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As Deadline Approaches OML Busy Getting Rid of the Bad Eggs

Thursday, April 13, marks the deadline for bills to be heard in committees in the opposite chambers. OML continues our efforts to get rid of the bad eggs that are still around. Please be prepared to act on the Action Alerts we will send on these issues. Your voices are important!

Workers' Compensation/PTSD/First Responders: [HB 2398](#) by Rep. Neil Hays (R-Muskogee) and Sen. Paul Rosino (R-OKC) amends Worker's Compensation in 85A O.S. Section 13 authorizing mental injury or illness as a compensable injury, without a physical injury, for a first responder who suffers post-traumatic stress disorder (PTSD) after responding to an emergency. The bill defines "first responder" as a law enforcement officer, firefighter, or emergency medical technician on a full-time basis by a municipality, county, or the State of Oklahoma, or a volunteer firefighter. The employer must provide reasonable and necessary medical treatment subject to the Fee Schedule for workers' compensation for a period not to exceed one (1) year, if it is determined the first responder has suffered PTSD not accompanied by a physical injury. The employer is not responsible for prescription medication more than Ten Thousand Dollars (\$10,000). The bill provides compensation if the first responder is temporarily unable to perform his job or any alternative work offered by the employer, the employer shall pay to maintain health insurance coverage.

This bill is likely to be scheduled to be heard in the Senate Retirement & Insurance Committee on Tuesday, April 12th. Agenda has yet to be posted.

OML continues to work with the authors for a compromise. We will keep you informed of any agreement we might reach.

Eminent Domain: [HB 2191](#) by Rep. Kevin West (R-Moore) and Sen. Todd Gollihare (R-Kellyville) prohibits the taking of private property or damaged by a condemning authority unless the taking or damage is necessary for public use and with just compensation. The public purpose or public benefit of economic development, including an increase in tax base, tax revenues, employment, or general economic health, does not constitute a public use. Nothing in subsection A shall be construed to prohibit the taking of private property for public use because the public use also provides ancillary economic benefits. The court shall strictly construe eminent domain statutes in favor of the property owner and against the condemning authority. A governmental body subordinate to the state may not exercise, create, extend, or expand the power of eminent domain in the absence of statutory authority. Additional procedures, remedies, or limitations that do not deny or diminish the substantive and procedural rights and protections of property owners under this section may be provided by other law, ordinance, or charter. The bill also provides definitions for abandoned property, blighted property, and public use.

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 Unit 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 thirty (30) 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 access to records and any response from the public body. A person who makes the request for commercial purposes 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 the necessary action to comply or file a suit in the proper district court. The AG may also issue advisory opinions to public bodies regarding compliance with this act.

These are scheduled to be heard in the Senate Judiciary Committee on Tuesday, April 11th.

OML Fills the Legislative Basket with Good Eggs

OML's good eggs aka Priorities are still making their way through the legislative process. This week the Legislature approved several of our priorities.

[HB 2108](#) by Rep. Daniel Pae (R-Lawton) and Sen. Brent Howard (R-Altus) amends the Open Meetings Act when it comes to public health emergencies. This bill provides a definition for "public health emergency" to mean an occurrence of imminent threat of an illness or health condition that poses a high probability of a large number of deaths or serious or long-term disabilities in the affected population, or widespread exposure to an infectious or toxic agent that poses a significant risk of harm to a large number of people in the affected population, for which the Governor or an elected official or officials of a political subdivision are authorized by law to declare an emergency. "Electronic means" means members of a public body remote from one another or other technology permitting communication among members of a public body and between members of the public body and public. During any meeting conducted utilizing electronic means, both visual and audio shall attempt to be utilized. The bill removes the definition for teleconference. It authorizes a public body to hold meetings utilizing electronic means

except for in subparagraphs b and c, no less than a quorum of the public body shall be present in person at the physical meeting site. The meeting notice and agenda shall indicate if the meeting will include electronic locations and shall state the location address, website or link or telephone number of each available physical or electronic site, if applicable, and identify each member of the public body and specific physical or electronic site from which each member of the public body is physically or electronically present and participating. Once the meeting notice and agenda have been posted, no member of the public body shall be allowed to participate in a meeting by electronic means unless such remote participation was specifically authorized in the meeting notice. A public body is authorized to hold meetings by electronic means without a quorum at a physical location open to the public in the following circumstances: during a declared state of emergency in which the public body is unable to utilize the physical meeting location. A state of emergency declared by an elected official or officials of a political subdivision as authorized by law shall not be a sufficient reason to suspend the use of a physical location open to the public for more than three (3) consecutive meetings unless a state of emergency covering the political subdivision is concurrently declared by the Governor; or if the physical location designated on the meeting notice has become unsafe or otherwise inaccessible to the members of the public body and the public due to circumstances including but not limited to a gas leak, electrical failure, or structural damage to the physical location. The public body is required to maintain a quorum of members for the entire duration of the meeting whether using an in-person site or electronic meetings or any combination of such sites to achieve a quorum.

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

(OML Priority) Certificates of Convenience and Necessity: [HB 2360](#) by Rep. Brad Boles (R-Marlow) and Sen. Lonnie Paxton (R-Tuttle) 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.

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

(OML Priority) Municipal Audits: [HB 2362](#) by Rep. Brad Boles (R-Marlow) and Sen. Jessica Garvin (R-Duncan) directs the governing body of each municipality that requests the biennial agreed-upon-procedures engagement to determine the establishment of policies related to adjustments, write-downs, or write-offs for various receivables due to the municipality and/or the utility-related trust and select a sample of adjustments to test for adherence to policies and for appropriate supporting documentation; obtain two (2) months of bank statements of the General Fund and Utility Fund and confirm that cash deposits were made in the appropriate account(s) and verify utility billing receipts and/or posting reports agree to the daily deposits. The governing body shall agree upon a pay rate to be authorized and documented in the personnel file or in approved meeting minutes for the city manager/town administrator, city/town clerk, city/town treasurer and payroll clerk. Public trusts with municipal governments as the beneficiary that meet the same financial requirements established in subsection B, may in alternative to obtaining an audit, follow the biennial agreed-upon-procedures engagements as outlined in subsection D of this section.

The bill passed the Senate General Government Committee on Thursday by a [vote](#) of 7 to 0. The bill moves to the Senate floor.

(OML Priority) Municipal Judge Certification: [SB 462](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Josh West (R-Grove) beginning July 1, 2025, no person may be newly appointed pursuant to paragraph as a municipal judge; or a municipal judge previously appointed prior to July 1, 2025, may continue to be reappointed. The bill removes the language for cities with a population of seven thousand five hundred (7,500) of having a non-attorney serve as a municipal judge. Beginning July 1, 2025, any person any person currently appointed or serving as a municipal judge shall have completed a certification program as approved by the Oklahoma Municipal Judges Association. Any person appointed as a municipal judge after July 1, 2025, shall have one (1) year from the date of appointment to complete the certification program. If a municipal judge has not completed the certification program, the maximum fine that may be imposed by the municipal court in all traffic and criminal cases shall not exceed Fifty Dollars (\$50.00). A copy of the Oklahoma Municipal Judge certification shall be filed with the county clerk in the county in which the municipality is located and with the municipal court clerk.

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

(OML Priority) Open Records Act/Confidential Records: [SB 715](#) by Sen. Kay Floyd (D-OKC) and Rep. Mark Lawson (R-Sapulpa) provides that if a public body determines to keep a requested record confidential pursuant to subsection A of this section, the public body shall notify the requestor of such decision. A person denied access to records may file an action pursuant to subsection B of Section 24A.17 of this title. Upon hearing, the court may order the release of the records if the court finds that the public interest in the records outweighs the privacy interest and shall order any redactions necessary to protect innocent parties including but not limited to personal identifying information. The court may award a requesting party court costs and reasonable attorney fees if it finds that the denial of access to the records by the public body was unreasonable.

The bill passed the House General Government Committee on Tuesday by a [vote](#) of 6 to 0. The bill moves to the House floor.

BILLS ON THE MOVE

Snapshot of bills impacting cities and towns

Juveniles/Adjudication: [HB 1032](#) by Rep. Mark Lawson (R-Sapulpa) and Sen. Julie Daniels (R-Bartlesville) requires that a child being held in secure detention on charges as an accused juvenile delinquent, adjudication must occur within thirty (30) days after the detainment for that charge. This time may be extended to allow parties to negotiate in good faith to review discovery or for any good cause shown. The provisions of this subsection shall not apply to matters in which a non-injury or jury trial are requested by the child.

The bill passed the Senate Judiciary Committee on Tuesday by a [vote](#) of 10 to 0. The bill moves to the Senate floor.

Law Enforcement/Kasey Alert Act: [HB 1077](#) by Rep. Ken Luttrell (R-Ponca City) and Sen. Cody Rogers (R-Tulsa) creates the Kasey Alert Act. The Department of Public Safety (DPS) shall develop and implement a statewide Kasey Alert system to be activated on behalf of a critically missing adult. The alert system in cooperation with DOT, DHS, ODEMHS, tribal governments, the Oklahoma Association of Broadcasters, and any other state or local agency that DPS deems appropriate. DPS shall promulgate rules necessary to implement this act, provided the rules shall include: 1) the procedure to be used by law enforcement agencies to verify whether an adult is believed to be at risk or abduction or being taken against his or her will; 2) the criteria law enforcement agencies must consider in circumstances in which a missing person does not meet the definition of a critically missing adult but whose safety would be best protected by the issuance of a Kasey Alert; 3) the procedure for law enforcement agencies to follow in initiating such alerts; 4) the method whereby information is distributed statewide; the procedure for the receipt and evaluation of information received from the

public; and the procedure for the termination of a Kasey Alert.

When a law enforcement agency receives notice of a critically missing adult, the agency shall: 1) enter the missing individual in the NCIC database immediately; 2) investigate the disappearance of the critically missing adult; and 3) collect identifying information and any other information that might be useful to the general public for the safe recovery of the person.

A Kasey Alert shall include all appropriate information provided by a law enforcement agency for a safe recovery and a statement instructing any person with information to a missing Native American or Indigenous person to contact law enforcement or tribal authorities. The bill sets up procedures for what to do when a Kasey Alert is terminated.

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

Sales Tax Exemption/Broadband Equipment: [HB 1130](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Roger Thompson (R-Okemah) allows a sales tax exemption for qualifying broadband equipment to remain operational without the enactment of an incentive award formula. The bill removes the formula for the exemption as well as moving the enforcement to the Oklahoma Broadband Office.

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

OMMA Board: [HB 1349](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Jessica Garvin (R-Duncan) 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 Senate Business & Commerce Committee on Monday with the enacting clause stricken by a [vote](#) of 11 to 0. The bill moves to the Senate floor.

Oklahoma Quality Events Incentive Act: [HB 1352](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Bill Coleman (R-Ponca City) expands the eligibility of "quality events" to any county with a population of less than one hundred thousand (100,000) persons, or any city or town with a population of less than ten thousand (10,000) persons located in a county with more than one hundred thousand (100,000) persons, each city or town within such county may designate one new or existing event per year that attracts twenty-five percent (25%) of its visitors from out-of-state as a quality event whether it meets certain conditions, or for any National Scenic Byway or any State Scenic Byway, a combination of at least two cities, towns, or counties along the same byway may designate one driving event per year as a quality event.

The bill passed the Senate Finance Committee on Monday with the enacting clause stricken by a [vote](#) of 11 to 1. The bill moves to the Senate Appropriations Committee.

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 Senate Finance Committee on Monday with the enacting clause stricken by a [vote](#)

of 11 to 0. The bill moves to the Senate Appropriations Committee.

Oklahoma 9-1-1 Management Authority: [HB 1590](#)

by Rep. Jim Grego (R-Wilburton) and Sen. Casey Murdock (R-Felt) 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). The distribution of revenue from 9-1-1 fees has also been modified. Eligible governing bodies are to be given a flat rate of Three Thousand Dollars (\$3,000.00) per month per Public Safety Answering Point (PSAP). Of the remaining revenue, ten percent (10%) will be distributed based on response area and ninety percent (90%) will be distributed based on population. 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.

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

Video Services/Municipal Agreements: [HB 1599](#)

by Rep. Ryan Martinez (R-Edmond) and 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 11 to 0. The bill moves to the Senate floor.

Law Enforcement/Shooting into Buildings: [HB 1612](#)

by Rep. Rande Worthen (R-Lawton) and Sen. Lonnie Paxton (R-Tuttle) 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.

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

Workers' Compensation/Increase in Death Benefits: [HB 1738](#)

by Rep. Tammy Townley (R-Ardmore) and Sen. Jerry Alvord (R-Lone Grove) increases the death benefits for a surviving spouse if there is more than one (1) child but less than five (5) children, each child shall receive a lump-sum payment of Twenty-five Thousand Dollars (\$25,000.00) and a pro rata share of thirty percent (30%) of the deceased employee's average weekly wage. If there are more than five (5) or more children, each child shall receive a pro rata share of

One Hundred Thousand Dollars (\$100,000.00) up from Fifty Thousand Dollars (\$50,000.00).

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

Oklahoma Crime Reclassification Act of 2023: [HB 1792](#) by Rep. Mike Osburn (R-Edmond) and Sen. Dave Rader (R-Tulsa) creates the Oklahoma Crime Reclassification Act of 2023. The bill establishes a classification for all felony criminal offenses provided for in the Oklahoma Statutes and sets forth maximum fines for each classification.

The bill passed the Senate Judiciary Committee on Tuesday with the enacting clause stricken by a [vote](#) of 11 to 0. The bill moves to the Senate Appropriations Committee.

Law Enforcement/Victim Protective Orders/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 Senate Judiciary Committee on Tuesday by a [vote](#) of 11 to 0. The bill moves to the Senate floor.

Oklahoma 9-1-1 Management Authority: [HB 1897](#) by Rep. Josh Cantrell (R-Kingston) and Sen. Chris Kidd (R-Waurika) 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 Senate Public Safety Committee on Thursday by a [vote](#) of 10 to 0. The bill moves to the Senate floor.

County Sales Tax/Emergency Medical Services: [HB 1967](#) by Rep. Carl Newton (R-Cherokee) and Sen. Darcy Jech (R-Kingfisher) 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. Before the sales tax may be levied by the county, the imposition of the tax shall first be approved by fifty percent (50%) of the registered voters of the county at a special election called by resolution of the board of county commissioners.

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

Broadband/ODOT: [HB 1977](#) by Rep. Carl Newton (R-Cherokee) and Sen. Lonnie Paxton (R-Tuttle) 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 Senate Energy & Telecommunications Committee on Thursday by a [vote](#) of 11 to 0. The bill moves to the Senate floor.

Water Quality Standards: [HB 1982](#) by Rep. Brad Boles (R-Marlow) and Sen. Lonnie Paxton (R-Tuttle) removes the requirement that the Oklahoma Water Resources Board develop and submit a report to the Legislature every other year about the status of water quality monitoring in Oklahoma. The bill also removes OWRB's ability to promulgate water quality standards for state waters and classify such waters according to their best use.

The bill passed the Senate Energy & Telecommunications Committee on Thursday by a [vote](#) of 10 to 1. The bill moves to the Senate floor.

OWRB/Groundwater Permits: [HB 2053](#) by Rep. David Hardin (R-Stilwell) and Sen. Brent Howard (R-Altus) 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.

The bill passed the Senate Energy & Telecommunications Committee on Thursday with

the title and enacting clause stricken by a [vote](#) of 9 to 2. The bill moves to the Senate floor.

Police Pension & Retirement System: [HB 2131](#) by Rep. John George (R-Newalla) and -Sen. Shane Jett (R-Shawnee) requires the employer and employee contributions to the Oklahoma Police Pension Retirement System (OPPRS) to be remitted online. The bill prohibits any of the funds of the System to be applied to a Child Support Enforcement Division order for a support arrearage pursuant to Section 240.23 of Title 56 of the Oklahoma Statutes and current child support payments made pursuant to a valid court order.

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

Terry Peach North Canadian Watershed Restoration Act: [HB 2239](#) by Rep. Mike Dobrinski (R-Okeene) and Sen. Darcy Jech (R-Kingfisher) creates the Terry Peach North Canadian Watershed Restoration Act. There is a pilot program created to remove or eradicate harmful 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 harmful woody species removal.

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

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 Senate General Government Committee on Thursday by a [vote](#) of 7 to 1. The bill moves to the Senate floor.

Court Cost Compliance Programs: [HB 2259](#) by Rep. Danny Sterling (R-Tecumseh) and Sen. Brent Howard (R-Altus) 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 Senate Judiciary Committee on Tuesday by a [vote](#) of 12 to 0. The bill moves to the Senate floor.

Tax Administration: [HB 2289](#) by Rep. John Pfeiffer (R-Mulhall) and Sen. Dave Rader (R-Tulsa) 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 was [amended](#) and passed the Senate Finance Committee on Monday by a [vote](#) of 10 to 0. The bill moves to the Senate Appropriations Committee.

Oklahoma Flood and Drought Management Task Force: [HB 2293](#) by Rep. John Pfeiffer (R-Mulhall) and Sen. Darcy Jech (R-Kingfisher) 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 Senate Energy & Telecommunications Committee with the enacting clause stricken on Thursday by a [vote](#) of 11 to 0. The bill moves to the Senate floor.

Sales Tax Exemption/Disabled Veterans/Surviving Spouse: [HB 2312](#) by Speaker Pro Tempore Kyle Hilbert (R-Bristow) and Sen. Todd Gollihare (R-Kellyville) amends 68 O.S. Section 1357(34) allowing the surviving spouse of a one hundred percent (100%) disabled veteran to claim the surviving spouse sales tax exemption even if the one hundred percent (100%) disability determination isn't finalized until after the death of the veteran.

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

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 Senate Finance Committee on Monday with the enacting clause stricken by a [vote](#) of 10 to 2. The bill moves to the Senate Appropriations Committee.

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 for occupancy in the regular course of business by the hotel or motel.

The bill passed the Senate Business & Commerce Committee on Monday by a [vote](#) of 10 to 0. The bill moves to the Senate floor.

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 Senate Judiciary Committee on Tuesday with the enacting clause stricken by a [vote](#) of 9 to 0. The bill moves to Senate Appropriations Committee.

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 for a performance-based efficiency contract from any funds available at its disposal. Any initial payment from funds other than an installment agreement must also be offset by savings to the public entity over the term of the agreement.

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

Law Enforcement/Handle with Care Program: [HB 2513](#) by Rep. Ajay Pittman (D-OKC) and Sen. Adam Pugh (R-Edmond) 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 Senate Education Committee on Tuesday with the enacting clause stricken by a [vote](#) of 12 to 0. The bill moves to the Senate Appropriations Committee.

Emergency Price Stabilization Act: [HB 2561](#) by Rep. Mark McBride (R-Moore) and Sen. John Montgomery (R-Lawton) adds natural gas to the list of commodities to price increase limitations during the declaration of emergency by the Governor.

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

Prohibit the Private Funding of Elections Act: [HB 2682](#) by Rep. Mark Lepak (R-Claremore) and Sen. Julie Daniels (R-Bartlesville) prohibits any person from offering or providing any contribution, donation, or anything else of value for purposes of conducting or administering any election. The following will 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; persons who volunteer as precinct officials, absentee voting board members, or as election workers; persons who volunteer to assist the county election board or the State Election Board; food or beverage items provided to precinct officials, absentee voting board members, or election officials; items of nominal value 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. Those donations that are not directly related to election administration may be accepted only upon written approval by the Governor and written notification sent to Legislature leadership. A willful and intentional violation of this act will be punishable.

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

Sunset/DEQ Councils: [HB 2802](#) by Rep. Gerrid Kendrix (R-Altus) and Sen. Micheal Bergstrom (R-Adair) recreates the following Councils until July 1,

2026: Water Quality Management Advisory Council, Hazardous Waste Management Advisory Council, Solid Waste Management Advisory Council, and Radiation Management Advisory Council.

The bill passed the Senate Administrative Rules Committee on Wednesday by a [vote](#) of 11 to 1. The bill moves to the Senate floor.

Sunset/Construction Industries Board: [HB 2810](#) by Rep. Gerrid Kendrix (R-Altus) and Sen. Julie Daniels (R-Bartlesville) recreates Construction Industries Board until July 1, 2026.

The bill passed the Senate Administrative Rules Committee on Wednesday by a [vote](#) of 11 to 1. The bill moves to the Senate floor.

OSBI/Alaunna Raffield Fund: [HB 2851](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Grant Green (R-Wellston) requires the OSBI to establish the Alaunna Raffield Fund to assist in training other law enforcement officers. The Fund shall be administered and utilized by the OSBI in amounts as directed by the Legislature for such purpose. Monies allocated shall be utilized to assist law enforcement partners with the cost of attending trainings facilitated by the OSBI. Scholarship opportunities shall be afforded each year to county and municipal law enforcement agencies to attend accredited trainings conducted by the OSBI. The OSBI is authorized to promulgate agency rules for the administration of the Fund and determination of scholarship awards.

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

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

The bill passed the House Administrative Rules Committee on Wednesday by a [vote](#) of 11 to 1. The bill moves to the House floor.

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 House Judiciary - Criminal Committee on Wednesday by a [vote](#) of 7 to 0. The bill moves to the House floor.

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

The bill passed the House A&B Finance Subcommittee on Thursday by a [vote](#) of 7 to 0. The bill moves to the House A&B Committee.

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

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 House Children, Youth and Family Services Committee on Wednesday by a [vote](#) of 6 to 0. The bill moves to the House floor.

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 House Business & Commerce Committee on Wednesday by a [vote](#) of 6 to 0. The bill moves to the House floor.

Preemption/Internal Combustion Engines & Gas Stoves: [SB 202](#) by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Jon Echols (R-OKC) prohibits the state or any political subdivision from outlawing the use of internal combustion engines and gas fueled stoves. The rights of individuals in Oklahoma to use internal combustion engines and gas fueled stoves shall be protected in Oklahoma.

The bill passed the House General Government Committee on Tuesday by a [vote](#) of 5 to 1. The bill moves to the House floor.

Medical Marijuana/MOU's for Equipment Usage: [SB 239](#) by Sen. Jack Stewart (R-Yukon) and Rep. Josh Cantrell (R-Kingston) allows municipalities, political subdivisions, and counties to enter into agreements or memoranda of understanding with state agencies which respond to search and seizure activities of marijuana to compensate municipalities, political subdivisions, or counties for the use of county or municipal equipment used during search and seizure events. The rate of reimbursement shall not be higher than the federal schedule rate for equipment usage.

The bill passed the House Criminal Justice & Corrections Committee on Wednesday by a [vote](#) of 6 to 0. The bill moves to the House floor.

Judges/Drug Courts: [SB 240](#) by Sen. Brent Howard (R-Altus) and Rep. Preston Stinson (R-Edmond) 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 House Judiciary - Criminal Committee on Wednesday by a [vote](#) of 6 to 0. The bill moves to the House floor.

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

The bill passed the House Judiciary - Civil Committee with the title and enacting clause stricken on Thursday by a [vote](#) of 10 to 0. The bill moves to the House floor.

Public Health/Advancement of Wellness Advisory Council: [SB 267](#) by Sen. Jessica Garvin (R-Duncan) creates the Advancement of Wellness Advisory Council to consist of ten (10) members: three (3) are appointed by the Governor; three (3) are appointed by the President Pro Tempore of the Senate; three (3) are appointed by the Speaker of the House; and one (1) member shall be appointed by the Commissioner. Five (5) members shall constitute a quorum. Of these members, one member must be knowledgeable about cardiometabolic disease including obesity, dyslipidemia, hypertension, and diabetes; one member who represents an Urban Indian Health Center in this state or a nonprofit organization with a major focus on improving public health for citizens of federally recognized tribes; and one member who represents a federally recognized tribe based in this state which maintains a tribally operated health system.

The bill passed the House Public Health Committee on Wednesday by a [vote](#) of 5 to 0. The bill moves to the House floor.

Law Enforcement/Mental Health Transports: [SB 286](#) by Sen. Brent Howard (R-Altus) and Rep. Cynthia Roe (R-Lindsay) for purposes of transportation completed by the Department of Mental Health and Substance Abuse Services (DMHSAS) or an entity contracted by DMHSAS, the use of mechanical restraints shall not be applied to

an individual being transported unless: the individual being transported physically assaults or attempts to physically assault the person lawfully conducting the transportation of the individual and he person lawfully conducting the transportation believes such restraints are necessary for the safety of himself or herself or the protection of others, or the individual being transported attempts or causes serious physical injury to self and the person lawfully conducting the transportation believes such restraints are necessary for the safety of the individual being transported or the individual being transported has a propensity toward violence as indicated by past transports, criminal charges, or mental health history and as identified in the transport request form, and the person lawfully conducting the transportation believes such restraints are necessary for the safety of himself or herself, for the safety of the individual being transported, or for the protection of others.”. The mechanical restraint shall be continued for no longer than is necessary. Every use of a mechanical restraint, the reasons and the length of time, shall be made a part of the clinical record of the consumer under the signature of the individual responsible for the transportation as required by this section.

The bill passed the House Public Health Committee on Wednesday by a [vote](#) of 6 to 0. The bill moves to the House floor.

Rural Hospitals: [SB 293](#) by Sen. Chuck Hall (R-Perry) and Rep. Ty Burns (R-Pawnee) 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 House A&B Health Subcommittee on Monday by a [vote](#) of 7 to 0. The bill moves to the House Appropriations Committee.

OK Local Development & Enterprise Zone Incentive Leverage Act: [SB 317](#) by Sen. Dewayne Pemberton (R-Muskogee) and Rep. Chris Sneed (R-Fort Gibson) establishes reporting requirements for local governmental entities that approve a project plan pursuant to the provisions of the Local Development Act within an enterprise zone or in

support of a major tourism destination project to include: the name of the increment or incentive district, whether the increment or incentive district was created by a municipality or county government, a map with a defined boundary, the length of the project and its date of expiration, the base assessed value, the total annual value of the increment, and a list of the taxing jurisdictions affected and their respective total millage levies. The report developed shall be provided to each taxing jurisdiction affected by the increment or incentive district.

The bill passed the House Rural Development Committee on Thursday by a [vote](#) of 8 to 0. The bill moves to the House floor.

Election/Dates: [SB 375](#) by Sen. Brent Howard (R-Altus) and Rep. Carl Newton (R-Cherokee) modifies the primary election dates from the last Tuesday in June to the third Tuesday in June. The bill also provides one of the dates in which a political subdivision is authorized to call elections is the third Tuesday in June instead of the last one. Declarations of Candidacy must be filed no earlier than 8 a.m. on the first Wednesday of April of any even-numbered year and no later than 5:00 p.m. on the next succeeding Friday.

The bill passed the House Elections & Ethics Committee on Monday by a [vote](#) of 7 to 0. The bill moves to the House floor.

Elections/Voter Registration: [SB 377](#) by Sen. Brent Howard (R-Altus) and Rep. Carl Newton (R-Cherokee) adds cause for cancellation of voter registration from being excused from jury duty for not being a citizen of the US. The court clerk in each county is required to prepare each month a list of all persons who were excused from jury duty for not being a citizen of the US and provide the list to the secretary of the county election board. The secretary shall cancel the registration of each registered voters included on the list and shall report the person or persons to the district attorney and the US attorney for the county.

The bill passed the House Elections & Ethics Committee on Monday by a [vote](#) of 6 to 1. The bill moves to the House floor.

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 House A&B Finance Subcommittee on Thursday by a [vote](#) of 6 to 0. The bill moves to the House A&B Committee.

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 (3)-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 House A&B Finance Subcommittee on Thursday by a [vote](#) of 7 to 0. The bill moves to the House A&B Committee.

Oklahoma Religious Freedom Act/Substantial Burden: [SB 404](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Jon Echols (R-OKC) makes it a substantial burden to exclude any person or entity from participation in or receipt of governmental funds, benefits, programs, or exemptions based solely on the religious character or affiliation of the person or entity. A civil action brought under Section 1-745.55 of Title 63 of the Oklahoma Statutes shall not be subject to any provision of the Oklahoma Religious Freedom Act.

The bill passed the House States' Powers Committee on Wednesday by a [vote](#) of 7 to 1. The bill moves to the House floor.

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 House A&B Finance Subcommittee on Thursday by a [vote](#) of 33 to 13. The bill moves to the House A&B Committee.

Video Services/Municipal Agreements: [SB 460](#) by Sen. Roger Thompson (R-Okemah) and Rep. Ryan Martinez (R-Edmond) 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 House Government Modernization & Technology on Tuesday by a [vote](#) of 8 to 0. The bill moves to the House floor.

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

The bill passed the House A&B Committee on Wednesday by a [vote](#) of 33 to 1. The bill moves to the House floor.

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. Any person who falsely impersonates an election official or who, without authority, performs any act reserved to election officials by law 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.

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

Underground Facilities Damage Prevention Act: [SB 497](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Trey Caldwell (R-Lawton) expands the term "excavate" as it relates to the Oklahoma Underground Facilities Damage Prevention Act to include the moving of earth by tools manipulated only by human power for burying communication lines of a communications provider in a private or public easement or right-of-way when depth is not greater than twelve (12) inches and within twelve (12) inches of a communications provider terminal. The bill also adds the design or survey means a notice to facility operators to provide underground facility information during the design or engineering phase of a project to mitigate potential impact to existing underground facilities. When a design or survey notice is received, operators or their designee must provide underground facilities information with fourteen (14) calendar days from the time of the request which may include physical markings at the project site, facility mapping, or both. No excavation may take place on a design or survey notice. Operators shall provide the one-call notification center with the necessary information for notices to be sent to the appropriate person within their company or organization.

The bill passed the House Utilities Committee on Thursday by a [vote](#) of 8 to 0. The bill moves to the House floor.

Oklahoma Electric Vehicle Charging Act: [SB 502](#) by Sen. Chuck Hall (R-Perry) and Speaker Pro Tempore Kyle Hilbert (R-Bristow) creates the Oklahoma Electric Vehicle Charging Act. The bill requires retail electric suppliers to use a separate, unregulated entity to operate an electric vehicle charging station, and requires electric suppliers to use the same fees and terms offered to private providers of electric vehicle charging stations. Retail

electric suppliers are prohibited from subsidizing the operations of their electric vehicle charging stations by charging a fee through their other regulated service offerings. The electric vehicle charging provider is prohibited from being considered a public utility or a retail electric supplier. The bill clarifies that a retail electric supplier may subsidize the cost of make-ready infrastructure by charging fees for services provided by its regulated services so long as the subsidies are offered to electric vehicle charging providers equally. A municipality that owns an electric charging station is prohibited from using revenue derived from the sale for its municipally owned power station to construct or maintain the electric charging station. The Corporation Commission is authorized to enforce any violations of electric suppliers within its jurisdiction. The Attorney General may enforce violations of any electric suppliers outside the jurisdiction of the Corporation Commission.

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

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 House A&B Committee on Wednesday by a [vote](#) of 33 to 0. The bill moves to the House floor.

Police, Fire, and Law Enforcement Retirement Systems/IRS Compliance: [SB 630](#) by Sen. John Montgomery (R-Lawton) and Rep. Mark Lepak (R-Claremore) updates the statutory compliance for the Oklahoma Police Pension and Retirement System, the Oklahoma Firefighter Pension and Retirement System, and the Oklahoma Law Enforcement System with the federal regulations by the IRS.

The bill passed the House Banking, Financial Services on Monday by a [vote](#) of 10 to 0. The bill moves to the House floor.

Emergency Price Stabilization Act/Natural Gas: [SB 640](#) by Sen. John Montgomery (R-Lawton) and Rep. Mark McBride (R-Moore) adds natural gas to the list of commodities to price increase limitations during the declaration of emergency by the Governor.

The bill passed the House Energy & Natural Resources Committee on Wednesday by a [vote](#) of 14 to 0. The bill moves to the House floor.

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 House A&B Public Safety Subcommittee on Thursday by a [vote](#) of 9 to 0. The bill moves to the House A&B Committee.

Crime Scenes/Public Records: [SB 722](#) by Sen. Jack Stewart (R-Yukon) and Rep. Josh Cantrell (R-Kingston) 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 House Criminal Justice & Corrections Committee on Wednesday by a [vote](#) of 5 to 1. The bill moves to the House floor.

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 under the Department of Environmental Quality (DEQ). The Program shall provide financial assistance for state, county, and municipal law enforcement and fire departments entities for the acquisition and training of law enforcement canines, search and rescue and recovery canines. The Program may also assist in the medical expenses related to injuries sustained by the canines in the line of duty. The Department of Environmental Quality is authorized to retain five percent (5%) of the monies provided to the Program for administrative purposes. The measure limits grants to not more than Ten Thousand Dollars (\$10,000.00) per year.

The bill passed the House A&B Public Safety Subcommittee on Thursday by a [vote](#) of 8 to 1. The bill moves to the House A&B Committee.

Ambulance Service Provider Access Payment Program: [SB 744](#) by Sen. Roger Thompson (R-Okemah) and Rep. Kevin Wallace (R-Wellston) provides for supplemental Medicaid reimbursement on ground emergency transportation for services reimbursed through fee-for-service contracts and for services reimbursed through capitated contracts an amount to be

determined with the approved directed payment pre-print, based on claims submitted. The bill authorizes a governmental entity to enter into and maintain an intergovernmental agreement with the Authority, as specified by the Authority.

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

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 House A&B Committee on Wednesday with the title and enacting clause stricken by a [vote](#) of 34 to 0. The bill moves to the House floor.

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 House A&B Finance Subcommittee on Thursday by a [vote](#) of 4 to 2. The bill moves to the House A&B 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 which shall include shared services, 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 the House County & Municipal Government Committee on Monday by a [vote](#) of 6 to 0. The bill moves to the House floor.

DEQ/Nuclear Energy Feasibility Study: [SB 847](#) by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Brad Boles (R-Marlow) requires DEQ, on or before January 1, 2025, in coordination with the Office of the Secretary of Energy and Environment to conduct a study on the feasibility of establishing nuclear facilities in this state. The study shall include the state requirements as specified by the US Nuclear Regulatory Commission and any method federal agency approval. DEQ shall issue a report based on its findings and deliver to the Governor, Speaker, Pro Tempore, Chair of Senate Energy, and Chair of the House Energy and Natural Resources Committee no later than February 1, 2025.

The bill passed the House Energy & Natural Resources Committee by a [vote](#) of 15 to 0. The bill moves to the House floor.

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

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.

The bill was [amended](#) and passed the House A&B Committee on Wednesday by a [vote](#) of 34 to 0. The bill moves to the House floor.

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 House A&B Finance Subcommittee on Thursday by a [vote](#) of 6 to 0. The bill moves to the House A&B Committee.

Law Enforcement/Statewide Radio Strategic Plan: [SB 966](#) by Sen. Bill Coleman (R-Ponca City) and Rep. Ross Ford (R-Broken Arrow) requires the Land Mobile Radio Public Safety Interoperability Cooperative (Cooperative) to create a Statewide Radio Strategic Plan for leveraging existing assets and evolving the technology platform on which the Statewide Interoperable Radio Communications System is based and electronically transmit a copy of the Plan to the respective offices of the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor of this state within ninety (90) days of the effective date of this act. The Cooperative shall implement the Plan in collaboration with all state agencies, political subdivision entities, and other interested parties that maintain a public radio system in this state. The Statewide Interoperable Radio Communications Governance Body, created in Section 2 of this act, shall facilitate the interoperability of the radio system of this state. There is created a five (5) member of the Statewide Interoperable Radio

Communications Governance Body. There is created in the State Treasury a revolving fund to be designated the Statewide Public Safety Interoperable Radio Communications System Revolving Fund to be used for the purpose of implementing and maintaining a statewide interoperable radio communications system.

The bill passed the House A&B Public Safety Subcommittee on Thursday by a [vote](#) of 9 to 0. The bill moves to the House A&B Committee.

Law Enforcement/Security of Communications

Act: [SB 981](#) by Sen. Darrell Weaver (R-Moore) and Rep. Anthony Moore (R-Clinton) provides that information obtained by a law enforcement officer from a wire, oral or electronic communication authorized by the Security of Communications Act may be provided as testimony or evidence in administrative, civil, or criminal proceedings.

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

Sales & Use Tax/Sale of a Motor Vehicle: [SB 984](#) by Sen. Darcy Jech (R-Kingfisher) and Rep. Carl Newton (R-Cherokee) 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 House A&B Finance Subcommittee on Thursday by a [vote](#) of 6 to 1. The bill moves to the House A&B Committee.

Alcoholic Beverages/Marissa Murrow Act: [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©(3). The annual event license is Five Hundred Dollars (\$500.00). 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.

The bill passed the House Alcohol, Tobacco & Controlled Substances Committee on Wednesday by a [vote](#) of 6 to 0. The bill moves to the House floor.

Sales Tax Exemption/Custom Order

Manufacturing: [SB 1068](#) by Sen. Brent Howard (R-Altus) and Rep. Brad Boles (R-Marlow) modifies the definition of manufacturing to include the manufacturing, compounding, processing or fabrication of materials into articles of tangible personal property according to the special order of a customer (custom order manufacturing) by manufacturers classified as operating in North American Industry Classification System (NAICS) Sectors 32 and 33,, but does not include such custom order manufacturing by manufacturers classified in other NAICS code sectors. The bill expands the sales tax exemption to include custom order manufacturing. Sales for use in a manufacturing operation shall be exempt for any manufacturer engaged in manufacturing as defined in paragraph 14 of Section 1352 of this title.

The bill passed the House A&B Finance Subcommittee on Thursday by a [vote](#) of 6 to 0. The bill moves to the House A&B Committee.

Tort Claims/Public Trust Hospitals: [SB 1087](#)

by Sen. Brent Howard (R-Altus) and Rep. Marcuse McEntire (R-Duncan) 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.

The bill passed the House Judiciary - Civil Committee with the title and enacting clause stricken on Thursday by a [vote](#) of 10 to 0. The bill moves to the House floor.

Next Week at the Capitol

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

Monday, April 10, 2023

Senate Agriculture & Rural Development Committee **10:00 a.m. in Room 535**

Emergency Drought Commission: [HB 1847](#) by Rep. John Kane (R-Bartlesville) and Sen. Grant Green (R-Wellston) expands the membership of the Emergency Drought Commission by adding one member appointed by the Speaker of the House who resides west of Interstate 35 (I-35) and one member appointed by the President Pro Tempore of the Senate who resides east of Interstate 35 (I-35).

Senate Tourism & Wildlife Committee **10:00 a.m. in Room 230**

Route 66 Commission: [HB 1016](#) by Rep. Mark Lawson (R-Sapulpa) and Sen. Todd Gollihare (R-Kellyville) amends the membership of the Oklahoma Route 66 Commission.

Senate Business & Commerce Committee **2:00 p.m. in Room 4S.9**

Labor/Drug Testing: [HB 1045](#) by Rep. Mark Lawson (R-Sapulpa) and Sen. Todd Gollihare (R-Kellyville) requires a drug screen testing facility to report single-use test results that meet the standard to be sent to the laboratory for confirmation testing to an employer's review officer or a designee as soon as the results for the single-use test become available or the next working day. requires drug testing facilities to report preliminary positive test results to an employer's review officer as soon as possible. The final results, consisting of initial tests, confirmatory tests, and quality control data, will then be reviewed and certified.

Boiler & Pressure Vessel Safety Act: [HB 1331](#) by Rep. Judd Strom (R-Copan) and Sen. Lonnie Paxton (R-Tuttle) authorizes the Commissioner of Labor to promulgate rules establishing a schedule of administrative penalties and fines for violations of the Boiler and Pressure Vessel Safety Act and/or the Boiler and Pressure Vessel Rules which may be in addition to or in lieu of the criminal penalties provided in this section. The promulgation of an administrative fine schedule shall grant the Commissioner authority to impose those administrative fines for any violation of the Boiler and Pressure Vessel Safety Act and/or the Boiler and Pressure Vessel Rules. Funds collected as payment from a violator for administrative fines imposed for a violation of the Boiler and Pressure Vessel Safety Act and/or the Boiler and Pressure Vessel Rules shall be deposited to the Department of Labor Administrative Penalty Revolving Fund.

Sales Tax Exemption/Commercial Digital Asset Mining: [HB 1600](#) by Rep. Ryan Martinez (R-Edmond) and Sen. John Montgomery (R-Lawton) creates the Commercial Digital Asset Mining Act of 2023. Beginning on the effective date of this act and ending on December 31, 2038, the sale of machinery and equipment including but not limited to servers and computers, racks, power distribution units, cabling, switchgear, transformers, substations, software, network equipment, and electricity used for commercial mining of digital assets in a colocation facility shall be exempt from the tax imposed by Section 1350 et seq. of Title 68 of the Oklahoma Statutes.

Law Enforcement/Trespassing: [HB 1737](#) by Rep. Tammy Townley (R-Ardmore) and Sen. John Montgomery (R-Lawton) 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.

State Architectural & Registered Commercial Interior Designers Act: [HB 1793](#) by Rep. Mike Osburn (R-Edmond) and Sen. Adam Pugh (R-Edmond) defines "nonstructural interior

construction" to mean the construction of elements which do not include: the design of architectural and engineering work, altering the building's existing primary structural, fire and life safety, mechanical, electrical and plumbing systems, as set out in Oklahoma state law or the current International Building Code as adopted by OUBCC or other related primary building systems, and changes to the building's core and shell. Nonconstructural interior construction projects in Code Use Groups requiring an architect are exempt from hiring an architect if the services are performed by a licensed interior designer.

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

Affordable Housing/Oklahoma Housing Programs: [HB 2870](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Chuck Hall (R-Perry) creates the Oklahoma Homebuilder Program to fund to help create more affordable single family housing units across Oklahoma. The program shall be a loan program to homebuilders with interest rates as low as zero percent (0%) for urban and rural developments. The bill also establishes the Oklahoma Increased Housing Program to provide grants to build additional single and multi-family housing units and offer homebuyers down payment assistance. The Oklahoma Housing Finance Agency will promulgate rules to administer both programs.

Senate Finance Committee
2:00 p.m. in Room 535

Sales Tax Exemption/Broadband Equipment: [HB 1130](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Roger Thompson (R-Okemah) allows a sales tax exemption for qualifying broadband equipment to remain operational without the enactment of an incentive award formula. The bill removes the formula for the exemption as well as moving the enforcement to the Oklahoma Broadband Office.

Sales Tax Exemption/Custom Ordering: [HB 1353](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Brent Howard (R-Altus) expands the definition of manufacturing to include the manufacturing, compounding, processing or fabrication of materials into articles of tangible personal property according to the special order of a customer (custom order manufacturing) by manufacturers classified as operating in North American Industry Classification System (NAICS) Sectors 32 and 33 but does not include such custom order manufacturing by manufacturers classified in other NAICS code sectors.

(OML Priority) Sale for Resale: [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 (\$1,000.00).

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 game animals and timber. It also defines "farming" or "farm" to include the production of timber, seedling production, and forestry management and shall include the production of game animals; game animals mean animals bred to be hunted for sport or food but shall not include feral swine.

Public Finance/Local Government Investment Pools: [HB 2538](#) by Rep. Mark Lawson (R-Sapulpa) and Sen. Chris Kidd (R-Waurika) 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.

House County & Municipal Government
Committee
3:00 p.m. in Room 4S.5

City-County Library Meetings: [SB 5](#) by Sen. Kevin Matthews (D-Tulsa) and Sen. Mary Boren (D-Norman) repeals 65 O.S. 2021, Section 155 which relates to the officers, meetings, quorum, and contracts for a city-county library commission.

Emergency Medical Services: [SB 536](#) by Sen. Paul Rosino (R-OKC) and Rep. Brian Hill (R-Mustang) 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.

Tuesday, April 11, 2023

Senate Judiciary Committee
10:00 a.m. in Room 4S.9

Oklahoma Citizens Participation Act: [HB 1236](#) by Speaker Charles McCall (R-Atoka) and Sen. Greg McCortney (R-Ada) amends 12 O.S. 2021, Section 1438, allows, if the court orders dismissal of a legal action under the Oklahoma Citizens Participation Act, for the court to award to the moving party: court costs, reasonable attorney fees and other expenses incurred in defending against the legal action as justice and equity may require and sanctions against the party who brought the legal

action; provided, however, such sanctions shall not exceed the total amount awarded under paragraph 1 of this subsection.

Fines Assessed and Imposed Reasonably (FAIR) Act: [HB 1777](#) by Rep. Danny Williams (R-Seminole) and Sen. Roger Thompson (R-Okemah) 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.

Court Costs: [HB 1923v](#) by Rep. Lonnie Sims (R-Jenks) and Sen. John Haste (R-Broken Arrow) increases court fees for serving or endeavoring to serve a writ, warrant, order, process, command or notice from Fifty Dollars (\$50.00) to One Hundred Dollars (\$100.00) provided that if more than one person in the same address is charged the flat fee is increased from Fifty Dollars (\$50.00) to One Hundred Dollars (\$100.00). For sheriff's fees on court-ordered sales of real or personal property, the fee is five percent (5%) of the sales price paid by the buyer.

Law Enforcement/Verbal Warnings: [HB 2041](#) by Rep. Monroe Nichols (D-Tulsa) and Pro Tempore Greg Treat (R-OKC) 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.

Civil Procedure/Default Judgments: [HB 2372](#) by Rep. Chris Kannady (R-OKC) and Sen. Brent Howard (R-Altus) 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 in 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.

Law Enforcement/Excessive Force [HB 2537](#) by Rep. John George (R-Newalla) and Sen. Todd Gollihare (R-Kellyville) clarifies the standard by which excessive force is used in the line of duty, the officer is subject to the criminal laws of this state to the same degree as any other citizen, if excessive force is established as an element of any alleged violation under the criminal laws of this state. "Law enforcement duties" means duties carried out while acting as a peace officer pursuant to Section 99a of Title 21 of the Oklahoma Statutes. Each law enforcement entity which employs any peace officer shall adopt policies or guidelines concerning the use of force by peace officers employed by the entity.

House Common Education
10:30 a.m. in Room 206

Law Enforcement/Students/Violent Crime/Students: [SB 126](#) by Sen. David Bullard (R-Durant) and Rep. Sherrie Conley (R-Newcastle) in the course of an arrest for a violent crime, it is discovered that the person being arrested is a student of a school district or public school in this state, the arresting law enforcement agency is required to notify the superintendent of the school district or public school in which the student is enrolled. The notification and related information of the arrest and any information regarding the adjudication of the student shall be conducted with due regard for the provisions of subsection C of Section 2-6-102 of Title 10A and shall be kept as part of the student's permanent records and included in the records provided to a receiving district should a student transfer due to the Education Open Transfer

Act. Beginning with the 2023-2024 school year, each school district shall include in its student's enrollment and transfer documentation a request for information regarding any arrest of a student for a violent crime. Failure to provide the information shall not prohibit the enrollment or transfer of the student.

House Public Safety Committee
10:30 a.m. in Room 4S.5

Law Enforcement/Drug Offenses: [SB 108](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Ross Ford (R-Broken Arrow) 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. The court may, without entering a judgment of guilty with the consent of the defendant, defer further proceeding upon the specific conditions prescribed by the court not to exceed a three (3) year period. The court is authorized to order the defendant to complete a diversion program in lieu of other punishments. The bill also provides that any person convicted of possessing or selling multiple Schedule I or Schedule II substances for the second (2nd) time within ten (10) years of the last conviction shall be guilty of a misdemeanor and required to complete a diversion program for up to one (1) year following the conviction. A third conviction shall subject the offender to a minimum of thirty (30) days in the county jail and a fine not exceeding One Thousand Dollars (\$1,000.00). These individuals may be required to complete a diversion program for up to three (3) years. The bill provides that any person convicted of possessing or selling multiple Schedule I or Schedule II substances for the fourth (4th) time within ten (10) years of the last conviction shall be guilty of a felony and subject to a term of imprisonment not exceeding five (5) years and/or a fine not to exceed Five Thousand Dollars (\$5,000.00).

Law Enforcement/Seat Belts for 16 Years & Younger: [SB 681](#) by Sen. Roland Pederson (R-Burlington) and Rep. Ross Ford (R-Broken Arrow) 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.

House Government Modernization & Technology Committee
1:30 p.m. in Room 4S.5

Oklahoma Broadband Expansion Act/Assistance: [SB 499](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Trey Caldwell (R-Lawton) 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.

Oklahoma Broadband Expansion Act/OMES: [SB 848](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Trey Caldwell (R-Lawton) requires OMES to aid in the manner requested within thirty (30) days of determination by the Agency that the request is able to be fulfilled. If for any reason the request cannot be fulfilled within thirty (30) days, the Oklahoma Broadband Office and OMES shall enter into a written agreement expressing an agreed upon timeline for fulfilling the needs of the Office. In the event that the request cannot be fulfilled, OMES shall respond in writing the reasoning for denial.

Oklahoma Broadband Expansion Act/Reporting: [SB 849](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Trey Caldwell (R-Lawton) modifies reporting requirements for private providers submitted to the Oklahoma Broadband Office.

House Rules Committee
1:30 p.m. in Room 206

Oklahoma Organized Retail Crime Task Force: [SB 674](#) by Pro Tempore Greg Treat (R-OKC) and Speaker Charles McCall (R-Atoka) creates an thirteen (13) member Oklahoma Organized Retail Crime Task Force until December 31, 2024. The purpose is to provide the Legislature and the Governor with information on organized retail

crime and the advantages and drawbacks of instituting various countermeasures to counter losses from retail in the state. Of the thirteen (13) members, one member appointed by the Governor shall represent state or local law enforcement and another member appointed by the Chiefs of Police Association.

The task force report shall include, but not limited to, the following information based on available data: 1) a review of laws and regulations on organized retail crime used by other states, the federal government, and foreign countries to regulate the marketplace; 2) the use of organized retail theft's impact on state and local tax receipts; 3) need for interagency coordination of public education and prevention programs for business owners; and 4) legislative and regulatory recommendation, if any, to increase transparency and security, enhance consumer protections, prevent organized retail theft, and to address the long-term economic impact related to the prevalence of organized retail crime.

Small Wireless Facilities: [SB 1099](#) by Pro Tempore Greg Treat (R-OKC) and Speaker Charles McCall (R-Atoka) amends the time frame for an application to be processed on a nondiscriminatory basis established by the Federal Communications Commission pursuant to 47 C.F.R. 1.6003 (c).

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

Commercial Pet Breeders & Animal Shelter Licensing Act: [SB 349](#) by Sen. Jerry Alvord (R-Wilson) and Rep. David Hardin (R-Stilwell) repeals the ability of a municipality/animal control to ask for reports from commercial animal breeders. Additionally, breeders no longer have to submit these reports to the OK Department of Agriculture, Food and Forestry.

Fire Departments/Wildlife Reimbursement Revolving Fund: [SB 492](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. David Hardin (R-Stilwell) creates the Wildfire Reimbursement Revolving Fund to be a continuing fund for the purpose of reimbursement of expenditures of Oklahoma fire departments who

participated in extinguishment efforts of fires. The Department of Agriculture, Food, and Forestry is appropriated for the fiscal year ending June 30, 2024, Five Million Dollars (\$5,000,000.00) for the Wildfire Reimbursement Revolving Fund.