

12-23

April 21, 2023

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### PTSD Q&A

In last week's Advocate the OML team outlined proposed changes agreed upon by OML as a proposed amendment in [HB 2398](#) by Rep. Neil Hays and Sen. Paul Rosino. While the exact terms of the agreement were not heard in committee, there have been assurances made that the version agreed to will be the bill heard on the Senate Floor. Due to time constraints in the nature of politics, OML voiced support for the "agreement" and that exact "agreement" was not heard in committee. This was unfortunate and may have caused some concerns for those who read the version that passed in Committee. We wanted to take the time to share with you some of the questions we have received from OML members since last week and the answers to those questions specifically applied to the "agreement" which we are assured by Senate Leadership will be the version that will run on the Senate Floor.

#### **What has the OML Board set for guidelines for any compromise on PTSD?**

The Board has favored a bill that meets the following concepts:

- A system that directs first responders towards mental health treatment.
- A system that takes into account the potential for abuse of the system by limiting cash payouts in favor of treatment.
- Direct those unable to work to the pension system rather than cash payouts.
- Have a funding mechanism to pay for unusual exorbitant claims.

No bill is perfect and the nature of compromise forces parties to meet somewhere in the middle. This bill is no different, but the agreement that was reached substantially meets all the guidelines set for PTSD by the OML Board.

#### **Is the PTSD bill an OML request bill?**

No. The bill has run in different forms for the past four (4) years. We have worked diligently to try to have a solution that helps first responders but does not open up million-dollar payouts that would bankrupt local governments.

## **What do we project the “costs” to be on the agreed language?**

The state has indicated there is a minimal fiscal impact on the previous draft which had fewer protections than the agreed language. We disagree with the fiscal assessment. We have been told a PTSD award for the prior version would be about \$1.2 million for a middle aged first responder exiting service on a full permanent disability. As for the agreed language, the author has agreed to a \$50,000 cap on the disability award. That award would only be available IF the first responder does not have a disability pension (most have a disability pension option). Together, it appears there are fiscal checks in place to avoid abuse of the system while getting treatment for first responders.

## **In last week’s Advocate, why did OML say the agreement would avoid “added costs on the worker’s compensation system”?**

This statement was intended to apply to the placing of the Fifty Thousand Dollars (\$50,000.00) cap on the permanent disability award working in conjunction with the pension clause. It is not our intent to say this approach is perfect, but it appears to be the most effective way at avoiding massive shortfalls to municipal budgets in light of the political reality on the ground at 23<sup>rd</sup> and Lincoln.

## **Why would OML support a bill that sends PTSD treatment through the Workers Compensation system? Was this a necessary compromise?**

The political reality in the opinion of our team is the PTSD bill has no chance of existing outside the current worker’s compensation system. OML’s position has always been that we can provide treatment outside of that system. It appears through repeated communication with legislators this will not be the preference of a majority of the Legislature as they favor the Worker’s Compensation System.

## **What are the plans to help decrease PTSD amongst first responders?**

OML was an advocate of the passage of [SB 379](#) by Sen. Julie Daniels and Rep. Cynthia Roe. This bill would have incorporated mental health and

behavioral wellness training into the CLEET curriculum. Having an approach such as this would have contributed to helping first responders by teaching them skills to seek treatment early in their career. This bill passed the Senate and did not receive a committee hearing in the House. Over the past several years ideas like this one that focused on mental health have been killed by the Legislature in favor of Worker’s Compensation System based approaches.

## **Deadline Looming with OML Priority on Deck**

Next Thursday marks the deadline for bills to be heard in the opposite chamber. With just over six hundred (600) bills remaining, that number is expected to be drastically reduced with the coming deadline. OML’s priorities are on deck to be heard. One of our priorities is scheduled to be heard on Monday.

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

## **Bills Signed by Gov. Stitt**

**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 goes into effect on November 1, 2023.

**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 goes into effect on November 1, 2023.

**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 goes into effect on November 1, 2023.

**City/County Jails:** [SB 247](#) by Sen. Dave Rader (R-Tulsa) and Sen. John Haste (R-Broken Arrow) provides a definition of "barrack-style" to mean a single designated space within a city or county jail facility for the purpose of housing three or more inmates.

The bill goes into effect on November 1, 2023.

**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 goes into effect on November 1, 2023.

## [Bills Sent to Gov. Stitt's Desk](#)

During Session, Governor Stitt has five (5) days to sign or veto a bill, or it becomes law without his signature.

**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).

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

**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 language removes the frequency of the 9-1-1 governing body meetings and who can be on the governing body. Specifically, this bill takes away the guaranteed municipal seat from the governing body definition. This language is removed. "A governing body made up of two or more governmental entities shall have a board consisting of not less than three members and shall consist of at least one member representing each governmental entity, appointed by the governing body of each participating governmental entity, as set forth in the agreement forming the board. The members of the board shall serve for terms of not more than three (3) years as set forth in the agreement. Members may be appointed to serve more than one term. The names of the members of the governing body board and the appointing authority of each member shall be maintained in the office of the county clerk in the

county or counties in which the system operates, along with copies of the agreement forming the board and any amendments to that agreement; The only language left is "Governing body" means the board of county commissioners of a county, the city council, tribal authority or other governing body of a municipality, or a combination of such boards, councils or other municipal governing bodies including county or municipal beneficiary public trusts, or other public trusts which shall have an administering board.

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

**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 on Tuesday by a [vote](#) of 41 to 0.

**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.

The bill passed the Senate on Tuesday by a [vote](#) of 37 to 3.

**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 on Wednesday by a [vote](#) of 47 to 0.

**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.

The bill passed the Senate on Tuesday by a [vote](#) of 40 to 3.

**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.

The bill passed the Senate on Wednesday by a [vote](#) of 44 to 3.

**Law Enforcement/Sex Offenders:** [HB 2608](#) by Rep. JJ Humphrey (R-Lane) and Sen. David Bullard (R-Durant) modifies the definition of "local law enforcement authority" within the Oklahoma Sex Offender Registration Act to include the police or law enforcement officers of any federally recognized Indian nation or tribe in Oklahoma. This will require persons subject to registration to report to such law enforcement if they reside or stay within the jurisdictional boundaries of the Indian nation or tribe.

The bill passed the Senate on Wednesday by a [vote](#) of 45 to 0.

**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 administrating 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 on Wednesday by a [vote](#) of 39 to 8.

**Oklahoma Hospital Cybersecurity Protection Act of 2023:** [HB 2790](#) by Rep. Preston Stinson (R-Edmond) and Sen. Brent Howard (R-Altus) creates the Oklahoma Hospital Cybersecurity Protection Act of 2023. A covered entity shall create, maintain, and comply with a written cybersecurity program that protects both personal information and restricted information and that reasonably conforms to an industry recognized cybersecurity framework.

The bill passed the Senate on Wednesday by a [vote](#) of 45 to 0.

**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 on Tuesday by a [vote](#) of 41 to 4.

**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 on Tuesday by a [vote](#) of 39 to 7.

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

The bill passed the House on Wednesday by a [vote](#) of 85 to 0.

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

The bill passed the House on Wednesday by a [vote](#) of 83 to 2.

**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 on Wednesday by a [vote](#) of 86 to 0.

**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 on Wednesday by a [vote](#) of 85 to 7.

**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 on Tuesday by a [vote](#) of 87 to 5.

## [BILLS ON THE MOVE](#)

### *Snapshot of bills impacting cities and towns*

**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. The bill replaced the Executive Director of Tourism and Recreation with the Secretary of Tourism and Branding.

The bill passed the Senate with the title restored on Thursday by a [vote](#) of 41 to 2. It goes back to the House to accept or reject the Senate amendments.

**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 of the employers review officer, as soon as the results for the single-use test become available or the next working day. The final conclusion of the testing shall be reviewed, and the test certified as an accurate report by the responsible individual. The report shall identify the drugs and metabolites tested for, whether positive or negative and the cutoff for each specimen number assigned by the employer and the testing facility specimen identification number. The certified laboratory shall send the review officer the positive drug test results for attesting to the validity of the test reports.

The bill passed the Senate on Monday by a [vote](#) of 47 to 1. It goes back to the House to accept or reject the Senate amendments.

**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, and authorizes, if the court orders dismissal of a legal action under the Oklahoma Citizens Participation Act, the court may 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.

The bill passed the Senate on Monday by a [vote](#) of 48 to 0. It goes back to the House to accept or reject the Senate amendments.

**Law Enforcement/Catalytic Converter Theft:** [HB 1328](#) by Rep. Suzanne Schreiber (R-Tulsa) and Sen. Dave Rader (R-Tulsa) provides that any equipment used or intended to be used to commit any act of catalytic converter theft, copper theft, and any violation of the Oklahoma Scrap Metal Dealers Act, including any monies derived from proceeds due to catalytic converter theft, copper theft, or violations of the Oklahoma Scrap Metal Dealers Act are subject to forfeiture.

The bill passed the Senate on Thursday by a [vote](#) of 38 to 7. The bill has been referred for enrollment.

**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.

The bill passed the Senate with the title and enacting clause restored on Thursday by a [vote](#) of 39 to 5. It goes back to the House to accept or reject House amendments.

**Law Enforcement Escorts:** [HB 1393](#) by Rep. Steve Bashore (R-Miami) and Sen. Paul Rosino (R-OKC) changes the entity that is to be paid a fee for providing a law enforcement escort for the transport of an oversized load or hazardous shipment from the Department of Transportation to the Department of Public Safety.

The bill passed the Senate on Thursday by a [vote](#) of 46 to 0. The bill has been referred for enrollment.

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

subsequent written report provided by the responding agency in order to rule out passive exposure.

The bill passed the Senate on Thursday by a [vote](#) of 46 to 0. The bill has been referred for enrollment.

**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 with the title and enacting clause restored on Thursday by a [vote](#) of 38 to 8. It goes back to the House to accept or reject Senate amendments.

**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 for claims with a date of accident occurring on or after the effective date of this act. 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 was amended and passed the Senate on Tuesday by a [vote](#) of 43 to 0. It goes back to the House to accept or reject Senate amendments.

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

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

The bill passed the Senate on Thursday by a [vote](#) of 46 to 0. The bill has been referred for enrollment.

**Electric Provider/Easements/Broadband:** [HB 1965](#) by Rep. Carl Newton (R-Cherokee) and Sen. Brent Howard (R-Altus) defines "approved broadband provider", "broadband services", "electric provider" and "telecommunication provider". The definition of "telecommunications provider" means any corporation, association or cooperative corporation engaged in the delivery of telecommunications over wireline facilities in this state with a valid pole attachment agreement with an Electric Provider" to which it is attaching." The bill allows electric, telecommunications, and broadband providers to utilize existing electrical utility easements to provide or expand access to broadband services. The bill prohibits class action lawsuits alleging trespass, nuisance or inverse condemnation based on a claim of expanded easement use when the broadband facilities are located on above ground property owned or utilized by an electric provider. Such claims must be brought individually by the property owner. Upon a successful claim by the property owner and payment of damages to the property owner, an electric or broadband provider will be granted a permanent easement for the use of the facilities installed. An Approved Broadband Provider, an Electric Provider's broadband subsidiary, or Telecommunications Provider shall attempt to provide notice to the property owner.

The bill passed the Senate on Tuesday by a [vote](#) of 44 to 0. It goes back to the House to accept or reject the Senate amendments.

**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 invasive woody species in the North Canadian Watershed to be administered by the Oklahoma Conservation Commission. The Commission shall cooperate with landowners, state agencies and other political subdivisions for removal of invasive woody species. The Commission is authorized to promulgate any rules and procedures to effectuate the provisions of this section. The creation of a revolving fund in the State Treasury is designated the "North Canadian Watershed Revolving Fund" and consists of all monies received by the Conservation Commission from appropriations, federal grants or funds, municipal contributions, private contributions, and any other sources, including interest earned for duties associated with invasive woody species removal.

The bill passed the Senate on Tuesday by a [vote](#) of 39 to 1. It goes back to the House to accept or reject the Senate amendments.

**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 promoter 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 passed the Senate on Thursday by a [vote](#) of 44 to 2. The bill has been referred for enrollment.

**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 on Wednesday by a [vote](#) of 48 to 0. It goes back to the House to accept or reject the Senate amendments.

**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 include 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 with the title and enacting clause restored on Wednesday by a [vote](#) 48 to 0. It goes back to the House to accept or reject the Senate amendments.

**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. Provided, the provisions of this section shall not apply to any university, college, institutional governing board, or other institution of higher learning with the Oklahoma State System of Higher Education.

The bill passed the House on Tuesday by a [vote](#) of 75 to 17. It goes back to the Senate to accept or reject the House amendments.

**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 on Monday with the title stricken by a [vote](#) of 93 to 0. It goes back to the Senate to accept or reject the House amendments.

**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 on Thursday by a [vote](#) of 89 to 1. The bill has been referred for enrollment.

**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 on Thursday by a [vote](#) of 79 to 0. The bill has been referred for enrollment.

**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 voter 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 on Wednesday by a [vote](#) of 79 to 14. It goes back to the Senate to accept or reject House amendments.

**Sales Tax Exemption/Nonprofits:** [SB 406](#) by Sen. Dave Rader (R-Tulsa) and Rep. Jeff Boatman (R-Tulsa) provides a sales tax exemption to a nonprofit organization that primarily functions to prevent child abuse and neglect through education, treatment, and advocacy and operates a facility that offers community-based services for abused or neglected children from birth through eighteen (18) years of age. To be eligible for the exemption, an organization must submit documentation to the Oklahoma Tax Commission to verify its eligibility. The bill also expands the sales tax exemption currently provided to an organization that provides school supplies or articles of clothing for underserved students attending grades pre-K through 12 at public schools in this state. The exemption 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 organization's primary and principal purpose.

The exemption shall apply to the 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 expansion allows products or services purchased for the construction of a facility that will be placed in service in 2023 to be exempt from sales tax. The Oklahoma Tax Commission is required to refund the full amount of sales tax paid items that were previously purchased prior to the effective date of the act.

The bill passed the House A&B Committee with the title and enacting clause stricken on Wednesday by a [vote](#) of 32 to 0. The bill moves to the House floor.

**Law Enforcement/OK Crime Victims Compensation Act:** [SB 420](#) by Sen. Bill Coleman (R-Ponca City) and Rep. Clay Staires (R-Skiatook) increases the window to file certain claims with the Crime Victims Compensation Board from one (1) to five (5) years, establishes the Board shall not find an injury attributable to the victim where a self-inflicted injury is a result of the crime committed against the victim, and increases compensation.

The bill passed the House on Thursday by a [vote](#) of 92 to 0. The bill has been referred for enrollment.

**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 on Thursday by a [vote](#) of 87 to 0. The bill has been referred for enrollment.

**Fire Departments/Wildlife Reimbursement Revolving Fund:** [SB 492](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. David Hardin (R-Stilwell) creates a fund for the Oklahoma Department of Agriculture, Food and Forestry (Department) designated as the Wildlife Reimbursement Revolving Fund. The Fund's purpose is to reimburse the expenditures of Oklahoma rural fire departments and the Oklahoma Forestry Service who participated in extinguishment efforts of fires that: 1) were not fully extinguished in the twenty-four (24) hours after their reporting; and 2) involved more than one rural fire department jurisdiction.

The bill was [amended](#) on the floor and passed the House on Thursday by a [vote](#) of 95 to 0. It goes back to the Senate to accept or reject the House amendments.

**Emergency Medical Services:** [SB 536](#) by Sen. Paul Rosino (R-OKC) and Rep. Brian Hill (R-Mustang) defines "ambulance service" to mean any private firm or governmental agency that owns or operates ambulances and shall be licensed by the State Department of Health to provide levels of medical care, including but not limited to, comprehensive integrated medical care in emergency and nonemergency settings under the supervision of a physician based on certification standards promulgated by the Commissioner. The bill also develops a regulatory framework for the creation of community paramedic services that will mitigate unnecessary use of ambulatory services, and specifies that such services must be part of a care plan ordered by a primary health care provider or hospital provider, and must 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 that are approved by the ambulance medical director. The bill modifies the definition of stretcher van passenger to specify that passengers will be authorized through screening provided by a certified medical

dispatching protocol that will be made available for review during inspection. Section 63 O.S. Section 1-2503 is repealed.

The bill passed the House on Thursday by a [vote](#) of 88 to 0. It goes back to the Senate to accept or reject House amendments.

**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 Committee on Tuesday with the title restored by a [vote](#) of 34 to 0. The bill moves to the House floor.

**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 failed on the House floor on Monday by a [vote](#) of 42 to 56. Rep. Cantrell held it on a "Motion to Reconsider" but the Motion expired. Therefore, the bill has failed.

**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 bill limits grants to not more than Ten Thousand Dollars (\$10,000.00) per year subject to available funds. The bill also makes grants for the reimbursement of medical expenses for the canines injured in the line of service with a fire department or state, county, or municipal law enforcement subject to availability of funds.

The bill passed the House on Thursday by a [vote](#) of 87 to 2. It goes back to the House to accept or reject Senate amendments.

**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 on Tuesday by a [vote](#) of 83 to 3. It goes back to the Senate to accept or reject House amendments.

**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 on Monday with the title stricken by a [vote](#) of 95 to 0. It goes back to the House to accept or reject Senate amendments.

**Sales Tax Exemption/Agriculture:** [SB 961](#) by Sen. Chris Kidd (R-Waurika) and Rep. Eddy Dempsey (R-Valliant) amends the definition of "agricultural products to include game animals. The bill adds farming and farm to include the production of timber, seedling production, and forestry management. The bill also defines "game animals" to mean animals bred to be hunted for sport or food, but shall not include feral swine, as defined in Section 6-604 of Title 2 of the Oklahoma Statutes.

The bill passed the House A&B Committee with the title restored on Tuesday by a [vote](#) of 28 to 0. The bill moves to the House floor.

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**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 on Thursday by a [vote](#) of 51 to 31. The bill has been referred for enrollment.

**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 Committee on Wednesday with the enacting clause stricken by a [vote](#) of 33 to 0. The bill moves to the House floor.