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Battleship Plays as Deadline Ends

As deadline came to an end yesterday, the game of Battleship came to mind as the battle lines between the Senate, House and Governor were clearly drawn. On Wednesday, Governor Stitt “sunk the battleships” and vetoed twenty (20) Senate bills with the same following message, “Oklahomans elected me to advocate on their behalf and fight for the taxpayer. I take this responsibility seriously and so I cannot, in good faith, allow another year to go by without cutting taxes and reforming education, both of which we can absolutely afford with our \$1.2 billion surplus and over \$6 billion in savings. Therefore, until the people of Oklahoma have a tax cut, until every teacher in the state gets the pay raise they deserve, until parents get a tax credit to send their child to the school of their choice, I am vetoing this unrelated policy and will continue to veto any and all legislation authored by Senators who have not stood with the people of Oklahoma and supported this plan.” The Senate revised their agenda from 50 bills and resolutions to 19 and focused on passing their own education plan. When the Senate adjourned, the Rules Committee met to reject two of the Governor’s Cabinet appointments. President Pro Tem Greg Treat told reporters that the Governor “has chosen to exercise his veto authority, we are choosing to exercise our confirmation authority.”

There were one hundred seventy-five (175) bills out of roughly six hundred (600) were not considered and failed to meet deadline. In the meantime, our Open Meeting priority bill became a casualty. [HB 2108](#) by Rep. Daniel Pae (R-Lawton) and Sen. Brent Howard (R-Altus) was eliminated from the previous agenda and therefore, failed the deadline. This bill adjusted the Open Meetings Act that limited digital participation during public meetings and under set standards. The bill will be available to heard next Legislative Session.

PTSD Passes Senate & Heads Back to House

HB 2398 by Rep. Neil Hays (R-Cheoctah) and Sen. Paul Rosino (R-OKC) passed the Senate yesterday by a vote of but not before Sen. Rosino amended the bill at the request of OML. Sen. Rosino struck the title and stated that he wanted to move the bill and get it to conference. OML will continue to negotiate with the Legislature on this important issue. The description of the bill is on page 13.

OML Priorities Move to Stitt's Desk

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

The bill passed the Senate on Monday by a [vote](#) of 39 to 7. It was sent to the Governor on Tuesday.

(OML Priority) 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.

The bill passed the Senate on Wednesday by a [vote](#) of 36 to 8.

(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 on Thursday by a [vote](#) of 86 to 1. The bill is referred for enrollment and will go to Governor Stitt's desk.

OML's Judicial Training Bill Passes House

(OML Priority) Municipal Judge Certification: [SB 462](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Josh West (R-Grove) prohibits appointing persons who are not a licensed attorney as a municipal judge beginning July 1, 2026. Non-attorney judges who were appointed prior to July 1, 2026, can continue to be reappointed if they complete the required certification program. The bill also allows municipal judges in cities with a population of more than two hundred thousand (200,000) people to engage in the practice of law in any other court during their tenure. The bill requires all current municipal judges to complete a certification program approved by the Oklahoma Municipal Judges Association by July 1, 2026. Municipal judges appointed after July 1, 2026, will have one (1) year to complete the certification program. If a municipal judge fails to complete their certification, the maximum fine a municipal court can impose on all traffic and criminal cases is Fifty Dollars (\$50.00). Municipal judges must file their Oklahoma Municipal Judge certifications with the county clerk and municipal court clerk. The bill also

clarifies that a municipal judge in a court not of record is not an "officer" of the municipality according to Title 11 Section 1-102 and is not to be considered a state officer for the purpose of Title 51 Section 6. All municipal judges, including nonlawyer judges, are subject to the code of judicial conduct and legal ethics.

The bill passed the House on Tuesday by a [vote](#) of 86 to 2. It goes back to the Senate to accept or reject the House amendments.

Bills Signed by Gov. Stitt

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 takes effect 90 days after Sine Die.

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 takes effect on November 1, 2023.

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 takes effect on November 1, 2023.

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 takes effect on November 1, 2023.

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 takes effect 90 days after Sine Die.

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 takes effect on November 1, 2023.

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 takes effect on November 1, 2023.

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 takes effect on November 1, 2023.

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 takes effect on November 1, 2023.

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 takes effect 90 days after Sine Die.

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 takes effect 90 days after Sine Die.

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 takes effect 90 days after Sine Die.

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 takes effect on November 1, 2023.

[Gov. Stitt Vetoes Oklahoma Housing Authority Bill & Senate Overrides It](#)

On Tuesday, Governor Stitt vetoed [SB 580](#) by Sen. Chuck Hall (R-Perry) and Rep. Kevin Wallace (R-Wellston) that 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.

On Wednesday, Governor Stitt vetoed the bill. His [veto message](#) stated the reason he vetoed SB 580 was because it would empower local Public Housing Authorities (PHAs) now assisting Oklahomans with affordable housing concerns to operate anywhere in the State of Oklahoma. This may sound good, but PHAs are currently prohibited from operating outside the municipal or county limits for good reason: because the Oklahoma Housing Finance Agency (OHFA) already has statewide jurisdiction and adequately affordable addresses housing concerns in all 77 counties.

On Thursday, Sen. Chuck Hall brought up SB 580 for a vote to override the veto by a [vote](#) of 43 to 5. In order to become law, the House must also vote to override the Governor’s veto.

[Bills Vetoed by Gov. Stitt](#)

Law Enforcement/Sex Offenders: [HB 2608](#) by Rep. JJ Humphrey (R-Lane) and Sen. David Bullard (R-Durant) modified 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. The bill would have required 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.

You can read Governor Stitt’s [Veto Message](#).

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

You can read Governor Stitt’s [Veto Message](#).

Public Health/Advancement of Wellness Advisory Council: [SB 267](#) by Sen. Jessica Garvin (R-Duncan) created 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.

You can read Governor Stitt’s [Veto Message](#).

[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.

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) conduct an investigation into 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 on Monday by a [vote](#) of 47 to 0.

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.

The bill passed the Senate on Tuesday by a [vote](#) of 40 to 6.

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

The bill passed the Senate on Wednesday by a [vote](#) of 40 to 8.

Hazard Mitigation Financial Assistance: [HB 1928](#) by Rep. Lonnie Sims (R-Jenks) and Sen. Dave Rader (R-Tulsa) creates the Hazard Mitigation Financial Assistance Fund within the Oklahoma Water Resources Board for the purpose of providing grants for hazard mitigation. In addition to other lawful purposes, monies placed in the Fund, exclusive of such amounts of interest derived from investment deposits necessary to maintain the grant account, may be used by OWRB to implement hazard mitigation planning and projects. Eligible entities are able to use the grants to develop an approved local/regional hazard mitigation planning document, acquire land or conservation easements to mitigate hazards, and implement voluntary incentive-based hazard mitigation measures to facilitate compliance with state or national regulations. The bill also clarifies language and broadens the applicability of this measure from flood hazard mitigation projects to include other hazard mitigation projects.

The bill passed the Senate on Monday by a [vote](#) of 45 to 3.

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 on Tuesday by a [vote](#) of 39 to 6.

Law Enforcement/Fentanyl/Drug Paraphernalia: [HB 1987](#) by Rep. Mickey Dollens (D-OKC) and Sen. Dave Rader (R-Tulsa) modifies the definition of "drug paraphernalia" to add drug testing strips possessed by a person for purposes of determining the presence of fentanyl or fentanyl-related compound.

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

Transportation/Mopeds: [HB 2133](#) by Rep. John George (R-Newalla) and Sen. Darrell Weaver (R-Moore) modifies the definitions of autocycles, mopeds, motorcycles, and motor-driven cycles by including electric motors for each type of conveyance. The bill also allows a person fourteen (14) years of age or older to operate an electric powered motor-driven cycle with not to exceed three hundred cubic centimeters (300 cc) or a sixteen and eight-tenths (16.8) kilowatt electric power source. If the power source is an electric motor, the motor shall not exceed seven hundred fifty (750) watts.

The bill passed the Senate on Wednesday by a [vote](#) of 43 to 2.

Healthcare Facility Violence: [HB 2154](#) by Rep. Cynthia Roe (R-Lindsay) and Sen. Kristen Thompson (R-Edmond) amends the definition of medical care provider to include any other employees or independent contractors working in

or for a health care facility. The bill prohibits assault on any medical care providers, other employees or independent contractors working in or for a health care facility and performing medical care duties. The medical facilities are required to report assault data to the Department of Health by January 31st of the following year. Reports are to withhold the identities of both the victim and assailant. The Department of Health is authorized to publish the data on its website on an annual basis.

The bill passed the Senate on Monday by a [vote](#) of 42 to 6.

Medical Care Providers/Personal Information: [HB 2172](#) by Rep. Cynthia Roe (R-Lindsay) and Sen. Kristen Thompson (R-Edmond) adds medical care providers to the list of individuals that are protected from having their electronic communication devices to public identifying information. However, it shall not apply when the incident is unrelated to the provider's professional duties. "Medical care provider" means a doctor, resident, intern, nurse, nurse practitioner, nurses' aide, ambulance attendant or operator, paramedic, emergency medical technician, laboratory technician, radiologic technologist, physical therapist, physician assistant, chaplain of a health care facility, volunteer of a health care facility, pharmacist, nursing student, medical student, member of a hospital security force, and any other employee or contractor working in or for a health care facility.

The bill passed the Senate on Tuesday by a [vote](#) of 43 to 0.

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

The bill passed the Senate on Tuesday by a [vote](#) of 42 to 3.

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

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

Preemption/Child Care Facilities: [HB 2452](#) by Rep. Suzanne Schreiber (D-Tulsa) and Sen. Jessica Garvin (R-Duncan) prohibits local governing authorities from promulgating local regulations that permit or require licensees of family childcare homes to exceed or limit the capacity provided by the license granted to the family child care home licensee by DHS.

The bill passed the Senate on Wednesday by a [vote](#) of 39 to 8.

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 on Wednesday by a [vote](#) of 37 to 9.

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

The bill passed the House on Wednesday by a [vote](#) of 90 to 0.

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 on Monday by a [vote](#) of 91 to 0.

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 on Tuesday by a [vote](#) of 64 to 27.

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 on Tuesday by a [vote](#) of 83 to 4.

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 on Monday by a [vote](#) of 93 to 0.

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 that 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 on Wednesday by a [vote](#) of 94 to 0.

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 on Monday by a [vote](#) of 92 to 0.

[BILLS ON THE MOVE](#)

Snapshot of bills impacting cities and towns

Oklahoma 9-1-1 Management Authority/Haiden Fleming Memorial Act: [HB 1590](#) by Rep. Jim Grego (R-Wilburton) and Sen. Casey Murdock (R-Felt) creates the Haiden Fleming Memorial Act. The bill 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 as well as coordinate and collaborate with local and regional 9-1-1 training authorities. 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 with the title and enacting clause restored on Wednesday by a [vote](#) of 47 to 1. It goes back to the House to accept or reject the Senate amendments.

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 with the title stricken on Wednesday by a [vote](#) of 42 to 1. It goes back to the House to accept or reject the Senate amendments.

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, 2029, 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.

The bill passed the Senate on Monday by a [vote](#) of 27 to 20. It goes back to the House to accept or reject the Senate amendments.

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 on Thursday by a [vote](#) of 47 to 0. It goes back to the House to accept or reject the Senate amendments.

Law Enforcement/DPS/Investigations: [HB 1976](#) by Rep. JJ Humphrey (R-Lane) and Sen. Warren Hamilton (R-McCurtain) authorizes the Commissioner of the Department of Public Safety to collect information concerning the activity and identity of individuals reasonably believed to be engaged in terrorism, threats to public safety, organized crime, criminal conspiracies, or other threats of violent crime; analyze collected information and disseminate such information to other law enforcement agencies; coordinate with

local, state, and federal agencies to protect citizens from terrorism, threats to public safety, organized crime, criminal conspiracies, or any other threats of violent crime by creating a clearinghouse of crime-related information; and provide training to peace officers of this state concerning the legal collection, preservation, and dissemination of crime-related information. The Commissioner may assign attorneys of DPS to support such criminal analysis and investigative functions. With written authorization from the Commissioner, Department attorneys assigned to these duties, who have been certified by CLEET, may carry a weapon. Information collected is prohibited from being released except to law enforcement agencies and prosecutorial authorities for the purpose of crime prevention, investigations, or criminal prosecution. Unauthorized release of information is subject to a misdemeanor with a fine and imprisonment.

The bill passed the Senate on Wednesday by a [vote](#) of 41 to 6. It goes back to the House to accept or reject the Senate amendments.

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

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 **by** warning about the existence of the warrant and advise the defendant to contact the clerk of the court to resolve the outstanding warrant. All verbal warnings shall be documented by law enforcement on a department-issued warning ticket or arrest the

defendant and take him before a magistrate in that county.

The bill passed the Senate on Thursday by a [vote](#) of 45 to 0. It goes back to the House to accept or reject Senate amendments.

OWRB/Groundwater Permits: [HB 2053](#) by Rep. David Hardin (R-Stilwell) and Sen. Brent Howard (R-Altus) provides if the Boards final action to approve an application is appealed, the applicant may take and use groundwater as set forth in the approval of 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 industry or entity applying to use the water are presumed 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 presumed frivolous, and the court may impose sanctions against the appellant, the appellants attorney, or both, including requiring the appellant or the appellants attorney 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 with the title and enacting clause restored on Tuesday by a [vote](#) of 37 to 9. It goes back to the House to accept or reject the Senate amendments.

Law Enforcement/Drug Offenders: [HB 2153](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. Micheal Bergstrom (R-Adair) provides that any person convicted of a second offense within ten (10) years of the previous conviction relating to possessing, selling, or purchasing controlled dangerous substances may be ordered by the court to complete a diversion program for up to one (1) year following the date of conviction in lieu of other punishments. The program may include drug testing as a requirement. Any person convicted of a third offense within ten (10) years of the previous conviction shall be subject to a fine not exceeding

One Thousand Dollars (\$1,000.00) and/or a term of imprisonment in the county jail not to exceed 30 days. The court may, with the consent of the defendant, order the defendant to complete a substance abuse assessment and evaluation and to complete a diversion program for up to three (3) years following the date of conviction. The court may impose punishment as provided for in current law if the defendant refuses to complete the program. Any person convicted for a fourth offense within the ten (10)-year period shall be subject to a fine not to exceed Five Thousand Dollars (\$5,000.00) and/or a term of imprisonment for not less than one (1) year and not more than five (5) years. The court may order the defendant to complete a diversion program and, upon completing the program, change the felony charges to a misdemeanor.

The bill passed the Senate with the title and enacting clause restored on Thursday by a [vote](#) of 37 to 8. It goes back to the House to accept or reject the Senate amendments.

Public Utilities/Road & Highway Construction/Natural Gas: [HB 2241](#) by Rep. Mike Dobrinski (R-Kingfisher) and Sen. Casey Murdock (R-Felt) provides that rural water districts, nonprofit water corporations, and municipal public water systems in municipalities with a population of ten thousand (10,000) people or less are exempt from having to pay for any expenses related to removing or relocating water and sewer facilities in public rights-of-way due to a construction project on a county road or highway that is maintained by the county. The bill establishes that rural water districts, nonprofit water corporations, and municipal public water systems in municipalities with a population of fifteen thousand (15,000) people or less and natural gas systems that serve less than ten thousand (10,000) customers are exempt from paying for costs related to removing or relocating natural gas, water, and sewer facilities in public rights-of-way due to state highway or turnpike construction projects.

The bill passed the Senate on Tuesday by a [vote](#) of 43 to 1. It goes back to the House to accept or reject Senate amendments.

Court Cost Compliance Program: [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 program shall assist county sheriffs and the courts with the collection of fines, costs, fees, and assessments associated with any case in which a warrant has been issued and the case has been referred to the court cost compliance program. Individuals may make payments for such items to the court or to the program. The court shall report any payments received from any individual referred to the program within four (4) days of the payment. compliance liaison within four (4) days of receipt of the payment. The bill adds returned checks and fraudulent use of credit card fees. Monthly payments shall be no less than One Hundred Dollars (\$100.00). The court may also determine the financial ability of a defendant to pay associated fines and fees. If the court determines the defendant is unable to pay, the court may waive associated fines and fees. A defendant may request a cost hearing after the court informs him or her of the total court financial obligations owed or if life circumstances for the defendant have changed. Court clerks are directed to review cases of delinquency once every six (6) months.

The bill passed the Senate on Wednesday by a [vote](#) of 46 to 2. It goes back to the House to accept or reject the Senate amendments.

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 suit in the proper district court. The AG may also issue advisory opinions to public bodies regarding compliance with this act.

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

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 with the title and enacting clause restored on Wednesday by a [vote](#) of 41 to 2. It goes back to the House to accept or reject the Senate amendments.

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. If the treating physician is of the opinion that the first responder is temporarily unable to perform his or her job or any alternative work offered by the employer, he or she is entitled to receive compensation which is the greater of the weekly benefit provided in the collective bargaining agreement or according to the policy of the employer, or seventy percent (70%) of the injured employee's average weekly wage not to exceed the state average weekly wage. If the employee has a temporary pension benefit available and the benefit is equal to or greater than the temporary award in this system, the employer may elect to exercise the temporary pension benefit not to extend beyond fifty-two (52) weeks. If the person who receives benefits for a mental injury or illness not caused by a physical injury who, after reaching maximum medical improvement, is unable to perform the essential functions of their employment and who is not eligible to receive a disability retirement through their pension or retirement system shall be eligible to be awarded permanent disability benefits not to exceed Fifty Thousand Dollars (\$50,000.00). The employer shall provide reasonable and necessary medical treatment for such an injury, subject to the Oklahoma Workers' Compensation Schedule, for a period of no longer than one (1) year. The employer

is not responsible for medical treatment in the form of prescription medicine in excess of Ten Thousand Dollars (\$10,000). The bill defines "post-traumatic stress disorder" to mean an injury or condition in which a first responder has been exposed to a traumatic event and has experience, witnessed, or was confronted with an event that involved actual or threatened death or serious injury, or a threat to the physical integrity of others, and the response involved fear, helplessness, or horror and is reexperienced in several ways. The bill also defines "emergency medical technician" and "volunteer firefighter". Any city or town in this state that incurs a claim relating to post-traumatic stress disorder may, at the city or town's option, transfer the payment of all or any portion to the judgment rolls of the geographic area or areas serviced by the department of the injured worker and shall be listed on official publications as "First Responder PTSD". The effective date was moved to January 1, 2024.

The bill was [amended](#) and passed the Senate on Thursday by a [vote](#) of 44 to 3. It goes back to the House to accept or reject the Senate amendments.

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

The bill passed the Senate with the title and enacting clause restored on Thursday by a [vote](#) of 45 to 0. It goes back to the House to accept or reject the Senate amendments.

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 with the title and enacting clause restored on Wednesday by a [vote](#) of 42 to 0. It goes back to the House to accept or reject Senate amendments.

Opioid Substitution Treatment Program: [HB 2686](#) by Rep. Rick West (R-Heavner) and Sen. George Burns (R-Pollard) creates the Hannah McKenzie Act of 2023. The bill requires an opioid substitution treatment program to comply with all federal requirements for opioid treatment programs provided by 42 C.F.R., Subpart C including but not limited to the requirement to provide drug abuse testing services provided by 42 C.F.R., Section 8.12(f)(6). Drug abuse testing shall be directly observed by an employee or contractor of the opioid substitution treatment program. Failure to comply with the rules and standards of ODMHSAS or failure to comply with the requirements of 42 C.F.R., Subpart C is grounds for reprimand, suspension, revocation or nonrenewal of certification.

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

Privacy Act of 2023: [HB 2794](#) by Rep. Preston Stinson (R-Edmond) and Sen. Adam Pugh (R-Edmond) creates the Oklahoma Judicial Security and Privacy Act of 2023. The bill defines "at-risk individual" as any active or retired member of the State Judiciary, and shall also include municipal, county, and federal judges. Each at-risk individual as and may file a written notice as an at-risk individual, for themselves and immediate family, with each state agency that includes information

necessary to ensure compliance, as determined by the Administrator Director of the Courts. Eligible at-risk individuals may also make the same request to any private entity that has publicly posted the covered information on the Internet and may ask that the information of their immediate family members also be protected. The bill prohibits data brokers from knowingly selling, licensing, trading, or purchasing private information pertaining to a judge or his or her immediate family. Additionally, the Administrator Director of the Courts is required to submit an annual report to the Legislature detailing the amount spent by the state and local governments to protect the judge's information.

The bill passed the Senate on Thursday by a [vote](#) of 45 to 0. It goes back to the House to accept or reject the Senate amendments.

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 training facilitated by the OSBI. Scholarship opportunities shall be afforded each year to county and municipal law enforcement agencies to attend accredited training 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 on Wednesday by a [vote](#) of 42 to 0. It goes back to the House to accept or reject the Senate amendments.

(OML Priority) 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).

The bill passed the House with the title stricken on Wednesday by a [vote](#) of 71 to 11. It goes back to the Senate to accept or reject the House amendments.

Law Enforcement/Students/Violent Crime: [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.

The bill passed the House on Thursday by a [vote](#) of 63 to 21 but the Emergency failed. It goes back to the Senate to accept or reject the House amendments.

Oklahoma Broadband Expansion Act: [SB 235](#) by Sen. Dave Rader (R-Tulsa) and Rep. Ronny Johns (R-Ada) adds the Oklahoma Turnpike Authority to the list of exempt entities from having to transfer assets to the Oklahoma Broadband Office if they are duplicative or complementary to the mission of the Office.

The bill passed the House on Thursday by a [vote](#) of 78 to 1. The bill is referred for enrollment.

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 on Wednesday by a [vote](#) of 83 to 7. It goes back to the Senate to accept or reject the 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 on Tuesday by a [vote](#) of 82 to 6. It goes back to the Senate to accept or reject the House amendments.

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 supplier or a subsidiary or affiliate thereof to use a separate, unregulated entity and must do so on the same fees, terms, charges, and conditions offered by 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 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 of 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 that are rate-regulated. The district court may enforce violations of any electric suppliers that are not rate-

regulated by the Commission or municipal corporations.

The bill passed the House on Wednesday by a [vote](#) of 92 to 0. It goes back to the Senate to accept or reject the House amendments.

Oklahoma Public Employees Retirement System/Contribution Increase: [SB 632](#) by Sen. John Montgomery (R-Lawton) and Rep. Mark Lepak (R-Claremore) increases the employer retirement matching contribution from six percent (6%) to eight percent (8%) depending on the employee's contribution amount. If an employee selects a contribution rate of eight percent (8%) or more, the employer matching amount shall be ten percent (10%).

The bill passed the House with the title stricken on Monday by a [vote](#) of 93 to 0. It goes back to the Senate to accept or reject the 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 on Tuesday by a [vote](#) of 95 to 0. It goes back to the Senate to accept or reject the House amendments.

Oklahoma Organized Retail Crime Task Force: [SB 674](#) by Pro Tempore Greg Treat (R-OKC) and Speaker Charles McCall (R-Atoka) creates a fifteen (15) member Oklahoma Organized Retail Crime Task Force until December 31, 2024. One of the members is appointed by the Oklahoma Association of Chiefs of Police. The purpose of the task force 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 theft in the state.

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.

The bill passed the House on Wednesday by a [vote](#) of 69 to 12. It goes back to the Senate to accept or reject the House amendments.

Medical Marijuana/Commercial Growers: [SB 801](#) by Sen. Bill Coleman (R-Ponca City) and Rep. T.J. Marti (R-Tulsa) requires every existing licensed medical marijuana commercial grower to inform retail suppliers or electric cooperatives utilized of their status as a licensed medical marijuana commercial grower within thirty (30) days. All new licensees must inform the retail supplier or electric cooperative at the time of connection of services. The bill also requires commercial growers to electronically transmit monthly reports to the OMMA providing the amount of electricity and

water consumed. Refusal or failure to submit the required monthly usage reports or use of an unpermitted water source by a commercial grower will result in the permanent revocation of their license.

The bill passed the House on Monday by a [vote](#) of 75 to 16. The Senate rejected the amendments on Thursday.

Oklahoma Broadband Expansion Act: [SB 848](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Trey Caldwell (R-Lawton) requires the Office of Management and Enterprise Services (OMES) to provide assistance to the Oklahoma Broadband Office (Office) 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 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 within ten (10) days the reasoning for denial. The Office may hire legal counsel as it is deemed necessary by said hiring entity.

The bill passed the House with the title stricken on Wednesday by a [vote](#) of 71 to 1. It goes back to the Senate to accept or reject the House amendments.

Oklahoma Broadband Expansion Act/Map Data: [SB 849](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Trey Caldwell (R-Lawton) modifies reporting requirements for private providers network area coverage map data. The private providers shall submit to the Oklahoma Broadband Office (Office), within five (5) days of the submission deadlines set by the FCC a copy of the data in the same format as the private providers submit to FCC. The map data shall be periodically updated through a supplemental submission by the private providers as requested by the Office, including, but not limited to any updates relating to incentives and grants created, administered, or awarded by the Office. The Office is authorized to establish requirements for the collection of the area coverage map reports. All information submitted under this measure must

remain confidential and cannot be publicly disclosed without the provider's consent.

The bill passed the House with the title stricken on Wednesday by a [vote](#) of 76 to 2. It goes back to the Senate to accept or reject the House 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" as it relates to the agricultural sales tax exemption to include game animals. "Game animals" are defined to mean animals bred to be hunted for sport or food but shall not include feral swine.

The bill passed the House on Wednesday by a [vote](#) of 93 to 0. It goes back to the Senate to accept or reject the House amendments.

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 on Wednesday by a [vote](#) of 90 to 0. It goes back to the Senate to accept or reject the House amendments.

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 on Wednesday by a [vote](#) of 90 to 0. It goes back to the Senate to accept or reject the House amendments.

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. The location, property, space, premises, grounds, or building or buildings defined in this paragraph shall not include organizations exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(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 on Thursday by a [vote](#) of 56 to 30. It goes back to the Senate to accept or reject the House amendments.

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 on Thursday by a [vote](#) of 88 to 3. It goes back to the Senate to accept or reject the House amendments.