

02-23

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### Oklahoma Right to Garden Proposal has Grown into Agreement

After several conversations from last year to this year and some language from Arkansas, Rep. Rick West (R-Heavner) has amended his proposal on the Oklahoma Right to Garden Act of 2023. While the original bill preempted cities and towns from banning gardens, the new version of [HB 1008](#) allows an individual the right to engage in growing their own vegetables in a garden on their personal property for personal consumption, subject to restrictions rationally related to a governmental purpose. A municipality, city or town is not prohibited from enacting content-neutral ordinances or regulations that address the following: limiting the size and proximity of gardens to roadways, structures, or other locations that impact health and safety; or the enforcement of constitutional and lawful ordinances adopted by municipalities that are in conformity with general powers that do not specifically ban gardening, including, but not limited to, regulations and ordinances related to water usage during drought conditions, fertilizer use, or control of invasive species.

We appreciate the Representatives willingness to work with OML on this issue.

The bill is scheduled to be heard in the House Agriculture Committee on Tuesday, February 14, 2023, at 3:00 p.m. in Room 206.

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### TIF Bill to Limit Local Control

[HB 1379](#) by Rep. Tom Gann (R-Inola) requires the governing body to submit the proposed district or proposed plan to the voters of the applicable jurisdiction. If the district, plan, or project is sponsored by a city or town, the question for creation of the district, plan or project shall be submitted to a vote of the eligible voters of the applicable city or town. No district, plan or project shall be created or approved unless a majority of the eligible voters voting on such question as provided by this subsection approve the creation of the district. The bill removes the ability to discuss confidential information regarding proposed plans in executive session. [HB 1379](#) is scheduled to be heard in [House General Government Committee](#) on Tuesday, February 14<sup>th</sup> at 10:30 a.m. in Room 5S.2. Please contact the members and ask them to vote **NO**.

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## Bills on the Move

**Firearms/Removes Restrictions:** [HB 1380](#) by Rep. Tom Gann (R-Inola) and Sen. Jerry Alvord (R-Wilson) clarifies training requirements when qualifying for a handgun license. The bill removes the eligibility restriction for firearm instructors and directs firearm instructors to approve applicants under certain circumstances. The bill removes eligibility restrictions for semiautomatic ratings and removes the specific qualifications for honorably discharged military personnel who may be exempt from training courses. The restrictions that delay the issuance of a handgun license is also deleted.

The bill passed the House Public Safety Committee on Tuesday by a [vote](#) of 6 to 2.

**Law Enforcement Escorts:** [HB 1393](#) by Rep. Steve Bashore (R-Miami) modifies the responsibility from ODOT to DPS a fee covering the full cost to administer, plan and carry out the escort within this state.

The bill passed the House Public Safety Committee on Tuesday by a [vote](#) of 8 to 0.

**Firearms/Boating Safety Regulation Act:** [HB 1404](#) by Rep. Bob Ed Culver (R-Tahlequah) makes it unlawful to discharge a firearm from a vessel unless it is in self-defense. The bill modifies the punishment of fees and fines. It also removes the provisions of transporting handguns by licensees.

The bill passed the House Public Safety Committee on Tuesday by a [vote](#) of 6 to 2.

**Oklahoma 9-1-1 Management Authority:** [HB 1897](#) by Rep. Josh Cantrell (R-Kingston) amends Section 2862 of Title 63 by adding definitions used by the Oklahoma 9-1-1 Management Authority. The bill repeals Sections 2811, 2812 and 2813 of Title 63.

The bill passed the House Public Safety Committee on Tuesday by a [vote](#) of 8 to 0.

**Civil Procedure/Default Judgments:** [HB 2372](#) by Rep. Chris Kannady (R-OKC) declares nothing in any provision of this title or in any local or district court rule shall be construed to require either a motion or a hearing for default judgment, and no notice shall be necessary, if, after service of

summons and petition, a defendant fails to timely file with the court clerk within twenty (20) days a written appearance, answer, motion, pleading, or response as provided in subsection A of this section. Contact or communication with the plaintiff or attorney of the plaintiff shall not constitute an appearance, answer, motion, pleading, or response unless the contact or communication is in writing and is also timely filed by the defendant in writing with the court clerk as provided in subsection A of this section. The provisions of this subsection shall not be construed to prevent an evidentiary hearing concerning the amount of damages to be awarded. Interest on a judgment shall also apply to the amounts collected on any judgment enforced during the pendency of an appeal which is subsequently overturned on appeal when restitution is paid to the defendant.

The bill passed the House Judiciary - Civil Committee on Thursday by a [vote](#) of 10 to 0.

**City-County Library Meetings:** [SB 5](#) by Sen. Kevin Matthews (D-Tulsa) and Rep. Monroe Nichols (D-Tulsa) reduces the number of meetings held by the city-county library commission from monthly to six (6) times a year to transact necessary business.

The bill was amended and passed the Senate General Government Committee on Thursday by a [vote](#) of 8 to 0.

**Prevention of Youth Access to Tobacco:** [SB 34](#) by Sen. Chuck Hall (R-Perry) updates the statutes relating to the Prevention of Youth Access to Tobacco.

The bill passed the Senate General Government Committee on Thursday by a [vote](#) of 8 to 0.

**Construction Industries Board/Sunset:** [SB 61](#) by Sen. Julie Daniels (R-Bartlesville) extends the sunset date for the Construction Industries Board (CIB) to July 1, 2026.

The bill passed the Senate Business and Commerce Committee on Wednesday by a [vote](#) of 12 to 0.

**Hotel Licenses:** [SB 73](#) by Sen. Dave Rader (R-Tulsa) and Rep. Clay Staires (R-Skiatook) increases the

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number of rooms that declares a hotel from four (4) to seven (7). The bill also replaces the State Board of Health as the issuing and regulatory body to the Commissioner of Health.

The bill passed the Senate Health & Human Services Committee by a [vote](#) of 12 to 0.

**Youthful Offender Act:** [SB 77](#) by Sen. Brent Howard (R-Altus) and Rep. Anthony Moore (R-Clinton) modifies the issuance of a court order to pay certain fees permissive for a certification study upon a motion for imposition of an adult sentence.

The bill passed the Senate Judiciary Committee on Tuesday by a [vote](#) of 11 to 0.

**Medical Marijuana/Setback for Places of Worship:** [SB 116](#) by Sen. David Bullard (R-Durant) and Rep. Danny Williams (R-Seminole) creates a one thousand (1,000) feet setback requirement from any place of worship for medical marijuana commercial grower facilities. The bill provides that facilities already licensed and located within one thousand (1,000) feet of a place of worship or located in an area in which a place of worship is established at a later date shall not be barred from license renewal.

The bill passed the Senate Business and Commerce Committee on Wednesday by a [vote](#) of 12 to 0.

**Juveniles/Voluntary Participation:** [SB 159](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Mark Lawson (R-Sapulpa) allows prior to adjudication, a parent or legal guardian to voluntarily participate in services related to the behaviors and conditions that led to the filing of a deprived petition. Participation in such services is not to be construed as an admission of guilt and is not to be used as evidence for the purpose of adjudication or disposition.

The bill passed the Senate Judiciary Committee on Tuesday by a [vote](#) of 11 to 0.

**Emergency Operations Plans:** [SB 230](#) by Sen. Julie Daniels (R-Bartlesville) requires emergency operations plans to include a response to a catastrophic health emergency as defined in 63 O.S. 2021, Section 6104. The bill repeals 63 O.S. 2021, Section 6105, which is the Oklahoma Catastrophic Health Emergency Planning Task Force.

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The bill passed the Senate Public Safety Committee on Thursday by a [vote](#) of 10 to 1.

**Oklahoma Broadband Expansion Act/Turnpike:** [SB 235](#) by Sen. Dave Rader (R-Tulsa) adds the Oklahoma Turnpike Authority to the list of exempt entities.

The bill passed the Senate Energy & Telecommunications Committee on Thursday by a [vote](#) of 9 to 2.

**Judges/Drug Courts:** [SB 240](#) by Sen. Brent Howard (R-Altus) clarifies that when a district court establishes a drug court program, the judge presiding over the program shall cause to be established a drug court docket.

The bill passed the Senate Judiciary Committee on Tuesday by a [vote](#) of 11 to 0.

**Registration of Real Property:** [SB 241](#) by Sen. Julia Kirt (D-OKC) removes the prohibition of municipal registration of real property.

The bill passed the Senate General Government Committee by a [vote](#) of 8 to 2.

**Tort Claims/Libraries:** [SB 261](#) by Sen. Brent Howard (R-Altus) modifies the definition of "political subdivision" under the Governmental Tort Claims Act to include public libraries.

The bill passed the Senate Judiciary Committee on Tuesday by a [vote](#) of 10 to 1.

**Rural Hospitals/SHOPP:** [SB 293](#) by Sen. Chuck Hall (R-Perry) defines "rural emergency hospital" to include a hospital that provides emergency treatment and stabilization services for an average length of stay of twenty-four (24) hours or less.

The bill passed the Senate Health & Human Services Committee on Thursday by a [vote](#) of 10 to 0. The bill heads to the Senate Appropriations Committee.

**Sales Tax Exemption/Air and Space Museums:** [SB 313](#) by Sen. Dana Prieto (R-Tulsa) and Speaker Pro Tempore Kyle Hilbert (R-Bristow) adds a new sales tax exemption for personal property or services to a nonprofit entity located in a county that has a population of at least six hundred thousand (600,000) persons that owns or owns and operates a

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museum the principal purpose of which is to educate persons about the history of aviation, rocketry, and the United States space program, and which provides educational information on a variety of topics related to aviation and either manned or unmanned exploration of space.

The bill passed the Senate Finance Committee on Wednesday with the title stricken by a [vote](#) of 10 to 2. The bill heads to the Senate Appropriations Committee.

**Sales Tax Exemption/Gold Star Mothers:** [SB 318](#) by Sen. Micheal Bergstrom (R-Adair) modifies the exemption for sales of tangible personal property to a service of organization of mothers who have children who are serving or who have served in the military. The bill removes the language stating the exemption does not apply to a city, town, county, or any other jurisdiction in this state.

The bill passed the Senate Finance Committee on Wednesday with the title stricken by a [vote](#) of 9 to 0. The bill heads to the Senate Appropriations Committee.

**Sales Tax Exemption/Nonprofit Entities Construction:** [SB 387](#) by Sen. Dave Rader (R-Tulsa) provides the exemption that includes the sales of tangible personal property or taxable services consumed or incorporated in the construction of a facility placed in service during calendar year 2023. The exemption shall include sales and taxable services to the organization and to any person, entity, contractor, or subcontractor with whom the organization has duly entered into a construction contract necessary for carrying out the contract. For sales tax paid on purchases that would otherwise be exempt but occurred before the effective date of this act, OTC shall make refunds to the purchasers in the full amount of the sales tax paid, as documented by the purchaser and verified by OTC.

The bill passed the Senate Finance Committee on Wednesday with the title stricken by a [vote](#) of 9 to 2. The bill heads to the Senate Appropriations Committee.

**Sales Tax Exemption/Neglected Children/School Supplies:** [SB 406](#) by Sen. Dave Rader (R-Tulsa) and Rep. Jeff Boatman (R-Tulsa) creates a new sales tax

exemption for nonprofit organizations whose principal functions of which are to prevent child abuse and neglect through education, treatment and advocacy and operates a facility that offers comprehensive community-based services for abused or neglected children from birth through eighteen (18) years of age. To be eligible for the exemption, the organization must provide the following documentation to OTC: articles of incorporation, organizational by-laws, and a notarized letter from the president or chairman of the organization stating the services provided by the organization. The sales of tangible personal property or services to or by an organization in this state which is nonprofit and provides documentation to OTC showing the organizations principal purpose is to provide school supplies or articles of clothing for underserved students attending grades pre-K through 12 at public schools. The exemption provided by this paragraph shall include materials, supplies, and equipment used in the construction or improvement of buildings and other structures owned by the organization and operated in pursuit of the organizations primary and principal purpose. The exemption shall apply to sales to the organization and to sales to any person with whom the organization has duly entered into a construction contract, necessary for carrying out the contract or to any subcontractor to the construction contract.

The bill passed the Senate Finance Committee on Wednesday with the title stricken by a [vote](#) of 8 to 3. The bill heads to the Senate Appropriations Committee.

**Women's Bill of Rights:** [SB 408](#) by Sen. Jessica Garvin (R-Duncan) creates the Women's Bill of Rights. The purpose is to bring clarity, certainty, and uniformity under the laws of this state with respect to natural persons of both biological sexes and the manner in which they are treated as such under the laws of this state. The bill defines a "man" and a "woman". Any policy, program or statute that prohibits sex discrimination is to be construed to forbid unfair treatment of females or males in relation to similarly situated members of the opposite sex. The state or its political subdivisions shall not be prohibited from establishing distinctions between sexes when such distinctions



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are substantially related to an important government objective including but not limited to biology, privacy, safety, or fairness in locations and circumstances such as prisons or other detention facilities, domestic violence shelters, rape crisis centers, athletics and locker rooms, and restrooms. Also, equal, with reference to sex as defined in Section 62 of this title, shall not be construed to mean same or identical, and to differentiate between the sexes shall not necessarily be construed to be treating the sexes unequally.

The bill passed the Senate General Government Committee on Thursday by a [vote](#) of 8 to 2.

**Workers' Compensation/Cumulative Trauma:** [SB 411](#) by Sen. Julie Daniels (R-Bartlesville) adds the date of injury for cumulative trauma to be the last date of injurious exposure prior to the filing date of the Employees First Notice of Claim for Compensation.

The bill passed the Senate Retirement & Insurance Committee on Tuesday by a [vote](#) of 8 to 2.

**Workers' Compensation:** [SB 413](#) by Sen. Julie Daniels (R-Bartlesville) provides the date of the injury means the date an injury is caused by an accident and date of issuance of medical benefits means the date of service of the medical benefit.

The bill passed the Senate Retirement & Insurance Committee on Tuesday by a [vote](#) of 7 to 2.

**Retirement/IRS Regulations:** [SB 434](#) by Sen. John Montgomery (R-Lawton) requires each state retirement system, including OPERS, Uniform Retirement System for Justices and Judges, Teachers Retirement System, OLERS, OKFPRS, and OPPRS, to adopt any administrative rules deemed necessary by the system to ensure compliance with regulatory requirements of the IRS.

The bill passed the Senate Retirement & Insurance Committee on Tuesday by a [vote](#) of 9 to 0.

**Broadband Services/Municipal Agreements:** [SB 460](#) by Sen. Roger Thompson (R-Okemah) modifies the definition of "video services" to include wireline facilities that are owned, controlled, constructed, or operated by the provider of such video service and located at least in the part in the public right of way.

Video services does not include video programming provided by a commercial mobile service provider as defined in 47 U.S.C., Section 332(d)(1); direct-to-home satellite services as defined in 47 U.S.C., Section 303(v) that are transmitted from a satellite directly to a customer's premises without using or accessing any portion of the public right-of-way; or video programming accessed over the internet, including streaming content.

The bill passed the Senate General Government Committee on Thursday by a [vote](#) of 10 to 0.

**Sales Tax Exemption/Rolling Stocks/Sunset:** [SB 463](#) by Sen. Roger Thompson (R-Okmulgee) extends the sunset on the sales tax exemption for the sales or leases of rolling stocks to July 1, 2029.

The bill passed the Senate Finance Committee on Wednesday with the title stricken by a [vote](#) of 11 to 0. The bill heads to the Senate Appropriations Committee.

**Firearms/Felons Restored Rights:** [SB 476](#) by Sen. David Bullard (R-Durant) provides that a felon who has previously been convicted of a nonviolent felony and completed the entirety of the sentence imposed for the offense and for a period of five (5) years since the completion of the sentence has had no additional misdemeanor or felony offense convictions or charges pending shall have the right to transport, possess, and carry any non-semi-automatic firearm, may apply for a and carry a handgun, concealed or unconcealed. Such rights shall be forfeited upon conviction of a subsequent misdemeanor or felony of child endangerment, domestic abuse, incest, indecent exposure, sexual assault, stalking, violation of a protective order, and violations of the Sex Offenders Registration Act.

The bill passed the Senate Public Safety Committee on Thursday by a [vote](#) of 11 to 1.

**Smoking in Front of Minors/Violations:** [SB 501](#) by Sen. Jessica Garvin (R-Duncan) assesses a fine at no more than One Hundred Dollars (\$100.00) and no less than Fifty Dollars (\$50.00) for any person who knowingly smokes tobacco, marijuana, or uses a vapor product in an automobile where a minor is present. Proceeds from the assessed fine shall be

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deposited into the Tobacco Prevention and Cessation Revolving Fund.

The bill passed the Senate Public Safety Committee on Thursday by a [vote](#) of 9 to 1.

**OK Electric Vehicle Charging Act:** [SB 502](#) by Sen. Chuck Hall (R-Perry) creates the Oklahoma Electric Vehicle Charging Act. The bill defines "retail electric supplier" to mean any person, firm, corporation, association, electric cooperative, municipal corporations, or beneficial trusts engaged in the furnishing of retail electric service. The bill provides that a retail electric supplier that owns or operates an electric vehicle charging station shall do so only through a separate, unregulated entity and must do so on the same fees, terms, charges, and conditions offered to private providers of electric vehicle charging stations. The bill prohibits the subsidy of such stations after December 31, 2023. Such providers shall not be classified as public utilities. The bill also requires each supplier to maintain a commercial direct current fast charging station tariff utilizing alternatives to traditional demand-based rate structures. The fees shall not discriminate among electric vehicle charging providers. Suppliers shall file the collected tariff with the Corporation Commission if such entities are listed with the Commission. If the supplier is not listed with the Commission, it shall publish an initial tariff that complies with the requirements of this measure by October 1, 2024.

The bill passed the Senate Energy & Telecommunications Committee with the title stricken on Thursday by a [vote](#) of 11 to 0. The bill heads to the Senate Finance Committee.

**Competitive Bidding/Donations:** [SB 508](#) by Sen. Chuck Hall (R-Perry) provides that the Public Competitive Bidding Act of 1974 to not apply to a monetary donation made to a municipality for a specific public purpose which has been approved by the municipal government.

The bill passed the Senate General Government Committee on Thursday by a [vote](#) of 9 to 0.

**Electric Utilities/Wildland Fire Protection Act:** [SB 517](#) by Sen. Joe Newhouse (R-Broken Arrow) creates the Wildland Fire Protection Act. Electric utilities

operating in this state may prepare an electrical wildland fire protection plan with the requirements as deemed necessary by the utility for the purpose of mitigating wildland fires. The plan shall include the areas within the service area of the electric utility; the procedures, standards and time frames that the electric utility will use to inspect its infrastructure and perform vegetation management; proposed modifications and upgrades to facilities; preventative programs that will reduce the risk of its electric facilities initiating a wildfire; procedures the electric utility will use to restore power in the event of a wildland fire; and potential consultation, if applicable, with state or local wildland fire protection plans. Any electric utility that prepares a plan must make it available for public inspection. An electric utility may recover in rates all prudently incurred investments and expenditures, including capital costs as a result of the implementation of the plan. Utilities that have adopted a plan shall not be considered liable.

The bill as amended passed the Senate Energy & Telecommunications Committee with the title stricken on Thursday by a [vote](#) of 10 to 0.

**Initiative & Referendums/Requirements:** [SB 518](#) by Sen. Julie Daniels (R-Bartlesville) requires voters signing a petition to place a measure on the ballot for the next election to sign using his or her legal name. The measure also authorizes the Secretary of State to charge a filing fee not to exceed Seven Hundred Fifty Dollars (\$750.00) to cover the cost of publication of notice as it relates to filing a petition. The notice must be published on the Secretary's website. Notice of such filing shall be provided to the President Pro Tempore of the Senate and the Speaker of the House of Representatives. The time period to protest a petition is increased from ten (10) days to twenty (20) days after publication.

The bill passed the Senate Judiciary Committee on Tuesday by a [vote](#) of 8 to 3.

**Emergency Medical Services:** [SB 536](#) by Sen. Paul Rosino (R-OKC) resolves conflicting duplicate sections in the Oklahoma Emergency Response Systems Development Act. It provides that ambulance services shall include comprehensive integrated medical care in emergency and nonemergency settings under the supervision of a

physician. The bill creates a regulatory framework for the creation of community paramedic services that will mitigate unnecessary use of ambulatory services. Such services must be part of a care plan ordered by a primary health care provider or hospital provider as well as include health assessment, chronic disease monitoring and education, medication compliance, immunizations and vaccinations, laboratory specimen collection, hospital discharge follow-up care, and minor medical procedures compliant with the community paramedic's scope of practice and approved by the ambulance medical director. The bill repeals Section 1-2503 of Title 63 pertaining to the Oklahoma Emergency Response Systems Development Act.

The bill passed the Senate Health & Human Services Committee on Thursday by a [vote](#) of 11 to 0.

**Oklahoma Housing Authority:** [SB 580](#) by Sen. Chuck Hall (R-Perry) modifies the term "area of operation" as it relates to the Oklahoma Housing Authorities Act adding in the case of an authority of a city or of a county, and only for a period of time beginning on the effective date of this act and ending on December 31, 2026.

The bill passed the Senate General Government Committee on Thursday by a [vote](#) of 9 to 1.

**Law Enforcement/Human Trafficking:** [SB 661](#) by Sen. Cody Rogers (R-Tulsa) creates in the State Treasury a revolving fund for the Office of the Attorney General to be designated the "Victims of Human Trafficking and Prevention Revolving Fund". The fund shall consist of all monies received from penalties imposed by the courts on convictions of human trafficking violations and funds received from any other source, including legislative appropriations. The purposes of the fund, include, but are not limited to: 1) educating the public about the recruitment, trafficking, and exploitation of persons through human trafficking; 2) assisting in the prevention of recruitment in schools of minors for exploitation; 3) establishing a survivors' resource center to make information available to survivors about services and resources, including legal services, social services, safe harbors, safe houses, and language services; 4) assisting in coordination between law enforcement agencies and service providers; and 5) providing information concerning

a petition for expungement of a criminal history record resulting from the arrest or filing of charges for an offense committed or reported to have been committed while the person was a victim of human trafficking.

The bill passed the Senate Public Safety Committee on Thursday by a [vote](#) of 11 to 0. The bill heads to the Senate Appropriations Committee.

**Law Enforcement/Seatbelts for 16 Years or Younger:** [SB 681](#) by Sen. Roland Pederson (R-Burlington) requires every passenger sixteen (16) years or younger in the back seat of a passenger vehicle to wear a properly adjusted and fastened safety seat belt, unless otherwise provided for in a child passenger restraint system.

The bill passed the Senate Public Safety Committee on Thursday by a [vote](#) of 11 to 1.

**OPERS/Emergency Medical Personnel:** [SB 692](#) by Sen. Casey Murdock (R-Felt) provides that licensed emergency medical personnel including emergency medical responders, emergency medical technicians, intermediate emergency medical technicians, advanced emergency medical technicians, and paramedics employed by any participating employer may retire with full benefits on the first day of the month coinciding with or following a member's completion of at least twenty (20) years employment. Such personnel shall also have retirement benefits for each year of full-time-equivalent participating service as an emergency medical service personnel computed on two and one-half percent (2.5%) of the final average compensation based upon those years as an emergency medical service personnel. Additional years of service shall be computed on two percent (2%) of the final average compensation of the member multiplied by the number of years of such service.

The bill was amended by the Senate Retirement & Insurance Committee on Tuesday and will be sent the Legislative Actuary to be considered in 2024.

**Law Enforcement/Crime Scenes/Public Records:** [SB 722](#) by Sen. Jack Stewart (R-Yukon) prohibits any first responder or scene support personnel from releasing public scene specific information or

transmitting to a social media site any photographic image or video taken at a collision or crime scene without prior authorization from the investigating agency. The bill clarifies that the provisions of this bill do not prevent the Oklahoma State Bureau of Investigation or the Oklahoma Highway Patrol from transmitting information when a law enforcement agency requests investigative assistance. Anyone who violates this act is subject to a maximum fine of One Thousand Dollars (\$1,000.00) and/or a term of imprisonment in county jail not to exceed one (1) year, or both.

The bill passed the Senate Public Safety Committee on Thursday by a [vote](#) of 10 to 1.

**Law Enforcement/Canine Cooperative Grant Program:** [SB 725](#) by Sen. Jack Stewart (R-Yukon) and Rep. Josh Cantrell (R-Kingston) creates the Canine Cooperative Grant Program. The fund shall be a continuing fund consisting of all monies received from legislative appropriations, private donations, and federal grant programs. DPS is directed to promulgate rules to create the Canine Cooperative Grant Program to provide financial assistance for state, county, and municipal law enforcement entities for acquisition and training of law enforcement canines; provided, canines shall be trained at FEMA certified facilities and shall be specifically allocated for law enforcement officers. The programs shall have the following annual limits for grants: Ten Thousand Dollars (\$10,000.00) per state law enforcement; Ten Thousand Dollars (\$10,000.00) per county sheriff and Five Thousand Dollars (\$5,000.00) per municipal police department for canine purchases or canine training.

The bill passed the Senate Public Safety Committee on Thursday by a [vote](#) of 11 to 0. The bill heads to the Senate Appropriations Committee.

**Interlocal Cooperative Agreements/Counties:** [SB 776](#) by Sen. Jack Stewart (R-Yukon) and Rep. Josh Cantrell (R-Kingston) authorizes the board of county commissioners to enter into intergovernmental cooperative agreements with local governmental units within this state of pursuant to the provisions of the Interlocal Cooperation Act, Section 1002 et seq. of title 74 of the Oklahoma Statutes.

The bill passed, as [amended](#), the Senate General Government Committee by a [vote](#) of 10 to 0.

**Larceny of Firearms:** [SB 859](#) by Sen. Darrell Weaver (R-Moore) and Rep. John George (R-Newalla) increases the penalties for larceny of a firearm to imprisonment in DOC not to exceed five (5) years or a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) or both.

The bill passed the Senate Public Safety Committee on Thursday by a [vote](#) of 10 to 0. The bill heads to the Senate Appropriations Committee.

**Sales and Use Tax/Sale of Motor Vehicle:** [SB 984](#) by Sen. Darcy Jech (R-Kingfisher) provides that if the sale of a motor vehicle includes in trade-in, gross receipts shall be calculated based only on the difference between the value of the trade-in vehicle and the actual sales price of the vehicle being purchased.

The bill passed the Senate Finance Committee on Wednesday with the title stricken by a [vote](#) of 10 to 1. The bill heads to the Senate Appropriations Committee.

### Next Week at the Capitol

(As of time of distribution this is a list of the meetings that have been posted.)

Monday, February 13, 2023

**House A&B Select Agencies Subcommittee**  
**9:00 a. m. in Room 4S5**

**TSET/Investments:** [HB 2254](#) by Rep. Ty Burns (R-Pawnee) requires the Tobacco Settlement Endowment Trust (TSET) to invest at least four percent (4%) of funds in venture capital entities as identified by the Oklahoma Department of Commerce.

**House A&B Education Subcommittee**  
**10:30 a.m. in Room 450**

**Tuition/Children of Peace Officers who Died in the Line of Duty:** [HB 1795](#) by Rep. Mike Osburn (R-Edmond) prohibits the Oklahoma State System of Higher Education from charging fees, room, and



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board to children of Oklahoma peace officers, firefighters, commissioned members of OLERS, and emergency medical technicians who have given their lives in the line of duty.

**House A&B Finance Subcommittee**  
**10:30 a.m. in Room 206**

**Sales Tax Exemption/Nonprofit/Underprivileged Children:** [HB 1653](#) by Rep. Marcus McEntire (R-Duncan) adds a new sales tax exemption for a nonprofit who is authorized to conduct its activity for a period of at least seventy-five (75) years, the primary purpose of which is to provide Christmas gifts, including but not limited to toys, books and clothing, for the benefits of underprivileged children, from infants through grade twelve (12), by fundraising, a significant amount of which is derived from the sales of tangible personal property using either purchased or donated items, but which includes donations from individuals and either for profit or nonprofit entities, monetary or in kind donations, and which performs such other functions as authorized by the laws governing its formation and its articles of organization and by-law.

**Sales Tax Exemption/Manufacturing:** [HB 2033](#) by Rep. Chris Banning (R-Bixby) adds a sales tax exemption for sales of goods, wares, merchandise, tangible personal property, machinery, and equipment for use in a manufacturing operation for any manufacturer, engaged in manufacturing as defined in Section 1352 of this title.

**Tax Administration:** [HB 2289](#) by Rep. John Pfeiffer (R-Mulhall) requires an individual or sole proprietor who obtains a sales tax permit to be at least eighteen (18) years of age. A parent or legal guardian may apply for a permit on behalf of an individual or sole proprietor who is not at least eighteen (18) years of age, provided the parent or legal guardian will be considered the authorized user responsible for remitting state tax. The bill specifies that at least ten (10) days prior to the start of a special event, the organizer or promotor must submit a list of all vendors registered to attend the event. Each list must contain the vendor's name, address, telephone number, email address, and taxpayer identification number. If a vendor holds an Oklahoma sales tax permit, the permit numbers must also be included.

The bill authorizes the county treasurer to notify OTC within thirty (30) days after the resale of any tract or lot of land and shall include in such notification all information necessary for the OTC to determine whether a tax lien exists on the subject property. Within sixty (60) days of receipt of the notification, OTC shall provide notice to the county treasurer of any outstanding liabilities, including tax, penalty, and interest, attached to each tract or lot of land, regardless of whether a tax warrant has been filed. Upon timely notice of a liability from OTC, the county treasurer shall remit to OTC the amount of the outstanding tax liabilities or the excess proceeds, whichever is less. Any remaining proceeds shall be held in the separate fund for the record owner of such land.

**House A&B Natural Resources Commerce Subcommittee**  
**10:30 a.m. in Room 5S2**

**Law Enforcement/Littering:** [HB 1891](#) by Rep. Josh Cantrell (R-Kingston) authorizes any peace officer of this state or any political subdivision of this state to issue a state traffic citation to any person committing a violation of Section 1205 of this title. Such state traffic citations shall be in an amount of not less than Two Hundred Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00). The fines collected from the payment of such state traffic citations shall not include court costs and shall be divided as follows: 1) one-half (1/2) to the reward fund created pursuant to Section 1334 or Title 22 and 2) one-half (1/2) to be paid into the sheriff's service fee account for the county to be used for enforcement. In lieu of a fine, courts may assess payment into the reward fund for criminal violations of environmental statutes including but not limited to, Sections 2-5-116, 2-6-206, and 2-10-310 of Title 27A. Such payments shall not exceed the maximum possible criminal fine for such violation. The identity of an individual who reports a littering complaint to law enforcement shall remain anonymous. Disclosure of information and identities of informants shall be at the discretion of the district attorney and presiding judge.

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**House County & Municipal Government**  
**3:00 p.m. in Room 4s5**

**County Sales Tax/Emergency Medical Services:** [HB 1967](#) by Rep. Carl Newton (R-Cherokee) authorizes any county to levy a sales tax of not to exceed one percent (1%) upon the gross proceeds or gross receipts derived from all sales or services in the county upon which a consumer's sales tax is levied. The proceeds will be used solely for the purpose of emergency medical services.

**Abandoned Property/Liens:** [HB 2361](#) by Rep. Brad Boles (R-Marlow) requires there to be a reserve minimum bid placed in an amount covering all taxes, abatement costs, penalties, interest, costs due to a municipality if the right to exercise the reserve minimum bid is noticed to the county treasurer. However, the property must be bid off in the name of the municipality if demand is made in writing by a municipality which has outstanding liens upon the property. In cases of nuisance property, the county treasurer shall have discretion not to bid off the property, unless the demand is made in writing by a municipality which has outstanding liens upon the property. Nuisance property definition is expanded to add property in which abatement liens have been placed upon the property by a municipality in excess of twenty-five percent (25%) of the property's fair market value as shown by the county assessor's office.

**Tuesday, February 14, 2023**

**House General Government Committee**  
**10:30 a.m. in Room 5S2**

**Preemption/Agreements:** [HB 1378](#) by Rep. Tom Gann (R-Inola) prohibits any state entity, county, city, town, public trust having the state, county, city or town as its beneficiary or beneficiaries, from entering into any agreement with a person, partnership, limited partnership, limited liability partnership, corporation, company, trust or other legal entity that prohibits the governmental entity from making full disclosure of the terms of agreement with such entity to make payment to or confer value upon the entity using an incentive tax credit, direct or indirect payment, grant or similar

benefit offered to such entity if the benefit is provided through the use of state or local taxes.

**Open Records Act/Public Access Counselor in AG's Office:** [HB 2287](#) by Rep. John Pfeiffer (R-Mulhall) creates the position of a Public Access Counselor in the Office of the Attorney General. Any person whose request to inspect or copy a public record is denied by a public body, except the Legislature and committees, commissions, and agencies thereof, may file a request for review with the Public Access Counselor not later than sixty (6) days after the date of the final denial. The request for review must be in writing, signed by the requester, and include: a copy of the request for the access to records and any response from the public body. A person who makes the request for commercial purpose may not file a request for review. If the public body treats the request for review as a commercial purpose, the individual may file a request with the Public Access Counselor to review whether the public body properly determined the request. The Public Access Counselor must forward a copy of the request for the public body to review within seven (7) business days after receipt and specify the records or other documents that the public body shall furnish to facilitate the review. If the public body fails to respond, the AG may issue a subpoena to any person or public body having knowledge of or records pertaining to a request for review of a denial of access to records. There is a process for extending the time by the Public Access Counselor with notification to the requester and public body. The opinion shall be binding upon both the requester and the public body. Upon receipt of the binding opinion, the public body must either take necessary action to comply or file suit in the proper district court. The AG may also issue advisory opinions to public bodies regarding compliance with this act.

**House Public Safety Committee**  
**10:30 a. m. in Room 4S5**

**Law Enforcement/CLEET/Promissory Note:** [HB 1925](#) by Rep. Lonnie Sims (R-Jenks) authorizes a law enforcement agency previously approved by CLEET to conduct a basic law enforcement academy to require any person or peace officer to execute a promissory note for academy training expenses

payable to the law enforcement agency conducting the training, whereby the person or peace officer promises to repay the note by remaining with the law enforcement agency in a position approved by the law enforcement agency for a period of time agreed upon and under terms and conditions agreeable to both parties, not to extend longer than four (4) years following graduation from the basic law enforcement academy.

**Firearms/Pointing a Weapon:** [HB 2051](#) by Rep. David Hardin (R-Stilwell) modifies the penalties for pointing a weapon. If an individual is acting in self-defense or to home or business owners in defense of their private property, whether or not they possess a valid handgun license pursuant to the Oklahoma Self-Defense Act, cannot be punished of a crime. When it comes to felony pointing, it is lawful to point a firearm, knife or other deadly weapon at another person by a person who can legally own or possess a weapon, a person in the defensive display of a firearm or other deadly weapon, law enforcement authorities in the performance of their duties, armed security guards licensed by CLEET, members of the state and federal military in performance of their duties, any federal government law enforcement officer in the performance of any duty, or any person during the performance of a play on stage, while participating in a rodeo, or in a television program or project. It shall be unlawful for any person to willfully and without lawful cause point a firearm, knife or any other deadly weapon, whether loaded or not, at any person or persons for the purpose of threatening or with the intention of discharging the firearm or 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 defensive display of a firearm or other deadly weapon by a person is justified when and to the extent a reasonable person believes that physical force is immediately necessary to protect himself, herself or another person against the use or attempted use of unlawful physical or deadly force by a person, premises owner or controller in self-defense, or in defense of real or private property, located on any premises, owned, rented, leased or occupied by permission of the premise owner or controller, whether or not a person is in possession of a valid handgun license issued pursuant to the

provisions of the Oklahoma Self-Defense Act and shall not be deemed a criminal act. The provisions of this subsection shall not apply to a person who: a) intentionally provokes another person to use or attempt to use lawful physical or deadly force; or b) uses a firearm during the commission of an unlawful act involving force or violence. The bill defines "defensive display of a firearm" and "occupied premises".

**Firearms/Sportsman Hearing Protection Act:** [HB 2055](#) by Rep. David Hardin (R-Stilwell) creates the Sportsman Hearing Protection Act. The bill establishes that a firearm suppressor that is manufactured in Oklahoma is not subject to federal regulations. The suppressor must have "Made in Oklahoma" stamped on it. The bill prohibits any governmental entity, governing body, officer, employee, sheriff, police department, municipal or district attorney from adopting any rule, order, ordinance, or policy regulating a firearm suppressor if it imposes a prohibition, restriction or regulation that does not exist in Oklahoma. A state entity is prohibited from receiving any grant funding if they adopt a rule, order, ordinance, or policy that enforcement federal law that conflicts with Oklahoma law. Any citizen is authorized to file a complaint with the Attorney General if they offer evidence that at rule, order, ordinance, or policy that enforces federal law relating to suppressors is enforced.

**Law Enforcement/Investigations of Officers:** [HB 2161](#) by Rep. Ross Ford (R-Broken Arrow) requires at least two-thirds (2/3) of the members, staff, employees or seats of any government committee, board, agency, department, office, or entity that investigates law enforcement officer misconduct, influences the conduct of or certifies law enforcement officer misconduct investigations, recommends disciplinary actions for law enforcement officer misconduct or imposes discipline for law enforcement officer misconduct must be law enforcement officers certified by the CLEET and who are of any rank and who are from the same department or agency as the law enforcement officer who is the subject of the investigation or disciplinary action. The Legislature find that setting and maintaining standards of

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professionalism and integrity of law enforcement officers in this state are of statewide concern.

**Firearms/Caliber Restrictions:** [HB 2737](#) by Rep. Collin Duel (R-Guthrie) removes the caliber restriction from the Oklahoma Self-Defense Act.

**Senate Judiciary Committee**  
**2:00 p.m. in Room 4S9**

**Open Records Act/Written Notice:** [SB 89](#) by Sen. Julia Kirt (D-OKC) provides that if a records request cannot be completed within five (5) business days of the request, a person designated pursuant to paragraph 7 of this section shall provide written notice to the requestor indicating the reason for the delay and specifying a date within a reasonable time when the information requested will be available for inspection or duplication.

**Election/Primary Dates:** [SB 375](#) by Sen. Brent Howard (R-Altus) modifies the primary election dates from the last Tuesday in June to the third Tuesday in June. Declarations of candidacy moves to the Second Monday in April to the succeeding Wednesday at 5:00 p.m.

**Threats to Election Officials:** [SB 481](#) by Sen. Dave Rader (R-Tulsa) and Rep. Jeff Boatman (R-Tulsa) makes it a crime to threaten, intimidate or harass an election official. The bill defines "election official" as a member or employee of the State Election Board or the county election board, the Secretary of the State Election Board or a county election board, or a person serving as a precinct official or absentee voting board member as appointed by law. Any person who, directly or indirectly, utters or addresses any threat or intimidation to any elected official, shall be deemed guilty of a felony. Any person who, directly or indirectly, utters or addresses any threat or intimidation to any election official with intent to improperly influence an election shall be deemed guilty of a misdemeanor punishable by a fine not to exceed One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for a term not to exceed six (6) months, or by both such fine and imprisonment.

**Tort Claims/Physician/Public Trust Hospitals:** [SB 1087](#) by Sen. Brent Howard (R-Altus) amends the

Governmental Tort Claims Act definition of "employee". For purposes of GTCA, a physician licensed to practice medicine pursuant to Title 59 of the Oklahoma Statutes who provides medical services in a public trust hospital, but who is not employed by such hospital, to be deemed an employee only for medical services provided in such hospital.

**House Agriculture Committee**  
**3:00 p.m. in Room 206**

**OWRB/Groundwater Permits:** [HB 2053](#) by Rep. David Hardin (R-Stilwell) provides that a party protesting the application based solely on the industry or entity to use the water is not an interested party when it comes to protesting the permit. Determination that waste will or will not occur by DEQ or the State Department of Agriculture, Food, and Forestry is solely within the respective agency's jurisdiction and may not be protested through OWRB's hearing on the application nor may an Oklahoma court order OWRB to hold a hearing over the determination of DEQ or Dept. of Agriculture. If the Board's final action to approve an application is appealed, the applicant may take and use groundwater as is set forth under the permit while any appeals are pending with the Board, in district court, or in the appellate courts. If all statutory requirements for groundwater permits are fulfilled and the Board approves the application, appeals seeking to prohibit the use of water based solely on the category of beneficial use, industry, or entity applying to use the water are considered to have no genuine issue as to any material fact and shall be dismissed pursuant to Section 2056 of Title 12 of the Oklahoma Statutes. Further, such claims shall be considered frivolous, and the court may impose sanctions against the appellant, the appellant's attorney, or both including requiring the appellant to reimburse the appellee for reasonable costs and expenses such as reasonable attorney fees and other expenses incurred as a result of the appeal.



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**Wednesday, February 15, 2023**

**House Business & Commerce Committee**  
**9:30 a.m. in Room 206**

**Employment/Criminal History Background:** [HB 1065](#) by Rep. John Talley (R-Stillwater) amends the discriminatory practice for an employer to fail or refuse to hire, discharge, or discriminate against an individual for prior criminal history or that the prior criminal history directly bears upon the performance of the job responsibilities in a way that demonstrably and reasonably endangers co-workers, the business or the general public. Any employer who makes an employment hire under the provisions of this statute shall be indemnified from civil liability for causes and action directly stemming from said hire unless it can be shown the employer in some way acted with reckless disregard for public or personal safety while in some direct violation of this act. Consumer background reports as defined by 15 U.S.C., Section 1681 et seq., including criminal history background reports, provided for any purpose other than law enforcement investigation or a pending judicial proceeding by any consumer reporting agency as defined by 15 U.S.C., Section 1681 et seq., including state agencies and political subdivisions shall comply with the provisions of 15 U.S.C., Section 1681 et seq., except in cases where an applicant is seeking employment in any care or educational type facility. Prohibitions on disclosure of certain background information and criminal history information shall be considered confidential privilege under the Oklahoma Open Records Act.

**Oklahoma Uniform Building Code Commission (OUBCC):** [HB 2425](#) by Rep. Stan May (R-Broken Arrow) requires amendments or modifications to the currently adopted state codes shall be forwarded to OUBCC.

**House States' Powers Committee**  
**9:30 a.m. in Room 5S2**

**Preemption/Firearms/Civil Action:** [HB 2648](#) by Rep. Jay Steagall (R-Yukon) preempts the entire field of legislation in this state on firearms. When a person's rights pursuant to the protection of the preemption has been violated by any order, policy,

ordinance, resolution or regulation promulgated or enforced by any person, municipality, agency or other political subdivision of this state, the person violated has the right to bring action against the person, government employee if the government employee was acting beyond the scope of employment, municipality, agency or political subdivision jointly and severally for injunctive relief or monetary damages or both. A court may require the person, municipality, agency or political subdivision to pay reasonable expenses to the aggrieved party in a civil action filed pursuant to the provisions of subsection D of this section if: 1. The aggrieved party first provides written notice of the unlawful order, policy, ordinance, resolution or regulation by certified, first-class mail or service of process to the clerk of the municipality or to the designated agent of the municipality, agency or political subdivision and allows the person, municipality, agency or political subdivision ninety (90) days to rescind, repeal or otherwise abrogate the order, policy, ordinance, resolution or regulation; and 2. A court rules in favor of the aggrieved person whose rights were violated and the issue in controversy is governed by previously settled law.

If the person, municipality, agency or political subdivision fails to rescind, repeal or otherwise abrogate the unlawful order, policy, ordinance, resolution or regulation within ninety (90) days of required notice, as provided in paragraph 1 of this subsection and the order, policy, ordinance, resolution or regulation is subsequently rescinded, repealed or otherwise abrogated after the aggrieved party files suit, the aggrieved party shall retain standing in the suit and may recover damages or reasonable expenses.

**House Criminal Justice & Corrections Committee**  
**10:30 a.m. in Room 4S5**

**Law Enforcement/Resident Aliens:** [HB 1026](#) by Rep. Rick West (R-Heavner) modifies who can be certified as a peace officer by prohibiting a permanent resident alien; provided, however, any person who has been trained and certified by CLEET and is actively employed as a full-time peace officer as of November 1, 2023, is not subject to the provisions of this subsection.

**First Responders Job Protection Act/Drug Tests/Exposure:** [HB 1408](#) by Rep. Bob Ed Culver (R-Tahlequah) creates the First Responders Job Protection Act. It requires the first responder or volunteer first responder subject to drug testing to verbally report to the first responder's agency or private employer prior to testing, any specific known potential passive exposure to any controlled dangerous drug that has occurred in the previous fourteen (14) days while responding to an emergency. In the event of a positive test, the medical review officer shall provide documentation of the verbal report and a subsequent written report provided by the responding agency in order to rule out passive exposure.

**Law Enforcement Agencies/Misconduct Reports:** [HB 2132](#) by Rep. John George (R-Newalla) provides guidelines when evaluating the credibility of a peace officer who is or will serve as a witness in a criminal proceeding unless the allegation of misconduct has been adjudicated as sustained. In a contested case, an administrative law judge appointed by the AG shall determine by a preponderance of the evidence whether the alleged misconduct that resulted in the peace officer being placed on the Brady/Giglio list or similar list of noncredible peace officers. The respondent in the hearing shall be the law enforcement agency that reported or alleged the misconduct by the peace officer. If a peace officer has been placed on the Brady/Giglio list due to a said allegation of misconduct and the administrative process addressing said allegation is still pending or has been appealed, the administrative law judge shall find in favor of the peace officer. If the administrative law judge finds the allegations of misconduct are not supported by a preponderance of the evidence, the law enforcement agency and attorney for the state may not rely on said allegations for any purpose. Any court that considers the credibility of a peace officer who has filed a petition with the AG, shall be provided a copy of the findings of fact and conclusions of law issued by the administrative law judge.

**House Judiciary – Criminal Committee**  
**10:30 a.m. in Room 206**

**Law Enforcement/Catalytic Converter Theft:** [HB 1328](#) by Rep. Suzanne Schreiber (R-Tulsa) makes

any and all equipment or instrumentality used or intended to be used in any manner or part to commit any act of catalytic converter theft and any monies, coins, currency, or financial instruments used, intended for use, derived from or traceable as proceeds from a violation of subsection b of Section 1435 of this title. Any and all equipment or instrumentality used or intended to be used in any manner or part to commit any act of copper theft in violation of Section 1727 of this title, and any monies, coins, currency, or financial instruments used, intended for use, derived from or traceable as proceeds from a violation of Section 1727 of this title; and any and all equipment or instrumentality used or intended to be used in any manner or part to commit any violation of the Oklahoma Scrap Metal Dealers Act, and any monies, coins, currency, or financial instruments used, intended for use, or derived from or traceable as proceeds from a violation of the Oklahoma Scrap Metal Dealers Act.

**Law Enforcement/Forfeiture:** [HB 1430](#) by Rep. Mark Vancuren (R-Owasso) adds to the list of property subject to forfeiture: any and all equipment or instrumentality used or intended to be used in any manner or part to commit any act of third degree burglary in violation of subsection B of Section 1435 and any and all equipment used or intended to be used in any manner or part to commit any act of copper theft in violation of Section 1727 of this title.

**Law Enforcement/Shooting into Building for Public or Business Purposes:** [HB 1612](#) by Rep. Rande Worthen (R-Lawton) adds shooting into a dwelling or a building used for public or business purposes, as provided for in Section 1289.17A of this title or any attempt, conspiracy, or solicitation thereof to the required sentence of eighty-five percent of imprisonment.

**Law Enforcement/Larceny:** [HB 1613](#) by Rep. Rande Worthen (R-Lawton) modifies the penalties for larceny of merchandise from a retailer. It increases the imprisonment from thirty (30) days to one (1) year and a fine from Ten Dollars (\$10.00) to One Thousand Dollars (\$1,000.00) for the first conviction. For the second conviction, larceny of Five Hundred Dollars (\$500.00) or less, the person shall be guilty of a misdemeanor and shall be punished by

imprisonment in the county jail for a term of not less than one (1) year and by a fine of not less than One Thousand Dollars (\$1000.00); larceny of Five Hundred Dollars (\$500.00) or more and the person shall be guilty of a felony and custody in DOC for a term not to exceed three (3) years and a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500.00); or both.

**Law Enforcement/Trespassing:** [HB 1737](#) by Rep. Tammy Townley (R-Ardmore) considers a person to be a trespasser and not a guest of a lodging establishment if the innkeeper informs a person that he or she is being ejected for a stated reason. If the person fails to vacate the lodging establishment after being told of his or her ejection, the person shall be removed from the lodging establishment by law enforcement for trespassing.

**Law Enforcement/Laser Safety Act:** [HB 2159](#) by Rep. Ross Ford (R-Broken Arrow) increases the penalties for any person who knowingly and maliciously projects a laser on or at a law enforcement officer, upon conviction, from One Hundred Dollars (\$100.00) to Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for a period of not more than one (1) year, or by both such fine and imprisonment. For a second or subsequent conviction, the fine is increased to One Thousand Dollars (\$1,000.00) or imprisonment in DOC for a period no more than two (2) years or both. Anyone who knowingly aims a beam of a laser at an aircraft in flight or the flight path, upon conviction, guilty of a felony punishable by a fine of One Thousand Dollars (\$1,000.00) or by imprisonment in DOC no less than three (3) months nor more than two (2) years, or both. For second and subsequent violations, upon conviction, the felony is punishable of a fine no more than Five Thousand Dollars (\$5,000.00) or imprisonment no less than one (1) year no more than five (5) years or both.

**House Public Health Committee**  
**3:00 p.m. in Room 4S5**

**Oklahoma Hospital Cybersecurity Protection Act of 2023:** [HB 2790](#) by Rep. Preston Stinson (R-Edmond) creates the Oklahoma Hospital Cybersecurity Protection Act of 2023. A covered entity shall create, maintain, and comply with a

written cybersecurity program that protects both personal information and restricted information and that reasonably conforms to an industry recognized cybersecurity framework. Nothing in this act shall be construed to provide a private right of action, including a class action, with respect to any act or practice regulated under this act.

**Thursday, February 16, 2023**

**House Utilities Committee**  
**10:30 a.m. in Room 206**

**Utilities/Exemption for Victims of Certain Crimes:** [HB 2242](#) by Sen. Mike Dobrinski (R-Kingfisher) a customer or applicant who has been determined to be a victim of domestic violence, stalking, or harassment by any of the following: 1) an existing protective order; 2) law enforcement personnel; or 3) a designated representative of a certified domestic violence shelter or certified domestic violence program shall be exempt from the public utility's initial credit and deposit requirements as established by the public utility.

Provided, notwithstanding other provisions of law, a municipally owned public utility shall waive any initial credit and deposit requirements for a customer or applicant that has been determined to be a victim of domestic violence, stalking, or harassment by any of the following: 1) an existing protective order; 2) law enforcement personnel; or 3) a designated representative of a certified domestic violence shelter or certified domestic violence program shall be exempt from the public utility's initial credit and deposit requirements as established by the public utility.

This determination shall be evidenced by submission of a certification letter to the utility. The municipality may accept the certification letter provided for in Section 1 of this act, or a certification letter on a form created by the municipality so long as the contents are substantially the same as the certification letter, as provided for in Section 1 of this act. The certification letter expires after ninety (90) days. The municipally owned public utility shall deem the certification letter and the contents thereof as confidential and exempt from disclosure,

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pursuant to subsection D of Section 24A.10 of Title 51 of the Oklahoma Statutes.

**Certificate of Needs:** [HB 2360](#) by Rep. Brad Boles (R-Marlow) requires each provider of telecommunications services, to obtain a Certificate of Convenience and Necessity and attest that it will comply with all applicable rules and orders of the Corporation Commission federal, state and local government laws. In addition, the applicant shall provide notice by mail or electronic mail of such application or application for an expanded service territory to municipalities, cities and towns located within the initial or expanded service territory requested in its application that have registered with the Public Utility Division of the Oklahoma Corporation Commission for receipt of notice.

**House Rural Development Committee**  
**10:30 a.m. in Room 4S5**

**OK 9-1-1 Management Authority/Training:** [HB 1924](#) by Rep. Lonnie Sims (R-Jenks) requires the Oklahoma 9-1-1 Management Authority to maintain an online training platform for 9-1-1 Emergency Telecommunicators in Oklahoma. The Authority shall create, maintain, and certify a list of qualified online and in-person training programs that include the basic requirement for a 9-1-1 Emergency Telecommunicator. Classes must be forty (40) hours in length and include instruction for basic call handling and dispatch services. The Authority shall establish hourly training requirements on a yearly basis. On or before July 1, 2024, all Emergency Telecommunicators must complete, either in person or virtual, a forty-eight (48) hour state recognized training course for basic call handling and dispatch. Any new Emergency Telecommunicator hired after January 1, 2024, must complete the training six (6) months after they are hired. On or before July 1, 2024, all Emergency Telecommunicators must complete, either in person or virtual, a state or nationally recognized telecommunicator CPR training course. If the state or an area of the state is utilizing Next Generation 9-1-1 system that uses the NENA i3 standard for call delivery, then the service company must provide the required data elements required by said standard. The bill amends the members of 9-1-1 Management Authority and names those members removed as nonvoting

members. The fees are increased from seventy-five cents (\$.75) to One Dollar and twenty-five cents (\$1.25). A new public safety answering point (PSAP) shall not be established after July 1, 2024, unless the new PSAP is established as a result of 1) a consolidation with an existing PSAP; or 2) a replacement of an existing PSAP.

**Municipal Road Construction/Fair Pay for Construction Act/Retainage:** [HB 2150](#) by Rep. Kevin West (R-Moore) adds municipal road construction to the list of exemptions of the Fair Pay for Construction Act. Effective November 1, 2023, any and all current retainage [on road contracts](#) shall be returned to the contractor.

**Oklahoma Rural Highway Improvements for Safety Act:** [HB 2352](#) by Rep. Eddy Dempsey (R-Tahlequah) creates the Oklahoma Rural Highway Improvements for Safety Act. Effective November 1, 2023, ODOT shall implement a plan to add a minimum of two hundred fifty (250) lane miles of upgrades for rural two-lane highways with deficient shoulders to the eight-year Construction Work Plan (CWP) each year. The new projects shall be spread across all transportation districts and selected based on the factors of historic fatality rates, traffic counts, and connectivity rural communities. Areas experiencing traffic growth pattern over the past five (5) years have priority.

**EMS Personnel Licensure Interstate Compact:** [HB 2422](#) by Rep. Arturo Alonso (D-OKC) creates the Recognition of EMS Personnel Licensure Interstate Compact to protect the public through verification of competency and ensure accountability for patient care-related activities all state-licensed EMS personnel.