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First Deadline in the Books

The first legislative deadline was yesterday and thankfully several bills that were detrimental to cities and towns did not survive. Out of the original 3,400 bills filed there appears to be just a little over 1,000 left that OML will work to pass, fix, and kill.

OML was successful once again this week in stopping two bad TIF bills in the House General Government Committee: **HB 1378** and **HB 1379** by Rep. Gann failed to get a second on the “Do Pass Motion” and therefore are dead for this session. (Description is in the “Bills on the Move” section).

OML’s priority bills continue to move forward. This week we saw our efforts on Sale for Resale, Criminal Justice Reform, and Youth Tobacco Access pass their respective committees.

The next deadline is March 23rd when all bills must be heard on either the House or Senate Floor. Keep up the great work when we call on you!!

Sale for Resale Moves to House Floor

HB 2234 by Rep. Mark Lawson (R-Sapulpa) and Sen. Dave Rader (R-Tulsa) requires resellers to obtain a separate sale for resale exemption permit issued by the Oklahoma Tax Commission (OTC) in order to make use of the sales for resale sales tax exemption. OTC may also develop a verification process for sellers to confirm that a reseller has the required permit. Failure to obtain a permit while claiming the exemption is a misdemeanor crime subject to a fine up to One Thousand Dollars (\$1000.00).

The bill passed the House A&B Finance Committee on Monday by a [vote](#) of 9 to 0. The bill was [amended](#) and passed the House A&B Committee on Thursday by a [vote](#) of 31 to 0. The bill moves to the House floor.

Grocery Tax Passes House A&B Committee

The House A&B Committee passed Speaker Charles McCall (R-Atoka) [HB 1955](#) that requires on or after the effective date of this act, an excise tax to be zero percent (0%) imposed upon all retail sales of food and food ingredients sold for human consumption off the premises where sold. Any sales tax or excise levied by a city, town, county, or any other jurisdiction in this state upon sales of food and food ingredients shall be in effect regardless of ordinance or contractual provisions referring to previously imposed state sales tax on the items. On or after the effective date of this act, until June 30, 2025, a county or a municipality that submits the question of a sales tax or excise tax to its voters shall provide that the increased rate does not apply to "food and food ingredients" as term is defined in Section 1352 of Title 68 of the Oklahoma Statutes. OTC must promulgate any necessary rules to implement the provisions of this section in accordance with the Streamlined Sales and Use Tax Agreement.

The House A&B Committee unanimously [approved](#) by a vote of 32 to 0.

BILLS ON THE MOVE

Snapshot of bills impacting cities and towns

Firearms/Age Requirements: [HB 1001](#) by Rep. Jim Olsen (R-Roland) lowers the age for an individual to carry a firearm, concealed or unconcealed, loaded or unloaded from twenty-one (21) to eighteen (18) or meets the age requirement provided in the provisions of Section 1 of Article III of the Oklahoma Constitution.

The bill passed the House States' Powers Committee on Wednesday by a [vote](#) of 8 to 2.

Labor/Drug Testing: [HB 1045](#) by Rep. Mark Lawson (R-Sapulpa) requires a drug screen testing facility to report preliminary positive test results to an employer's review officer as soon as the result for the preliminary test becomes available or the next working day. The final conclusion of the testing (the results of initial tests, confirmation tests or quality control data), shall be reviewed and the test certified

as an accurate report by the responsible individual. The report shall identify the drugs and metabolites tested for, whether positive or negative, and the cutoff for each, the specimen number assigned by the employer, and the drug screen testing facility specimen identification number.

The bill passed the House Judiciary - Civil Committee on Thursday by a [vote](#) of 7 to 0.

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, 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.

The bill passed the House Judiciary - Criminal Committee on Wednesday by a [vote](#) of 6 to 0.

OMMA Board: [HB 1349](#) by Rep. Scott Fetgatter (R-Okmulgee) creates a nine (9) member Oklahoma Medical Marijuana Authority (OMMA) Board, with one member appointed by the Governor to be a chief of police of a municipality with a population over one hundred thousand (100,000). A member shall serve a term of four (4) years from the date of appointment and shall not serve more than two consecutive terms. The OMMA Board shall have the power and duty to establish the policies of OMMA; and adopt and promulgate rules to carry out the duties and responsibilities.

The bill passed the House Alcohol, Tobacco & Controlled Substances Committee on Wednesday by a [vote](#) of 5 to 0.

Preemption/Agreements: [HB 1378](#) by Rep. Tom Gann (R-Inola) and Sen. Nathan Dahm (R-Broken Arrow) except as provided by subsection B of this section, the bill prohibits any state governmental entity or political subdivision having the state as a beneficiary 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 taxes. Provisions of the bill do not require a state governmental entity or a public trust having the state as its beneficiary to disclose information of a proprietary nature with respect to a for profit business entity if such information, such as trade secrets, the cost of inputs used or consumed by the business entity, the labor costs of the for profit business entity, or information related to profit margins on goods or services sold by the for profit business entity.

The bill failed received a second in the House General Government Committee on Tuesday and remains property of the committee.

Local Development Act/Public Approval: [HB 1379](#) by Rep. Tom Gann (R-Inola) and Sen. Nathan Dahm (R-Broken Arrow) 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 county, the question for creation of the district, plan or project shall be submitted to a vote of the eligible voters of the county. 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. The bill also changes references to blight to underdeveloped areas.

The bill failed received a second in the House General Government Committee on Tuesday and remains property of the committee.

Firearms/Boating Safety Regulation Act: [HB 1404](#) by Rep. Bob Ed Culver (R-Tahlequah) and Sen. Dana Prieto (R-Tulsa) 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 on Monday by a [vote](#) of 78 to 16. The bill moves to the Senate.

Law Enforcement/Oklahoma Law on Obscenity & Children Pornography: [HB 1440](#) by Rep. Toni Hasenbeck (R-Elgin) does not allow a time limitation for prosecution of individuals who do nonconsensual dissemination of private sexual images. Such prosecution may be commenced at any time after the discovery of the crime. For purposes of this subsection, "discovery" means the date the crime is reported to the law enforcement agency.

The bill passed the House Judiciary – Criminal Committee on Wednesday by a [vote](#) of 6 to 1.

Sales Tax Exemption/Nonprofit: [HB 1568](#) by Rep. Marilyn Stark (R-Bethany) and Sen. Dave Rader (R-Tulsa) adds a new sales tax exemption for tangible personal property or services for a nonprofit organization in good standing and having gross revenues not to exceed Three Million Dollars (\$3,000,000.00) during the tax year ending on the date immediately preceding the first date after the end of such tax year upon which entity seeks to make otherwise taxable purchases of tangible personal property and services. The provisions of this section do not apply to purchases of alcohol or tobacco by the nonprofit entity.

The bill passed the House A&B Committee on Wednesday with the title stricken by a [vote](#) of 33 to 0.

Uniform Controlled Dangerous Substances Act/Drug Diversion Programs: [HB 1615](#) by Rep. Rande Worthen (R-Lawton) authorizes any person who is convicted, receives a deferred sentence, or receives a suspended sentence for an offense, excluding the use of marijuana, and receives a second conviction within ten (10) years for an offense, upon conviction, shall be guilty of a misdemeanor. In addition, the person may be required to complete a substance abuse assessment or evaluation and follow the recommendation subsequent thereto, and complete a drug diversion program for up to one (1) year following the date of conviction as ordered by the court. If the person refuses or fails to complete the drug diversion program, the person may subject to the terms of the punishment provided for in paragraph 1 of this subsection. If a person receives a third or subsequent conviction within ten (10) years for an offense may complete a drug diversion program for up to three (3) years following the date of the conviction. Violations under this section shall be referred to the state or to a municipal court of record for prosecution. If prosecution is refused by the state, the offense may be prosecuted in a municipal court not of record. Municipal courts may adopt ordinances consistent with the provisions of this section of law.

The bill passed the House Alcohol, Tobacco & Controlled Substances Committee on Wednesday by a [vote](#) of 8 to 0.

Law Enforcement/Asset Forfeiture: [HB 1619](#) by Rep. Rande Worthen (R-Lawton) modifies the notice requirement regarding the notice of seizure and intended forfeiture of property by allowing publication on a website of the state or a political subdivision of the state where the seizure was made for a period of not less than twenty (20) days.

The bill passed the House Government Modernization & Technology Committee on Tuesday by a [vote](#) of 9 to 0.

Medical Marijuana/Electricity & Water Usage Reports: [HB 1711](#) by Rep. T.J. Marti (R-Broken Arrow) and Sen. Jessica Garvin (R-Duncan) requires licensed medical marijuana commercial growers to inform retail suppliers of electric cooperatives as to

their license status. The bill establishes an electronic procedure for monitoring, collecting, and transmitting licensed medical marijuana commercial growers' monthly usage of electricity and water provided by retail suppliers or electric cooperatives. OMMA shall provide licensed medical marijuana commercial growers a means to transmit the monthly reports of electricity and water usage. OMMA is also required to develop rules, exemptions from the requirements, and any necessary procedures for the metering of the usage of electricity and water by medical marijuana commercial growers that are not supplied by retail suppliers or electric cooperatives including, but not limited to the usage of well water and gas-powered generators. Refusal to submit the required monthly usage report or use of an under permitted water source shall result in the permanent revocation of the medical marijuana commercial grower license.

The bill passed the House Alcohol, Tobacco & Controlled Substances Committee on Wednesday by a [vote](#) of 8 to 0.

Fines Assessed and Imposed Reasonably (FAIR) Act: [HB 1777](#) by Rep. Danny Williams (R-Seminole) creates the Fines Assessed and Imposed Reasonably (FAIR) Act. The bill modifies the structure of fees collected by the courts for various offenses by removing or reducing several fees.

The bill passed the House A&B Judiciary Subcommittee on Monday by a [vote](#) of 5 to 0. The bill passed the House A&B Committee with the title stricken on Thursday by a [vote](#) of 31 to 0.

Firearms/Oklahoma Self-Defense Act: [HB 1789](#) by Rep. Danny Williams (R-Seminole) and Sen. Nathan Dahm (R-Broken Arrow) authorizes a citizen or lawful permanent resident who can lawfully purchase or possess a firearm, to carry or transport a concealed or unconcealed firearm. The bill removes the requirement for a person to receive a handgun license from OSBI as well as the age limit and military identification. An individual is authorized to carry as long as they are in possession of a state photo identification card, driver license, or valid handgun license. The firearm must be concealed or unconcealed in compliance with the laws of this state. When coming into contact with

law enforcement officer and upon instruction from the law enforcement officer, the person must disclose the fact that he or she is in possession of a firearm.

The bill passed the House Public Safety Committee on Tuesday by a [vote](#) of 6 to 0.

Election Date Changes: [HB 1823](#) by Rep. Sherrie Conley (R-Newcastle) moves general municipal elections from the first Tuesday in April to the first Tuesday after the first Monday in November. Primary elections would move from February to June with filing for the elections in April in odd-numbered years. The bill requires general municipal elections, including those held by any county, school district, technology center school district, municipality, fire protection district or other political subdivision to be held on the first Tuesday after the first Monday in November in each odd-numbered year. That also moves primary elections for any political subdivision that can call elections to be held on the second Tuesday of June in each odd-numbered year, moved from February. For individuals wanting to file a declaration of candidacy, they must do that between the first Monday in April and the next succeeding Wednesday in odd-numbered years. On the corresponding days, a General Election or Primary Election may be held as determined by the Legislature.

The bill passed the House Elections & Ethics Committee on Monday by a [vote](#) of 6 to 3.

Law Enforcement/VPO/Service: [HB 1845](#) by Rep. Ajay Pittman (D-OKC) and Sen. Bill Coleman (R-Ponca City) requires the peace officer making the preliminary investigation to make every attempt to serve the subject of the order and complete a return of service when filing the petition with the district court. If the peace officer is unable to obtain service, the petition shall be filed with the district court the next business day. The court clerk shall receive the petition upon delivery by the peace officer and document the hearing date and time assigned to the case as documented by the peace officer. If the court clerk observes that service has not been obtained, the petition shall still be filed by the court clerk and issued to the appropriate office of the county sheriff

to obtain service with priority. The emergency temporary order shall be effective until the date of the hearing set by the judge. The peace officer requesting the order shall be notified by the judge of the date, time, and courtroom location in which the hearing will be held and shall be notified of the date, time and location of the hearing from a list of available court dates provided by the judge. The peace officer shall provide the victim and subject of the order a copy of the completed order and return the original order to the district court.

The bill passed the House Judiciary – Criminal Committee on Wednesday by a [vote](#) of 5 to 0.

Oklahoma Hazard Mitigation Assessment District: [HB 1921](#) by Rep. Lonnie Sims (R-Jenks) permits the governing body of a county to create a hazard mitigation assessment district by the adoption of a resolution calling for the question to be placed before the registered voters of the county. To administer the hazard mitigation assessment district, the Hazard Mitigation District Trust Authority shall consist of seven (7) trustees which includes three members of the board of county commissioners, the mayor, or other elected officials from three municipalities within the county selected by the board of county commissioners and one member at-large selected by the board of county commissioners. If the certified election results show that greater than sixty percent (60%) to declare the district is established. The assessment levied shall be no greater than two (2) mills and does not apply to real property zoned for agricultural land use, livestock utilized in support of the family and personal property owned by for-profit agricultural business entities.

The bill passed the House County & Municipal Government Committee on Monday by a [vote](#) of 7 to 1.

Police Pension/Small Departments: [HB 1969](#) by Rep. Carl Newton (R-Cherokee) and Sen. John Montgomery (R-Lawton) permits a municipality with a population of four thousand five hundred (4,500) or less, according to the latest Federal Decennial Census, to employee retired police officers who are more than forty-five (45) years in age and who have participated in the Oklahoma

Police Pension & Retirement System and are receiving retirement benefits. Such officers shall not be eligible to reenter and participate in the system.

The bill passed the House Banking, Financial Services & Pensions Committee on Monday by a [vote](#) of 11 to 0.

Broadband/ODOT: [HB 1977](#) by Rep. Carl Newton (R-Cherokee) requires ODOT, beginning on or before May 1, 2023, to adopt rules that provide for including broadband fiber conduit for internet service providers for all new construction, reconstruction, or repair contracts. In addition, ODOT shall consider other necessary utilities and their alternatives for providing service to resident taxpayers in adopting the emergency rules.

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

Crimes & Punishment/Obscenity: [HB 2002](#) by Rep. Sherri Conley (R-Newcastle) and Sen. Darrell Weaver (R-Moore) HB 2002 modifies the definition of obscene material to provide that when an adult knowingly provides material that qualifies as obscene material or harmful to minors must only contain depictions or descriptions of sexual conduct which are patently offensive as found by the average person applying contemporary community standards to be considered obscene material or material that is harmful to minors. The bill defines "harmful to minors" to have the same meaning as provided for in paragraph 2 of Section 1040.75 of this title 21.

The bill passed the House Judiciary - Criminal Committee on Wednesday by a [vote](#) 5 to 1.

Sales Tax Exemption/Hearing Aids/Rebate State Portion: [HB 2027](#) by Rep. Max Wolfley (R-OKC) creates a sale tax exemption for hearing aid purchases shall be administered as a rebate with respect to the state sales tax amount. The taxpayer may file a claim for a refund with the Oklahoma Tax Commission for the state sales tax amount applicable to the sale transaction. The taxpayer shall provide such documentation to OTC as required to establish the price paid for the hearing aid or hearing aids and the state sales tax amount. The

taxpayer may only receive a rebate of the state sales tax amount and no rebate of any sales tax levied by a county or municipality shall be eligible for the rebate process. Any claim for the state sales tax amount shall be filed no later than one (1) year of the purchase date.

The bill passed the House A&B Committee on Wednesday with the title stricken by a [vote](#) of 37 to 0.

Law Enforcement/Verbal Warnings: [HB 2041](#) by Rep. Monroe Nichols (D-Tulsa) allows a law enforcement officer who comes into contact with a person who has a misdemeanor warrant to issue a verbal warning about the existence of the warrant and advise the defendant to contact the clerk of the court to resolve the outstanding warrant. All verbal warnings shall be documented by law enforcement on a department-issued warning ticket or arrest the defendant and take him before a magistrate in that county.

The bill passed the House Public Safety Committee on Tuesday by a [vote](#) of 6 to 0.

Planning & Zoning/Comprehensive Plans: [HB 2089](#) by Rep. Jon Echols (R-OKC) provides that decisions as to comprehensive and master plans, zoning classifications, and planned unit developments, and as to applications for amendments, changes, modifications, revisions, or applications relating to legislative municipal procedures, in which the municipal governing body shall refrain from arbitrary and unreasonable exercises of its police powers, and must conform to the following requirements: 1) municipal power to interfere by zoning or land use regulations with general rights of property owner is limited; 2) rezoning or land use applications shall not be denied on the sole basis of noncompliance with a comprehensive plan or master plan; 3) the notice and hearing provisions in Sections 43-104 through 43-106, are intended to provide members of the public with a right to be heard and explain how their interests are affected and bring to the attention of the governing body any objective, relevant and basic physical facts that may have been overlooked. However, decisions on land use applications shall not be based upon the presence, numbers or

magnitude of opposition or protests to such applications; 4) in the case of denial of an application, the governing body shall identify on the record its basis for the denial; 5) where appeal through a legal or equitable proceeding is instituted by the applicant related to a zoning or land use application denial, and the court, in rendering a judgment for the plaintiff in such proceeding, determines there to be insufficient evidence supporting the municipal body's purported basis for the denial, the court shall determine an award to such plaintiff which includes the plaintiff's reasonable costs, disbursements, and expenses, including but not limited to reasonable attorney, consultant and engineering fees incurred because of such proceeding.

The bill passed the House County & Municipal Government Committee on Monday by a [vote](#) of 5 to 0.

Preemption/Internal Combustion Engines: [HB 2135](#) by Rep. Mark Lepak (R-Claremore) and Sen. Grant Green (R-Wellston) creates the Oklahoma Right to Drive Act. For purposes of promoting commerce and the equitable treatment of the citizens of this state, limitations on the sale, purchase, trade, or usage of any motor vehicle which utilizes an internal combustion engine as a means of propulsion by any city, town, county, or subdivision thereof is declared a statewide concern and shall be prohibited from any regulation by a city, town, county, or subdivision.

The bill passed the House General Government Committee on Tuesday by a [vote](#) of 6 to 1.

Law Enforcement/OLERS: [HB 2142](#) by Rep. Kevin McDugle (R-Broken Arrow) allows law enforcement officers employed by a common school district performing services at a school offering instruction in the ninth grade or higher that makes an election to participate in the Oklahoma Law Enforcement Retirement System.

The bill was sent to the Legislative Actuary for Analysis.

Law Enforcement Mental Health Manpower Act: [HB 2157](#) by Rep. Cynthia Roe (R-Lindsay) removes

the provision stating an officer does not have to make a written statement if the officer does not take an individual into protective custody. The bill also creates the Shannon Hanchett Act requiring at least twenty percent (20%) of all active-duty peace officers to complete crisis intervention training, in addition to any other required mental health training as prescribed by the Department of Mental Health and Substance Abuse Services. Any person who appears to be or states that such person is mentally ill, alcohol-dependent, or drug-dependent to a degree that no immediate emergency mental health treatment is necessary, may be taken into custody and placed in county detention center without a mental health evaluation or mental health treatment, provided such reasoning is documented by the peace officer.

The bill passed the House Public Safety Committee on Tuesday by a [vote](#) of 6 to 0.

Tobacco Regulations/Youth Access: [HB 2165](#) by Rep. Cynthia Roe (R-Lindsay) requires an individual who is under 21 who purchases, receives, or possess a tobacco, nicotine, or vapor product or attempts to purchase any of these products using false proof of age to complete an education or tobacco use cessation program approved by the court. If the violator fails to complete the court ordered program, a fine not to exceed Fifty Dollars (\$50.00) may be imposed or a fine not to exceed One Hundred Dollars (\$100.00) may be imposed for subsequent offenses. The violator may also be required to complete a community service program or other appropriate programs or services as the court orders. To ensure all programs and court order are followed, the court will have jurisdiction over the violator for 12 months. The measure authorizes cities and towns to enact and municipal police offices to enforce ordinances that prohibit and penalize conduct that violates this law.

The bill passed the House County & Municipal Government Committee on Monday by a [vote](#) of 8 to 0.

Public Retirement Systems: [HB 2171](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. Paul Rosino (R-OKC) authorizes a retirement benefit increase for members of the Systems that have been retired for

two (2) or more years as of the effective date of the benefit increase. The retirement benefit increase shall be One Thousand Five Hundred Dollars (\$1,500.00) or greater but shall not exceed Three Thousand Two Hundred Dollars (\$3,200.00). The retirement benefit increase shall not be a modification of the final average compensation used in order to compute the benefit of the member. The retirement benefit increase may only be computed by using the then-applicable gross annual retirement benefit of the member divided by the whole number twelve (12). The resulting amount may be paid to the retired member in addition to other retirement benefits.

The bill passed the House Banking, Financial Services & Pensions Committee on Monday by a [vote](#) of 10 to 1.

Firearms/Contractual Requirements: [HB 2218](#) by Rep. Kevin West (R-Moore) prohibits any governmental entity entering into a contract with a company for the purchase of goods or services unless the contract contains a written verification from the company that it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and will not discriminate during the term of the contract against a firearm entity or firearm trade association. The provisions of this measure shall apply to companies with ten (10) full-time employees and has a value of One Hundred Thousand Dollars (\$100,000.00) that is paid wholly or partly from public funds of the governmental entity. The provisions of subsection C of this section shall not apply to a governmental entity that contracts with a sole-source supplier or after requesting bids, only receives bids from companies that do not comply with provisions of subsection C of this section. It is up to the Central Purchasing Division of the Office of Management and Enterprise Services shall have the authority and responsibility of reviewing state governmental contracts to confirm that the requirements of subsection C of this section have been satisfied.

The bill passed the House Banking, Financial Services & Pensions Committee on Monday by a [vote](#) of 8 to 2.

Terry Peach North Canadian Watershed Restoration Act: [HB 2239](#) by Rep. Mike Dobrinski (R-Okeene) creates the Terry Peach North Canadian Watershed Restoration Act. There is a pilot program created to remove or eradicate invasive woody species in the North Canadian Watershed to be administered by the Oklahoma Conservation Commission. The Commission shall cooperate with landowners, state agencies and other political subdivisions for removal of invasive woody species. The Commission is authorized to promulgate any rules and procedures to effectuate the provisions of this section. The creation of a revolving fund in the State Treasury is designated the "North Canadian Watershed Revolving Fund" and consists of all monies received by the Conservation Commission from appropriations, federal grants or funds, municipal contributions, private contributions, and any other sources, including interest earned for duties associated with invasive woody species removal.

The bill passed the House A&B Natural Resources Subcommittee on Monday by a [vote](#) of 9 to 0. The bill passed the House A&B Committee with the title stricken by a [vote](#) of 31 to 0.

TSET/Investments: [HB 2254](#) by Rep. Ty Burns (R-Pawnee) and Sen. Jack Stewart (R-Yukon) 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.

The bill passed the House A&B Committee on Wednesday with the title stricken by a [vote](#) of 26 to 7.

Court Cost Compliance Programs: [HB 2259](#) by Rep. Danny Sterling (R-Tecumseh) establishes a court cost compliance program beginning November 1, 2023. The purpose of the program shall assist 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. Court cost compliance liaisons shall inform individuals of their right to a cost hearing. A single down payment is sufficient to recall all cost-related warrants against a defendant

pending in a single jurisdiction. Law enforcement officers are directed to issue warnings, instead of citations, to any person who was arrested and was found to have outstanding warrants or failed to appear for a cost compliance hearing. The bill allows the court to make determinations on the ability of a defendant to pay the court financial obligations and allows the court to grant a hardship waiver for all or part of the amount owed. The list of factors that the court can and cannot consider determining whether a defendant is able to pay is updated. The bill establishes a presumption that a defendant is unable to pay if they are disabled, eligible federal needs-based financial support like food stamps, receive subsidized housing, has been homeless in the past twelve (12) months or has a total income below one hundred fifty percent (150%) of the federal poverty level. The bill also outlines the process and timeline for issuing summons, cost hearings, referrals to the court cost compliance program and willfulness hearings. Credit amount is increased for time served to One Hundred Dollars (\$100.00) per day of incarceration or Two Hundred Dollars (\$200.00) if the individual performs useful labor.

The bill passed the House Judiciary - Civil Committee on Thursday by a [vote](#) of 9 to 0.

Law Enforcement/High School Courses: [HB 2265](#) by Rep. Ronny Johns (R-Ada) and Sen. Darrell Weaver (R-Moore) authorizes a school district to offer to students in grades eleven and twelve an elective course in law enforcement. The law enforcement elective course shall include, at a minimum: a general introduction into law enforcement training; critical skills and entry requirements for law enforcement professionals; and career opportunities in law enforcement. The State Board of Education may coordinate with CLEET to develop the curricula and materials for this elective course.

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

Oklahoma Pension Systems Benefit Adjustment Authorization Act of 2023: [HB 2279](#) by Rep. Jon Echols (R-OKC) and Sen. John Montgomery (R-Lawton) authorizes the board of trustees for the six

(6) public retirement systems to provide retirement benefit increases when there is a positive inflation, as measured by the Consumer Price Index-Wage Earners and Clerical Workers (CPI-W). Benefit increases are limited to four percent (4%) per occurrence and the system's actuarial funded ratio must not fall below the following base percentage after the increase is granted:

OTRS (Teachers) seventy-five percent (75%)

URSJJ (Judges) ninety percent (90%)

OPPRS (Police) ninety percent (90%)

OFPRS (Firefighters) seventy-five percent (75%)

OLERS (Law Enforcement) ninety percent (90%)

OPERS (Public Employees) ninety percent (90%)

The bill passed the House Rules Committee on Tuesday by a [vote](#) of 9 to 0.

Open Records Act/Public Access Counselor/AG's Office: [HB 2287](#) by Rep. John Pfeiffer (R-Mulhall) and Sen. Greg McCortney (R-Ada) 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.

The bill passed the House General Government Committee on Tuesday by a [vote](#) of 7 to 0.

Oklahoma Flood and Drought Management Task Force: [HB 2293](#) by Rep. John Pfeiffer (R-Mulhall) creates the Oklahoma Flood and Drought Management Task Force into two groups, the management group, and the advisory group. The management group consists of state agencies. The advisory group is comprised of designees of the following state associations and entities: OML, ACCO, and ORWA. The advisory group shall include the resources of all remaining state agencies and departments available to provide advice and assistance to the Oklahoma Flood and Drought Management Task Force, including the Oklahoma State Regents for Higher Education. The Task Force shall have the following duties: 1) develop and recommend state drought and flood response, recovery, and mitigation initiatives; 2) identify drought and flood management areas in the state; 3) provide coordination and communication among federal, state and local entities as deemed appropriate for drought and flood assistance programs, education and information; and perform such drought- and flood-related assessments and response functions as deemed necessary. Beginning 2025, and every ten (10) years after, in conjunction with the update of the Oklahoma Comprehensive Water Plan and the State Flood Plan, OWRB shall coordinate with the Task Force to update the Oklahoma Drought Management Plan.

The bill passed the House Rules Committee on Tuesday by a [vote](#) of 9 to 0.

Sales Tax Exemption/Occasional Sales: [HB 2316](#) by Speaker Pro Tempore Kyle Hilbert (R-Bristow) and Sen. Lonnie Paxton (R-Tuttle) provides a definition for "occasional sales" to mean: a) one or two sales of taxable items, other than an amusement service, at retail during a twelve-month period by a person who does not habitually engage, or hold himself out

as engaging, in the business of selling taxable items at retail; b) the sale of the entire operating assets of a business or a separate division, branch or identifiable segment of a business; c) a transfer of all of substantially all the property used by a person in the course of an activity if after the transfer the real or ultimate ownership of the property is substantially similar to that which existed before the transfer; the sale of not more than ten admissions for amusement services during a twelve-month period by a person who does not hold himself out as engaging, or does not habitually engage, in providing amusement services; or e) the sale of tangible personal property who does not hold a permit issued under this code and is not required to obtain a permit as a "seller" or "retailer". A person who holds a permit issued under the Oklahoma Sales Tax Code and makes a purchase from a person entitled to claim the exemption shall accrue use tax on the transaction and remit it to the OTC.

The bill passed the House A&B Committee on Wednesday with the title stricken by a [vote](#) of 36 to 0.

Sales Tax/Hotels: [HB 2335](#) by Rep. Nick Archer (R-Elk City) and Sen. Kristen Thompson (R-Edmond) removes tax reporting requirements, permit and remitting requirements under 68 O.S. 1392 from hotel products. Products includes personnel property, services, or other transactions. This exception only applies to hotels with more than twelve (12) rooms.

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

Sales Tax Exemption/Farming & Livestock: [HB 2350](#) by Rep. Eddy Dempsey (R-Valliant) and Sen. Chris Kidd (R-Waurika) amends the definition of "agricultural products" to include timber. It also defines "farming" or "farm" to include the production of timber, seedling production, and forestry management and the definition of "livestock" includes the breeding of game animals, which are animals bred to be hunted for sport or food.

The bill passed the House A&B Committee on Wednesday with the title stricken by a [vote](#) of 37 to 0.

Governmental Tort Claims Act/Increases: [HB 2373](#) by Rep. Chris Kannady (R-OKC) and Sen. Brent Howard (R-Altus) amends Section 154 of Title 51 by increasing the limits of liability of the Governmental Tort Claims Act. For a single claim from a single act, occurrence or accident, the amount is increased from One Hundred Twenty-five Thousand Dollars (\$125,000.00) to Three Hundred Seventy-five Thousand Dollars (\$375,000.00). The limited liability cap for the state, city or county with a population of three hundred thousand (300,000) or more is increased from One Hundred Seventy-five Thousand Dollars (\$175,000.00) to Five Hundred Thousand Dollars. For medical negligence, the amount is increased from Two Hundred Thousand Dollars (\$200,000.00) to Three Hundred Fifty Thousand Dollars (\$350,000.00). For multiple claims from a single act, occurrence or accident, the cap is increased from One Million Dollars (\$1,000,000.00) to Two Million Dollars (\$2,000,000.00). A claim for a wrongful conviction is increased from One Hundred Seventy-five Thousand Dollars (\$175,000.00) to Three Hundred Thousand Dollars (\$300,000.00). Claims against physicians and interns of medical education programs cap is increased from One Hundred Thousand Dollars (\$100,000.00) to One Hundred Seventy-five Thousand Dollars (\$175,000.00).

The bill passed the House Judiciary - Civil Committee on Thursday by a [vote](#) of 9 to 0.

Law Enforcement/CLEET: [HB 2374](#) by Rep. Chris Kannady (R-OKC) modifies who is authorized to provide non-classroom training for law enforcement officers to include counties and municipalities.

The bill passed the House Public Safety Committee on Tuesday by a [vote](#) of 6 to 0.

Performance Based Efficiency Contracts: [HB 2472](#) by Rep. Nick Archer (R-Elk City) and Sen. Lonnie Paxton (R-Tuttle) allows the public entity to make an initial payment from any funds available on a performance-based efficiency contract.

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

Law Enforcement/Handle with Care Program: [HB 2513](#) by Rep. Ajay Pittman (D-OKC) directs the State Department of Education, in conjunction with OSBI, establish a Handle with Care Program. The Handle with Care Program shall enable a law enforcement officer or employee of a law enforcement agency to notify the program when a child, who may attend a public school in the state, is exposed to a traumatic event or other event that may affect his or her ability to succeed at school. The Program shall administer a telephone hotline or other appropriate method to allow a law enforcement officer or agency to provide notification that may include basic information about the traumatic event. The bill establishes procedures for law enforcement to collaborate with teachers or other members of the school system to reduce the negative impact of the traumatic event. Nothing shall be construed to require a law enforcement officer or law enforcement agency to provide notification if the disclosure may compromise an ongoing investigation.

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

Public Finance/Local Government Investment Pools: [HB 2538](#) by Rep. Mark Lawson (R-Sapulpa) requires any pooled investment program for a county, city, or town to be governed through an interlocal cooperative agreement. The governing body of the local government must amend their written investment policies prior to participating in a qualified program. The bill allows investment purchases by a qualified program to bypass existing investment restrictions.

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

Law Enforcement/Peer Support Counseling: [HB 2591](#) by Rep. John Talley (R-Stillwater) deletes provisions when peer support counseling sessions conducted by an employee or other person should apply to include when there is any admission of criminal conduct or any admission of a plan to commit a future crime.

The bill passed the House Criminal Justice & Corrections Committee on Wednesday by a [vote](#) of 5 to 1.

Preemption/Firearms Manufacturing Act of 2023: [HB 2643](#) by Rep. Jay Steagall (R-Yukon) creates the Firearms Manufacturing Act of 2023. A firearm, firearm part, or firearm suppressor manufactured in this state is not subject to federal law or federal regulation, including registration under the authority of the US Congress to regulate interstate commerce. On written notification to the AG, the AG shall seek a declaratory judgment from a federal district court in this state that is consistent with the US Constitution. An entity in this state, is prohibited from adopting a rule, order, ordinance, or policy under which the entity enforces or, by consistent action, allows the enforcement of federal rules and regulations that do not exist under the laws of this state. There is a process for an appeal.

The bill passed the House States' Powers Committee on Wednesday by a [vote](#) of 8 to 2.

Preemption/Transporting Firearms: [HB 2644](#) by Rep. Jay Steagall (R-Yukon) no person, property owner, tenant, employer of business entity shall establish or enforce any police or rule that prohibits any person or employee, except a convicted felon, from transporting, carrying or storing firearms or ammunition in a motor vehicle or a motor vehicle owned, leased, or rented by the person or employee to conduct business for the business entity. An individual may bring civil action to enforce the provisions of paragraph 1 of this subsection. If a plaintiff prevails in a civil action, the court shall award actual damages, enjoin further violations, and award court costs and attorney fees to the prevailing plaintiff. The does not apply to claims pursuant to the Administrative Workers' Compensation Act. An employee, using his or her own private motor vehicle or a motor a vehicle that is personally rented or leased by the employee, may transport a firearm or other legal weapon in the motor vehicle while conducting business for the business entity and shall not be prohibited from transporting such firearm or weapon by any policy or rule of the business entity.

The bill passed the House States' Powers Committee on Wednesday by a [vote](#) of 8 to 2.

Firearms/Spaces and Places: [HB 2645](#) by Rep. Jay Steagall (R-Yukon) provides an individual to openly carry a handgun or other firearm on the "street, plaza, sidewalk, and alley" to the list of places that a city, town, county, or state governmental authority may designate by statute, ordinance, resolution, policy or use as an area where a firearm may be carried. The bill also allows a person to openly carry on the property of a nonprofit entity with permission from the public trust or nonprofit entity.

The bill passed the House States' Powers Committee on Wednesday by a [vote](#) of 8 to 2.

Firearms/Law Enforcement/Identification: [HB 2646](#) by Rep. Jay Steagall (R-Yukon) adds the use of a state photo identification or valid driver license to be displayed on demand of a law enforcement officer during an arrest or routine traffic stop. The bill deletes procedures that allow for the dismissal of certain charges.

The bill passed the House States' Powers Committee on Wednesday by a [vote](#) of 8 to 2.

Firearms Manufacturers/Civil Actions: [HB 2647](#) by Rep. Jay Steagall (R-Yukon) prohibits a person from bringing, filing, or maintaining any civil action or special proceeding against a firearm, firearm accessory, or ammunition manufacturer, distributor, dealer, importer, exporter, or trade association or the owners, shareholders, directors, and employees of any such entity. The bill spells out the defendants right to appeal and the proceedings that occur. In any civil action or special proceeding not barred by the provisions of this section, all claims for relief contained in the complaint must be plead with specificity.

The bill passed the House States' Powers Committee on Wednesday by a [vote](#) of 7 to 2.

Prohibit the Private Funding of Elections Act: [HB 2682](#) by Rep. Mark Lepak (R-Claremore) creates the Prohibit the Private Funding of Elections Act. No person shall offer or provide any contribution, donation, or anything else of value for purposes of

conducting or administering any election pursuant to the provisions of this title. The following shall not be considered a contribution, donation, or thing of value: providing space or property for use as a polling place or for in-person absentee voting for free or at below-market price; people who volunteer as precinct officials, absentee voting board members, or as election workers; people who volunteer to assist the county election board or the State Election Board; people who serve as unpaid interns or volunteer to get community service credit or school credit; food or beverage items provided to precinct officials, absentee voting board members, or election officials; nominal value items including pens, sanitizer, and cleaning supplies; and airing or publication of public service announcements or press releases issued by the State Election Board or a county election board. The bill sets penalties for anyone who violates this Act.

The bill passed the House Elections & Ethics Committee on Monday by a [vote](#) of 6 to 2.

Election Date Changes: [HB 2685](#) by Rep. Neil Hays (R-Chicotah) amends dates in which a political subdivision authorized to call elections for any purpose. Elections can be called the second Tuesday of August in an odd-numbered year and the first Tuesday after the first Monday of November in an odd-numbered year. A special election called by the Governor must only be set on the second Tuesday of January, February, May, June, July, August, September, and October and the first Tuesday in March and April as well as the first Tuesday after the first Monday in November in odd-numbered years. The Governor may call a special election on the second Tuesday of January and February, the first Tuesday in April, and the date of any regularly scheduled state or federal election. The bill removes the authorization for a municipality with a population of more than two hundred fifty thousand (250,000) people to hold an election on the second Tuesday or December in odd-numbered years. The bill requires that any school district, technology center district, municipality, rural fire protection district or any other entity seeking to hold a special election for the purpose of filling a vacancy must schedule a three (3) day candidate filing period that begins not more than ten (10) days following the

date the resolution calling the election is required to be filed.

The bill passed the House Elections & Ethics Committee on Monday by a [vote](#) of 5 to 4.

Open Records Requests: [HB 2730](#) by Rep. Annie Menz (D-Norman) and Sen. Julia Kirt (D-OKC) provides that if a records request cannot be completed within ten (10) business days of the request, a person 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.

The bill passed the House General Government Committee on Tuesday by a [vote](#) of 7 to 0.

Transportation/Safety Zones: [HB 2752](#) by Rep. Nicole Miller (R-Edmond) and Sen. Jerry Alvord (R-Wilson) modifies action regarding pedestrians when crossing roadways including updating language regarding pedestrian-control signals. The bill requires pedestrians to yield to vehicles within the intersection when the "Walk" signal is displayed and prohibits pedestrians from entering the intersection when the "Don't Walk" or "Upraised Hand" signal is displayed. The bill requires vehicles passing around the central island of a circular intersection to drive in a counterclockwise direction and removes center lane driving exceptions when a roadway is divided into three lanes. Gives local authorities joint authority with the Transportation Department to limit speeds on streets and highways within the corporate limits which are maintained by ODOT.

The bill passed the House on Wednesday by a [vote](#) of 97 to 0. The bill moves to the Senate.

Fire Investigations: [HB 2757](#) by Rep. Stan May (R-Broken Arrow) authorizes the fire chief in every city, town or district in which a fire department is established or the mayor of the city or town where no fire department exists, or the sheriff of the county by which property has been destroyed or damaged to investigate as to whether the cause of the fire was accidental or intentional within forty-eight (48) hours of such fire. The officer making the investigation of fires shall within a week of the

occurrence of the fire complete a written statement of all acts relating to the cause and origin of the fire and shall within forty-eight (48) hours of the occurrence of such fire report to the State Fire Marshal all civilian and firefighter injuries and fatalities resulting from the occurrence of such fire.

The bill passed the House Public Safety Committee on Tuesday by a [vote](#) of 6 to 0.

Pensions/Oklahoma Public Finance Protection Act: [HB 2777](#) by Speaker Charles McCall (R-Atoka) creates the Oklahoma Public Finance Protection Act. The bill requires fiduciaries of a pension benefit plan to vote and exercise their duties solely in the pecuniary interest of plan participants and prohibits the consideration of non-pecuniary factors unless they present economic risks or opportunities that qualified investment professionals would treat as material economic considerations under generally accepted investment theories. Plan fiduciaries considering environmental, social, corporate governance, or other similarly oriented factors as pecuniary factors must examine the level of diversification, degree of liquidity, and the potential risk-return in comparison with other available alternative investments that could play a similar role in their investment portfolio. The bill removes the practice of current proxy voting authority and assigns the voting authority to the Board of Trustees or the governing officer of each plan. A board or governing officer may delegate its voting authority to a person who has a practice of and signs a written commitment to act based only on pecuniary factors. Every proxy vote taken by the designee must be tabulated and reported annually and posted on a publicly available website. The bill also authorizes the Attorney General to examine records, conduct questioning under oath and impound documents to enforce the act.

The bill passed the House Rules Committee on Tuesday by a [vote](#) of 6 to 1.

Oklahoma Internet Connectivity Act of 2023: [HB 2846](#) by Rep. Trey Caldwell (R-Lawton) provides that failure to timely submit any lawful information requested by the Oklahoma Broadband Office will render an Internet service provider or public entity

ineligible to receive assistance from the Office for one (1) year.

The bill passed the House Government Modernization & Technology Committee on Tuesday by a [vote](#) of 9 to 0.

Law Enforcement/Drone Recordings: [SB 36](#) by Sen. Nathan Dahm (R-Broken Arrow) expands the Open Records Act to require law enforcement agencies to make publicly available any audio or video recordings taken via unmanned law enforcement vehicles or drones.

The bill passed the Senate Judiciary Committee on Tuesday by a [vote](#) of 12 to 0.

Preemption/Contracts/Critical Infrastructure: [SB 107](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Jeff Boatman (R-Tulsa) prohibits any state agency or political subdivision from entering into a contract agreement with any company that is directly influenced or owned by a designated country, that is related to critical infrastructure and that would grant the company access or control of critical infrastructure, cybersecurity networks, or public utilities. The Governor is given authority to designate countries as threats after consulting with the Commissioner of Public Safety and the Director of the Oklahoma Office of Homeland Security for assessments of threats to critical infrastructure.

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

Law Enforcement/Drug Offenses: [SB 108](#) by Sen. Micheal Bergstrom (R-Adair) gives authority to the court to order a person to complete a substance abuse assessment and evaluation and a diversion program if they are found guilty of misdemeanor for possession of a controlled dangerous substance. A person who refuses or fails to complete the program may receive punishment. Any person who is convicted, receives a deferred sentence, or receives a suspended sentence for an offense described in this section, excluding an offense for the use of marijuana, who receives a fourth or subsequent conviction within ten (10) years for an offense, shall be guilty, upon conviction, of a felony punishable by

a fine not to exceed Five Thousand Dollars (\$5,000.00), by imprisonment in DOC for not less than one (1) year nor more than five (5) years, or by both. Violations under this section shall be referred to the district attorney. If the district attorney declines to prosecute, such violations may be prosecuted in municipal court. A municipality may adopt ordinances to effectuate this section of law.

The bill passed the Senate Appropriations Committee on Wednesday by a [vote](#) of 12 to 8.

Sales Tax Exemption/Manufacturing: [SB 113](#) by Sen. Micheal Bergstrom (R-Adair) amends Section 1359(7) of Title 68 by removing the sales and use tax exemption for sales of tangible personal property to a qualified manufacturer to be consumed or incorporated in a new manufacturing facility or to expand an existing facility. The bill also repeals Section 1359.1 of Title 68 which provides for refund procedures for the qualified manufacturer sales and use tax exemption.

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

Sales Tax Exemption/Agricultural Products/Medical Marijuana: [SB 133](#) by Sen. David Bullard (R-Durant) amends the definition of "agricultural products" by excluding the growing, harvesting, and processing of medical marijuana.

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

Alcoholic Beverages/City Limits: [SB 155](#) by Sen. Bill Coleman (R-Ponca City) and Rep. Ken Luttrell (R-Ponca City) allows retail spirits licensees to operate within a city or town with less than two (200) people if such licensees are located within two (2) miles of the city limits of a city or town with a population in excess of twenty thousand (20,000).

The bill passed the Senate on Thursday by a [vote](#) of 37 to 6. The bill moves to the House.

Law Enforcement/Seatbelts: [SB 164](#) by Sen. Carri Hicks (D-OKC) requires each child under the age of eight (8) who is a passenger in a vehicle to be restrained by a seat safety belt which meets federal

standards. If a child fails to comply, the driver of the vehicle shall be subject to a fine of not more than Twenty Dollars (\$20.00).

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

OUBCC/Refrigerant: [SB 168](#) by Sen. Bill Coleman (R-Ponca City) and Rep. Kevin McDugle (R-Broken Arrow) prohibits any building code, law, regulation, or other requirement in Oklahoma from prohibiting or otherwise limiting the use of a refrigerant designated as acceptable in accordance with 42 U.S.C. 7671K, provided, any equipment containing such refrigerant is listed and installed according to safety standards and use conditions.

The bill passed the Senate on Tuesday by a [vote](#) of 47 to 0.

Mobile Food Vendors: [SB 185](#) by Sen. Micheal Bergstrom (R-Adair) creates the Mobile Food Vendor Act requiring all food vendors to obtain a license from the State Department of Health. Each applicant is required to hold a current driver's license as well as provide information requested by the Department of Health. The bill establishes a Two Hundred Dollars (\$200.00) initial fee and One Hundred Seventy-five Dollars (\$175.00) for a renewal. Each license is valid for one (1) year after the issuance date. Each licensee must submit an application for renewal at least fourteen (14) days prior to the expiration of the license. Mobile food vendors may operate on public property provided that they park at least twenty (20) feet away from an intersection as well as private property located in an industrial, commercial, or institutional zoning district. The bill requires vendors to submit to health inspections. The Commissioner of Health may promulgate rules to enforce the measures of this law. The bill also creates three (3) classifications for mobile food vendors. The Department of Health shall determine the costs of such inspections and may, in consultation with any local authority partner, charge a reasonable fee for inspections. The Department of Health may also investigate a food vending vehicle upon reasonable suspicion the mobile food vendor has violated the laws or upon receipt of a health or safety complaint.

The bill passed the Senate Appropriations Committee on Wednesday by a [vote](#) of 11 to 9.

Local Development & Enterprise Zone Incentive Leverage Act: [SB 317](#) by Sen. Dewayne Pemberton (R-Muskogee) and Rep. Chris Sneed (R-Fort Gibson) requires the governing body of a city, town, or county to report to the Oklahoma Department of Commerce on increment districts in operation for nine (9) months or more, on or before the ninetieth (90) day following the end of each fiscal year. Commerce shall provide a copy of the report to any member of the public upon request. The disclosure report shall include the following information: the amount and source of revenue captured and apportioned pursuant to the plan; the amount and purposes of expenditures; the amount of principal and interest due on outstanding bonded indebtedness; the tax increment base and current captured appraised value or the other local tax or fee collections retained by the area; the captured appraised value or the other local tax or fee collections shared by the city, town, or county and other taxing entities, the total amount of tax increments received, and any additional information necessary to demonstrate compliance; the name of the person who is in charge of the implementation plan; and the names of the person who have disclosed an interest as required pursuant to Section 857 of this title and the interest disclosed. For those incentive districts in operation for nine (9) months or more, on or before the ninetieth (90) day following the end of the year, the governing body of a city, town or county shall submit a report to Commerce which shall be made public upon request. The report shall include the following information: the parties receiving the incentives or exemptions; a general description of the property and the improvements to be made; the portion and fair market value of the property to be exempted or that portion of the local taxes to be subject to incentives or to be exempted; the duration of the incentives or exemptions; additional information necessary to demonstrate compliance; the name of the person who is in charge of the implementation of the plan; and the names of the persons who have disclosed an interest as required pursuant to Section 857 of this title and the interest disclosed.

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

Sales Tax Exemption/Feminine Hygiene Products: [SB 382](#) by Sen. Jessica Garvin (R-Duncan) and Rep. Cynthia Roe (R-Lindsay) adds a new sales tax exemption to a 501(c)(3) organization whose primary and principal purpose is to provide feminine hygiene products free of charge directly to individuals in need thereof and to organizations for distribution to those in need of such products.

The bill passed the Senate Appropriations Committee with the title stricken on Wednesday by a [vote](#) of 18 to 2.

Sales Tax Exemption/Surviving Spouse Exemption: [SB 392](#) by Sen. Brenda Stanley (R-Midwest City) and Rep. Brad Boles (R-Marlow) increases the number of exemption cards from a member of the household to up to two (2) members who are eligible to make purchase on the persons behalf. Nothing herein, shall preclude the surviving spouse of a deceased veteran from eligibility for the sales tax exemption on the basis that the disability rating was awarded on or after the veterans date of death. The sales qualifying for the exemption shall not exceed Ten Thousand Dollars (\$10,000.00) which is up from the current One Thousand Dollars (\$1,000.00) to the unremarried surviving spouse.

The bill passed the Senate Finance Committee with the title stricken on Monday by a [vote](#) of 12 to 0.

Sales Tax Exemption/Disabled Veteran Vehicle Tax Exemption: [SB 393](#) by Sen. Brenda Stanley (R-Midwest City) and Rep. Josh West (R-Grove) exempts sales of motor vehicles to the disabled veteran to not apply toward the limitation on sales qualifying for the exemption provided for in this subparagraph; however, this exception may not be claimed by the qualifying disable veteran for more than one vehicle in a consecutive three-year period, unless the vehicle is a replacement for a vehicle which was destroyed and declared by the insurer to be a total loss claim.

The bill passed the Senate Finance Committee with the title stricken on Monday by a [vote](#) of 12 to 0.

Electric Utilities/Firm Gas Supply: [SB 472](#) by Sen. Lonnie Paxton (R-Tuttle) requires an electric utility subject to retail rate regulation by the Corporation Commission that utilizes natural gas electric generation to maintain a firm gas supply of enough natural gas under firm gas transportation contracts or from actual physical storage to operate its natural gas electric generation facilities at an eighty percent (80%) maximum daily capacity for a period of not less than fourteen (14) consecutive days during the winter months to protect customers from adverse weather events and supply chain issues. Electric utilities subject to the provisions of this section shall be entitled to recover costs for the firm gas supply and actual physical storage requirements.

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

Oklahoma Broadband Expansion Act/Assistance: [SB 499](#) by Sen. Lonnie Paxton (R-Tuttle) makes failure of any state agency, county, city, town, school district, institutions of higher education, public trusts other entities or instrumentalities of local government and Internet service providers to submit any lawful information requested by the Oklahoma Broadband Office will result in an Internet service provider or public entity ineligible to receive any grant or other assistance from the Office for a period of one (1) year.

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

Preemption/Public Display of Lewd Acts: [SB 503](#) by Sen. David Bullard (R-Durant) is a new law in 21 O.S. 1024 which prohibits municipalities from allowing or permitting a public display of lewd acts or obscene material including but not limited to Parades, Shows, and Concerts. Any person guilty is subject to a felony. The bill defines "public place" as any area or space that the general public may freely access and may participate or take part in any event without payment for admission".

The bill passed the Senate Appropriations Committee on Wednesday by a [vote](#) of 15 to 5.

Oklahoma Housing Authority: [SB 580](#) by Sen. Chuck Hall (R-Perry) and Rep. Kevin Wallace (R-Wellston) 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 on Tuesday by a [vote](#) of 44 to 3.

Sales & Sales Event Permits/Minors: [SB 600](#) by Sen. Dave Rader (R-Tulsa) and Rep. John Pfeiffer (R-Mulhall) provides that an individual must be at least eighteen (18) years of age to obtain a sales tax permit. A parent or legal guardian may apply for a permit on behalf of individuals or sole proprietors 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 also requires, at least ten (10) days prior to the start of the event, promoters and organizers to submit a list of all vendors registered to attend the event to the Tax Commission.

The bill passed the Senate on Tuesday by a [vote](#) of 47 to 0.

Groundwater Permits: [SB 659](#) by Sen. Casey Murdock (R-Felt) beginning January 1, 2024, a five-(5) year allocation of the maximum annual yield of the basin or subbasin may be approved for a regular permit. An applicant for a five-year allocation shall be required to submit annual usage as determined by a metering system proposed by the applicant and pay the annual permit fee. If approved by the Board, the applicant may exceed the annual maximum annual yield in any year of the five-(5) year allocation; provided, the applicant shall adhere to the cumulative maximum annual yield for the basin and subbasin over the five-(5) year period.

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

Law Enforcement/DUI/Marijuana: [SB 660](#) by Sen. Cody Rogers (R-Tulsa) authorizes Service Oklahoma the power to revoke an individual's driving privilege who is convicted of driving under the influence of alcohol, any other intoxicating substance, including but not limited to marijuana, cannabis, tetrahydrocannabinol, or its psychoactive components such as delta-9-tetrahydrocannabinol, 11-hydroxy-delta-9-tetrahydrocannabinol, and specifically excluding cannabitol or the combined influence of both.

The bill passed the Senate Public Safety Committee with the title stricken on Thursday by a [vote](#) of 9 to 2.

Law Enforcement/Human Trafficking: [SB 661](#) by Sen. Cody Rogers (R-Tulsa) and Rep. Jeff Boatman (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 Appropriations Committee on Wednesday by a [vote](#) of 18 to 0.

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 Appropriations Committee on Wednesday by a [vote](#) of 16 to 0.

Hospitals/Collections: [SB 732](#) by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Chris Sneed (R-Ft. Gibson) prohibits hospitals from taking certain collection actions against patients if certain conditions are not met. The bill requires the hospitals to take certain actions if found in noncompliance with hospital price transparency laws. Nothing in this act prohibits a hospital from billing a patient, patient guarantor, or third-party payer, including a health insurer, for items or services provided to the patient; or requires a hospital to refund any payment made to the hospital for items or services provided to the patient, so long as no collection action is taken in violation of this act.

The bill passed the Senate Business & Commerce Committee with the title stricken on Monday by a [vote](#) of 10 to 2.

Oklahoma Quality Events Incentive Act: [SB 746](#) by Sen. Bill Coleman (R-Ponca City) and Speaker Pro Tempore Kyle Hilbert (R-Bristow) modifies "quality event" as it relates to the Oklahoma Quality Events Incentive Act. The measure provides that events held in a county with a population of less than one hundred thousand (100,000) persons or in a municipality with a population of less than ten thousand (10,000) persons located in a county with a population exceeding one hundred thousand (100,000) persons shall not be held more than once

per year and that twenty-five percent (25%) of its attendees shall be comprised of residents from outside this state. The bill limits events held along the route of or containing within its boundaries, a National Scenic Byway or State Scenic Byway, designated pursuant to the National Scenic Byways Program, pursuant to 23 U.S.C., Section 162, one driving related event per calendar year.

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

Sales Tax Exemption/Digital Asset Mining: [SB 750](#) by Sen. John Montgomery (R-Lawton) and Rep. Scott Fetgatter (R-Okmulgee) creates a sales tax exemption for the sale of machinery and equipment used for commercial mining of digital assets in a colocation facility. The exemption shall sunset on January 1, 2039.

The bill passed the Senate Appropriations Committee on Wednesday by a [vote](#) of 18 to 2.

Sales Tax Exemption/Occasional Sale: [SB 752](#) by Sen. Casey Murdock (R-Felt) specifies that the occasional sell of tangible property shall be exempt from the sales tax. A nonrecurring sale is defined in the bill as no more than 2 sales or series of sales of tangible personal property subject to the sales tax during a 12-month period. Occasional sells of such property shall be made by individuals not otherwise engaged in the business of selling tangible property, the sale of all or substantially all of the property of a business or of a separate division, branch, or identifiable segment of a business, and sales by an individual if the property was originally purchased by the individual or a member of the individual's family for the personal use of the individual or individual's family. The bill specifies that such sales shall not include sales supervised by auctioneers, sellers of property held on consignment, the rental or lease of personal property, and the sale of motor vehicles.

The bill passed the Senate Finance Committee on Monday by a [vote](#) of 9 to 3. The bill passed the Senate Appropriations Committee on Wednesday by a [vote](#) of 12 to 7.

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 on Tuesday by a [vote](#) of 45 to 2.

Oklahoma Aircraft Engine Testing Development Grant Program: [SB 942](#) by Sen. John Haste (R-Broken Arrow) and Rep. Kevin Wallace (R-Wellston) creates within the Oklahoma Aeronautics Commission, the Oklahoma Aircraft Engine Testing Development Grant Program to offer financial assistance by grant to private or public entities for the purpose of augmenting the aircraft engine testing capabilities of this state and developing aircraft engine testing infrastructure. Grant funding shall be administered based on merit and the potential for a specific project to enhance the aviation and aerospace industry of this state. A grant under this program shall be a one-time award. There is to be appropriated Twenty Million Dollars (\$20,000,000.00) for the Aircraft Engine Testing Development Grant Program Revolving Fund.

The bill passed the Senate Appropriations Committee on Wednesday by a [vote](#) of 20 to 0.

Sales Tax Exemption/Timber: [SB 961](#) by Sen. Chris Kidd (R-Waurika) and Rep. Eddy Dempsey (R-Valliant) adds timber to the definition of "agricultural products" and adds farming or farm shall include the production of timber, seedling production and forestry management to the exemption of sales tax.

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

Broadband Expansion Council: [SB 1021](#) by Sen. Shane Jett (R-Shawnee) directs the Broadband Expansion Council in developing and continually monitoring the Offices Statewide Broadband Plan related to ensure collaboration and to avoid duplication of efforts, the Council shall, on no less than an annual basis, evaluate and review the Oklahoma Broadband Offices and the Oklahoma

Universal Service Funds processes and procedures to review eligible projects, reimbursements, and policies of each program. The Council shall submit findings and any recommendations for statutory or regulatory updates to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives no later than September 1 of a given calendar year.

The bill passed the Senate Energy & Telecommunications Committee on Thursday by a [vote](#) of 8 to 3.

Open Meetings Act: [SB 1055](#) by Sen. Chris Kidd (R-Waurika) and Rep. Daniel Pae (R-Lawton) requires the board of community action agencies to maintain a quorum of members for the entire duration of the meeting whether using an in-person site, videoconference sites or any combination of such sites to achieve a quorum. The bill also removes expired language relating to the COVID emergency.

The bill passed the Senate Judiciary Committee on Tuesday by a [vote](#) of 12 to 0.

Law Enforcement/DUI Revocation: [SB 1057](#) by Sen. Paul Rosino (R-OKC) and Rep. Jon Echols (R-OKC) creates the Marissa Murrow Act. The bill defines "event venue" to mean a location, property, space, premises, grounds, building or buildings, or other site that offers to the general public for rent, lease, reservation, or other contractual use, for the hosting of a function, occasion, or event, special, private, or public, of a temporary nature as a primary source of income. The location, property, space, premises, grounds, or building or buildings defined in this paragraph shall not include locations where the primary purpose is a permanent personal residence including, but not limited to, a residential home, duplex, condo, apartment building, or other place of residence or organizations exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3). A caterer shall not sell or distribute alcoholic beverages on the premises of an event venue unless the event venue holds an event venue license, which is Five Hundred Dollars (\$500.00). The event venue license shall authorize the holder to operate a space and provide alcoholic beverage services during events hosted on the licensed premises.

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

Small Cell Wireless Facilities/ROW Repair: [SB 1099](#) by Pro Tempore Greg Treat (R-OKC) and Speaker Charles McCall (R-Atoka) mandates the authority to require a wireless provider to repair all damage to the right-of-way directly caused by the activities of the wireless provider in the right-of way and to return it to its functional equivalence before the damage pursuant to the competitively neutral, reasonable requirements and specifications of the authority.

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

Electric Utilities/Ratepayer Protection Act of 2023: [SB 1103](#) by Pro Tempore Greg Treat (R-OKC) and Speaker Charles McCall (R-Atoka) creates the Ratepayer Protection Act of 2023. The bill allows electric utilities to file a general rate change to its rates and charges under this section and pursuant to the rules of the Corporation Commission may, as part of a general rate change application, file a performance-based rate plan notice before the Commission indicating the utility is electing to have its rates regulated under a performance-based rate (PBR) plan. Performance-based rate plan means the formula by which the jurisdictional non-fuel revenue requirements of a rate-regulated electric utility shall be calculated and allocated to the utilities various rate schedules, subject to the Corporation Commission. The Commission shall grant the utility's PBR plan notice to elect rate regulation under a PBR plan. An electric utility subject to retail rate regulation by the Corporation Commission that utilizes natural gas electric generation and has firm gas transportation contracts shall, by December 2026, maintain a firm supply of enough natural gas to operate its facilities at an eighty percent (80%) maximum daily quantity under firm gas transportation contracts for fourteen (14) consecutive days during the winter months to protect customers from adverse weather and supply chain issues. Electric utilities shall be entitled to recover costs for the firm supply requirements.

The bill was [amended](#) to remove the Right of First Refusal language and passed the Senate Energy & Telecommunications Committee on Thursday by a [vote](#) of 10 to 2.