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The Advocate is published by the Oklahoma Municipal League. Forward your comments or suggestions to:

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



LEGISLATURE ENTERS FINAL MONTH

As we enter the last month of the legislative process, several bills continue to head toward the Governor's desk. Two bills with notable municipal impact are OML priorities that include:

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 goes into effect on November 1, 2021.

SB 838 by Sen. Darrell Weaver (R-Moore) and Rep. Jadine Nollan (R-Sand Springs) 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. The bill goes into effect on November 1, 2021.

One more priority headed to Governor Stitt's desk on Wednesday. **SB 277** by Sen. Montgomery and Rep. Daniel Pae (R-Lawton) amends 11 O.S. Section 22-110.1 authorizing municipalities to gather contact information for persons responsible for emergency contracts and property maintenance for addressing public nuisances, dilapidated properties, or other unlawful conduct in accordance with their general police powers. Also, contact information is authorized for those who receive notice and service of process for impacted property. A fee may not be collected by the municipality and the information must be kept confidential by municipalities and not subject to disclosure under the Open Records Act.

To date, Governor Stitt has signed 379 bills and vetoed 8 others.

HB 2330 TURNED OUT WELL

OML would like to thank the OMUP Board for their work on [HB 2330](#) by Rep. Jay Steagall (R-Yukon) and Sen. Paul Rosino (R-OKC). This bill as introduced would have made it impossible to drill water wells inside corporate limits. The agreed upon language now impacts municipal authority to regulate or permit drilling of domestic and industrial water wells within its corporate limits. The bill adds the wells may be located within municipal “corporate” limits or “outside the corporate limits”.

The bill goes into effect on November 1, 2021.

BILLS SIGNED BY GOVERNOR STITT

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 in expanded, exemptions are added, and items forbidden for purchase are expanded including copper wire.

The bill goes into effect on November 1, 2021.

CIB/Plumbing License Act: [HB 1150](#) by Rep. Mike Osburn (R-Edmond) and Sen. Cody Rogers (R-Tulsa) grants the Construction Industries Board rulemaking over the Plumbing License Law of 1955, including, but not limited to, defining categories and limitations for such licenses.

The bill goes into effect 90 days after Sine Die.

Firearms/Background Checks: [HB 1630](#) by Rep. David Hardin (R-Stilwell) and Sen. Dewayne Pemberton (R-Muskogee) modifies the background check procedure for the purchase of firearms.

The bill goes into effect on November 1, 2021.

Law Enforcement/Arrests: [HB 1684](#) by Rep. Jim Grego (R-Wilburton) and Sen. Bill Coleman (R-Ponca City) amends 21 O.S. Section 974 adding to the duty of a police officer to file a report to the district attorney to see if an arrest is warranted for certain gambling offenses.

The bill goes into effect on November 1, 2021.

Law Enforcement/RICO: [HB 2095](#) by Rep. Mark Lepak (R-Claremore) and Sen. Julie Daniels (R-Bartlesville) amends 22 O.S. Section 1402 adding unlawful assemblies pursuant to 21 O.S. Section 1320.3 to the definition of racketeering activity.

The bill goes into effect on November 1, 2021.

Law Enforcement/Obstruction: [HB 2182](#) by Rep. Ronny Johns (R-Ada) and Sen. Rob Standridge (R-Norman) amends 47 O.S. Section 955 authorizes towing a vehicle left unattended on a street, sidewalk, alley, or thoroughfare, and constitutes a hazard or obstruction to the normal movement of public transit along a rail fixed guideway.

The bill goes into effect on November 1, 2021.

Driver Licenses/Examiners: [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.

DRIVE Act: [HB 2234](#) by Rep. Kyle Hilbert (R-Depew) and Sen. Zack Taylor (R-Seminole) is new law creating the Driving on Road Infrastructure and Vehicle of Electricity (DRIVE) Act of 2021. The bill contains details definitions, and a tax is imposed of \$0.03 per kilowatt hour or its equivalent, as determined by the Tax Commission on the electric current used to charge or recharge the battery or batteries of an electric vehicle to generate revenue

for general government expenditures. Regulations include requirements for charging station operators, procedures for remitting the tax, exemptions from tax, apportionment of the tax and the like. There are also duties for the Oklahoma Corporation Commission. Exempted from tax levied via 68 O.S. Section 1355 are sales of electricity at charging stations when sold for purposes of charging an electric vehicle.

The bill goes into effect on November 1, 2021.

Roadways/Solicitation: [HB 2238](#) by Rep. Stan May (R-Broken Arrow) and Rep. Dave Rader (R-Tulsa) amends 47 O.S. Section 11-507 by providing that persons shall not be prohibited from soliciting if performed on a roadway maintained by a city or town in compliance with a permit and regulations adopted by ordinance.

The bill went into effect on April 21, 2021.

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 goes into effect on November 1, 2021.

Water/Red River Boundary Commission: [HB 2296](#) by Rep. Dustin Roberts (R-Durant) and Sen. David Bullard (R-Durant) is new law creating the Red River Boundary Commission to work with the State of Texas to redraw the boundary line between Oklahoma and Texas in the Texoma Area.

The bill goes into effect on April 28, 2021.

Law Enforcement/Street-Legal Utility Vehicles: [HB 2382](#) by Rep. Danny Sterling (R-Tecumseh) and Sen. Darrell Weaver (R-Moore) is new law creating a definition and regulation for a "street-legal utility vehicle". Several sections of Title 47 are amended accordingly.

The bill went into effect on April 28, 2021.

Police Pension and Retirement System: [HB 2457](#) by Rep. Mark Lepak (R-Claremore) and Sen. Marty Quinn (R-Claremore) amends the Police Pension System impacting the commencement of distribution of an accrued retirement benefit. New provision is made for a member who attains age seventy and one-half (70 ½) and age seventy-two (72).

The bill went into effect on April 28, 2021.

Police Pension and Retirement System: [HB 2499](#) by Rep. Avery Frix (R-Muskogee) 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 goes into effect on July 1, 2021.

ABLE/Vapor Products: [HB 2511](#) by Rep. Chris Kannady (R-OKC) and Sen. Brent Howard (R-Altus) by Rep. Chris Kannady (R-OKC) 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 goes into effect on November 1, 2021.

Preemption/Oklahoma Religious Freedom: [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 goes into effect on November 1, 2021.

Law Enforcement/Jury Duty: [HB 2746](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. Joe Newhouse (R-Broken Arrow) provides that municipal or state law enforcement officers employed in any county with a population of two hundred fifty-five thousand (255,000) or more are not qualified to serve as jurors. Municipal or state law enforcement officers in a county with a population of less than two hundred fifty-five thousand (255,000) shall be eligible to serve on noncriminal actions only.

The bill goes into effect on November 1, 2021.

Law Enforcement/Immigration: [HB 2774](#) by Rep. John Pfeiffer (R-Mulhall) and Sen. David Bullard (R-Durant) impacts immigration in the context of sheriffs, jailers, prison keepers and their deputies in 57 O.S. Section 16a involving regulation of immigration detainer requests and new law impacting law enforcement agencies. Law enforcement has duties if they have custody of a person subject to an immigration detainer request including complying with the request, duties to inform the individual with exclusions for citizens of the U.S.

The bill goes into effect on November 1, 2021.

Oklahoma Remote Quality Jobs Incentive Act: [HB 2860](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Roger Thompson (R-Okemah) 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.

At-Risk Contracts: [HB 2861](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Paul Rosino (R-OKC) mends 61 O.S. Section 2 imping at-risk construction management contracts and requiring a payment bond.

The bill goes into effect on November 1, 2021.

Public Construction Contracts: [HB 2862](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Dewayne Pemberton (R-Muskogee) amends various bid

amounts for public construction contracts in several Sections in Title 61. The threshold for public construction contracts from Fifty Thousand Dollars (\$50,000) to One Hundred Thousand Dollars (\$100,000) but keeps the threshold at Fifty Thousand Dollars (\$50,000) for construction management trade contracts or subcontracts, and contracts under One Hundred Thousand Dollars (\$100,000) would be let and awarded to the lowest responsible bidder or awarded on basis of competitive quotes. The limit on construction contracts that may be negotiated with a qualified contractor is raised from Five Thousand Dollars (\$5,000) to Ten Thousand Dollars (\$10,000). The limit on contracts for right-of-way clearance to not be considered construction contracts and required to be open for bidding is raised from Fifty Thousand Dollars (\$50,000) to One Hundred Thousand Dollars (\$100,000). The limit on contracts under an emergency authority declared by the governing body of a public agency is raised from Seventy-five Thousand Dollars (\$75,000) to One Hundred Fifty Thousand Dollars (\$150,000).

The bill goes into effect on November 1, 2021.

Broadband Expansion Council: [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 went into effect on April 27, 2021.

Law Enforcement/Domestic Violence: [SB 17](#) by Sen. Kay Floyd (D-OKC) and Rep. Carol Bush (R-Tulsa) requires officers during a preliminary investigation of a domestic violence crime to use questions provided on a lethality assessment form available on the Attorney General’s website. If the

assessment indicates a referral is suggested, the assessing officer shall implement the protocol referral process to a domestic violence advocate from a certified or tribal program. Included is advising the victim the results of the assessment and calling the domestic violence hotline for the victim. If the victim does not want to speak with an advocate, the officer shall document the refusal. Regardless of the results of the lethality assessment, referral information for shelters, domestic violence programs and other social services shall be provided to the victim.

The bill goes into effect on November 1, 2021.

Drug Courts: [SB 38](#) by Sen. Roger Thompson (R-Okemah) and Rep. Jon Echols (R-OKC) mends 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 goes into effect on November 1, 2021.

Mental Health Courts: [SB 50](#) by Sen. Brent Howard (R-Altus) and Rep. Rande Worthen (R-Lawton) mends 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 bill goes into effect on November 1, 2021.

ODOT/Highway Corridors: [SB 61](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Avery Frix (R-Muskogee) amends designated high-wide corridors in 47 O.S. Section 14-126 by altering the description of various locations.

The bill goes into effect on November 1, 2021.

Law Enforcement/Mental Health Evaluations: [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 goes into effect on November 1, 2021.

Public Trusts/Competitive Bidding: [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 goes into effect on November 1, 2021.

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

The bill goes into effect on November 1, 2021.

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".

The bill went into effect on April 28, 2021.

OUBCC: [SB 148](#) by Sen. Dave Rader (R-Tulsa) and Sen. Sheila Dills (R-Tulsa) mends the Uniform Building Code Commission by adding two new board members, adding a member who is a licensed electrical engineer from a state-recognized professional engineering firm and a member who is a licensed mechanical engineer from a state-recognized professional engineering firm.

The bill goes into effect on July 1, 2021.

Law Enforcement/CLEET: [SB 242](#) by Sen. Roger Thompson (R-Okemah) and Rep. Dustin Roberts (R-Durant) amends 70 O.S. Section 3311.17 regarding technology centers and any higher education institutions offering courses approved by CLEET for law enforcement certification. The bill impacts the application and contracting process.

The bill goes into effect on November 1, 2021.

Sales Tax Exemption/City-County Library System: [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 goes into effect on November 1, 2021.

Finance/Municipal Bonds: [SB 281](#) by Sen. Marty Quinn (R-Claremore) and Rep. Terry O'Donnell (R-Catoosa) amends 62 O.S. Sections 348.1 and 348.3 authorizing municipal investments in investment grade obligations of this state.

The bill goes into effect on November 1, 2021.

DUI/Victims 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 victims' impact panel. This includes amendments to 22 O.S. Section 991a.

The bill goes into effect on November 1, 2021.

Electrical License Act: [SB 317](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Lonnie Sims (R-Jenks) amends various sections of Title 59 and the Electrical License Act by adding a definition and regulation for "student electrical intern". New licensing duties are given to the Construction Industries Board and new law specifies how the intern is supervised and allowed to work.

The bill goes into effect on November 1, 2021.

Cemeteries: [SB 335](#) by Sen. Roland Pederson (R-Burlington) and Rep. 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 seventy-five (75) years.

The bill goes into effect on November 1, 2021.

Collections/Court Fines: [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 goes into effect on November 1, 2021.

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 goes into effect on November 1, 2021.

EMTs/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 goes into effect on November 1, 2021.

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 goes into effect on July 1, 2021.

Finance/Pooled Finance Act: [SB 587](#) by Sen. Brent Howard (R-Altus) and Rep. Brad Boles (R-Marlow) amends 62 O.S. Section 891.3 impacting the Oklahoma Community Economic Development Pooled Finance Act in various ways including an expansion of the definitions of "eligible local government entity" and "infrastructure".

The bill goes into effect on November 1, 2021.

Local Development and Enterprise Zone Incentive Leverage Act: [SB 606](#) by Sen. Dave Rader (R-Tulsa) and Rep. John Pfeiffer (R-Mulhall) amends the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act in 62 O.S. Section 845. The bill creates an "agency special account" for the Oklahoma Tax Commission after deleting the current fund. It also removes the State's limit on liability to make incentive payments.

The bill goes into effect on November 1, 2021.

Firearms/Second Amendment Sanctuary State Act: [SB 631](#) by Sen. Warren Hamilton (R-McCurtain) and Rep. David Hardin (R-Stilwell) 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 went into effect on April 26, 2021.

The bill went into effect on April 26, 2021.

9-1-1: [SB 687](#) by Sen. Darrell Weaver (R-Moore) and Rep. Justin Humphrey (R-Lane) amends the Oklahoma 9-1-1 Management Authority in several 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 goes into effect on November 1, 2021.

City-County Health Departments: [SB 736](#) by Sen. Chris Kidd (R-Waurika) and Rep. Marcus McEntire (R-Duncan) amends in various ways 63 O.S. Sections 1-202, 1-205 and 1-208 impacting health districts of multiple county health departments operating under agreements to share resources.

The bill goes into effect on November 1, 2021.

Finance/Public Safety 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 goes into effect on November 1, 2021.

The bill goes into effect on November 1, 2021.

Law Enforcement/Peer Support: [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 goes into effect on November 1, 2021.

Invest in Oklahoma Act: [SB 922](#) by Sen. Brent Howard (R-Altus) and Rep. Gerrid Kendrix (R-Altus) s new law creating the Invest in Oklahoma Act for specific entities to invest in various Oklahoma-based private equity funds, venture capital funds and growth funds as well as similar funds that make substantial investments in this state. The Department of Commerce shall create the Fund, select funds to qualify for investment pursue rulemaking and the like. Among the entities authorized to invest no greater than five (5) percent of their rolling three (3) year assets are the seven state pension systems.

The bill goes into effect on November 1, 2021.

Firearms/Airsoft 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 goes into effect on November 1, 2021.

Initiative and 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.

The bill goes into effect on November 1, 2021.

Fire Protection Districts: [SB 958](#) by Sen. Bill Coleman (R-Ponca City) and Rep. Ty Burns (R-Pawnee) permits a fire protection district's board of directors the authority to acquire a certification or license to operate an emergency medical services agency from the Oklahoma State Department of Health or contract for services with a certified or licensed emergency medical service agency. The district's emergency medical service agency may respond outside of the district boundaries; provided, that the political subdivisions having jurisdiction over the area provide to the Department proper documentation of their support.

The bill goes into effect on November 1, 2021.

Tort Claims Act/Regional Transportation Authorities: [SB 967](#) by Sen. Adam Pugh (R-Edmond) and Rep. Ryan Martinez (R-Edmond) amends 51 O.S. Section 152 for purposes of the Governmental Tort Claims Act only, by adding a regional transportation authority created pursuant to 68 O.S. Section 1370.7 including its contract operator and any railroad operating in interstate commerce.

The bill goes into effect on November 1, 2021.

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 went into effect on April 21, 2021.

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 went into effect on April 21, 2021.

BILL VETOED BY GOVERNOR STITT

Rural Broadband Expansion Council: [HB 2090](#) by Speaker Charles McCall (R-Atoka) and Sen. James Leewright (R-Bristow) would have added two additional members to the Council.

Governor Stitt's [veto message](#).

BILLS ON GOV. STITT'S DESK

Sales Tax Exemptions/Corporations and Partnerships: [HB 1060](#) by Rep. Bard Boles (R-Marlow) and Sen. Lonnie Paxton (R-Tuttle) amends the sales tax exemptions for corporations and partnerships by providing that property transferred between wholly owned subsidiaries of a parent company and between a parent company and its wholly owned subsidiary is exempt from the sales tax in 68 O.S. 1350.

OWRB/Watershed Trading: [HB 1093](#) by Rep. Dell Kerbs (R-Shawnee) and Sen. Casey Murdock (R-Felt) requires the Oklahoma Water Resources Board to propose rulemaking to allow for the development of nutrient trading programs by state environmental agencies no later than November 1, 2026.

Sales Tax Exemption/Aquarium: [HB 1566](#) by Rep. Lonnie Sims (R-Jenks) and Sen. Dave Rader (R-Tulsa) amends 68 O.S. Section s1354 by providing that the state tax collected from the sale of tickets for admission by an aquarium exempt from taxation or owned or operated by a public trustor political subdivision, shall be collected, and disbursed to the nonprofit organization, public trust, or political subdivision responsible for the aquarium's operations. These collected funds are to be used for promoting visitation primarily to out- of- state residents.

Open Records/Personal Information: [HB 1876](#) by Rep. Tammy West (R-Bethany) and Sen. Brenda Stanley (R-Midwest City) amends the Open Records Act by providing that home addresses, home telephone numbers, social security numbers, private email addresses, and private mobile phone numbers

of current and former public employees shall not be open to public inspection or disclosure.

Law Enforcement/Violations: [HB 1967](#) by Rep. Jadine Nollan (R-Sand Springs) and Sen. Dewayne Pemberton (R-Muskogee) amends 47 O.S. Section 11-705 by requiring a school bus driver who witnesses a violation of this section, "on or before the end of the next business day following the alleged offense, to report the violation to law enforcement.

Municipal Campaign and Finance Disclosure: [HB 2193](#) by Rep. Preston Stinson (R-Edmond) and Sen. 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"

Tobacco Products Tax Enhancement Act: [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.

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.

Law Enforcement/Escort Vehicles: [HB 2325](#) by Rep. Avery Frix (R-Muskogee) and Sen. Micheal

Bergstrom (R-Adair) amends 47 O.S. Section 14-120.1 providing that escort vehicle requirements shall not apply to retail implement dealers transporting farm implements from a retail distribution point to a farm or other location within a 150 air-mile radius from the distribution point.

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 an 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.

Electric-Assisted Bicycles: [SB 184](#) by Sen. Carri Hicks (D-OKC) and Rep. Carol Bush (R-Tulsa) authorizes the use of a Class 3 electric-assisted bicycles on multi-use paths. The bill also prohibits the use of any class of electric-assisted bicycle at a speed greater than twenty (20) miles per hour except on a street with a posted speed limit above twenty (20) miles per hour.

DEQ/Air Curtain Incinerators: [SB 246](#) by Sen. Mark Allen (R-Spiro) and Rep. Sean Roberts (R-Hominy) authorizes the Department of Environmental Quality to require the use of an air curtain incinerator for fires purposely set, in areas with a population greater than five hundred thousand (500,000), or where the Department-certified ambient air quality monitoring data

documents a violation of primary National Ambient Air Quality Standards.

Law Enforcement/Telecommunications: [SB 272](#) by Sen. Darrell Weaver (R-Moore) and Rep. Rande Worthen (R-Lawton) creates new law regulating law enforcement requests to wireless telecommunication carriers to provide call location information to respond to emergencies. The bill gives duties to the OSBI including rulemaking.

Election Dates: [SB 347](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Ryan Martinez (R-Edmond) is new law prohibiting political subdivisions from scheduling a regular or special election conducted by a county election board on the second Tuesday of December 2021, the second Tuesday of January 2022 or the first Tuesday of March 2022. In addition, the second Tuesday of June of an odd-numbered year for a special election to fill a vacancy is added to 26 O.S. Section 3-101.

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.

DRIVE Act: [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.

Unmanned Aircraft Systems: [SB 659](#) by Sen. Paul Rosino (R-OKC) and Rep. amends the Oklahoma Aeronautics Commission Act by adding regulation of unmanned aircraft systems or drones, establishes the Commission as the Clearinghouse for

Unmanned Aircraft Systems (UAS) as a central point in state government to develop a strategy for how Oklahoma can become a leader in the UAS industry while cooperating and assisting governmental entities, including municipalities.

Preemption/Personal Delivery Devices: [SB 706](#) by Sen. Paul Rosino (R-OKC) and Rep. Jon Echols (R-OKC) is new law authorizing a personal delivery device to operate on any sidewalk, crosswalk, road or street of any county or municipality. The bill contains definitions, regulation of the devices, requirements for insurance and limitations on political subdivision relating to the design, licensing, taxation and the like of the delivery device or the types of property that may be transported by the device. The political subdivision shall have the authority to prohibit the operation of the devices in its jurisdiction.

OESC: [SB 794](#) by Sen. James Leewright (R-Bristow) and Rep. Kevin Wallace (R-Wellston) makes several changes to the Oklahoma Employment Security Commission. This includes e-file preference for filing, providing digital portals for claims, nonprofit employers, discharge for misconduct, nonseasonal workers, notices, judicial review, child support obligations, wrongful disclosure of information and the like.

Nuisance/Critical Infrastructure: [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 consistently with government rules, guidelines, and municipal ordinances or laws applicable to their sector.

BILLS REJECTED AND SENT TO CONFERENCE

Driver Licenses/Revocation: [HB 1795](#) by Rep. Nicole Miller (R-Edmond) and Sen. Kim David (R-Porter) amends 47 O.S. Sections 6-206 and 6-212 impacting the suspension and revocation of drivers

licenses including convictions in other states, duties of the Department of Public Safety, payment plans, provisional licenses, fees and fines.

Law Enforcement/Violations: [HB 1967](#) by Rep. Jadine Nollan (R-Sand Springs) and Sen. Dewayne Pemberton (R-Muskogee) requires school bus drivers to report a violation of passing a loading or unloading school bus on or before the end of the next business day following the alleged offense.

Opioid Abatement/Political Subdivision Grants: [HB 2510](#) by Rep. Chris Kannady (R-OKC) and Sen. Roger Thompson (R-Okemah) amends the Political Subdivisions Opioid Abatement Grants Act in various ways. Included are adding addressing the needs of parents and caregivers caring for babies with neonatal abstinence syndrome, mental health response training and reimbursement of attorney fees and expenses related to opioid litigation incurred as part of legal services agreements entered before May 21, 2020. In addition, an "eligible participant" is changed to be any political subdivision or first responder organization "negatively impacted by the opioid crisis". Finally, the criteria for making awards are altered by simplifying current law by providing initial awards shall be listed in an opioid grant award "distribution table" approved and adopted by the Oklahoma Opioid Abatement Board.

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.

Sales Tax Exemption/Operation School Bell: [SB 236](#) by Sen. Rob Standridge (R-Norman) and Rep. Jacob Rosecrants (D-Norman) creates a new sales tax exemption for clothing sales to an exempt organization that distributes clothing to disadvantaged children via Operation School Bell.

Transportation/Additional Miles: [SB 534](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Avery Frix (R-Muskogee) authorizes the Oklahoma Department of Transportation (ODOT) to make additions to the state highway system without a

corresponding removal of mileage under certain conditions. The addition of highway miles will improve public safety, have other local, state, or other non-state resources contributed to capital costs, be shown to have a positive economic impact, be for the benefit of the general public, the addition of the highway miles can be shown to have a positive local or regional economic impact and be determined by ODOT to meet strategic goals.

OTC/Tax Amnesty: [SB 720](#) by Sen. Roger Thompson (R-Okemah) and Rep. Judd Strom (R-Copan) by Sen. Roger Thompson (R-Okemah) is new law authorizes and directs the Oklahoma Tax Commission to establish a tax amnesty program during which penalties and interest due on delinquent taxes shall be waived under the specifics in the bill.

Sales Tax Exemption/Museum: [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 \$1 million. The exemption is effective November 1, 2021 through December 31, 2024.

Medical Marijuana/Setbacks: [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 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 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.