

14-22

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OML PRIORITIES BECOME LAW

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Two more OML priorities became law with the stroke of Governor Stitt's pen. [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.

The bill takes effect on November 1, 2022.

Municipal Road Drilling Activity Revolving Fund: [HB 3037](#) by Rep. Brad Boles (R-Marlow) and Sen. Mark Allen (R-Spiro) creates the Municipal Road Drilling Activity Revolving Fund. For the fiscal year ending June 30, 2023, and for each fiscal year thereafter, there shall be apportioned Five Million Dollars (\$5,000,000.00) to the Municipal Road Drilling Activity Revolving Fund for use by municipalities to repair roads as prescribed pursuant to the requirements of Section 2 of this act. The monies in the Municipal Road Drilling Activity Revolving Fund shall be allocated by ODOT only to municipalities having a population of less than fifteen thousand (15,000) persons or most recent population estimate to repair damage to municipal roads caused by or reasonably caused by increased use of such roads resulting from oil or gas drilling activity. A municipality seeking funds must make the initial application to ODOT no later than May 1, 2023. A municipality is required to provide twenty-five percent (25%) of the total project costs to be eligible for the funds.

The bill takes effect on July 1, 2022.

OML'S AUDIT BILL MOVES TO STITT'S DESK

Municipal Audit Reform Act of 2022: [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 House on Wednesday by a [vote](#) of 81 to 1.

Open Records/Personal Information: [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 Senate on Thursday by a [vote](#) of 43 to 0. The bill is in the process of being enrolled and sent to the Governor.

MUNICIPAL CAMPAIGN FINANCE ACT SIGNED OUT OF CONFERENCE YESTERDAY

OML's priority on Municipal campaign ethics was signed out of conference yesterday. [HB 3056](#) by Rep. Lonnie Sims (R-Jenks) and Sen. Lonnie Paxton (R-Tuttle) authorizes a to contract with an Interlocal Entity operating under the Municipal Campaign Finance Disclosure for Exempted Municipalities Act and the municipality may alternatively follow the provisions of the Municipal Campaign Finance Disclosure for Exempted municipalities Act when they have adopted their own comprehensive code of campaign finance and personal disclosure ordinances as authorized under this act. Any municipality not subject to the Municipal Campaign Finance and Financial Disclosure Act, or any entity authorized under subsection B of Section 56-103 of Title 11 of the Oklahoma Statutes, may enact a comprehensive code of campaign finance and personal financial disclosure ordinances including policies and provisions for the administration and enforcement thereof. The Ethics Commission shall have no enforcement responsibilities under the Municipal Campaign Finance Disclosure for Exempted Municipalities Act. Municipal governments may provide for hearings, enforcement, and civil fines not to exceed Five Hundred Dollars (\$500.00). Hearings shall be conducted through the municipal court to adjudicate violations of the comprehensive code of campaign finance and personal financial disclosure ordinances.

Any judicial order from a municipal court may be appealed to the district court having jurisdiction over the alleged or adjudicated violator. Municipal governments enacting a comprehensive code of campaign finance and personal financial disclosure ordinances may contract with an interlocal entity.

The bill is now available to be heard in the House.

OML PRIORITIES HEADED TO CONFERENCE

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 Senate has named conferees: J.J. Dossett, Garvin, Leewright, Paxton, Rosino and Taylor. The bill has been assigned to the House Conference Committee on Alcohol, Tobacco, and Controlled Substances.

GOVERNOR STITT VETOES TRIBAL COURT BILL

This week Governor Stitt vetoed **HB 3501** by Rep. David Hardin (R-Stilwell) and Sen. Darrell Weaver (R-Moore). This bill directed 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.

Governor Stitt's veto message said he **vetoed HB 3501** "for the reason that he is the Governor of the State of Oklahoma and is charged with safeguarding State interests and protecting all 4 million Oklahomans.

While Enrolled House Bill 3501 was passed under the guise of public safety, this bill is a wolf in sheep's clothing. It would essentially require the State to carry

out tribal court adjudications, no questions asked. Specifically, it would bind the Department of Public Safety (DPS), a State agency, to recognize and act upon reports of conviction submitted by courts of any federally recognized Indian tribe located anywhere in the State of Oklahoma in the same manner it acts upon reports of conviction from State and municipal courts.

As all involved are no doubt aware, some tribes have rallied around recent requests that the U.S. Supreme Court deny Oklahoma the ability to prosecute crimes committed by non-Indians in nearly half the State, which hamstring's the State's ability to seek justice for Indian and non-Indian victims alike.

If this bill had required of tribes what is expected of all legitimate governments-namely: transparency, accountability, and reciprocity, among others, perhaps I would have signed it. But as it reads now, this bill further erodes more than one hundred and ten years of settle State jurisdiction and sovereignty. As Governor, I will not be a part of any effort to yield to tribes sweeping jurisdiction where legally there is none.

As I have done before, I again invite tribal and other leaders and partners to work with me toward reasonable solutions rather than engaging in aggressive efforts to strip the State of its established authority to prosecute, tax, and regulate all 4 million Oklahomans, regardless of race, background, or affiliation otherwise.

For these reasons, I have vetoed Enrolled House Bill 3501."

BILLS SIGNED BY GOVERNOR STITT

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 services.

Section 1 of this bill takes effect on October 1, 2022. Sections 2 through 8 take effect on November 1, 2022.

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 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 takes effect on November 1, 2022.

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 took effect on May 11, 2022.

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 takes effect on January 1, 2023.

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 takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

Law Enforcement/Protection from Domestic Abuse Act: [HB 4374](#) by Rep. Ross Ford (R-Broken Arrow) creates the Stephen Bernius Memorial Act. It expands the scope of "domestic abuse" as defined under the Protection from Domestic Abuse Act. It modifies the definition of "family or household members" to include persons not related by blood or marriage living in the same household. It defines "living in the same household" as a person who regularly resides in the same, single dwelling unit, persons who resided in the same single-dwelling unit within the past year, or persons who individual lease

agreements whereby each person has his or her own private bedroom and shares the common areas.

The bill took effect on May 11, 2022.

BILLS MOVED TO GOVERNOR STITT'S DESK

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 House on Thursday by a [vote](#) of 91 to 0.

Law Enforcement/Oklahoma Drug Court: [HB 3053](#) by Rep. Brad Boles (R-Marlow) and Sen. Lonnie Paxton (R-Tuttle) provides an option for sentences deferred for a period not to exceed two (2) years if the offense was a first felony offense or when offenders successfully complete drug court programs.

The bill passed the House on Tuesday by a [vote](#) of 86 to 1.

Underage Tobacco Use/Repeals Municipal Enforcement: [HB 3315](#) by Rep. Cynthia Roe (R-Lindsay) and Sen. Mark Allen (R-Spiro) removes the administrative fine for a person under the age of twenty-one (21) who purchases, receives, or has in his or her possession a tobacco product, nicotine product or vapor product and requires the violator to complete an education or tobacco use cessation program approved by the State Department of Health. The bill also removes the ability for cities and towns to enact and municipal police officers to enforce ordinances prohibiting and penalizing the purchase or possession of tobacco, nicotine, or vapor products by a person under the age twenty-one (21).

The bill passed the House on Tuesday by a [vote](#) of 52 to 31.

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 House on Thursday by a [vote](#) of 91 to 0.

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 House on Thursday by a [vote](#) of 65 to 23.

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 House on Thursday by a [vote](#) of 89 to 3.

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). Regardless of power source, 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 shall observe all applicable traffic safety regulations when driving on a public roadway as required by statute 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 Senate on Thursday by a [vote](#) of 36 to 7.

Emergency Medical Transport: [SB 1515](#) by Sen. Darrell Weaver (R-Moore) and Rep. Mike Osburn (R-Edmond) defines "certified emergency medical response agency" to as an organization of any type certified by the Department to provide medical care and limited transport in an emergency vehicle as defined by Section 1-103 of Title 47 of the Oklahoma Statutes. It also provides that a certified emergency medical response agency shall provide transport upon the approval by the appropriate online 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 nontransport of patients is authorized pursuant to applicable medical treatment protocols established by the regional medical director.

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

Sales Tax Exemptions/Nonprofit Women's Veterans Organization: [SB 1496](#) by Sen. Brenda Stanley (R-Midwest City) and Rep. Nicole Miller (R-Edmond) creates a new sales tax exemption for the Oklahoma

Women's Veterans Organization from the sale of tangible property or services.

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

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 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 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 Senate on Thursday by a [vote](#) of 44 to 0.

Drug Court Program: [SB 1548](#) by Sen. Roger Thompson (R-Okemah) and Speaker Pro Tempore Kyle Hilbert (R-Depew) requires in each county with a drug court program that the county commissioners enter into an administrative contract with the Department of Mental Health and Substance Abuse Services (DMHSAS) for establishing a drug court program. Juvenile drug courts may be established based upon the provisions of the Oklahoma Drug Court Act; provided, however, a juvenile shall not be held, processed, or treated in a manner that violates any provision of Title 10A of the Oklahoma Statutes. An offender admitted to the drug court program for a crime which requires the offender to attend a batterers' intervention program certified by the Attorney General's office is required to undergo such treatment as a condition of drug court. Each drug court team shall develop agreed-upon, objective criteria to determine presumptive court eligibility for the offenders. The objective criteria shall be in writing and communicated to potential referral sources including but not limited to judges, law enforcement, defense attorneys, prosecutors, treatment professionals, and community

supervision officers. The bill requires notification be provided to victims if the offender involved in the crime seeks to participate in the program. The coordinator shall file a form with the district attorney if a person wishes to be voluntarily placed in the program as well as keep a record of all presumptively eligible offenders who are not placed in the drug court.

The bill passed the Senate on Tuesday by a [vote](#) of 46 to 0.

BILLS MOVING IN CONFERENCE

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.

The bill has been signed out of conference committee and is available to be heard in the House.

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 House has assigned the bill to the Conference Committee on Rules. Senate conferees have yet to be named.

Medical Marijuana/Temporary and Annual Licenses: [HB 3734](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Cody Rogers (R-Tulsa) creates a temporary and annual licensing program for medical marijuana businesses specified therein. The Oklahoma Medical Marijuana Authority (OMMA) shall make available a temporary medical marijuana dispensary, grower license or medical marijuana processor and an annual license. The application fees for the temporary or annual license shall be paid in the amounts provided for in Section 427.14 of Title 63.

Bill was heard in the House Conference Committee on Alcohol, Tobacco and Controlled Substances and has been open for signatures.

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 bill was signed out of the House Conference Committee on Judiciary -Criminal and is now available in the Senate for signatures.

Healthy Soil Program Act: [HB 4412](#) by Rep. Dick Lowe (R-Amber) and Sen. Roland Pederson (R-Burlington) creates the Healthy Soil Program Act to promote and support farming and ranching systems that increase soil organic matter, aggregate stability, microbiology, and water retention. The bill establishes the Healthy Soil Program to be administered by the Oklahoma Conservation Commission.

The House has assigned the bill to House GCCA. Senate Conferees have yet to be named.

Oklahoma INFORM Act/Online Marketplace: [SB 418](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Ryan Martinez (R-Edmond) creates the Oklahoma INFORM Act. Online marketplace shall require that any high-volume third-party seller on the online marketplace platform provide the online marketplace with information no later than ten (10) calendar days after qualifying as a high-volume third-party seller on the platform. If the Attorney General has reason to believe that any online marketplace has violated or is violating this act or regulation under this act that affects one or more residents of this state, the Attorney General may bring a civil action in district court. The bill prohibits political subdivisions from establishing, mandating, or otherwise requiring online marketplaces to collect or verify information from high-volume third-party sellers on a one-time or ongoing basis or disclose information to consumers.

The bill has been signed out of the Senate and was heard in the House Conference Committee on Judiciary - Criminal and is open for signatures.

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 provides assistance to 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 has been assigned to the Senate and House GCCA committees.

Law Enforcement/Obscene Material/Loitering: [SB 1522](#) by Sen. David Bullard (R-Durant) and Rep. Justin Humphrey (R-Lane) modifies the term "harmful to minors" as it relates to criminal statutes to include the act of any adult to knowingly give obscene material to a minor without direct knowledge or consent of the minor's parents or legal guardian. The measure also provides that "harmful to minors" will include the distribution of such material to vulnerable persons or a person experiencing homelessness. The bill also 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 has been signed out by the Senate [conferees](#) and was heard in the House Conference Committee on Criminal Justice and Corrections and is open for signatures.

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 Senate conferees are Senators: J.J. Dossett, Garvin, Leewright, Paxton, Rosino and Taylor. The House has

assigned it to the Conference Committee on Alcohol, Tobacco, and Controlled Substances.