

12-22

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FIREARM BILL CREATES POTENTIAL ISSUE FOR BONDING

HB 3144 by Rep. Kevin West (R-Moore) and Sen. Casey Murdock (R-Felt) prohibits any governmental entity entering into a contract with a company for the purchase of goods or services unless the contract contains a written verification from the company that it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and will not discriminate during the term of the contract against a firearm entity or firearm trade association. The provisions of subsection C of this section shall not apply to a governmental entity that contracts with a sole-source supplier or utilizes a statewide contract awarded by the Office of Management and Enterprise Services Central Purchasing Division. OMES Central Purchasing Division may provide advice to governmental entities that may be subject to this law. The bill also clarifies that discrimination against a firearm entity or firearm trade association shall not include the policies of a merchant, retail seller, or platform that restrict or prohibit the listing or selling of ammunition, firearms, or firearm accessories. The provisions of this measure shall apply to companies with ten (10) full-time employees and has a value of One Hundred Thousand Dollars (\$100,000.00) that is paid wholly or partly from public funds of the governmental entity.

The bill passed the Senate by a vote of 38 to 8. It goes back to the House to accept or reject the Senate amendments. If the amendments are accepted, the bill goes to the Governor and if signed, could impact those nationwide banks that do bonding for cities and towns. As debated on the floor, Sen. Murdock stated the businesses would fulfill the contract but not be able to renew it if they continued with their anti-firearm policy.

OML PRIORITIES PASS THE FINAL DEADLINE

As we enter the last month of the legislative process, several bills continue to head toward the Governor's desk. OML's priorities continue to move through the process. Those issues include:

HB 1058 by Rep. Brad Boles (R-Marlow) and Sen. Zack Taylor (R-Seminole) amends 11 O.S. 17-105 relating to municipal finances by requiring a biennial audit instead of an annual audit for municipalities who make more than Fifty Thousand Dollars (\$50,000.00) in general revenue and have a population that is less than two thousand five hundred (2,500). Each biennial audit shall cover the two (2) preceding years. The governing body of each municipality may alternatively request a biennial agreed-upon-procedures engagement to be prescribed by the State Auditor and Inspector, developed in collaboration with a representative from a statewide organization that has represented municipal governments for at least fifty (50) years, a representative from an organization that advises or trains municipal clerks and treasurers, and a certified public accountant.

Each biennial agreed-upon-procedures engagement shall cover the two (2) preceding years. For engagements performed for the fiscal year ending June 30, 2023, the prescribed procedures developed under the terms of this subsection will be utilized on a one-year basis ending June 30, 2024. The procedures shall then be submitted to the Legislature for ratification. If the rules are not ratified by the Legislature on or before December 31, 2023, the Municipal Audit Reform Act of 2022 shall sunset and be repealed as a matter of law. Agreed-upon procedures required under this act shall be performed in accordance with the applicable attestation standards of The American Institute of Certified Public Accountants.

The municipal income requirements shall not include income of any public trust established under 60 O.S. Section 176 through 180.4 with a municipality as the beneficiary of the trust; provided, that income from trusts established principally for the purpose of operating electric, water, wastewater, and sanitation utilities shall be included for purposes of the municipal income requirements. There is a creation of the Special Investigative Unit Auditing Revolving Fund within the State Auditor and Inspector's office for purposes of conducting investigative municipal audits. This Fund consists of monies received by the State Auditor and Inspector from funds withheld from a municipalities allocations of gasoline taxes as provided in 11 O.S. Section 17-107. Finally, 11 O.S. Section 17-108 is repealed.

The bill passed the Senate on Monday by a [vote](#) of 46 to 0. The bill goes back to the House to accept or reject the Senate amendments.

Municipal Campaign Finance and Financial Disclosure: [HB 3056](#) by Rep. Lonnie Sims (R-Jenks) and Sen. Lonnie Paxton (R-Tuttle) amends the definition of "municipal political committee to include municipal questions. The bill also requires committees and candidates when the municipality is not covered by this act based on the population and budget requirements, but the candidate or committee expends or receives more than One Thousand Dollars (\$1,000.00) in donations or in-kind expenditures. The Ethics Commission does not have enforcement jurisdiction concerning candidates or committees that are covered by this act based on expenditures alone. Any violation of this act may be prosecuted by the district attorney or a locally adopted policy. An omission or failure to report expenditures shall constitute a misdemeanor with a fine of up to One Hundred Dollars (\$100.00) per day, not to exceed a maximum of One Thousand Dollars (\$1,000.00). The court shall give discretion as to the fine amount with the intent of the fine to obtain compliance and reporting

requirements. Willful noncompliance is a misdemeanor offense with a fine of One Thousand Dollars (\$1,000.00) with the fine to deter unlawful activity and punish willful offenders.

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

Open Meetings/Virtual Meetings: [HB 3415](#) by Rep. Daniel Pae (R-Lawton) and Sen. Brent Howard (R-Altus) to the extent practicable, if a public body maintains a website and has immediate access to a high-speed Internet connection, such meetings of the public body shall be streamed live on the website. Video of such meetings shall be maintained by the public body and available to the public until minutes are made available for inspection by the public. No public body shall conduct an executive session by videoconference. The provisions of subsection D of this section shall apply to a public body in any county in which the Governor or board of county commissioners declare a state of emergency until the emergency declaration expires or is terminated.

The bill passed the Senate on Wednesday with the title restored by a [vote](#) of 41 to 3. The bill goes back to the House to accept or reject the Senate amendments.

Public Trusts/Hospitals: [HB 3692](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Jessica Garvin (R-Duncan) allows trustees of public trusts operating a hospital who are not elected officials to receive reasonable compensation and reimbursement for actual expenses related to the performance of their duties as trustees. Reasonable compensation is defined as to not exceed a stipend per meeting equal to the regional average for compensation of members of other governmental or nonprofit boards.

The bill passed the Senate on Wednesday with the title restored by a [vote](#) of 36 to 5. The bill goes back to the House to accept or reject the Senate amendments.

Open Records: [SB 970](#) by Sen. Kay Floyd (D-OKC) and Rep. Tammy Townley (R-Ardmore) amends the definition of "record" to mean any portion of any document of information provided an agency or entity of the state or a political subdivision to obtain licensure under the laws of this state or a political subdivision that contains an applicant's personal address, personal phone number, personal electronic mail address, or other contact information. Provided, however, lists of persons licensed, the existence of a license of a person, or an address expressly stated to be a business or commercial address or other business or commercial information

disclosable under state law submitted with an application for licensure shall be public record. Any portion of any record that contains the name or any other identifier of the occupants of any residential structure must be kept confidential. Public bodies that provide utility services to the public may keep confidential the personal information.

The bill passed the House on Wednesday by a [vote](#) of 84 to 4. The bill goes back to the Senate to accept or reject the House amendments.

Medical Marijuana/Penalties for Diversion: [SB 1367](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. David Hardin (R-Stilwell) creates penalties for sales, purchases, or transfers for value of medical marijuana by a medical marijuana business or employees or agents of the business within a one-year time period may include a fine of Five Thousand Dollars (\$5,000.00) for the first violation and a fine of Fifteen Thousand Dollars (\$15,000.00) for any subsequent violations. Any grossly inaccurate or fraudulent reporting within any two-year period is subject to an administrative fine and shall be subject to revocation of the license on a second incident in a ten-year period. It also creates a penalty for diversion of medical marijuana. In addition to any other penalties prescribed by law, a first offense for intentional and impermissible diversion of medical marijuana, concentrate or products by a patient to an unauthorized person is subject to an administrative fine not less than Four Hundred Dollars (\$400.00), or a higher amount as determined by the administrative rules of the Oklahoma Medical Marijuana Authority (OMMA) designed to deter unlawful diversion. A second offense the individual is subject to an administrative fine not less than One Thousand Dollars (\$1,000.00), or a higher amount and shall result in the revocation of the license or licenses the person or any other person or entity for whom the diverting persons serves as an agent. Additionally, the revoked person or entity, and any owner or other person or entity with an interest of any kind affiliated with an entity whose agent made an impermissible diversion, must have any license issued by OMMA revoked and prohibited from obtaining a new license. OMMA has the authority to enforce the provisions of this law.

The bill passed the House on Wednesday by a [vote](#) of 70 to 17. The bill goes back to the Senate to accept or reject the House amendments.

Medical Marijuana/Penalties: [SB 1704](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Dick Lowe (R-Amber) increases the penalties for sales, purchases or transfers for value of medical marijuana by a medical marijuana

business or employees or agents of the medical marijuana business to persons other than those allowed by law occurring within a one-year time period to include an initial fine of Five Thousand Dollars (\$5,000.00) for a first violation and a fine of Fifteen Thousand Dollars (\$15,000.00) for any subsequent violation occurring within any two-year time frame. After investigation by OMMA, the Authority may revoke the license of any person directly involved with the diversion of marijuana. If the Authority, after an investigation, can show a preponderance of evidence a pattern of diversion or negligence leading to diversion, the business licenses associated with the diversion and any entity with common ownership shall have their business licenses revoked.

The bill passed the House on Wednesday by a [vote](#) of 88 to 1. The bill goes back to the Senate to accept or reject the House amendments.

Medical Marijuana/Licenses/Regulations: [SB 1841](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Carol Bush (R-Tulsa) allows the Oklahoma Medical Marijuana Authority (OMMA) to deny an application or suspend or revoke a medical marijuana business license due to any violation of state law, any violations of a regulation applicable to the operation of a medical marijuana business including those adopted or enforced by any state agency including, but not limited to, DEQ, OWRB, Department of Agriculture, Food and Forestry, the Corporation Commission, or other agency or commission of this state, or any local ordinance or regulation applicable to a medical marijuana business or inaccurate reporting or disclosures to municipal governments.

The bill passed the House on Wednesday by a [vote](#) of 86 to 1. The bill goes back to the Senate to accept or reject the House amendments.

GROCERY TAX EXEMPTION BILLS PASS, HEADED TO CONFERENCE

The attempt to remove the sales tax on groceries is still alive. Both bills continue to move and will head to conference where the ideas could turn into one bill. OML will continue to follow both bills. Those bills are as follows:

Grocery Sales Tax Exemption: [HB 3349](#) by Speaker Charles McCall (R-Atoka) and Sen. Pro Tempore Greg Treat (R-OKC) creates a two-year sales tax exemption on the sale of groceries, effective July 1, 2022, through June 30, 2024. The levy of zero percent (0%) shall not supersede or otherwise affect any local sales taxes levied on sales of food and food ingredients by cities, counties, or other

local taxing jurisdictions. Any municipal ordinance imposing a sales tax pursuant to the authority of Section 2701 et seq. of this title or any county resolution or similar measure imposing a sales tax pursuant to the authority of Section 1370 of this title or any municipal ordinance or county resolution or similar measure adopted pursuant to any other provision of law authorizing a local sales tax which is in effect on the effective date of this act shall continue to be applicable to the sale of food and food ingredients notwithstanding the zero rate of sales tax for state purposes upon such items as provided by this subsection. The Oklahoma Tax Commission shall promulgate any necessary rules to implement the provisions of this subsection in accordance with the Streamlined Sales and Use Tax Agreement.

The bill passed the Senate on Wednesday by a [vote](#) of 48 to 0. The bill goes back to the House to accept or reject the Senate amendments.

[SB 1495](#) by Sen. Pro Tempore Greg Treat (R-OKC) and Speaker Charles McCall (R-Atoka) creates a sales tax exemption for the sale of groceries. The measure provides that the exemption shall not apply to the sale of alcohol, tobacco, or some prepared food. Certain prepared foods as outlined in the measure are eligible for the exemption. The bill provides for a tax of zero percent (0%) to be levied upon sales of food and food ingredients. The state sales tax rate of zero percent (0% levied upon sales of food and food ingredients shall not apply to any sales tax levied by a city or town, county, or any other jurisdiction in the state.

The bill passed the House on Thursday with the enacting clause stricken by a [vote](#) of 89 to 1. The bill goes back to the Senate to accept or reject the House amendments.

BILLS SIGNED BY GOVERNOR STITT

Firearms/Transporting: [HB 3070](#) by Rep. Robert Manger (R-OKC) and Sen. Chuck Hall (R-Perry) clarifies the scope of transporting a firearm in the vehicle.

The bill takes effect on November 1, 2022.

Emergency Medical Response: [HB 3132](#) by Rep. Gerrid Kendrix (R-Altus) and Sen. Darrell Weaver (R-Moore) allows the governing body of any municipality, public ambulance service district, or emergency medical service district to elect to enter agreements with local first responder agencies, whether governmental or nonprofit, for the purpose of acquiring assistance with emergency medical response.

The bill takes effect on November 1, 2022.

Public Retirement Systems/Military Service Credits: [HB 3709](#) by Rep. Carol Bush (R-Tulsa) and Sen. Dave Rader (R-Tulsa) authorizes prior service credit to members of the Oklahoma Police Pension and Retirement System who served in any branch of the Armed Forces, who was honorably discharged, and began participation in the System after November 1, 2022. The bill also impacts the Retirement System for Justices and Judges, Law Enforcement Retirement System, and Oklahoma Public Employees Retirement System.

Section 1 of the bill takes effect on October 1, 2022. Sections 2 through 5 takes effect on November 1, 2022.

Oklahoma Red and Blue Heart Awards: [HB 3970](#) by Rep. Ty Burns (R-Morrison) and Sen. Frank Simpson (R-Ardmore) modifies the Oklahoma State Award Program by authorizing the Oklahoma Red Heart and Oklahoma Blue Heart award for serious line of duty injuries. The Oklahoma Red Heart Award is limited to municipal firefighters employed by cities and towns. The Oklahoma Blue Heart is limited to law enforcement and public safety members employed by municipal, county, state and employees of federal agencies working in Oklahoma.

The bill takes effect on November 1, 2022.

Political Subdivisions Opioid Abatement Grant Act: [SB 1275](#) by Sen. Brent Howard (R-Altus) and Rep. Kevin Wallace (R-Wellston) revises the criteria for allocating the grant awards to eligible participants. The bill also provides for the reimbursement of attorney fees and allowable expenses directly related to opioid litigation incurred as part of legal services agreements entered before May 21, 2020. The initial opioid grant awards shall be listed in an opioid grant award distribution table adopted by the Board.

The bill took effect on April 25, 2022.

Oklahoma Municipal Power Authority: [SB 1529](#) by Sen. James Leewright (R-Bristow) and Rep. Mike Dobrinski (R-Okeene) modifies the term limit of Oklahoma Municipal Power Authority members by providing that such terms will expire at the adjournment of the annual meeting of the Board of Directors held at the expiration of the Director's term of office. The bill modifies the definition of "project" by striking language excluding any interest in any plant for the generation of electrical energy which is to be owned jointly with any investor-owned utility. The bill shifts the authority to borrow money from the State Bond Advisor to the Deputy Treasurer for Debt Management. The bill strikes the prohibition on the Authority from selling to certain municipalities not qualifying as an eligible public agency.

The bill takes effect on November 1, 2022.

Law Enforcement/Cross-Deputization Agreements: [SB 1565](#) by Sen. Darrell Weaver (R-Moore) and Rep. Ross Ford (R-Broken Arrow) authorizes the Attorney General to cross-deputize police officers of the police department of any municipality or any officer deputized by the county sheriff or a designee subject to an interlocal governmental agreement with the Attorney General's Office in an effort to combine city, county, and state law enforcement efforts and to encourage cooperation between city, county, and state law enforcement officials. It requires liability for the conduct of any municipal police officer cross-deputized under the terms and conditions of an interlocal governmental agreement or any officer deputized by the county sheriff under the terms and conditions of an interlocal governmental agreement to remain the responsibility of the respective employer for that officer.

The bill takes effect on November 1, 2022.

BILLS MOVED TO GOVERNOR STITT'S DESK

Elections/Voter Registration Database: [HB 2976](#) by Rep. Jim Olsen (R-Roland) and Sen. Micheal Bergstrom (R-Adair) requires information contained in the voter registration database to only be shared with a court system if that court system agrees to regularly provide the names of persons convicted of a felony in that court system to the Secretary of the State Election Board and the appropriate secretary of a county election board.

The bill passed the Senate on Tuesday by a [vote](#) of 30 to 10.

Medical Marijuana Packaging: [HB 3019](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. James Leewright (R-Bristow) allows medical marijuana packaging to be clear in order to allow licensed medical marijuana patients and licensed medical marijuana caregivers the ability to view the product inside the container, so long as the container is child-resistant. The measure also allows dispensaries to put medical marijuana products in an "exit package" which means an opaque bag provided at the point of sale. Labels on containers shall include a warning that states the following: "For use by licensed medical marijuana patients only", and "Keep out of reach of children".

The bill passed the Senate on Wednesday with the title restored by a [vote](#) of 36 to 7.

Prohibit the Private Funding of Election Act: [HB 3046](#) by Rep. Mark Lepak and Sen. Julie Daniels (R-Bartlesville) requires elections, including costs and

expenses of conducting and administering, to be paid for with public funds, provided this does not apply to franchise elections. The bill prohibits government official or election officials from soliciting, taking or otherwise accept from any person, any contribution, donation, or anything else of value for purposes of conducting or administering the elections. Donations not directly related to the administration of elections may be accepted by the Secretary of the Election Board or the county election board upon written approval by the Governor and written notification sent to the Speaker and Pro Tempore. Any person who violates this act, is, upon conviction, guilty of a misdemeanor punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00). A second violation and conviction bring a Ten Thousand Dollar (\$10,000.00) fine, and a third violation is subject to a fine not to exceed Fifty Thousand Dollars (\$50,000.00) or imprisonment in the Department of Corrections for a term of not less than two (2) years nor more than five (5) years or both fine and imprisonment.

The bill passed the Senate on Wednesday by a [vote](#) of 37 to 9.

Military Surplus Vehicles: [HB 3179](#) by Rep. Logan Phillips (R-Mounds) and Sen. J.J. Dosssett (R-Owasso) defines "military surplus vehicle" and allows it to be operated on the streets and highways of this state as a registered motor vehicle. These types of vehicles may be used as other vehicles, except they may not transport people for hire. The registration is valid for one (1) year and may be renewed by payment of such annual fee.

The bill passed the Senate on Wednesday by a [vote](#) of 42 to 3.

Public Retirement Systems/Military Service Credits: [HB 3709](#) by Rep. Carol Bush (R-Tulsa) and Sen. Dave Rader (R-Tulsa) authorizes prior service credit to members of the Oklahoma Police Pension and Retirement System who served in any branch of the Armed Forces, who was honorably discharged, and began participation in the System after November 1, 2022. The bill also impacts the Retirement System for Justices and Judges, Law Enforcement Retirement System, and Oklahoma Public Employees Retirement System.

The bill passed the Senate on Monday with the title restored by a [vote](#) of 44 to 0.

DEQ/Water Quality Standard Variances: [HB 3824](#) by Rep. Carl Newton (R-Woodward) and Sen. Darcy Jech (R-Kingfisher) authorizes the Department of Environmental Quality (DEQ) to adopt water quality standard variances and site-specific criteria are utilized in and enforced

through water quality permits issued by DEQ. Such variances and site-specific criteria may be adopted through the rulemaking or through the permitting process; provided that the process satisfies the public participation and water quality standard variance requirements set forth in the corresponding federal regulations.

The bill passed the Senate on Tuesday by a [vote](#) of 33 to 8. The bill.

Rural Water Districts: [HB 4001](#) by Rep. Bob Ed Culver (R-Tahlequah) and Sen. Julie Daniels (R-Bartlesville) requires any corporation borrowing money, securing any indebtedness, or accepting grants from the federal government that entitled the corporation to a protected service area under 7 U.S.C., Section 1926(b) must first establish a water district under Oklahoma law that will define the protected service area.

The bill passed the Senate on Tuesday by a [vote](#) of 42 to 0.

OMPA/Competitive Bidding Act: [HB 4075](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Chuck Hall (R-Perry) modifies the definition of "state agency" as used in the Public Facilities Act to include the Oklahoma Municipal Power Authority. It also exempts the Oklahoma Municipal Power Authority from the requirements of the Public Competitive Bidding Act of 1974 on contracts awarded or solicited by OMPA.

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

Emergency Management Assistance Compact and Rescue Out of State Deployments Revolving Fund: [HB 4143](#) by Rep. Stan May (R-Broken Arrow) and Sen. James Leewright (R-Bristow) creates a revolving fund for the Department of Emergency Management and Homeland Security, to be designated the "Emergency Management Assistance Compact and Rescue Out of state Deployments Revolving Fund". The funds may be used for direct reimbursement of participating entities deployed through the Oklahoma Department of Emergency Management and Homeland Security that is consistent with the federal Emergency Management Assistance Compact Guidelines.

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

Competitive Bidding/Public Trusts: [SB 173](#) by Sen. Paul Rosino (R-OKC) and Rep. Nicole Miller (R-Edmond

amends competitive bidding for trusts by amending 60 O.S. Section 176 related to engaging in activities outside the geographic boundaries of its beneficiary by removing current language requiring benefit to a large class of the public. In addition, construction contracts, when required, shall be administered, advertised, and awarded according to the Public Competitive Bidding Act of 1974.

The bill passed the House on Tuesday by a [vote](#) of 79 to 5.

Law Enforcement/Funeral Home Transports: [SB 1123](#) by Sen. George Burns (R-Pollard) and Rep. Rick West (R-Heavner) states that nothing in section 931 through 954 of Title 63 shall prevent the funeral home service from transporting a decedent from the scene to their facility once the attending law enforcement officer has adequately documented and preserved the conditions at the scene by photographs and measurements. Once the decedent is transported to a funeral home, the medical examiner shall be notified of the transport location for the purpose of completing the examination required. Each law enforcement agency shall maintain a current on-call rotation list of funeral homes in the area to call once the decedent has been released for transport.

The bill passed the House on Wednesday by a [vote](#) of 87 to 2.

DEQ/Water Quality Standards: [SB 1325](#) by Sen. Julie Daniels and Rep. Anthony Moore (R-Clinton) transfers authority to administer Oklahoma Water Quality Standards from Oklahoma Water Resources Board (OWRB) to the Department of Environmental Quality (DEQ).

The bill passed the House on Thursday by a [vote](#) of 59 to 23.

Bonds/Public Facilities: [SB 1343](#) by Sen. Brent Howard (R-Altus) and Rep. Anthony Moore (R-Clinton) allows the Municipal and County Economic and Community Development Bonds Act to be used for county jails, detention facilities, and emergency or fire response facilities. It also adds public health facilities including but not limited to county or public hospitals, clinics, emergency medical service facilities, and county health department facilities.

The bill passed the House on Wednesday by a [vote](#) of 80 to 5.

Law Enforcement/Mental Health Training: [SB 1370](#) by Sen. Kevin Matthews (D-Tulsa) and Rep. Jason Lowe (D-Tulsa) requires as part of the minimum curriculum requirements for training on recognizing and managing a person appearing to require mental health treatment or services, crisis intervention and techniques to assist with de-escalating interaction between security guards, private investigators, and the public.

The bill passed the House on Thursday by a [vote](#) of 75 to 1.

Oklahoma Emergency Energy Availability Act of 2022: [SB 1410](#) by Sen. Zack Taylor (R-Seminole) and Rep. Garry Mize (R-Edmond) creates the Oklahoma Emergency Energy Availability Act of 2022. The bill requires, on or after the effective date of this act, that any agency, department, bureau, system of higher education, school district, township, or municipality within this state that has or develops energy policy, and an emergency energy plan shall not source energy for such plans from a single source and must develop policies for the acquisition of electrical power generated from at least three (3) distinct energy sources. It requires the Oklahoma Department of Emergency Management to promulgate rules to effectuate this section of law.

The bill passed the House on Tuesday by a [vote](#) of 80 to 6.

Oklahoma Air Service Development Grant Program: [SB 1461](#) by Sen. Paul Rosino (R-OKC) and Rep. Jon Echols (R-OKC) creates the Oklahoma Air Service Development Grant Program to offer one-time financial assistance through a grant to public or private entities for minimum revenue guarantees for specific new routes, marketing and advertising of service, market study and research projects to develop data for a business case for a new service, start-up cost offsets and other innovative risk sharing models to support the introduction of new airline service in the state. There are parameters set for the merit qualifications for grantees as well as information that must be provided in each grant application. The bill also creates a grant review and contracting process under the Oklahoma Aeronautics Commission with funds deposited in the Oklahoma Air Service Development Grant Program Revolving Fund.

The bill passed the House on Thursday by a [vote](#) of 78 to 5.

Autonomous Vehicles: [SB 1541](#) by Sen. Paul Rosino (R-OKC) and Rep. Nicole Miller (R-Edmond) authorizes a person to operate a fully autonomous vehicle without a

human driver provided that the automated driving system is engaged, and the vehicle meets certain conditions outlined in the measure. Prior to operating the vehicle, the person must submit a law enforcement interaction plan to the Department of Public Safety (DPS) that shows law enforcement how to communicate with a fleet support specialist who is available during the times the vehicle is in operation, how to safely remove the vehicle from the roadway, how to recognize whether the vehicle is in autonomous mode, and any additional information the manufacturer or owner deems necessary. Such persons must also submit proof of financial satisfactory to DPS that the fully autonomous vehicle is covered by insurance or proof of self-insurance of at least One Million Dollars (\$1,000,000.00) which will satisfy the Compulsory Insurance Law. If there is an accident involving the vehicle, it must remain at the scene of the accident and the owner must report the accident. The measure also authorizes the use of on demand autonomous vehicles, provided, the use of such a vehicle does not contradict the provisions of the Oklahoma Transportation Network Company Service Act. Commercial vehicles may be used as well. Fully autonomous vehicles must be properly registered in accordance with the Oklahoma Vehicle Licensing and Registration Act. The measure clarifies that the automated system piloting the vehicle shall be considered the driver for the purpose of assessing compliance with applicable traffic or motor vehicle laws.

The bill passed the House on Tuesday by a [vote](#) of 84 to 0.

Law Enforcement/Cross-Deputization Agreements: [SB 1565](#) by Sen. Darrell Weaver (R-Moore) and Rep. Ross Ford (R-Broken Arrow) authorizes the Attorney General to cross-deputize police officers of the police department of any municipality or any officer deputized by the county sheriff or a designee subject to an interlocal governmental agreement with the Attorney General's Office in an effort to combine city, county, and state law enforcement efforts and to encourage cooperation between city, county, and state law enforcement officials. It requires liability for the conduct of any municipal police officer cross-deputized under the terms and conditions of an interlocal governmental agreement or any officer deputized by the county sheriff under the terms and conditions of an interlocal governmental agreement to remain the responsibility of the respective employer for that officer.

The bill passed the House on Monday by a [vote](#) of 74 to 15.

Law Enforcement/Human Trafficking: [SB 1569](#) by Sen. Darrell Weaver (R-Moore) and Rep. Jeff Boatman (R-Tulsa) creates the Address Confidentiality for Child Survivors and Their Families Act. It adds human trafficking and child abduction to a specified address confidentiality program. The bill defines "human trafficking" and "child abduction".

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

Law Enforcement/Mental Wellness: [SB 1613](#) by Sen. Kim David (R-Porter) and Rep. Jon Echols (R-OKC) authorizes the Department of Public Safety (DPS) to establish and maintain a Mental Wellness Division to provide mental wellness services and programs to public safety personnel to promote good mental wellness. The Commissioner of DPS shall appoint the Chief of the Mental Wellness Division. All current and former employees of the Mental Wellness Division shall maintain the privacy of all public safety personnel who participate in this program. Aggregate mental health information may be made public by the Commissioner if, in the judgment of the Commissioner, doing so could improve public safety mental wellness policies for public safety personnel and is made public for this sole purpose. The bill establishes a Mental Wellness Division Revolving Fund and gives authority to a not-for-profit foundation to raise monies for the Fund.

The bill passed the House on Wednesday by a [vote](#) of 91 to 0.

Sales Tax Exemptions/Surviving Spouse: [SB 1670](#) by Sen. Chris Kidd (R-Waurika) and Rep. Toni Hasenbeck (R-Elgin) expands exemption for people qualifying to receive sales tax exemption to include the surviving spouse of a person who is determined by the United States Department of Defense or any branch of the United States military to have died while in the line of duty if the spouse has not remarried.

The bill passed the House on Thursday by a [vote](#) of 84 to 0.

Battery-Charged Security Fences/Preemption: [SB 1706](#) by Sen. James Leewright (R-Bristow) and Rep. Lonnie Sims (R-Jenks) defines "battery-charged security fence" means an alarm system and ancillary components or equipment attached to such a system including, but not limited to, a fence, a battery-operated energizer, which is intended to periodically deliver voltage impulses to the fence connected to it, and a battery-charging device used exclusively to charge the battery. The bill prohibits a

municipality, county from adopting any ordinance, order, or regulation concerning the installation, operation, or usage of a battery-charged security fence as long as the installation, operation, and usage of the battery-charged fence follows the requirements and standards in Section 3 of this act.

The bill passed the House on Wednesday by a [vote](#) of 84 to 0.

Golf Courses/Beer and Wine Licenses: [SB 1749](#) by Sen. James Leewright (R-Bristow) and Rep. Marcus McEntire (R-Duncan) authorizes mixed beverage licensees with a licensed premises on a business establishment that meets the classification of a golf course or country club pursuant to the most recently adopted North American Industry Classification System (NAICS) may also sell beer in sealed original packages for on-premises consumption. Sales of more than two (2) sealed packages to one person at one time for on-premises consumption shall not be considered an unlawful inducement to stimulate consumption of alcoholic beverages and patrons may remove sealed original packages from the licensed premises.

The bill passed the House on Tuesday by a [vote](#) of 68 to 18.

BILLS ON THE MOVE

Here is a snapshot of bills impacting cities and towns.

REC/Utility Easements: [HB 1123](#) by Rep. Logan Phillips (R-Mounds) and Sen. James Leewright (R-Bristow) is new law authorizing any easement owned, held, or otherwise used by a rural electric cooperative for electric services may also be used by the cooperative or its wholly owned subsidiary or other broadband provider, for the purpose of supplying high-speed broadband service. No class action lawsuit may be maintained against a REC or an Approved Broadband Provider in a suit for trespass or inverse condemnation based on a claim of expanded use of an easement where the broadband facilities are located on these easements. The bill specifies specific damages.

The bill passed the Senate on Thursday with the enacting clause stricken by a [vote](#) of 45 to 0. The bill goes back to the House to accept or reject the Senate amendments.

Clerks and Treasurers/Stop-Payment Orders: [HB 1138](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Chris Kidd (R-Waurika) authorizes the treasurer of any county, city or town to initiate a stop-payment order or submit a positive pay file providing the payee, amount, and serial number of the check, warrant, or voucher to the

depository if a check, warrant or voucher has been issued and is subsequently lost or destroyed prior to a second or duplicate check, warrant or voucher to be issued. If the treasurer or any county, city, or town is unable to initiate a stop-payment or submit a positive pay file, clerks are authorized and empowered to issue a second or duplicate check, warrant or voucher if an affidavit has been filed with the clerk, and an indemnifying bond running to the treasurer of the county, city or town or to the State Treasurer in double the amount of such lost or destroyed check, warrant, or voucher.

The bill passed the Senate on Tuesday by a [vote](#) of 39 to 4. The bill goes back to the House to accept or reject the Senate amendments.

Agricultural Structures and Equipment/Unincorporated Areas: [HB 1512](#) by Rep. Dell Kerbs (R-Shawnee) and Sen. Roland Pederson (R-Burlington) Except as otherwise provided by law as of the effective date of this act, standards for erection, installation, and use of structures and equipment used for care and handling of livestock, poultry facilities, and planting of agricultural crops, except medical marijuana, shall only be subject to regulation by the Oklahoma Department of Agriculture, Food, and Forestry. This subsection shall only apply to all entities who purport to regulate the erection, installation, and use of structures and equipment for care and handling of livestock, poultry, and planting of agricultural crops, except medical marijuana, in unincorporated areas.

The bill passed the Senate on Tuesday by a [vote](#) of 41 to 0. The bill goes back to the House to accept or reject the Senate amendments.

Firefighter Pension and Retirement System: [HB 2487](#) by Rep. Avery Frix (R-Muskogee) and Sen. Zack Taylor (R-Seminole) provides that members of the Oklahoma Firefighters Pension and Retirement System (OFPRS) whose first date of employment was on or after November 1, 2013, are eligible for their normal retirement date after completing twenty (20) years of credited service. Any member of OFPRS who receives annual compensation for serving as an active volunteer firefighter is a paid firefighter, other than reimbursement of expenses more than five and a half (5.5) times the annual pension benefit paid to a retired volunteer firefighter with twenty (20) years of credited service.

The bill passed the Senate on Wednesday with the title and enacting clause restored by a [vote](#) of 46 to 0. The bill goes back to the House to accept or reject the Senate amendments.

Elections/Registered Voters: [HB 2974](#) by Rep. Jim Olsen (R-Roland) and Sen. Micheal Bergstrom (R-Adair) requires the State Election Board to perform a query of the entire voter registration database to determine how many individuals are registered at the same residential address by June 1 of each year. If more than ten (10) registered voters share a single residential address, the State Election Board is required to provide a list to the district attorney for investigation of any possible criminal investigation. Registered voters sharing a residential address in a nursing home, veterans center, medical facility, multiunit housing, installations of the Armed Forces of the US where uniformed or overseas voters, or other locations authorized in writing by the Secretary of the State Election Board.

The bill passed the Senate on Tuesday by a [vote](#) of 34 to 9. The bill goes back to the House to accept or reject the Senate amendments.

Environment/Poultry Feeding Operations/Nutrient Management: [HB 2983](#) by Rep. David Hardin (R-Stilwell) and Sen. Casey Murdock (R-Felt) requires every poultry feeding operation to meet standards set by administrative rules, rather than standards set by the USDA Department of Natural Resources Conservation Service, and directs the Oklahoma Department of Agriculture, Food and Forestry to promulgate emergency rules for land application of poultry waste.

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

Veterans Sales Tax Exemption/Vehicle: [HB 3050](#) by Rep. Tommy Hardin (R-Madill) and Sen. Frank Simpson (R-Ardmore) exempts the sales of motor from counting towards the Twenty-five Thousand Dollars (\$25,000.00) annual sales tax exemption limit for one hundred percent (100%) disabled veterans. The exemption may only be claimed for one vehicle every three years, unless the vehicle is a replacement for a vehicle that was destroyed or totaled.

The bill passed the Senate on Monday with the title and enacting clause restored by a [vote](#) of 46 to 0. The bill goes back to the House to accept or reject the Senate amendments.

Municipal Courts/Criminal History Information: [HB 3066](#) by Rep. Robert Manger (R-OKC) and Sen. Darrell Weaver (R-Moore) requires municipal courts to report criminal history information on each person subject to

mandatory reporting requirements to the Oklahoma State Bureau of Investigation.

The bill passed the Senate on Wednesday by a [vote](#) of 44 to 3. The bill goes back to the House to accept or reject the Senate amendments.

Drones/Violations: [HB 3171](#) by Rep. Logan Phillips (R-Mounds) and Sen. Micheal Bergstrom (R-Adair) prohibits any operator of an unmanned aerial vehicle from trespassing onto private property or into airspace within four hundred (400) feet of ground level with the intent to subject anyone to eavesdropping or other surveillance, install surveillance devices on personal property without the consent of the owner or lessee, observe or record a person in an area where the person has a reasonable expectation of privacy, or intentionally land a drone on the lands or waters that are the private property of another without the consent of the owner or lessee unless explicitly authorized to do so by law. Anyone who violates this act is guilty of a misdemeanor. The bill does not apply to drone operators operating a drone for a bona fide business or bona fide government purpose who unintentionally or incidentally photographs, records, or otherwise observes another person in a private place, nor shall it apply to a designated emergency management worker or government employee or contractor operating a drone within the scope of his or her lawful duties of employment. Paragraph 4 of subsection A shall not apply to the landing of a drone required in the interest of safety or otherwise in an emergency such as to avoid collision with a person or property.

The bill passed the Senate on Tuesday by a [vote](#) of 40 to 0. The bill goes back to the House to accept or reject the Senate amendments.

Court Costs and Fees: [HB 3196](#) by Rep. Danny Williams (R-Seminole) and Sen. Julie Daniels (R-Bartlesville) creates the Burt Holmes Fee Structure Policy Act of 2022. This bill modifies the structure of fees collected by the courts for various offenses.

The bill passed the Senate on Thursday by a [vote](#) of 38 to 7. The bill goes back to the House to accept or reject the Senate amendments.

Medical Marijuana/Moratorium on Licenses: [HB 3208](#) by Rep. Rusty Cornwell (R-Vinita) and Sen. Lonnie Paxton (R-Tuttle) allows the Oklahoma Medical Marijuana Authority (OMMA) to declare and establish a moratorium on processing and issuing new medical marijuana business licenses for an amount of time OMMA deems necessary. This does not apply to the

renewal of a medical marijuana business license for a dispensary, processor, or commercial grower. The bill was amended to allow the Executive Director of OMMA to terminate the moratorium at any time prior to August 1, 2024, if the Director determines that all pending licensing reviews, inspections, or investigations have been completed by OMMA.

The bill passed the Senate on Thursday with the title stricken by a [vote](#) of 39 to 9. The bill goes back to the House to accept or reject the Senate amendments.

Law Enforcement/Homicide Prevention Act: [HB 3286](#) by Rep. Jacob Rosecrants (D-Norman) and Sen. Micheal Bergstrom (R-Adair) creates the Homicide Prevention Act. It increases the penalties for stalking from a misdemeanor to a felony and increases punishment. The bill modifies the definition of "course of conduct" as used in determining the crime of stalking. Whenever a law enforcement agency receives a complaint of stalking and finds that stalking has occurred, the agency is required to provide a copy of a Stalking Warning Letter. The bill also adds "crime victim" to the list of persons that it is considered harassment to make their personally identifiable information public in a manner intended to threaten, intimidate, or harass. The adult victim of a crime is allowed to seek relief under the provisions of the Protection from Domestic Abuse Act. The bill requires every ex parte or final protective order to be entered into the National Crime Information Center database.

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

Sales Tax Exemption/Veterans Transition Groups: [HB 3649](#) by Rep. Sheila Dills (R-Tulsa) and Sen. Dewayne Pemberton (R-Muskogee) adds an exemption, effective July 1, 2022, from sales tax sales of tangible personal property or services to a nonprofit organization and which provides support to veterans, active-duty members of the Armed Forces, reservists and members of the National Guard to assist with the transition of civilian life and provides documentation to the Oklahoma Tax Commission that over seventy percent (70%) of its revenue is expended on support for transition to civilian life.

The bill passed the Senate on Monday with the title and enacting clause restored by a [vote](#) of 45 to 0. The bill goes back to the House to accept or reject the Senate amendments.

Law Enforcement/Medical Marijuana/Forfeiture: [HB 3752](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. James Leewright (R-Bristow) makes it unlawful for the owner of real property which has been used for the purpose of growing and harvesting marijuana crops to willfully desert or abandon the real property without first restoring the land to its previous condition. Any person who is convicted shall be guilty of a misdemeanor punishable by imprisonment in the county jail for a term of one (1) year, by a fine of One Hundred Thousand Dollars (\$100,000.00) or both. In addition, the court may order the person to reimburse the county for the cost to remediate any damage to the land caused by the property owner. The property is subject to forfeiture if it is used in any manner or part to commit any violation.

The bill passed the Senate on Wednesday with the title stricken by a [vote](#) of 38 to 7. The bill goes back to the House to accept or reject the Senate amendments.

Rural Hazard Mitigation Funding: [HB 3819](#) by Rep. Lonnie Sims (R-Jenks) and Sen. Dave Rader (R-Tulsa) creates the Oklahoma Disaster Mitigation and Recovery Matching Fund Act. There is an appropriation of Five Million Dollars (\$5,000,000.00) to the Disaster Mitigation and Recovery Matching Fund. The Department of Commerce shall administer the fund. A voluntary association of Oklahoma local governmental jurisdictions or another legal entity, including a public trust or nonprofit corporation or other entity which performs functions for the benefit of Oklahoma local governmental jurisdictions, is eligible to obtain funding for rural hazard mitigation projects. The governing board of an entity described in subsection A or B of Section 4 of this act, shall develop a plan for the use of available funds for providing matching amounts as required to the terms of applicable federal law to obtain federal funds for the prevention of damage or to repair damages caused by a qualifying hazard. "Qualifying hazard" shall include, but not be limited one or more of the following conditions: high winds, tornadoes, hail, rain, flooding, freezing rain or ice, heavy snow, wildfires, seismic disturbances, or other hazardous conditions that a Governor's disaster declaration covers. Not later than July 31, each entity shall transmit, in an electronic form created by the Oklahoma Department of Commerce, a summary of each project upon which matching funds received by the entity from the Oklahoma Disaster Mitigation and Recovery Matching Fund were expending during the fiscal year ending on the June 30 date. No entity which qualifies for the funds, shall be required to provide matching funds or to provide equivalent value in order to obtain available funds of funds for planning expenditures. The funds allocated shall not be used for

any direct expenditures on salaries, employee benefits, acquisition of real or personal property, or other than the available funding for which the allocated funds may be utilized, or any other purpose.

The bill passed the Senate on Monday with the title and enacting clause restored by a [vote](#) of 36 to 10. The bill goes back to the House to accept or reject the Senate amendments.

Court Costs Compliance Program: [HB 3925](#) by Rep. Danny Sterling (R-Tecumseh) and Sen. Brent Howard (R-Altus) establishes a court cost compliance program effective November 1, 2022. All counties of the state may fully utilize and participate in the court compliance program. The program's purpose is to assist county sheriffs and the courts with the collection of fines, costs, fees, and assessments associated with cases in which a warrant has been issued and the case has been referred to the court cost compliance program. It allows the court to release or recall a warrant with a down payment of One Hundred Dollars (\$100.00) and a mutually agreeable monthly payment plan. At the time of sentencing, the court shall inform the defendant of the total amount of all statutory fines, costs, fees, and assessments, if any, to be paid. The bill sets up a process for when an individual is delinquent in paying.

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

Public Buildings/Public Competitive Bidding: [HB 4080](#) by Rep. Kevin Wallace (R-Wellston) and Sen. James Leewright (R-Bristow) amends the Public Competitive Bidding Act of 1974 by increasing the contract amount from Fifty Thousand Dollars (\$50,000.00) to One Hundred Thousand Dollars (\$100,000.00). The State Fire Marshal or the authority having jurisdiction shall receive the plans and specifications for new public buildings before the bidding process. Notice of bids are allowed to be given electronically or by publication in a newspaper within twenty-one (21) days before the date set for opening bids. The bill allows bids to be opened in person or electronically. Bids whether submitted in paper or electronic format shall be opened only at the time and place listed in the bidding documents. Paper bids shall be opened in the presence of an administrative officer of the awarding public agency and be read aloud at the time of opening. Such bid opening shall be open to the public and to all bidders. Electronic bids shall not be viewable prior to the time listed for bid opening. Electronic bids may be opened in a public bid opening in the saw way as for paper bids. A public bid opening is not required for

electronic bids if the awarding public agency electronically publishes the bids on its website at the time of bid opening. When the awarding public agency determines that the project is at least fifty percent (50%) complete, the retainage amount shall be two and one-half percent (2.5%) with respect to the balance of work. The bill repeals several sections of law pertaining to the Public Competitive Bidding Act: Sections 8-10, 14-15, 51, 103.8, 129, 203, 315, 321, 329, and 330-331.

The bill passed the Senate on Wednesday by a [vote](#) of 41 to 2. The bill goes back to the House to accept or reject the Senate amendments.

Law Enforcement/Mental Health Transport: [HB 4082](#) by Rep. Kevin Wallace (R-Wellston) and Sen. David Bullard (R-Durant) creates the "Mental Health Transport Revolving Fund". The fund is a continuing fund that may be budgeted and expended by the Department of Mental Health and Substance Abuse Services to carry out the provisions of Section 1-110 of Title 43A. If transportation is needed within the thirty (30) mile radius, the law enforcement agency that made the initial contact within its jurisdiction shall be responsible for transporting the individual inside the thirty (30) mile radius. For patients who self-present and consent to voluntary transport to a facility for inpatient treatment, arranging transportation of these patients shall be the responsibility of the facility receiving the patient or the patient may arrange other alternative transportation. For patients that self-present and are determined to be a person requiring treatment, arranging transportation of these patients shall be the responsibility of the facility receiving the patient. The transportation requirements shall be considered once a connection has been made with staff of the health care facility and it is apparent the patient is not presenting a clear or immediate threat to the safety of the staff of the receiving facility. Once custody of the individual is transferred to the appropriate health care facility staff, transporting law enforcement shall not be required to remain onsite with the individual pending initial assessment.

The bill passed the Senate on Wednesday by a [vote](#) of 46 to 0. The bill goes back to the House to accept or reject the Senate amendments.

Public Buildings/Bonds: [HB 4099](#) by Rep. Avery Frix (R-Muskogee) and Sen. Darcy Jech (R-Kingfisher) allows the Oklahoma Capitol Improvement Authority to issue obligations to acquire real property, together with improvements for purposes of construction, repair and rehabilitation and improvements to real and personal property, of existing Oklahoma Historical Society

facilities in a total amount necessary to generate net proceeds of Forty-six Million Dollars (\$46,000,000.00) after providing for cost of issuance, credit enhancement, reserves, and other associated expenses related to the financing, as long as no proceeds will be expended on the Oklahoma Museum of Pop Culture. The bill directs the Authority to use interest earnings on funds or accounts created for the purposes of this section to be utilized as partial payment of the annual debt service or for the purposes decided by the Authority. The obligations issued under this section, shall not be subject to taxation of any kind by the State of Oklahoma, or by any county, municipality, or political subdivision therein.

The bill passed the Senate on Monday with the title and enacting clause restored by a [vote](#) of 37 to 8. The bill goes back to the House to accept or reject Senate amendments.

Law Enforcement/Human Trafficking Response Unit: [HB 4210](#) by Rep. Jeff Boatman (R-Tulsa) and Sen. Darrell Weaver (R-Moore) requires the Oklahoma Attorney General to maintain data related to human trafficking and to assist law enforcement, social service agencies, and private victim services programs in identifying and supporting victims of human trafficking. The Office of the Attorney General the Human Trafficking Response Unit is authorized to maintain data and develop training programs to assist agencies and victims of human trafficking. The Human Trafficking Response Unit is to also create incentive programs to encourage state agencies to attend training programs and review policies, and appropriate targeted funding for victim service programs. The Human Trafficking Response Unit is to publish public service announcements on various media platforms to educate the public about the dangers of human trafficking.

The bill passed the Senate on Monday with the title and enacting clause restored by a [vote](#) of 45 to 0. The bill goes back to the House to accept or reject the Senate amendments.

Law Enforcement/Penalties for Third-Degree Burglary: [HB 4373](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. Darrell Weaver (R-Moore) modifies the elements of burglary in the second degree to add every person who climbs under, or uses any jack stands or any other item to raise any automobile, in which any property is kept, with intent to steal, steal any property attached thereto, or commit any felony. The term property includes but is not limited to tires, wheels, and catalytic converters. Burglary in the third-degree is punishable by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by

imprisonment in the custody of the Department of Corrections or both fine and imprisonment.

The bill passed the Senate on Wednesday by a [vote](#) of 38 to 7. The bill goes back to the House to accept or reject the Senate amendments.

Firearms/Felons: [SB 186](#) by Sen. David Bullard (R-Durant) and Sen. Sean Roberts (R-Hominy) amends 21 O.S. Section 1283 impacting the prohibition on felons' possession of specific firearms including sawed-off rifles. The bill removes a prohibition of a convicted felon from being a passenger in which a firearm is located.

The bill passed the House on Thursday by a [vote](#) of 84 to 0. The bill goes back to the Senate to accept or reject the House amendments.

Law Enforcement/Impaired Driver Accountability Program: [SB 366](#) by Sen. Kim David (R-Porter) and Rep. Anthony Moore (R-Clinton) When the records of the Department do not reflect receipt of a sworn report of a law enforcement officer stating that the officer had reasonable grounds to believe the petitioner had been driving or was in actual physical control of a motor vehicle upon the public roads, highways, streets, turnpikes, or other public place of this state while under the influence of alcohol, any other intoxicating substance, or the combined influence of alcohol and any other intoxicating substance, the court shall, upon application by the Department, stay the appeal for one hundred eighty (180) days from the date of the arrest as alleged in the petition, or until the sworn report is received by the Department. If the records of the Department do not reflect receipt of the sworn report described in this subsection at the expiration of the stay, the court shall enter an order directing the Department to take no action upon receipt of the sworn report related to the arrest as described in the petition. In no event shall a court award costs or fees, including attorney fees, based upon the records of the Department that do not reflect the receipt of the sworn report as described in this subsection. Upon the Department's receipt of a petition challenging the Department's action against the driving privileges of any person under this title, the Department shall withhold taking the action which is the subject of the appeal or stay the order which is the subject of the appeal. During the pendency of the appeal, the Department shall grant or restore driving privileges to the person if the person is otherwise eligible.

The bill removes a prohibition that prevents a person from being compelled to travel more than seventy (70) miles to attend a course or evaluation program. The

measure removes a requirement that an ignition interlock device be installed upon a vehicle owned or leased by an employer of the person required to use an ignition interlock device. The measure allows the Board of Tests for Alcohol and Drug Influence to charge an administrative fee of One Hundred Fifty Dollars (\$150.00) to each person entered the IDAP. The bill requires IDAP rules to at a minimum require the installation of an ignition interlock device, a description of ignition interlock violations, a description of criteria to determine participation; required violation free periods of not less than ninety (90) days at the end of each program; criteria for medical exemptions from ignition interlock requirements, criteria for granting employer exceptions to ignition interlock requirements, criteria for granting affordability accommodations for persons on public assistance programs. The measure provides that a revocation or denial for failure to comply with the implied consent law is effective forty-five (45) days after the arrested person is given written notice

The bill passed the House on Thursday by a [vote](#) of 81 to 0. The bill goes back to the Senate to accept or reject the House amendments.

Elections/Legal Agreements: [SB 523](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Mark Lepak (R-Claremore) prohibits any agency, board, or commission or other entity of state government, or officer of this state, or state employee, or a county election board, from entering into a legal agreement, consent decree, or settlement of any kind which would alter or amend election procedures prescribed in statute. Any such agreement will be void and unenforceable. The Governor, nor any officer, court, or political subdivision of the state shall amend or alter the election procedures in state, except where specifically authorized in statute. Either chamber of the Legislature may intervene in any action, suit or proceeding that challenges or attempts to modify election procedures prescribed by statute.

The bill passed the House on Wednesday by a [vote](#) of 71 to 12. The bill goes back to the Senate to accept or reject the House amendments.

Franchise Fees/Streaming Services: [SB 573](#) by Sen. John Montgomery (R-Lawton) and Rep. Ryan Martinez (R-Edmond) modifies the definition of "video services" by expanding the list of prohibited video programming providers to include providers of direct broadcast satellite services as defined in 47 U.S.C., Section 335(b)(5)(A) and providers of digital audiovisual works delivered over the internet, including streaming content.

The bill passed the House on Wednesday by a [vote](#) of 80 to 6. The bill goes back to the Senate to accept or reject the House amendments.

Law Enforcement/Human Trafficking: [SB 1116](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Avery Frix (R-Muskogee) allows Department of Public Safety (DPS) to disqualify any person from operating a Class A, B, or C commercial motor vehicle for life for a felony conviction of human trafficking while operating a commercial motor vehicle, when the conviction has become final.

The bill passed the House on Thursday by a [vote](#) of 71 to 1.

Small Police Departments: [SB 1188](#) by Sen. Zack Taylor (R-Seminole) and Rep. Carl Newton (R-Woodward) allows a municipality with a population of four thousand five hundred (4,500) or less, according to the latest Federal Decennial Census, to employ retired police officers who are more than forty-five (45) years of age and who have participated in the Oklahoma Police Pension and Retirement System and are receiving retirement benefits. Such officers shall not be eligible to reenter and participate in the System. The bill also sets the minimum interest rate credited to a member's Oklahoma Deferred Option Plan (DROP) account within the Oklahoma Police Pension and Retirement System (OPERS) at seven and one-half percent (7.5%), effective July 1, 2022. A municipality, as described by the provisions of this section, shall be required to pay the employee contribution of eight percent (8%) to the Oklahoma Police Pension and Retirement System, as prescribed by Section 50-110 of Title 11 of the Oklahoma Statutes, with respect to the compensation paid only to retirees who retired from the Oklahoma Police Pension and Retirement System.

The bill was [amended](#) on the floor and passed the House on Wednesday by a [vote](#) of 85 to 3. The bill goes back to the Senate to accept or reject the Senate amendments.

Sales Tax Exemption/Hearing Aids/Caregiver Tax Credit: [SB 1305](#) by Sen. Dave Rader (R-Tulsa) and Rep. Nicole Miller (R-Edmond) adds a new sales tax exemption for sales of tangible personal property or services to a 501(c) nonprofit organized prior to January 1, 2019, that helps natural persons following a disaster, with program emphasis on repair or restoration to single-family residential dwellings or the construction of a replacement single-family residential dwelling. "Disaster" means damage to property with or without accompanying injury to persons from heavy rain, high winds, tornadic winds, drought, wildfire, snow, ice,

geologic disturbances, explosions, chemical accidents or spills and other events causing damage to property on a large scale. The bill modifies the sales of prosthetic devices to include hearing aids purchased from an audiologist or hearing aid dealer or fitter who is licensed by the state as required by law as being exempt from sales tax. The bill also adds a tax credit for caregivers in the amount of fifty percent (50%) for eligible expenditures incurred by a family caregiver for the care and support of an eligible family member.

The bill was [amended](#) on the floor with two [amendments](#) and passed the House on Wednesday by a [vote](#) of 85 to 0. The bill goes back to the Senate to accept or reject the House amendments.

Tort Claims/Mental Health Transport: [SB 1311](#) by Sen. Brent Howard (R-Altus) and Rep. Chris Kannady (R-OKC) for the purposes of the Governmental Tort Claims Act, employee shall include independent contractors and employees of independent contractors while actively engaged in the transport of individuals in need of initial assessment, emergency detention, or protective custody as authorized by Section 1-110 of Title 43A. The bill also provides that a tort shall not include a claim for inverse condemnation as it relates to the Governmental Tort Claims Act.

The bill passed the House on Thursday by a [vote](#) of 67 to 14.

Sales Tax/Marketplace Facilitators: [SB 1339](#) by Sen. Bill Coleman (R-Ponca City) and Rep. Judd Strom (R-Copan) requires the collection obligation of a marketplace facilitator or referrer that elects to collect and remit tax imposed under Section 1354 or 1402 of Title 68 to also apply to any other taxes administered by the Oklahoma Tax Commission (OTC) administer are levied by local jurisdictions on a retail sale of a product.

The bill passed the House on Wednesday with the title and enacting clause stricken by a [vote](#) of 76 to 9. The bill goes back to the Senate to accept or reject the House amendments.

State Fire Marshal/Building Permits: [SB 1374](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Stan May (R-Broken Arrow) adds correctional facilities under the jurisdiction or control of any public trust to the list of entities whose facilities the State Fire Marshal is required to inspect at least once a year. The bill also prohibits the construction or major alteration to buildings classified as occupancies in the building codes adopted by the Oklahoma Uniform Building Code Commission. The bill clarifies that any

partnership, organization, city, town, school district, county, or other subdivision of government failing to comply with the lawful orders of the Fire Marshal shall be subject to the One Thousand Dollars (\$1,000.00) daily fine, provided, that any person or entity described above who is fined shall have the right to a hearing before the Fire Marshal that complies with the rules promulgated by the State Fire Marshal Commission. After the hearing the State Fire Marshal shall issue a proposed order containing proposed findings of fact which shall be presented to the State Fire Marshal Commission at the next scheduled meeting at least ten (10) business days after the issuance of the order. This hearing process supersedes any hearing or appeal section in the building codes adopted by the Oklahoma Uniform Building Code Commission. Fine collections shall be deposited in the State Fire Marshal Revolving Fund. Furthermore, noting in this subsection shall be construed as requiring a person to obtain a permit from the State Fire Marshal for the construction or alteration of a single-family dwelling, duplex residential dwelling, barn, shed, or carport attached to single-family dwelling or duplex residential dwelling, when such structure is in an unincorporated area of a county.

The bill was [amended](#) and passed the House on Wednesday by a [vote](#) of 87 to 2. The bill goes back to the Senate to accept or reject the House amendments.

Motorized Scooters: [SB 1430](#) by Sen. Brenda Stanley (R-Midwest City) and Rep. Robert Manger (R-OKC) increases the maximum speed allowed to thirty-five (35) miles per hour and is fifty cubic centimeters (50 cu cm). Local governments may set maximum speed requirements by local ordinance. The operator of a motorized scooter must be at least fourteen (14) years of age unless an older age is required by the local ordinance. The operator of a motorized scooter shall not be required to possess a driver license or carry insurance unless required by local ordinance, and the operator must observe all applicable traffic safety regulations when driving on a public roadway as required by statutes and local ordinances. Municipalities have the authority to regulate the usage of motorized scooters on all public roadways, trails, sidewalks, and other public spaces, and to determine appropriate locations for use.

The bill passed the bill on Monday by a [vote](#) of 77 to 12. The bill goes back to the Senate to accept or reject House amendments.

Sales Tax/Trade-in Vehicles: [SB 1486](#) by Sen. Darcy Jech (R-Kingfisher) and Rep. Carl Newton (R-Woodward) requires gross receipts to be calculated for a purchased vehicle to be based only on the difference between the

value of the trade-in vehicle and the actual sales price of the vehicle being purchased.

The bill passed the House on Tuesday by a [vote](#) of 72 to 9. The bill goes back to the Senate to accept or reject the House amendments.

Emergency Medical Transport: [SB 1515](#) by Sen. Darrell Weaver (R-Moore) and Rep. Mike Osburn (R-Edmond) provides that a certified emergency medical response agency may provide transport upon the approval by the appropriate medical control at the time of transport. The bill states emergency ambulance transportation is not required when a patient's apparent clinical condition does not warrant emergency ambulance transport, and non-transport of patients is authorized pursuant to applicable medical treatment protocols established by the regional medical director.

The bill passed the House on Wednesday by a [vote](#) of 80 to 1. The bill goes back to the Senate to accept or reject the House amendments.

Public Buildings/Retainage: [SB 1520](#) by Sen. Casey Murdock (R-Felt) and Rep. Kevin West (R-Moore) specifies that at any time the contractor has completed in excess of fifty percent (50%) of the total contract amount, the retainage shall be reduced to two and one-half percent (2.5%) of the amount earned to date once the public agency has determined that satisfactory progress is being made. A public construction contract shall provide for partial payment based upon work completed. The contract shall provide that up to five percent (5%) of all partial payments made shall be withheld as retainage. At any time, the contractor has completed in excess fifty percent (50%) of the total contract amount, the retainage shall be reduced to two and one-half percent (2.5%) of the amount earned to date once the owner or owner's duly authorized representative has determined that satisfactory progress is being made. When the work of the subcontractor has been determined by the holder to be at least fifty percent (50%) complete, the retainage shall be reduced to two and one-half (2.5%) of the original contract amount.

The bill passed the House on Wednesday by a [vote](#) of 80 to 0. The bill goes back to the Senate to accept or reject the House amendments.

Law Enforcement/Loitering: [SB 1522](#) by Sen. David Bullard (R-Durant) and Rep. Justin Humphrey (R-Lane) prohibits loitering upon any property containing a critical infrastructure facility without permission to include any county-owned property including, but not limited to,

courthouses and detention centers; or any publicly owned property whose purpose is to provide for the health and welfare of the community.

The bill passed the House on Thursday by a [vote](#) of 62 to 27. The bill goes back to the Senate to accept or reject the House amendments.

Oklahoma Turnpike Authority/Turnpike and Turnpike Extensions/Report: [SB 1610](#) by Sen. Rob Standridge (R-Norman) and Rep. Danny Sterling (R-Tecumseh) requires the Oklahoma Turnpike Authority (OTA) to prepare a report concerning the proposed construction of the South Extension Turnpike, Outer Loop-East-West Connector Turnpike, or any subsequent naming designations, of any part or parts thereof in their entirety that pass through any portion of the City of Norman. The study shall include, but not be limited to, the following information: 1. the factors that were considered when determining the route of the turnpikes or turnpike extensions described in this section; 2. the route was determined to be the most effective route; 3. the impact and effect that the planned route will have on businesses, citizens and private and public property where the route will be implemented; 4. whether any alternative routes were considered and as to why the alternate routes were not chosen; and 5. any other factors relevant to the decision of the location of the turnpikes or turnpikes extensions considered by the OTA. The reports shall be delivered to the Governor, Pro Tempore, and Speaker at least one (1) year prior to issuing bonds for the construction of the turnpike or turnpike extensions. Upon the receipt of the report the Legislature may modify the authorization for construction or location of the turnpike or turnpike extensions.

The bill passed the House on Wednesday with the enacting clause restored by a [vote](#) of 68 to 19. The bill goes back to the Senate to accept or reject the House amendments.

Law Enforcement Unification: [SB 1612](#) by Sen. Kim David (R-Porter) and Rep. Jon Echols (R-OKC) creates the Oklahoma Department of Public Safety Unification, Recruitment, and Retention Act of 2022. The Department of Public Safety (DPS) shall create a nine (9) member board consisting of the member as follows: three (3) members appointed by the Governor who have a law enforcement background, one (1) member with a law enforcement background appointed by the Lt. Governor, one (1) district attorney appointed by the AG, one (1) member who is a sheriff with a population of twenty-five thousand (25,000) or more appointed by the Sheriff's Association and one (1) member who is a sheriff with a population less than twenty-five thousand (25,000) appointed by the Sheriff's Association, one (1) member

who is a chief of police representing a municipality with a population over one hundred thousand (100,000) appointed by the Association of Chiefs of Police and one (1) member who is a chief representing a municipality under one hundred thousand (100,000) appointed by the Association of Chiefs of Police. The Board is responsible for formulating and implementing a unified law enforcement and public safety strategy for activities of the Department with annual and long-term measurable goals and objectives to achieve greater public safety. No later than July 1, 2023, all employees of the Oklahoma Department of Public Safety are to be under the authority of the Board of Public Safety. The bill creates the Oklahoma Department of Public Safety Revolving Fund. The measure directs the Department of Public Safety to maintain a Mental Wellness Division to provide mental wellness services and programs for public safety personnel. The bill also creates the Mental Wellness Division Revolving Fund. It allows for the establishment of a not-for-profit foundation to raise funds for the Mental Wellness Division Revolving Fund.

The bill passed the House on Wednesday by a [vote](#) of 51 to 40. The bill goes back to the Senate to accept or reject the House amendments.

Medical Marijuana/Setback Requirements: [SB 1726](#) by Sen. James Leewright (R-Bristow) and Speaker Pro Tempore Kyle Hilbert (R-Depew) expands the definition of "schools" to include technology centers as it relates to medical marijuana dispensary and commercial growers to the setback requirements.

The bill passed the House on Wednesday by a [vote](#) of 87 to 4. The bill goes back to the Senate to accept or reject the House amendments.

Open Records/Nonprofit Organizations: [SB 1733](#) by Sen. Pro Tempore Greg Treat (R-OKC) and Speaker Charles McCall (R-Atoka) modifies the definition of "public body" as used in the Oklahoma Open Records Act to provide that it does not include 501 (c) (3) tax exempt organizations whose sole beneficiary is a college or university, or an affiliated entity of the college or university that is a member of the Oklahoma State System of Higher Education. Such an organization shall not receive direct appropriations from the Oklahoma Legislature. The bill prohibits the following person from serving as a voting member of the governing board of the organization: a member, officer, or employee of the Oklahoma State Regents for Higher Education; a member of the board of regents or other governing board of the college or university that is the sole beneficiary of the

organization; or an officer or employee of the college or university that is the sole beneficiary of the organization.

The bill passed the House on Thursday with the title and enacting clause stricken by a [vote](#) of 56 to 19. The bill goes back to the Senate to accept or reject the House amendments.

Medical Marijuana/Municipal COC and Occupancy Permits: [SB 1755](#) by Sen. James Leewright (R-Bristow) and Rep. John Pfeiffer (R-Mulhall) provides that a license provided by the Oklahoma Medical Marijuana and Patient Protection Act shall not be issued until all relevant local licenses and permits have been issued by the municipality including, but not limited to, an occupancy permit or certificate of compliance. A license cannot be issued until OMMA determines that all necessary inspections and reviews, including, but not limited to, plans reviews, life safety inspections, or compliance inspections, have been completed. The bill allows an applicant to be granted a conditional license if he or she has not received the necessary permits, certificates, or licenses from a municipality. A conditional license does not entitle an applicant to operate or act as a licensee. The bill allows OMMA the authority to approve the application once the applicant has fulfilled all the obligations.

The bill passed the House on Thursday with the title and enacting clause stricken by a [vote](#) of 85 to 0. The bill goes back to the Senate to accept or reject the House amendments.

OWRB/Water Use Permit Holders: [SB 1835](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Josh West (R-Grove) requires the Oklahoma Water Resources Board (OWRB) to send a written report to any holder of a water use permit found to be out of compliance. The citation must include any statutory requirements, administrative rules, and regulations that OWRB deems to have been violated by the permit holder. OWRB must send these notices by certified mail, return receipt requested, or be electronic mail, read receipt requested, distribute the report to the permit holder. The permit holder has ninety (90) days from the date that the report and citation are received to resolve any issue in the complaint. It requires the permit holder be fined Five Thousand Dollars (\$5,000.00) per day until all subjects of the complaint are resolved. Failure to come into compliance may result in a revocation by the Board of the water permit at issue.

The bill passed the House on Wednesday by a [vote](#) of 85 to 0. The bill goes back to the Senate to accept or reject the House amendments.