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THE END IS NEAR

The end of the Second Session of the 58th Legislature is near. This week the Legislature started off with just around 400 bills to consider, not including the budget bills. While many of the bills will go through the conference committee process, other bills are being heard in the respective house of origin and moving to Governor Stitt's desk. His pen has been busy signing many bills, with one of those being OML's priority issue on Competitive Bidding for Public Trusts.

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 takes effect on November 1, 2022.

Another priority passed and is on its way to Governor Stitt's desk. [SB 1367](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. David Hardin (R-Stilwell) passed the Senate yesterday by a [vote](#) of 39 to 0. The bill 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 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.

OML PRIORITIES HEADED TO CONFERENCE COMMITTEE

OML's priorities are headed to conference committee. This process is where we can try and address some concerns with the language in the bills that were added earlier in Session. Two of those bills are as follows:

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 Senate added the streaming requirements and gave the authority to the Governor and county commissioners to declare a state of emergency. This was not OML's requested language. Our intent was to give municipalities the ability to hold virtual meetings. We will be working with the authors of the bill to address our concerns in hopes that we can get it back to the original language.

The House has assigned it to the Conference Committee on Government Modernization & Efficiency. The Senate conferees are Senators Boren, Daniels, Floyd, Howard, Leewright, Paxton and Weaver.

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 House has assigned it to the Conference Committee on Elections and Ethics. The Senate conferees are Senators Allen, Boren, Bullard, Coleman, Jech, Kirt and Paxton.

BILLS SIGNED BY GOVERNOR STITT

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 takes effect on November 1, 2022.

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 that 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 took effect on May 4, 2022.

OWRB/Water Rights: [HB 3382](#) by Rep. Anthony Moore (R-Clinton) and Sen. Blake Stephens (R-Tahlequah) creates a maximum penalty of Five Thousand Dollars (\$5,000.00) per day for violating groundwater and stream

water use policies, such as. the unauthorized use of water, the unauthorized transfer of a water right, the continued use of works which are unsafe after receiving notice to repair, the waste of water, the unauthorized severance of a water right from the land to which it is appurtenant, the refusal to change unsafe works when directed to do so, or the injury or obstruction of waterworks or the violation of a permit condition. Such administrative penalties to be imposed only after notice and opportunity for hearing on the proposed imposition of such penalties. The maximum fine for anyone found guilty of a misdemeanor offense for groundwater use violations is increased from Two Hundred Fifty Dollars (\$250.00) to One Thousand Dollars (\$1,000.00).

The bill takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

Courts/Domestic Abuse Act: [HB 4194](#) by Rep. Jon Echols (R-OKC) and Sen. Roger Thompson (R-Okemah) requires the courts to be responsible for assessing prior patterns of abuse and shall present written findings on the bail amount if the person arrested for any crime provided for in the Protection from Domestic Abuse Act or a violent crime.

The bill takes effect on November 1, 2022.

Restricted CDL/Agriculture Industries: [SB 942](#) by Sen. Casey Murdock (R-Felt) and Rep. John Pfeiffer (R-Mulhall) authorized the Department of Public Safety to issue a restricted commercial driver license (cdl) to drivers eighteen (18) years of age or older. The applicant must have held a driver license for at least one year, with more than two (2) years of driving experience and shall have a good driving record for the most recent two (2) years. The restricted cdl shall not exceed the maximum total days that federal law allows. Applicants are exempt from the knowledge and skills test. Application of the restricted cdl does not have to be used in consecutive days; use of permit shall be declared at application. A good driving record means an applicant has not had more than one license, has not had any license suspended, revoked or cancelled, has not had any conviction for any type of disqualifying offenses ore serious traffic violations, or has not had any conviction for a violation of state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with any traffic accident, and has no record of an accident in which they were at fault.

The bill takes effect on July 1, 2022.

Law Enforcement/Statute of Limitations: [SB 974](#) by Sen. Darrell Weaver (R-Moore) and Rep. Daniel Pae (R-Lawton) specifies that "discovery" means the date that a

physical or sexually related crime involving a victim eighteen (18) years of age or older is reported to a law enforcement agency. No prosecution shall be based on the memory of the victim that has been recovered through psychotherapy unless there is some evidence independent of such repressed memory. Anyone that knowingly and willfully makes a false claim to be referred to local law enforcement for investigation and, upon conviction, being guilty of a felony. Prosecution for the crimes of human trafficking to be prosecuted within three (3) years after discovery of the crime. For purposes of this subsection, “discovery” means the date upon which the crime is reported to a law enforcement agency.

The bill takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

Open Meetings/Executive Sessions for OTC: [SB 1298](#) by Sen. Dave Rader (R-Tulsa) and Rep. John Pfeiffer (R-Mulhall) allows the Oklahoma Tax Commission (OTC) to conduct executive sessions with the taxpayer at issue attending using videoconference technology to discuss confidential taxpayer matters. During the executive sessions, OTC is required to be physically present while taxpayers may appear using videoconference technology. The technology selected and utilized by OTC must ensure taxpayer confidentiality including compliance with

safeguards as provided for in Internal Revenue Service Publication 1075.

The bill takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

Open Records/GRDA: [SB 1356](#) by Sen. Marty Quinn (R-Claremore) and Rep. Mark McBride (R-Moore) adds an exemption in the Open Records Act to include information related to the security of electrical or dam infrastructure and related information systems that, if misused, could interfere with, attack, compromise, or incapacitate the infrastructure or information systems including information related to the ability of the infrastructure or information systems to resist such interference, compromise or incapacitation. Such information includes, but is not limited to, any planned or past assessment, projection, or estimate of the vulnerability of critical infrastructure or information system, security testing, risk evaluation, risk

management plans, operational plans, structural schematics, recovery or response plans, or risk audits, and proprietary or commercial information received subject to a nondisclosure agreement or confidentiality agreement.

The bill takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

Law Enforcement/Address Confidentiality for Child Survivors and Their Families Act: [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 takes effect on November 1, 2022.

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 took effect on May 2, 2022.

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 took effect on May 4, 2022.

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 took effect on May 2, 2022.

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 took effect on April 29, 2022.

BILLS MOVED TO GOVERNOR STITT'S DESK

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 House on Wednesday by a [vote](#) of 71 to 0.

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 House on Wednesday by a [vote](#) of 61 to 10.

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 House on Wednesday by a [vote](#) of 71 to 1.

Law Enforcement/Reports of Convictions: [HB 3501](#) by Rep. David Hardin (R-Stilwell) and Sen. Darrell Weaver (R-Moore) directs the Department of Public Safety (DPS) to recognize and act upon a report of conviction in a court of any federally recognized Indian tribe within the geographical boundaries of the State of Oklahoma or a court of the United States in the same manner it acts upon any report of conviction from an Oklahoma state or municipal court. Any report of conviction submitted to DPS shall be submitted using a format approved by DPS and shall include the full name of the offender as it appears on the driver license, the number of the driver license and the penalty imposed. The bill defines "tribe" to mean a federally recognized Indian tribe within the geographic boundaries of this state; and "qualified court" to mean those tribal court systems that have adopted the Tribal Law and Order Act of 2010.

The bill passed the House on Monday by a [vote](#) of 69 to 3.

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 same 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 House on Wednesday by a [vote](#) of 73 to 3.

Oklahoma Medical Marijuana Authority: [SB 1543](#) by Sen. Pro Tempore Greg Treat (R-OKC) and Rep. Jon Echols (R-OKC) separates the Oklahoma Medical Marijuana Authority (OMMA) from the Oklahoma State Department of Health as of the effective date of the bill. The Department of Health is removed from all medical marijuana statutes and increases the duties of peace officers employed by OMMA. The Executive Director of OMMA is to be appointed by the Governor with advice and consent from the Senate. The bill deletes the Medical Marijuana Advisory Council and gives OMMA the authority to investigate violations of criminal laws regarding medical marijuana, seize illegal held product, refer evidence, reports, or charges to appropriate law enforcement authorities, and aid enforcement authorities in prosecutions of violations of the Oklahoma Medical Marijuana and Patient Protection Act.

The bill passed the Senate on Thursday by a [vote](#) of 33 to 7.

BILLS MOVE TO CONFERENCE COMMITTEE

County Powers/Federal Funding: [HB 2233](#) by Rep. Lonnie Sims (R-Jenks) and Sen. John Haste (R-Broken Arrow) authorizes county commissioners to expend funds made available to a county of the state through the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) according to the permissible uses of the applicable federal legislation or guidance issued by any federal agency. Such expenditures may be used regardless of any lack of specific state statutory authorization to perform the duties or functions for which the federal government has provided the funds. The measure bill that the receipt of such funds shall not be calculated as a supplemental appropriation.

House has assigned it to the Conference Committee on County and Municipal Government. Senate conferees are Senators Dugger, Floyd, Haste, Rosino, Stephens and Young.

Firearms/Contracts: [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.

House has assigned it to the Conference Committee on Public Safety. Senate conferees are Senators Brooks, Jech, Matthew, Murdock, Paxton, Radar and Weaver.

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.

House has assigned it to the GCCA Committee. Senate has assigned it to GCCA Committee.

Elections/Federal Law: [HB 3232](#) by Rep. Denise Crosswhite-Hader (R-Piedmont) and Sen. Lonnie Paxton (R-Tuttle) requires that in the event any federal law, regulation, order, or other official action seeks to substantially modify or supersede any voter registration or election administration laws and procedures duly enacted by the Legislature, that federal law, regulation, order, or other official action will be applicable only to elections for federal office held in Oklahoma.

The House assigned it to the Conference Committee on Elections and Ethics. The Senate conferees are Senators Boren, Bullard, Daniels, Jech, Kirt, Paxton and Simpson.

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 House has assigned it to the Conference Committee on Alcohol, Tobacco & Controlled Substances. The Senate conferees are Senators J.J. Dossett, Leewright, Paxton, Rosino and Taylor.

Court Costs Compliance Program: [HB 3925](#) by Rep. Chris Kannady (R-OKC) 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 House has assigned it to the Conference Committee on the Judiciary – Criminal. The Senate conferees are Senators Brooks, Bullard, Daniels, Floyd, Howard, Jech and Weaver.

Firearms/Felony Pointing: [SB 925](#) by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Jay Steagall (R-Yukon) makes it unlawful to point any firearm or any other deadly weapon, whether loaded or not, at any other person or persons; or willfully or without lawful cause point a shotgun, rifle or pistol, any firearm or any deadly weapon, whether loaded or not, at any other person for the purpose of threatening or with the intention of discharging the firearm with any malice or for any purpose of injuring, either through physical injury or mental or emotional intimidation or for purposes of whimsy, humor or prank, or in anger or otherwise. The provisions of this section shall not include the pointing of a firearm or other deadly weapon by: law enforcement authorities, armed security guards, members of the state military forces members of the federal military reserve and active military components, federal government law enforcement in the performance of their duties, any person in the performance of a play on state, at a rodeo, on television or on film; and any person in the defensive

display of a firearm or other deadly weapon as provided for in subsection K of Section 1289.25 of this title. Any person who violates this law, upon conviction, is punished by imprisonment in the Department of Corrections or punished as a misdemeanor by imprisonment in the county jail for not more than one (1) year, or by a fine of not more than One Thousand Dollars (\$1,000.00) or both. The bill also regulates pointing firearms in various ways including penalties, authorizing pointing of firearms in certain situations while making other acts unlawful, expanding right to use deadly force at occupied premises and the like.

The Senate conferees are Senators Bergstrom, Brooks, Jech, Paxton, Pugh, Radar and Weaver. The House conferees have yet to be named.

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 Senate has assigned it to Senate GCCA. The House conferees have not been named.

Grocery Sales Tax Exemption/State Sales Tax: [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 Senate has assigned it to Senate GCCA. The House conferees have not been named.

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 Senate conferees are Senators Brooks, Jech, Matthews, Paxton, Radar, Standridge and Weaver. The House has assigned it to the Conference Committee on Criminal Justice and Corrections.

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 Senate conferees are Senators Allen, Bergstrom, David, J.A. Dossett, Hamilton, Matthews and Standridge. The House has assigned it to the Conference Committee on Transportation.