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

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

LIGHT AT THE END OF THE TUNNEL

There is light at the end of the tunnel as Session is nearing the end. This week the Legislature passed the budget, and all accompanying funding measures this week. The budget includes increases in REAP, grants for the winter storm, water projects, and emergency drought relief. They are headed to Governor Stitt's desk. He has five (5) days to act on these bills which includes Saturday. Should he veto any bill, the Legislature could attempt to override them prior to Sine Die. Any measure that passes next week, the Governor has fifteen (15) days to act.

Pursuant to the Oklahoma Constitution, the Legislature must adjourn by 5:00 p.m. on the final Friday in May. This afternoon, the Senate sent a message to the House and vice versa asking permission to adjourn for more than three days which would start at adjournment today and go until next Thursday. So, we are not ready to turn out the light just yet.

OML AUDIT SOLUTION BECOMES LAW

On Monday, Governor Kevin Stitt signed OML's audit solution for small towns. [HB 1058](#) by Rep. Brad Boles (R-Marlow) and Sen. Zack Taylor (R-Seminole) requires 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. 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ratified by the Legislature on or before December 31, 2023, the Municipal Audit Reform Act of 2022 shall sunset and be repealed as a matter of law.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 takes effect on July 1, 2022.

MUNICIPAL ETHICS BILL PASSED ON TO GOVERNOR

The Senate unanimously passed OML's municipal ethics bill on Thursday by a [vote](#) of 44 to 0 sending it to Governor Stitt's desk. [HB 3056](#) by Rep. Lonnie Sims (R-Jenks) and Sen. Lonnie Paxton (R-Tuttle) authorizes a municipality 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. On Tuesday, the House of Representatives voted to accept the Senate amendments to HB 3056 and passed the bill by a [vote](#) of 86 to 4.

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.

If signed into law, the bill would take effect on November 1, 2022.

BUDGET BILLS BOUND FOR GOVERNOR STITT

The Legislature began rolling out the Nine Billion Eight Hundred Forty Million Two Hundred Sixty-seven Thousand One Hundred Sixty-eight Billion Dollar (\$9,840,267,168.00) budget and companion appropriation bills on Tuesday authored by Appropriations chairmen Sens. Roger Thompson (R-Okemah) and Chuck Hall (R-Perry) and Reps. Kevin Wallace (R-Wellston) and Ryan

Martinez (R-Edmond). Here are the budget bills that impact municipalities:

OWRB/Drought Relief Fund: [HB 2959](#) appropriates to the Oklahoma Water Resources Board the sum of Three Million Dollars (\$3,000,000.00) to the Emergency Drought Relief Fund pursuant to Section 2250 of Title 27A.

The bill passed the House on Wednesday by a [vote](#) of 87 to 1. The bill passed the Senate on Friday by a [vote](#) of 38 to 5.

Progressing Rural Economic Prosperity Fund: [HB 4456](#) creates the "Progressing Rural Economic Prosperity Fund", also known as "PREP Fund". The fund is subject to legislative appropriation or transfer as provided by law and consists of all such monies as the Legislature may direct to be appropriated or transferred to said fund.

The bill passed the House on Wednesday by a [vote](#) of 72 to 17. The bill passed the Senate on Friday by a [vote](#) of 32 to 13.

Oklahoma Route 66 Commission: [HB 4457](#) creates until June 30, 2027, the nine (9) member Oklahoma Route 66 Commission. Of those nine (9) members, one shall be a city manager, assistant city manager, or economic development director for a municipality on Route 66 with a population greater than two (2) years, and renewable for three-year terms appointed by the Senate Pro Tempore. The bill also creates the "Oklahoma Route 66 Commission Revolving Fund" to receive Six Million Six Hundred Thousand Dollars (\$6,600,000.00) for the time the Commission exists.

The bill passed the House on Wednesday by a [vote](#) of 72 to 6. The bill passed the Senate on Friday by a [vote](#) of 39 to 6.

Progressing Rural Economic Prosperity Fund/Appropriation: [HB 4464](#) appropriates Two Hundred Fifty Million Dollars (\$250,000,000.00) to the Progressing Rural Economic Prosperity Fund created in HB 4456.

The bill passed the House on Wednesday by a [vote](#) of 81 to 9. The bill passed the Senate on Friday by a [vote](#) of 31 to 14.

Inflation Relief Stimulus Fund/Appropriation: [HB 4473](#) appropriates the sum of One Hundred Eighty-one Million Twenty-six Thousand Seven Hundred Fifty Dollars (\$181,026,750.00) to the Inflation Relief Stimulus Fund created by HB 4474.

The bill passed the House on Wednesday by a [vote](#) of 74 to 12. The bill passed the Senate on Friday by a [vote](#) of 33 to 10.

Inflation Relief Stimulus Fund: [HB 4474](#) creates the Inflation Relief Stimulus Fund (Fund). The State Treasurer shall make distribution of monies in the Fund on December 1, 2022, or as soon thereafter as possible. The distribution of monies shall be made in the amount of:

- Seventy-five Dollars (\$75.00) with respect to a person having a single filing status for the 2021 income tax year; or
- One Hundred Fifty Dollars (\$150.00) with respect to persons having a married filing status for the 2021 income tax year.

The amount received by the taxpayer is not subject to Oklahoma income tax.

The bill passed the House on Wednesday by a [vote](#) of 78 to 13. The bill passed the Senate on Friday by a [vote](#) of 36 to 9.

OWRB/Grant Programs: [SB 429](#) appropriates Ninety-Five Million (\$95,000,000.00) to the Oklahoma Water Resources Board for several Joint Committee on Pandemic Relief Funding Projects. The breakdown is as follows:

- \$25,000,000.00 for a grant program for communities under 7,000 or rural water districts under 2,300 non-pasture taps.
- \$20,000,000.00 for a grant program for communities over 7,000 or rural water districts over 2,300 non-pasture taps.
- \$5,000,000.00 for a grant program for certain dams.
- \$20,000,000.00 for a grant program to be used with matching tribal investments according to MOUs.
- \$25,000,000.00 to the Lugert-Altus Irrigation District for water conservation needs.

These programs were all approved by the Joint Committee on Pandemic Relief Funding on March 10, 2022.

The bill passed the Senate on Thursday by a [vote](#) of 44 to 1. The bill passed the House on Friday by a [vote](#) of 85 to 0.

General Appropriations/REAP Funding: [SB 1040](#) is the general appropriations bill. Here are a few sections impacting REAP:

- Section 45 the Rural Economic Action Plan Fund is increased to Thirty Million Dollars (\$30,000,000.00).
- Section 110 appropriates Eight Million Four Hundred Forty-five Thousand Three Hundred Twenty-three Dollars (\$8,445,323.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Water Resources Board by law.
- Section 111 directs the Director of OMES to transfer monies from the appropriation made to OWRB in Section 110 to the Rural Economic Action Plan Water Projects Fund (225 Fund) created pursuant to Section 2202.1 of Title 62 in amounts and ratios requested by the agency for the REAP program except that cumulative amount transferred shall not exceed the cumulative amounts of equal monthly allotments of the appropriation to OWRB.

The bill passed the Senate on Wednesday by a [vote](#) of 34 to 13. The bill passed the House on Friday by a [vote](#) of 74 to 15.

Oklahoma Department of Agriculture, Food, and Forestry/Appropriation: [SB 1058](#) in Section 10 appropriates Five Million Dollars (\$5,000,000.00) to be used for grants to incorporated municipalities affected by the extreme weather event that began February 7, 2021, and ended February 21, 2021, as provided for in SB 1091.

The bill passed the Senate on Wednesday by a [vote](#) of 43 to 0. The bill passed the House on Friday by a [vote](#) of 84 to 0.

Sales and Use Tax: [SB 1075](#) eliminates the one and twenty-five hundredths percent (1.25%) state sales tax levy on the purchase price of a vehicle. The bill also repeals the language that the sale of vehicles is not subject to any sales and use taxes levied by cities, counties, or other jurisdictions of the state.

The bill passed the Senate on Wednesday by a [vote](#) of 35 to 9. The bill passed the House on Friday by a [vote](#) on 73 to 10.

Municipal Utilities/February 2021 Winter Storm Grant: [SB 1091](#) creates the "February Winter 2021 Winter Storm Revolving Fund" in the Oklahoma Department of Agriculture, Food and Forestry (Department) to provide grants to an incorporated municipalities to mitigate

extreme purchase costs, extraordinary costs, or both, incurred by the incorporated municipality's owned or controlled unregulated utility affected by the extreme weather event that began February 7, 2021. To qualify for the grant, the following requirements must be met:

1. The incorporated municipality must show proof of extreme purchase costs, extraordinary costs, or both incurred by the incorporated municipality's owned or controlled unregulated utility.
2. The population of the incorporated municipality shall be no greater than three thousand five hundred (3,500) persons according to the most recent Federal Decennial Census or most recent annual estimate of the population by the United States Census Bureau; and
3. The incorporated municipality's owned or controlled unregulated utility has had no costs mitigated through securitization as provided by Sections 9070 through 9081 of Title 74 of the Oklahoma Statutes.

The Department is required on or before February 1, 2023, to provide a report to the Governor, President Pro Tempore of the Senate, and the Speaker of the House of Representatives that include the list of municipalities who applied for the grant, the amount requested by each municipality, municipalities that were awarded grants, the amount of each grant awarded, and any other information the Department determines to be necessary.

The bill passed the Senate on Wednesday by a [vote](#) of 36 to 10. The bill passed the House on Friday by a [vote](#) of 72 to 12.

SPECIAL SESSION CALLED TO ADDRESS FEDERAL FUNDING

On Wednesday, the Legislature [called](#) for the 2nd Extraordinary Session to ensure the proper oversight of expenditures federal funding pursuant to the American Rescue Plan Act of 2021, H.R. 1319, P.L. 117-2 ("ARPA) and the Infrastructure Investment and Jobs Act, H.R. 3684, P.L. 116-58, matters related to the provisions of the LEAD Act created in Enrolled HB 4455; and matters related to critical statewide economic development.

[HB 3349](#) by Speaker Charles McCall (R-Atoka) and Senator Pro Tempore Greg Treat (R-OKC) creates the Statewide Recovery Fund subject to legislative appropriation. All such monies received by the state after the effective date of this act pursuant to the American Rescue Plan Act of 2021, Public Law No. 117-2, Section 604 "Coronavirus Capital Projects Fund" and Section 9901 "Coronavirus State and Local Recovery Funds", less

and except the funds dedicated to the Nonentitlement Units of Local Government (NEU) as described in the American Rescue Plan Act of 2021. All interest and income derived from deposits to the Statewide Recovery Fund shall be credited to the Statewide Recovery Fund.

On Wednesday the House passed it by a [vote](#) of 79 to 5 and the Senate by a [vote](#) of 46 to 0.

[SB 1495](#) by Senator Pro Tempore Greg Treat (R-OKC) and Speaker Charles McCall (R-Atoka) appropriates Nine Hundred Thirty Million Two Hundred Six Thousand Three Hundred Six Dollars (\$930,206,306.00) to the Statewide Recovery Fund created by HB 3349.

On Wednesday the Senate passed it by a [vote](#) of 44 to 0 and the House by a [vote](#) of 84 to 5.

Both bills move to Governor Stitt's desk.

BILLS SIGNED BY GOVERNOR STITT

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 takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

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 takes effect on November 1, 2022.

Drug Court Programs: [SB 1548](#) by Sen. Roger Thompson (R-Okemah) and Speaker Pro Tempore Kyle Hilbert (R-Depew) allows juvenile drug courts to be established based upon the provisions of the Oklahoma Drug Court Act; provided, however, a juvenile shall not be held, processed, or treated in any manner which violates any provision of Title 10A of the Oklahoma Statutes. Whenever possible, a drug court team shall be designated consisting of a judge to preside over the drug court judicial process and hold proceedings where participants are advanced through the program and adds a drug court coordinator to the drug court team. 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 takes effect on May 16, 2022.

BILLS MOVED TO GOVERNOR STITT'S DESK

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 House on Monday by a [vote](#) of 90 to 0.

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 licenses for an amount of time the Authority deems necessary. Beginning August 1, 2022, and ending August 1, 2024, OMMA shall, based on the number of current medical marijuana business licenses for processors, dispensaries, and commercial growers, declare and establish a moratorium on new licenses. The

Executive Director of OMMA has the authority to terminate the moratorium at any time prior to August 1, 2024, if the Executive Director determines that all pending licensing reviews, inspections, or investigations have been completed by OMMA. This does not apply to the renewal of medical marijuana business licenses for dispensaries, processors, or commercial growers.

The bill passed the House on Wednesday by a [vote](#) of 64 to 17. However, the emergency failed by a [vote](#) of 66 to 11.

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 shall be served upon the accused in the same manner as a bench warrant. If the service is to be in another county, the court clerk may issue service to the sheriff by facsimile or another electronic transmission for service by the sheriff and may receive the return of service from the sheriff in the same manner.

The bill passed the House on Wednesday by a [vote](#) of 82 to 6.

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 House on Friday by a [vote](#) of 77 to 1.

Court Costs Compliance Program/Cost Administration Implementation Committee: [HB 3925](#) by Rep. Danny Sterling (R-Tecumseh) and Sen. Brent Howard (R-Altus) creates the Cost Administration Implementation Committee with 13-members, two of those being two municipal court judges or their designees to be selected by OMJA. The Committee shall oversee the implementation and make recommendations to the Legislature for any changes it deems necessary and appropriate for the administration of court fines, fees, costs, and assessments. Effective July 1, 2023, it establishes the court cost compliance program with the purpose of assisting county sheriffs and the courts of this state 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 pursuant to Section 983 of Title 22 of the Oklahoma Statutes. It also requires municipal courts to set a regular time and courtroom for cost hearings. 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. When the judgment and sentence of a court, either in whole or in part, imposes fines, costs, fees, or assessments upon a defendant, the court at the time of sentencing shall require the defendant to complete under oath a form that provides current information regarding the financial ability of the defendant to pay. The information required on the form to be included, but not limited to, the individual and household income and living expenses of the defendant, excluding child support and any monies received from a federal or state government need-based or disability assistance program, the number of

dependents, a listing of assets, excluding assets exempt from bankruptcy, child support obligations, health, mental or behavioral health conditions that diminish the ability of the defendant to pay restitution, and additional court-related expenses to be paid by the defendant. Municipal courts, in lieu of mailing the summons provided for in subsection F of this section, may give the defendant personal notice at the time of sentencing of a specific date, time, and place, not less than sixty (60) nor more than one hundred twenty (120) days from the date of sentencing to appear for a cost hearing if the fines, costs, fees, and assessments remain unpaid. If a defendant is found by a law enforcement officer to have an outstanding warrant for FAILURE TO APPEAR – COST HEARING, the law enforcement officer shall release the defendant and issue a citation to appear pursuant to Section 209 of this title. If the defendant fails to appear at the time and place cited by the law enforcement officer, the court may issue a summons or warrant as provided in Section 209 of this title. The provisions of this subsection shall not apply to a municipal court if the municipal court has previously provided personal service to the defendant of an opportunity for a cost hearing.

The bill passed the House on Thursday by a [vote](#) of 84 to 0. The bill passed the Senate on Friday by a [vote](#) of 44 to 0.

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 House on Friday by a [vote](#) of 74 to 6.

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 to improve the health, yield, and profitability of the soils of the state. The bill establishes the Healthy Soil Program to be administered by the Oklahoma Conservation Commission.

The bill passed the House on Thursday by a [vote](#) of 76 to 9. The bill passed the Senate on Friday by a [vote](#) of 38 to 5.

Firearms/Felons: [SB 186](#) by Sen. David Bullard (R-Durant) and Rep. 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 Senate on Monday by a [vote](#) of 43 to 1.

Law Enforcement/Impaired Driving/Driving Revocations: [SB 366](#) by Sen. Kim David (R-Porter) and Speaker Pro Tempore Kyle Hilbert (R-Depew) makes numerous changes to various sections of law in Title 47 on revocation and restoring of driving privileges including administrative and legal actions, the Impaired Driver Accountability Program changes, and penalties. The bill repeals Sections 6-212.6, 754.1, 754.2 and 755 of Title 47.

The bill passed the Senate on Thursday by a [vote](#) of 40 to 0.

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 passed the Senate on Friday by a [vote](#) of 34 to 10.

Homeland Security/Department of Emergency Management: [SB 488](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Lonnie Sims (R-Jenks) creates within the Oklahoma Department of Emergency Management, the Office of Homeland Security. The Director of the Department shall be the chief officer and shall appoint the Homeland Security Advisor who is responsible to the Director for the operation and administration of the Office. The Commissioner of Public Safety may commission the Director, Advisor, and designated staff within the agency as peace officers. All commissioned staff must obtain and maintain certification as law enforcement officers by CLEET.

The bill passed the Senate on Monday by a [vote](#) of 38 to 3.

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 those challenges or attempts to modify election procedures prescribed by statute.

The bill passed the Senate on Monday by a [vote](#) of 35 to 8.

Police Pensions/Disability: [SB 743](#) by Sen. Darrell Weaver (R-Moore) and Rep. Anthony Moore (R-Clinton) modifies the definition of permanent in-line disability as used in the Oklahoma Police Pension and Retirement System to mean when a police officer serving in any capacity at a regular police department of a participating municipality becomes so physically or mentally disabled, as determined by an independent medical examiner, psychiatrist or psychologist selected by the State Board, while in, and in consequence of, the performance of authorizing activities while on duty as an officer that he or she is unable to perform the required duties of a police officer. The bill modifies the normal disability benefit for members with a permanent in-line disability to be the greater of two and one-half percent (2.5%) of the

member's final average salary multiplied by the years of credited service of the member, not to exceed thirty (30) years if the officer has more than twenty (20) years of credited service. The bill also modifies the benefit for members who have a permanent and partial disability from any cause and have completed 10 years of services on the basis of the following: • 1% to 49% impaired = 50% of accrued retirement benefit; • 50% to 74% impaired = 75% of accrued retirement benefit; and • 75% to 99% impaired: 100% of accrued retirement benefit.

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

Sales Tax Exemption/Nonprofits: [SB 1305](#) by Sen. Dave Rader (R-Tulsa) and Rep. Nicole Miller (R-Edmond) Sales Tax Exemption/Nonprofits: 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 passed the Senate on Friday by a [vote](#) of 43 to 0.

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 Senate on Friday by a [vote](#) of 43 to 0.

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

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 Senate on Tuesday by a [vote](#) of 45 to 1. The bill passed the House on Thursday by a [vote](#) of 86 to 1.

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 location of any medical marijuana commercial grower shall not be within one thousand (1,000) feet of any public or private school as measured from the nearest property line of such public or private school to the nearest property line of the licensed premises of such medical marijuana commercial grower. The location of the medical marijuana commercial grower shall not adjoin to any public or private school or be located at the same physical address as the public or private school. If the commercial grower met the requirements at the time of its initial licensure, the medical marijuana commercial grower licensee shall be permitted to continue operating at the license premises and not subject to renewal or revocation to subsequent events or changes in regulations occurring after licensure that would render the medical marijuana commercial grower in violation of this paragraph. If any public or private school is established within one thousand (1,000) feet of any medical marijuana commercial grower after such grower has been licensed, or if any public or private school is established adjoining to or at the same physical address as any medical marijuana commercial grower after such medical marijuana commercial grower has been licensed, this paragraph shall not be a deterrent to the renewal or such license or warrant revocation of the license. A property owned, used, or operated by a public school or by a private school that is not used for classroom instruction on core curriculum, such as an administrative building, athletic facility, ballpark, field, or stadium does not constitute a public school or private school unless such property is located on the same campus as a building used for classroom instruction on core curriculum.

The bill passed the Senate on Monday by a [vote](#) of 43 to 1.

Medical Marijuana Commercial Grower License Registration/Signage: [SB 1737](#) by Sen. Blake Stephens (R-Tahlequah) and Rep. Kenton Patzkowsky (R-Balko) requires, beginning November 1, 2022, all medical marijuana commercial growers who operate medical marijuana production facilities to register with the Oklahoma Department of Agriculture, Food, and Forestry as an environmentally sensitive crop owner. Registration shall provide notice to commercial and private pesticide applicators of the locations of medical marijuana crops and help minimize the potential for damaging pesticide drift. Medical marijuana commercial grower licensees shall provide their business name, address, Global Positioning System (GPS) coordinates for

all outdoor medical marijuana production facilities, and any other information required by the Department when registering with the Environmentally Sensitive Area Registry. The bill also requires, upon the effective date of this act, all medical marijuana commercial grower licensees to post signage at the site of the commercial grow operation. Signage shall be located at the perimeter of the property with dimensions measuring no less than eighteen (18) inches by twenty-four (24) inches with a font size of no less than two (2) inches. Information required to display on the sign shall be in black standardized font on a white background. OMMA shall promulgate rules regarding the size, placement, issuance, and specifications of the required signage. The required signage shall also comply with county regulations and local ordinances related to the real property where the commercial grow operation is located. Failure to erect the proper signage within sixty (60) days after the renewal of each application accordance with the provisions of this subsection shall result in immediate revocation of the medical marijuana commercial grower license. Upon issuance of a temporary license, all medical marijuana commercial grower licensees shall be required to comply with the provisions of this subsection prior to the prelicensure inspection conducted by OMMA.

The bill passed the Senate on Tuesday by a [vote](#) of 43 to 3. The bill passed the House on Thursday by a [vote](#) of 75 to 4.