weapon while in the scope and course of employment if the employee has permission from the owner.

The bill passed the House on Wednesday by a [vote](#) of 78 to 16.

**Firearms/Transport:** [SB 672](#) by Sen. Casey Murdock (R-Felt) and Rep. Kenton Patzkowsky (R-Balko) impacts transportation of a firearm in a vehicle as well as improper transportation. The bill deletes current language and repeals 21 O.S. Section 1289.13, as last amended by Section 6, Chapter 1, O.S.L. 2019.

The bill passed the House on Tuesday by a [vote](#) of 79 to 13.

**OK 9-1-1 Management Authority:** [SB 687](#) by Sen. Darrell Weaver (R-Moore) and Rep. Justin Humphrey (R-Lane) amends the Oklahoma 9-1-1 Management Authority in a number of ways. This includes escrowing funds if a public agency fails to submit or comply with master plans to deliver Next Generation 9-1-1 (NG9-1-1) with local plans being required to "align with the State's Master plan to deploy NG9-1-1". Also, funds are escrowed if the public agency fails to "provide connectivity and interoperability between state, regional and local next-generation systems". Changes are made to development of a "master" plan and establishing rules on NG9-1-1 systems, training program standards are altered, reports are required of the Oklahoma Tax Commission, and the Authority shall oversee all 9-1-1 fees collected under the Oklahoma Emergency Telephone Act and order the escrowing of fees misspent or diverted to a purpose other than authorized by the Act.

The bill passed the House on Wednesday by a [vote](#) of 81 to 0.

**Finance/Public Safety Funding and Government Purposes:** [SB 825](#) by Sen. Rob Standridge (R-Norman) and Rep. Kevin West (R-Moore) amends 68 O.S. Section 2701 impacting municipalities who levy a dedicated tax for the purpose of funding public safety or any other governmental purpose. The municipality shall not redirect all or a portion of these dedicated funds for another purpose without a vote of the people.

The bill passed the House on Tuesday by a [vote](#) of 75 to 16.

**Law Enforcement/Crisis Intervention:** [SB 848](#) by Sen. Kim David (R-Porter) and Rep. Kevin Wallace (R-Wellston) is new law authorizing the Department of Mental Health to contract for the purpose of providing peer support crisis intervention, counseling and wellness for law enforcement, firefighters and emergency medical personnel impacted by trauma, cumulative stress, anxiety, addictions, death and suicide and the impact on their personal lives.

The bill passed the House on Tuesday by a vote of 86 to 0.

**Law Enforcement/Air Powered Pistols:** [SB 926](#) by Sen. Shane Jett (R-Shawnee) and Rep. Eric Roberts (R-OKC) authorizes municipalities to issue citations for discharging an air powered pistol or rifle if the projectile leaves the premises in an intentional or negligent manner to the individual or guardian of the individual who discharged the air powered pistol or rifle. Air powered rifle is any pistol or rifle that uses compressed air or other compressed gas to project plastic BB-like or pellet-like projectiles at a speed not exceeding four hundred (400) feet per second.

The bill passed the House on Wednesday by a [vote](#) of 74 to 8.

**Initiative & Referendum/Fiscal Impact:** [SB 947](#) by Sen. Paul Rosino (R-OKC) and Rep. Tammy West (R-Bethany) amends 34 O.S. Section 9 by adding requirements to the suggested ballot title including



the fiscal impact on the state and if so, the potential source of funding including but not limited to federal funding or legislative appropriation which may require imposition of a new tax, increase of an existing tax or elimination of existing services.

The bill passed the House on Tuesday by a [vote](#) of 70 to 18.

**Utility Securitization Bill/Unregulated Utilities:** [SB 1049](#) by Sen. Roger Thompson (R-Okemah) and Rep. Kevin Wallace (R-Wellston) allows for unregulated utilities to enter in a pooled fund for bonds to help offset extraordinary or extreme purchase costs associated with the February 2021 winter storm.

The bill passed the House on Tuesday by a [vote](#) of 79 to 19 .

**Utility Securitization Bill/Regulated Utilities:** [SB 1050](#) by Sen. Roger Thompson (R-Okemah) and Rep. Kevin Wallace (R-Wellston) allows for regulated utilities to issue ratepayer-backed bonds to help offset extraordinary or extreme purchase costs associated with the February 2021 winter storm.

The bill passed the House on Tuesday by a [vote](#) of 78 to 17.

### **BILLS ON THE MOVE**

**Broadband Development Program Grant:** [HB 1124](#) by Rep. Logan Phillips (R-Mounds) and Sen. James Leewright (R-Bristow) is new law requiring the Oklahoma Department of Commerce with the participation and advice of the rural Broadband Expansion Council to make rules and procedures to establish the State Broadband Deployment Grant Program. This program, under the administration of the Department of Commerce, shall include development of a competitive grant program that awards funding to applicants seeking to expand access to broadband internet service in Oklahoma. This bill creates a fund for this grant.

The bill passed the Senate on Wednesday by a [vote](#) of 43 to 1. The bill moves back to the House to accept or reject the Senate amendments.

**Preemption/Agritourism Activities:** [HB 1620](#) by Rep. Garry Mize (R-Edmond) and Sen. John Montgomery (R-Lawton) prohibits any county, municipality, state agency or political subdivision from enacting or enforcing any ordinance, regulation or rule that bans the rights of Oklahomans to engage in agritourism activities. Agritourism activities shall only be engaged in a lawful manner, pursuant to the Oklahoma Horse Racing Act and in compliance with the health and safety regulations, by the state and local governments. The bill was [amended](#) on the Senate floor to replace “other animals” with “poultry”.

The bill passed the Senate today by a [vote](#) of 47 to 0. The bill moves back to the House to accept or reject the Senate amendments.

**Law Enforcement/Traffic Signals:** [HB 1770](#) by Rep. Mike Dobrinski (R-Okeene) and Sen. Darrell Weaver (R-Moore) is new law which provides exceptions for bicyclists at traffic-control devices. This includes a new definition of “immediate hazard”, applicable hand signals for bicyclists, new crimes for throwing objects at any person riding a bicycle, equine or animal-drawn vehicle and a prohibition of motorists use of his/her horn.

The bill passed the Senate on Tuesday by a [vote](#) of 43 to 4. The bill moves back to the House to accept or reject Senate amendments.

**Sales Tax Exemption/Non-Profit Construction Projects:** [HB 1935](#) by Rep. Ryan Martinez (R-Edmond) and Sen. John Montgomery (R-Lawton) adds a sales tax exemption for sales of supplies and materials to tax exempt Section 401(c)(3) organizations whose primary purpose is to construct or remodel and sell affordable housing and provide homeownership education to residents as defined in the bill. In addition, a new sales tax exemption is added for sales to a nonprofit entity, with the principal function to provide assistance to

persons following a disaster, with emphasis on repair or restoration to single-family residential dwellings or the construction of replacement single-family residential dwellings.

The bill passed the Senate on Monday with the title restored by a [vote](#) of 35 to 5. The bill moves back to the House to accept or reject the Senate amendments.

**Underground Facilities Act:** [HB 2028](#) by Rep. Terry O'Donnell (R-Catoosa) and Sen. Mark Allen (R-Spiro) by Rep. Terry O'Donnell (R-Catoosa) and Sen. Mark Allen (R-Spiro) amends 63 O.S. Sections 142.6, 142.9 and 142.10 regulating an excavator with knowledge than an operator has unmarked underground facilities within the area of proposed excavation. Amendments include revised procedures, notifying the notification center, expiration dates for notice, provisions for any state of emergency declared by the Governor or Legislature.

The bill passed the Senate on Monday by a [vote](#) of 45 to 1. The bill moves back to the House to accept or reject Senate amendments.

**Sales Tax Exemption/Broadband Equipment:** [HB 2040](#) by Speaker Charles McCall (R-Atoka) and Sen. James Leewright (R-Bristow) amends 68 O.S. Section 1357 creating a new sales tax exemption for the sale, lease, rental, storage, use or other consumption of qualifying broadband equipment by providers of Internet service or subsidiaries if the property is directly used or consumed by the provider or subsidiary in or during the distribution of broadband Internet service. This exemption shall be administered as a rebate. The bill contains details on the rebate including when it is triggered, the claim process, which purchases qualify, limitations and the like.

The bill passed the Senate today by a [vote](#) of 45 to 2. The bill moves back to the House to accept or reject the Senate amendments.

**Municipal Campaign Finance and Financial Disclosure:** [HB 2193](#) by Rep. Preston Stinson (R-Edmond) and Rep. Micheal Bergstrom (R-Adair) amends the Municipal Campaign Finance Act by redefining "municipal office" to mean any elective municipal office "established under state or municipal law".

The bill passed the Senate on Tuesday by a [vote](#) of 47 to 0. The bill moves back to the House to accept or reject the Senate amendments.

**Marijuana/Licenses:** [HB 2272](#) by Rep. Josh West (R-Grove) and Sen. Casey Murdock (R-Felt) amends 63 O.S. Section 427.15 impacting current medical marijuana business licenses and applicants seeking licensure. These persons shall be required to submit under penalty of perjury an attestation confirming or denying the existence of any foreign financial interests in the medical marijuana business operation and shall disclose the identity of such ownership. Failure to file the attestation within the sixty (60) day period will result in automatic termination of the medical marijuana license. In addition, beginning September 1, 2021, the Oklahoma Medical Marijuana Authority shall schedule an on-site meeting and compliance inspection of the premises with marijuana dispensaries, commercial growers, and processors. The bill provides specific details for these inspections including two grace periods.

The bill passed the Senate on Wednesday by a [vote](#) of 36 to 10. The bill moves back to the House to accept or reject the Senate amendments.

**Tobacco/Tax:** [HB 2292](#) by Rep. Dustin Roberts (R-Durant) and Sen. David Bullard (R-Durant) is new law creating the Tobacco Products Tax Enforcement Act of 2021 which creates an Enforcement Unit including duties and requirements. New language includes the excise tax imposed via 68 O.S. Section 400 and following impacting electric filing by wholesalers, tax reports, procedures for tax collection, requirements for retailers and duties for the Tax Commission. Changes are made to various Sections of Title 68 including requirements for

wholesalers, increased penalties, seizure of vehicles used in avoidance of tax, repeal of some sections of law and the like. The bill contains details.

The bill passed the Senate on Monday by a [vote](#) of 38 to 9. The bill moves back to the House to accept or reject Senate amendments.

**Juvenile Detention Centers:** [HB 2311](#) by Rep. Mark Lawson (R-Sapulpa) and Sen. John Haste (R-Broken Arrow) amends various sections of Title 10A impacting detention of juveniles in adult facilities, juveniles sentenced as adults, prohibitions and exceptions, required process, findings and factors for the court and the like.

The bill passed the Senate on Monday by a [vote](#) of 45 to 0. The bill moves back to the House to accept or reject the Senate amendments.

**2-1-1/Regulations:** [HB 2316](#) by Rep. Mark Lawson (R-Sapulpa) and Sen. Dave Rader (R-Tulsa) amends the 2-1-1 Coordinating Council to the 2-1-1 Collaborative. The Collaborative is designated as the state lead entity on all 2-1-1 call centers including certifying information and referral providers. The bill provides details on the membership of the Collaborative, by-laws to govern its operations, minimum required meetings, reporting requirements and the like.

The bill passed the Senate on Tuesday by a [vote](#) of 44 to 2. The bill moves back to the House to accept or reject the Senate amendments.

**Open Meeting/Virtual:** [HB 2644](#) by Rep. Jon Echols (R-OKC) and Sen. Kim David (R-Porter) authorizes public bodies to hold meetings via videoconference and teleconference effective until March 31, 2024. Current law is effective until November 15, 2020. T

The bill passed the Senate today by a [vote](#) of 45 to 0. The bill moves back to the House to accept or reject the Senate amendments.

**Firearms/Event Security:** [HB 2645](#) by Rep. Jon Echols (R-OKC) and Sen. Micheal Bergstrom (R-

Adair) prohibits any person from carrying a firearm on property set aside by a county, city, town, public trust with a county, city or town as a beneficiary, or state governmental authority for an event that is secured with minimum-security provisions. The criteria are a metallic-style security fence that is at least eight (8) feet in height that encompasses the property and is secured in such a way as to deter unauthorized entry, controlled access points staffed by a uniformed commissioned peace officer, and a metal detector whereby persons walk or otherwise travel with their property through or be the metal detector. A person may carry a firearm on such property if the property does not meet the minimum-security provisions outlined in the measure.

The bill passed the Senate today by a [vote](#) of 45 to 0. The bill moves back to the House to accept or reject the Senate amendments.

**Medical Marijuana/Omnibus:** [HB 2646](#) by Rep. Jon Echols (R-OKC) and Sen. Zack Taylor (R-Seminole) is a comprehensive bill of over 100 pages amending a number of areas of marijuana law including various licensing requirements, various fees, record privacy, required information and reporting, inspections, penalty provisions, schools within one thousand (1,000) feet of disposal facilities and the like. It provides if a dispensary met statutory requirements at its initial licensure, it may continue operating in the same manner, and not be subject to nonrenewal or revocation despite subsequent events or changes in regulations that would render it in violation by being within one thousand (1,000) feet of a public or private school. If a school is established within one thousand (1,000) feet of a dispensary after it has been licensed, it is not a deterrent to license renewal nor warrant revocation of the license. The one thousand (1,000) feet is measured from the nearest property line of the public or private school and the nearest perimeter wall of the licensed dispensary. A public or private school shall not include administrative buildings, athletic facility, ballpark, field, or stadium, unless the property is located on the same campus as a building used for classroom instruction on core

curriculum. Regulation of research, education, waste disposal facilities and testing laboratories are included in the bill.

The bill passed the Senate today with the title restored by a [vote](#) of 46 to 1. The bill moves back to the House to accept or reject the Senate amendments.

**Hospitals/Regulations:** [HB 2687](#) by Rep. Toni Hasenbeck (R-Elgin) and Sen. Micheal Bergstrom (R-Adair) is new law creating the No Patient Left Alone Act. The Act impacts minors and adult patients, hospital visitation policies including requiring visitors to wear personal protective equipment, prohibition on hospitals, State Health Department or any governmental entity altering these rights, hospital website requirements, duties for the State Department of Health and the like. State Department of Health and the like.

The bill passed the Senate on Monday by a [vote](#) of 47 to 0. The bill moves back to the House to accept or reject Senate amendments.

**PERB:** [HB 2747](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. John Haste (R-Broken Arrow) amends 11 O.S. Section 51-103 by striking language about a role for the Public Employees Relations Board and substituting that a municipal employer must recognize an association elected by a majority of the firefighters or police officers as the exclusive bargaining agent. The association is selected by majority vote. A question of whether as association is the majority representative shall be resolved by a fair election conducted via the agreement of the parties. Each party may select an observer of counting the ballots cast. If the parties are unable to reach agreement on election procedures either party may ask the American Arbitration Association to conduct the election with costs shared by both parties. The bill grandfathers in bargaining agents recognized prior to the effective date of the bill, establishes procedures for voting and when a bargaining agent is not the exclusive bargaining agent, the effect of fraudulent activity and the like.

The bill passed the Senate on Wednesday by a [vote](#) of 44 to 1. The bill moves back to the House to accept or reject the Senate amendments.

**Broadband/REC:** [HB 2779](#) by Rep. John Pfeiffer (R-Mulhall) and Sen. James Leewright (R-Bristow) is new law authorizing Approved Broadband Providers to use rural electric cooperative (REC) Above Ground Easements. The bill governs any easement owned, held, or otherwise used by the REC for the purpose of electric services to supply high-speed broadband services. The bill prohibits class actions in a suit for trespass or inverse condemnation based on a claim of expanded use of an easement. An Approved Broadband Provider with a current pole attachment agreement with the REC may use this Above Ground Easement for providing broadband services.

The bill passed the Senate today by a [vote](#) of 44 to 2. The bill moves back to the House to accept or reject the House amendments.

**Sales Tax Exemption/University Hospital Trusts:** [HB 2874](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Roger Thompson (R-Okemah) expands the sales tax exemption for University Hospitals Trusts.

The bill passed the Senate on Tuesday by a [vote](#) of 43 to 4. The bill moves back to the House to accept or reject Senate amendments.

**Rural Broadband:** [HB 2928](#) by Speaker Charles McCall (R-Atoka) and Sen. James Leewright (R-Bristow) directs broadband service providers to submit a report containing their network area coverage map to the Department of Commerce and the Rural Broadband Expansion Council by October 31, 2021. The providers are required to update this map and report annually. OneNet must provide mapping of all assets and network coverage. Internet service providers are directed by the measure to disclose the properties they serve, and average minimum upload and download speeds at which they provide services to those properties.

The bill passed the Senate on Wednesday by a [vote](#) of 43 to 3.

**OMPA/Technology:** [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”.

The bill passed the House today by a [vote](#) of 92 to 0.

**Municipal Court/Collections:** [SB 343](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Brad Boles (R-Marlow) 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 passed the House today by a [vote](#) of 91 to 2.

**TIF/Reporting:** [SB 500](#) by Sen. Mary Boren (D-Norman) and Rep. Dick Lowe (R-Amber) amends 62 O.S. Section 861 by requiring governing bodies of any city, town or county to prepare a disclosure report for any tax incentives financing district and any tax increment financing district established by the body if the district has been operation for at least 12 months. Beginning January 1, 2022, the report shall be published on the city, town, or county’s website by June 30 of each year and include certain information for the prior fiscal year.

The bill passed the House on Wednesday by a [vote](#) of 82 to 0. The bill moves back to the Senate to accept or reject House amendments.

**Electric Vehicle Tax:** [SB 600](#) by Sen. Dave Rader (R-Tulsa) and Rep. Kyle Hilbert (R-Depew) creates a tax of three cents per kilowatt hour or its equivalent on electric current used to charge or recharge batteries of an electric vehicle. The bill contains exceptions, duties for the Tax Commission, regulation of charging stations and the like.

The bill passed the House on Monday by a [vote](#) of 89 to 4. The bill moves back to the Senate to accept or reject the House amendments.

**Firearms/Municipal Carry:** [SB 644](#) by Sen. Blake Stephens (R-Tahlequah) and Rep. Sean Roberts (R-Hominy) 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.

The bill passed the House on Tuesday by a [vote](#) of 83 to 11. The bill moves back to the Senate to accept or reject the House amendments.

**Medical Marijuana/Smoking in Public Places:** [SB 862](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Carol Bush (R-Tulsa) 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”.

The bill passed the House on Tuesday by a [vote](#) of 88 to 0. The bill moves back to the Senate to accept or reject the House amendments.

**Sales Tax Exemption/Museums:** [SB 909](#) by Sen. Adam Pugh (R-Edmond) and Rep. Trey Caldwell (R-Lawton) creates a new sales tax exemption for tax exempt museums that are not accredited by the American Alliance of Museum, whose budgets are less than One Million Dollars (\$1,000,000). The

exemption is effective November 1, 2021 through December 31, 2024.

The bill passed the House today by a [vote](#) of 74 to 16. The bill moves back to the Senate to accept or reject the House amendments.

**Firearms/Defensive Display:** [SB 925](#) by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Jay Steagall (R-Yukon) amends 21 O.S. Section 1289.25 impacting “occupied premises” and “defensive display of a firearm” including exceptions, new definitions, and the like. The bill was [amended](#) that establishes a misdemeanor punishment of not more than 1 year in the county jail, a fine of not more than One Thousand Dollars (\$1,000) or both fine and imprisonment for the pointing of a firearm.

The bill passed the House today by a [vote](#) of 77 to 13. The bill moves back to the Senate to accept or reject the House amendments.

**Nuisances:** [SB 939](#) by Sen. Zack Taylor (R-Seminole) and Rep. John Pfeiffer (R-Mulhall) amends 50 O.S. Section 16 creating an exception for critical infrastructure sectors from current law’s nuisance authority. Critical infrastructure sectors are defined. In addition, these operations must be in compliance with, or actions are consistent with government rules, guidelines and municipal ordinances or laws applicable to their sector.

The bill passed the House on Wednesday by a [vote](#) of 65 to 29. The bill moves back to the Senate to accept or reject the House amendments.

**Medical Marijuana/Setback:** [SB 1033](#) by Sen. James Leewright (R-Bristow) and Rep. Scott Fetgatter (R-Okmulgee) requires, after the effective date of this act, that the measurement of one thousand (1,000) feet from a retail marijuana establishment to a public or private school is determined by calculating the distance in a straight line from the school door nearest the front door of the retail establishment to the front door of the retail establishment. On and after November 1, 2019, if any public or private school is established within one thousand (1,000)

feet of any retail establishment, after a license has been issued for that location, the setback distance between properties shall not apply if the licensed property is used for its stated purpose. On and after November 1, 2019, the Authority shall not deny any issuance or renewal of a license, deny any transfer of license due to change in ownership or revoke any license due to an error in measurement of the setback distance or failure to measure the setback distance. Finally, an original marijuana business license issued on or after November 1, 2019 for a marijuana commercial grower, processor or dispensary shall be deemed grandfathered into the location on the date the original license was first issued for the purpose of determining authority to conduct and continue the same type of business.

The bill passed the House on Wednesday by a [vote](#) of 63 to 17. The bill moves back to the Senate to accept or reject the House amendments.