

03-24

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### State Grocery Sales Tax Cut Passed

After a three-hour Senate Republican Caucus meeting on Wednesday, Sen. Pro Tempore Greg Treat announced the Senate would take up the Grocery Sales Tax measure on Thursday. [HB 1955](#) by Speaker Charles McCall (R-Atoka) and Pro Tempore Greg Treat (R-OKC) was a carryover bill from the last Legislative Session that passed the House but was not heard in the Senate. On Thursday, the bill bypassed the committee process and was brought directly to the calendar and passed the Senate floor by a vote of 42-2. The bill is now on Governor Stitt's desk. If signed, the bill will take effect 90 days after the Legislature adjourns sine die.

HB 1955 removes the four and one-half percent (4.5%) state sales tax on "food and food ingredients." The bill provides for any sales tax or excise levied by a city, town, county, or any other jurisdiction in this state upon sales of food and food ingredients shall be in effect regardless of ordinance or contractual provisions referring to previously imposed state sales tax on the items. On or after the effective date of this act, until June 30, 2025, a county or a municipality that submits the question of a sales tax or excise tax to its voters shall provide that the increased rate does not apply to "food and food ingredients" as the term is defined in Section 1352 of Title 68 of the Oklahoma Statutes. OTC must promulgate any necessary rules to implement the provisions of this section in accordance with the Streamlined Sales and Use Tax Agreement.

It has been clear that the Legislature and the Governor were going to pass some type of tax cut this year. The Senate decided the benefit to all Oklahomans provided by a cut in the grocery sales tax outweighed concerns by municipalities and business owners who will have to implement this elimination at the point of sale. Legislators did protect the municipal portion of the sales tax and many stated multiple times that any elimination of the municipal portion would be devastating to cities and towns. OML has met with and will continue to work with Legislators to find ways to diversify municipal revenue sources moving forward.

*The Advocate* is published by the Oklahoma Municipal League. Forward your comments or suggestions to:

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## **OML Priorities Pass First Hurdle**

**(OML Priority) Medical Marijuana/Certificate of Compliance:** [SB 1635](#) by Sen. Bill Coleman (R-Ponca City) allows a licensee who has submitted to OMMA showing full compliance as outlined by law, to only need to submit an affidavit for license renewal stating the premises continues to comply with zoning classifications, applicable municipal ordinances, and all applicable safety, electrical, fire, plumbing, waste, construction and building specification codes. An additional certificate of compliance (COC) along with an affidavit shall be submitted if a change of use or occupancy occurs. Municipalities may implement an inspection program to verify compliance with this subsection. OMMA shall promulgate rules necessary for the affidavit. If an application for renewal is submitted in violation or information provided on the affidavit is inaccurate or untrue, OMMA shall suspend operations of the licensee's premises until compliance is reestablished.

The bill passed the Senate Business & Commerce Committee on Monday by a [vote](#) of 13 to 0. The bill moves to the Senate floor.

**(OML Priority) Sanitary Sewer Systems Overflow:** [SB 1650](#) by Sen. Lonnie Paxton (R-Tuttle) defines "public utility" to mean a municipally owned utility providing sewage services through a sanitary sewer system. OWRB is directed to promulgate rules and regulations relating to requiring public utilities to map and keep records of their sanitary sewer system, regularly inspecting, cleaning and root control and providing reasonable response times to calls for sanitary sewer overflows (SSO) and clear debris, adopting a fat, oil and gas (FOG) ordinance prohibiting introduction of any fats, oils, or grease from nonresidential entities that are connected to the sanitary sewer system and incorporating pre-treatment regulations for such entities; requiring the construction or remodel of existing buildings to be connected to the sanitary sewer system, adoption of a policy advising private residential property owners who are connected to the sanitary sewer system to install a backflow prevention system, adopting funding availability models. Funding availability models shall be reviewed at least every five (5) years to include a rate study recommending

reasonable rates for those connected to the sanitary sewer system; and adoption of a five (5)-year capital improvement plan that includes dedication of appropriate funding available. The bill provides that periodic advisement of these requirements may be satisfied with advertisement by annual publication in a newspaper of general circulation within the city or town or by the town's website. A five (5)-year moratorium is established against nuisance-based tort claims relating to the operation of public sanitary sewer systems for cities and towns complying with the provisions of this act.

The bill passed the Senate General Government Committee with the title stricken on Thursday by a [vote](#) of 7 to 2. The bill moves to the Senate floor.

## **BILLS ON THE MOVE:**

**Secure Telecommunications Act of 2024:** [HB 1195](#) by Speaker Charles McCall (R-Atoka) creates the Secure Telecommunications Act of 2024. The purpose of this act is to secure Oklahoma's telecommunications grid and protect national security by eliminating communications hardware and software from Oklahoma's telecommunications grid that comes countries of concern and sanctioned entities. All critical telecommunications infrastructure located within or serving this state shall not be constructed by a federally banned corporation, nor any equipment banned at the federal level. All critical telecommunications infrastructure currently in operation which is not permanently disabled, shall have all equipment prohibited by subsection A or B of this section removed and replaced. A telecommunications provider is not required to get additional permits from any state agency or political to replace such communications equipment as long as the state agency or political subdivision is properly notified of the necessary replacements. The bill creates a process for telecommunications providers to register with the Oklahoma Corporation Commission. Failure to register with OCC will subject the telecommunications provider to a fine of no less than Ten Thousand Dollars (\$10,000.00) per day of noncompliance. Any telecommunications provider that fails to comply with the registration is prohibited from receiving any state or local funds

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for the development or support of new or existing critical telecommunications infrastructure.

The bill passed the House Rules Committee on Thursday by a [vote](#) of 6 to 2. The bill moves to the House floor.

**Military Installation & Critical Infrastructure Act of 2024:** [HB 1265](#) by Speaker Charles McCall (R-Atoka) creates the Military Installation and Critical Infrastructure Act of 2024. The bill prohibits a foreign principal from a foreign adversary country from directly or indirectly owning, having an interest greater than twenty-five percent (25%) in, or acquiring land in this state. The bill allows for whistleblower referrals and entitles the whistleblower to be entitled to a reward equal to thirty percent (30%) of the proceeds of the land sale that results from violations, after payments to lienholders. The Office of the AG must establish a process by which local officials, states officials, or other persons may submit information or concerns to the Office regarding non-notified transactions in Oklahoma.

The bill passed the House Rules Committee on Thursday by a [vote](#) of 7 to 2. The bill moves to the House floor.

**Allied Investments in Oklahoma Act of 2024:** [HB 1293](#) by Speaker Charles McCall (R-Atoka) creates the Allied Investments in Oklahoma Act of 2024 to prohibit tax credits and other economic and financial incentives for companies domiciled within countries of concern. To be eligible to receive a tax credit or financial benefit from Oklahoma or one of its political subdivisions, an employer must not: be domiciled within a country of concern; be owned by the government of a country of concern; be owned by a company domiciled within a country of concern; contract with employers or subcontractors domiciled within a country of concern. The prohibition also applies to subcontracted work for the employer, as long as the work is for a project receiving incentives. Any person or entity that reasonably suspects a violation of the prohibition may report the alleged violation to the Oklahoma Department of Commerce (ODOC), which is required to independently verify the claim. Confirmed violations will be reported to the Attorney General to begin proceeding to recover

and funds and assess penalties against the employer equal to up to fifty percent (50%) of the total value of any tax credit or other financial or economic incentive upon any employer found in violation of this act.

The bill passed the House Rules Committee on Thursday by a [vote](#) of 6 to 2. The bill moves to the House floor.

**Tuition/Children of Peace Officers, Firefighters & EMTs who Died in the Line of Duty:** [HB 1795](#) by Rep. Mike Osburn (R-Edmond) and Sen. Kristen Thompson (R-Edmond) prohibits the Oklahoma State System of Higher Education from charging fees, room, and board to children of Oklahoma peace officers, firefighters, commissioned members of OLERS, and emergency medical technicians who have given their lives in the line of duty.

The bill passed the House A&B Committee on Wednesday with the title stricken by a [vote](#) of 14 to 0. The bill moves to the House floor.

**Ambulances/Out-of-Network Ambulance Provider Act:** [HB 2872](#) by Rep. Kevin Wallace (R-Wellston) sets the minimum allowable reimbursement rate under any health care benefit plan issued by a healthcare insurer to an out-of-network ambulance service provider for providing emergency services shall be one of the following items: 1. At the rates set or approved, whether in contract or by ordinance, by a local governmental entity in the jurisdiction in which the covered health care services originates; 2. Shall be three hundred twenty-five percent (325%) of the current published rate for ambulance services as established by the Centers for Medicare and Medicaid Services under Title XVIII of the Social Security Act for the same services provided in the same geographic area; or 3. The ambulance service provider's billed charges, whichever is less. Payment in compliance with this section shall be considered payment in full. An ambulance service provider is prohibited from billing the enrollee for any additional amounts for the paid covered services in excess of what the healthcare insurer pays. A healthcare insurer shall, within thirty (30) days after receipt of a clean claim for covered services, promptly remit payment for ambulance service directly to the ambulance service provider.

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

**(OCEA Request - OML Support) Law Enforcement/Assault & Battery/Code Enforcement Officers:** [HB 2966](#) by Rep. Ken Luttrell (R-Ponca City) and Sen. Bill Coleman (R-Ponca City) makes it a crime to assault a building inspector or municipal code enforcement officer while such building inspector or code enforcement officer is in the performance of his or her duties. Upon conviction, an individual will be guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year, by a fine of not less than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. Upon a second or subsequent conviction, the person shall be guilty of a felony punishable of imprisonment in the custody of DOC for not more than two (2) years, by a fine of not more than Two Thousand Dollars (\$2,000.00) or both. Any person who commits an aggravated assault and battery, upon conviction, shall be guilty of a felony punishable by imprisonment in the custody of not less than two (2) years nor more than five (5) years, by a fine of not more than Five Thousand Dollars (\$5,000.00), or both.

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

**(Sand Springs Request - OML Support) Sales Tax Exemption/Municipal Trusts:** [HB 2977](#) by Rep. Clay Staires (R-Skiatook) adds a sales tax exemption for a public trust in which a municipality is the beneficiary.

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

**Loitering/Critical Infrastructure Facilities:** [HB 3024](#) by Rep. JJ Humphrey (R-Lane) and Sen. David Bullard (R-Durant) adds any county-owned property including, but not limited to, courthouses and detention centers to the list of critical infrastructure facilities as well as any prison facility. The bill also adds "loitering" as a crime. "Loiter" means standing or waiting around idly or without apparent or rational purpose.

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The bill passed the House Judiciary - Criminal Committee on Wednesday by a [vote](#) of 5 to 2. The bill moves to the House floor.

**Ambulance Districts/Motor Fuel Tax Exemption:** [HB 3031](#) by Rep. Cody Maynard (R-Durant) and Sen. David Bullard (R-Durant) exempts Oklahoma ambulance districts established under Section 9C of Article X of the Oklahoma Constitution from motor fuel taxes.

The bill passed the House A&B Committee with the title stricken on Thursday by a [vote](#) of 30 to 0. The bill moves to the House floor.

**Law Enforcement/Firefighters/License Plates:** [HB 3032](#) by Rep. Cody Maynard (R-Durant) requires Service Oklahoma to design appropriate official license plates for vehicles of Oklahoma fire departments, law enforcement agencies, ambulance services, and emergency management agencies. Each license plate is distinctly designed. The license plates shall be available to all state, county, city, and town entities currently recognized by Service Oklahoma to receive government license plates. There shall be an initial fee of Twenty-five Dollars (\$25.00) to purchase the transferable license plates. The fee shall be deposited in accordance with Service Oklahoma rules. License plates currently on these vehicles do not need to be replaced until a new vehicle is purchased. All new license plates shall be permanent transferable license plates.

The bill passed the House Public Safety Committee on Tuesday by a [vote](#) of 7 to 0. The bill moves to the House floor.

**Eminent Domain/Right of First Refusal:** [HB 3159](#) by Rep. Eric Roberts (R-OKC) provides for the first refusal or right of first refusal offer if the acquired land is ever sold by the state or any state agency thereof or any person who acquired the land through the use of eminent domain authority. If the landowner chooses to exercise this right, the price would be the lower of either the current market value or the price received by the landowner under the eminent domain sale. This right shall be available to the landowner in the original eminent domain sale and to the first generation of heirs. However, acquired land may be transferred to



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another state agency without prompting the first refusal or right of first refusal.

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

**State Fire Marshals/Grills & Griddles:** [HB 3169](#) by Rep. Dell Kerbs (R-Shawnee) requires the State Fire Marshal Commission to promulgate rules allowing the use and storage of propane-fueled grills and flattop griddles and electric wood pellet grills on boat docks; provided, that the act of using such cooking instruments is performed within ten (10) feet of a fire extinguisher. Any violations or penalties shall be assessed to the person committing acts contrary to this subsection. The owner or operator of the marina or dock shall not be held liable for the actions of its tenants or others.

The bill passed the House Public Safety Committee on Tuesday by a [vote](#) of 7 to 1. The bill moves to the House floor.

**Firearms/Sales Tax Exemption:** [HB 3176](#) by Rep. John Waldron (D-Tulsa) and Sen. Cody Rogers (R-Tulsa) subject to the availability of funds appropriated, DPS is authorized to provide free firearm locks to an Oklahoma resident upon the request of the resident. DPS shall prominently display on its website instructions for requesting free firearm locks. DPS shall collaborate with OSBI, and other state agencies, DPS deems appropriate, to create a public safety campaign dedicated to safe firearm storage using funds specifically appropriated for this purpose. The bill also adds a new sales tax exemption on sales of firearm safes and firearm safety devices.

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

**Economic Development/Competitiveness:** [HB 3252](#) by Rep. Mike Osburn (R-Edmond) modifies the mission statement and primary goals for the Department of Commerce. The legislation lays out the need for Oklahoma to have an agency to focus on long-term development of local communities to increase competitiveness and enhance economic opportunities in this state. Oklahoma needs an

agency to work at the community level to create new higher quality jobs of this state through the long-term development of local communities; maintain a two-way flow of information between the state economic development agency and communities through regional organization and representation; implement strategic economic development five-year plan developed by the state economic development entity; carry out policy development and research in support of long-term competitiveness; provide technical assistance to local communities in securing federal funding, incentive availability, and community development; provide assistance and funding in development of potential sites for economic development; coordinate with other state agencies deploying federal and state funds for infrastructure development including, but not limited to, ODOT, OWRB, and OBO; and assists in compliance with the laws and regulations of economic incentives and economic development initiatives

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

**Arkansas River Levee Projects Revolving Fund:** [HB 3288](#) by Rep. Kyle Hilbert (R-Bristow) creates the Arkansas River Levee Projects Revolving Fund in the Oklahoma Conservation Commission. The fund may be budgeted and expended by the Conservation Commission for the purpose of constructing or repairing levees in proximity to the Arkansas River, subject to the federal matching funds requirement.

The bill passed the House A&B Committee on Wednesday by a [vote](#) of 30 to 0. The bill moves to the House floor.

**Sales Tax Exemption/OSU Medical Authority & Trust & OSU Veterinary Medicine Authority & Trust:** [HB 3344](#) by Rep. John Pfeiffer (R-Orlando) and Sen. Dave Rader (R-Tulsa) adds the Oklahoma State University Medical Authority and Trust and the Oklahoma Veterinary Medicine Authority and Trust to receive a sales tax exemption on the sale of tangible personal property or services.

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

**OTC/Sales Tax Permits:** [HB 3346](#) by Rep. John Pfeiffer (R-Orlando) and Sen. Dave Rader (R-Tulsa) allows monies in the OTC and OMES Joint Computer Enhancement Fund to make payments for Information Technology acquisitions to support the responsibilities of OTC. Whenever the sales tax reports required to be filed by Section 1365 of this title indicate there is no business activity at a place of business for a period of twelve (12 months, OTC, after giving twenty (20) days' notice to the permit holder in writing of the time and place of hearing to show cause why the sales tax permit for that place of business should not be revoked, may revoke or suspend the permit pursuant to an order of OTC after failure to show cause or failure to appear by the permit holder.

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

**Firearms/Income Tax Credit:** [HB 3427](#) by Rep. Nick Archer (R-Elk City) and Sen. Jessica Garvin (R-Duncan) creates an income tax credit beginning on or after January 1, 2025, in the amount of Five Hundred Dollars (\$500.00) for the cost that a taxpayer incurs in the purchase of one or more qualified expenses of One Thousand Dollars (\$1,000.00) or more, and in the amount of Three Hundred Dollars (\$300.00) for the cost that a taxpayer incurs in the purchase of one or more qualified expenses less than One Thousand Dollars (\$1,000.00). "Qualified expense" means firearm safety devices.

The bill passed the House A&B: Finance Subcommittee on Monday by a [vote](#) of 9 to 0. The bill passed the House A&B Committee with the title stricken on Thursday by a [vote](#) of 29 to 1. The bill moves to the House floor.

**Tattoo and Body Piercing Businesses:** [HB 3428](#) by Rep. Nick Archer (R-Elk City) and Sen. Julia Kirt (D-OKC) removes the licensing requirements for a body piercing or tattoo operator. It gives the Dept. of Health authority to enforce the regulation by notifying the district attorney of any relevant

county, the Department may impose an administrative fine not to exceed Five Thousand Dollars (\$5,000.00). Whenever it appears that any person is engaged or about to engage in any acts or practices that constitute a violation, the Department, the AG, or the district attorney may bring an action in the relevant district court or in Oklahoma County.

The bill passed the House Business & Commerce Committee on Wednesday by a [vote](#) of 7 to 0. The bill moves to the House floor.

**Sales Tax Holiday/Firearm Ammunition:** [HB 3429](#) by Rep. Nick Archer (R-Elk City) and Sen. John Haste (R-Broken Arrow) creates a sales tax holiday for the sale of rifle firearm ammunition to be used in connection with deer hunting if the sales price of the article is less than One Thousand Dollars (\$1,000.00) and the sales took place during the period beginning at 12:01 a.m. on Friday before annual deer gun season as determined by the Dept. of Wildlife Conservation and ends at midnight on the following Sunday.

The bill passed the House A&B: Finance Subcommittee on Monday by a [vote](#) of 9 to 0. The bill passed the House A&B Committee with the title stricken on Thursday by a [vote](#) of 20 to 10. The bill moves to the House floor.

**Sales Tax Exemption/100% Disabled Veteran/Motor Vehicles:** [HB 3463](#) by Rep. Anthony Moore (R-Clinton) adds a new sales tax exemption on the sales of new or used motor vehicles purchased by an individual who has been honorably discharged from active service in any branch of the Armed Forces of the United States or Oklahoma National Guard and who has been certified by the United States Department of Veterans Affairs, its successor, or the Armed Forces of the United States to be a disabled veteran in receipt of compensation at the one-hundred-percent rate for a permanent disability sustained through military action or accident or resulting from disease contracted while in such active service and registered with the veterans registry created by the Oklahoma Department of Veteran Affairs

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

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**Energy Discrimination Elimination Act of 2022:** [HB 3541](#) by Rep. Mark Lepak (R-Claremore) modifies procedures with respect to funds managed by state governmental entities. The bill removes "political subdivision" from the definition of "governmental entity."

The bill passed the House Banking, Financial Services and Pension Committee on Monday by a [vote](#) of 4 to 3. The bill moves to the House floor.

**Oklahoma Counterterrorism Information Agency:** [HB 3542](#) by Rep. John Pfeiffer (R-Orlando) creates the Oklahoma Counterterrorism Information Agency. Beginning November 1, 2024, the Oklahoma Information Fusion Center shall cease to be under DPS and become a separate and distinct state agency. The bill creates a thirteen (13) member Oklahoma Counterterrorism Information Commission. One of the members appointed by the Governor is a chief of police from a municipality with a population of one hundred thousand (100,000) selected from a list of three (3) names submitted by the Oklahoma Association of Chiefs of Police. The Oklahoma Counterterrorism Information Agency shall have the power and duty to: 1. establish and maintain an information clearinghouse in order to accept and appropriately process intelligence information provided by law enforcement agencies, public safety agencies, private sector agencies, and concerned citizens; 2. Provide informative reports and intelligence assessments, both strategic and tactical, for homeland security initiatives; 3. Provide real-time intelligence support to law enforcement and public safety agencies; 4. Consolidate information and data on suspicious activities and threats from all jurisdictions within Oklahoma and the public; 5. Facilitate communication and collaboration with multi-disciplinary partners including local, state, and federal law enforcement and non-governmental organizations; and 6. Provide early warning of incidents at the local, regional, and state levels.

The bill passed the House Public Safety Committee on Tuesday by a [vote](#) of 5 to 2. The bill moves to the House floor.

**Encampment Regulation Act:** [HB 3686](#) by Rep. Chris Kannady (R-OKC) prohibits individuals from using public rights-of-way or state-owned lands for

the purposes of establishing an unauthorized camp. Any person who violates this act commits a misdemeanor. However, a person who commits a first violation shall be issued a warning, and a citation may not be issued unless the person refuses assistance offered to them by the arresting officer. Such assistance may include, but is not limited to, transportation to a shelter, food pantry, or other place where resources are available to assist the indigent and homeless.

The bill passed the House Judiciary - Civil Committee on Thursday by a [vote](#) of 9 to 1. The bill moves to the House floor.

**Agriculture Sales Tax Exemption/Forestry:** [HB 3738](#) by Rep. Eddy Dempsey (R-Valliant) amends the definition of "agricultural products" shall include horses and timber; and defines "farming" or "farm" shall include the production of timber, seedling production.

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

**Open Records/Discovery Process:** [HB 3779](#) by Rep. Collin Duel (R-Guthrie) modifies definitions and adds language relating to the Oklahoma Open Records Act. The bill reduces the list of things identified as "non-records" that are not subject to confidentiality. The bill also allows a person who requests and is denied access to records of a public body or public official to bring a civil suit under Subsection B, any person seeking declaratory or injunctive relief, or both. The person must notify the public body or public official of his or her intent to bring a civil suit to obtain relief in writing ten (10) business days prior to filing for such relief.

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

**OK Disaster Resilience Act/Interagency Resilience Coordination Council:** [HB 3820](#) by Rep. Lonnie Sims (R-Jenks) creates the Oklahoma Natural Disaster Protection and Preparedness Act. The bill replaces the State Hazard Mitigation Team with the Interagency Resilience Coordination Council led by the Oklahoma Department of Emergency



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Management. Each agency director in the executive branch of the state government shall designate at least one person to serve as the agency's resilience officer and shall transmit the name and contact information of each designate to the Department of Emergency Management. The agency resilience officers shall coordinate activities with ODEMA and serve on the Interagency Resilience Coordination Council.

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

**Utility Bills/Domestic Violence Victims:** [HB 3863](#) by Rep. Ross Ford (R-Broken Arrow) adds another factor for individuals who have been victims of domestic violence or stalking to be exempt from the public utility's initial credit and deposit requirements for individuals who are a designated representative of a domestic violence shelter or domestic violence program operated by a federally recognized Indian tribe.

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

**(OML Support) Courts/Notification/Time Limits:** [HB 3885](#) by Rep. Ross Ford (R-Broken Arrow) increases the time limitation from one hundred twenty days (120) to one (1) year for the municipal or district court to notify Service Oklahoma from the date the citation was issued by the arresting officer.

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

**Sales Tax Exemption/Hearing Aids:** [HB 3912](#) by Rep. Chad Caldwell (R-Enid) adds a sales tax exemption on the sales of hearing aid devices. "Hearing aid devices" mean an electronic device designed to amplify sound for individuals with hearing loss. It includes but is not limited to, behind-the-ear, in-the-ear, and completely-in-the-canal options.

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

**Parks/Playground Equipment:** [HB 3935](#) by Rep. Melissa Provenzano (D-Tulsa) requires every city, town, municipality, and public school district in counties in Oklahoma with a population over one hundred thousand (100,000) that plan to: 1) install new playground equipment and travel surfaces; or 2) update existing playground equipment and travel surfaces, shall ensure that all material and equipment are fully inclusive and accessible for adults and children of all ages. "Fully inclusive" means anyone that may require the use of a mobility device to access or use the playground equipment.

The bill passed the House A&B: General Government Subcommittee on Monday by a [vote](#) of 5 to 2. The bill moves to the House A&B Committee.

**County Assessors/Municipal Building Permits:** [HB 3941](#) by Rep. Melissa Provenzano (D-Tulsa) requires cities and towns to transmit a copy of any building permit issued within its boundaries to the county assessor no later thirty (30) days after the date of issuance. Cities and towns must provide the county assessor with electronic copies of building permits, where available and feasible.

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

**CLEET/Training Reimbursement:** [HB 3998](#) by Rep. Scott Fetgatter (R-Okmulgee) provides that if an employing law enforcement agency has paid for a peace officer's training and within one (1) year after the date the person is commissioned with the law enforcement agency resigns and is hired by another law enforcement agency in this state, the second law enforcement agency shall reimburse the original employing agency for the cost of CLEET training and salary paid to the person while completing the basic police course by the original law enforcement agency. If the person leaves the original employing law enforcement agency later than one (1) year, but less than two (2) years, after the date the person is commissioned, the second law enforcement agency shall reimburse the original law enforcement agency fifty percent (50%) of the CLEET costs and salary paid to the person while completing the training.



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

**Sales Tax Exemption/Commercial Digital Asset Mining:** [HB 4000](#) by Rep. Scott Fetgatter (R-Okmulgee) beginning on the effective date of this act and ending on December 31, 2038, the sale of machinery and equipment including but not limited to servers and computers, racks, power distribution units, cabling, switchgear, transformers, substations, software, network equipment, and electricity used for commercial mining of digital assets in a colocation facility shall be exempt from the tax imposed by Section 1350 et seq. of Title 68 of the Oklahoma Statutes. The bill defines "colocation facility", "commercial mining of digital assets", "digital assets" and "mine or "mining".

The bill passed the House A&B: Finance Subcommittee on Monday by a [vote](#) of 7 to 2. The bill moves to the House A&B Committee.

**Law Enforcement/School Security:** [HB 4016](#) by Rep. Mark McBride (R-Moore) creates the Oklahoma School Safety Training Program Revolving Fund. Monies received by the State Department of Education shall provide for: reimbursements, grants and other monies received from other state agencies and entities for school security; reimbursements, grants or other monies received from the US government obligated to school safety training projects; gifts, donations, and bequests; and monies appropriated by the Legislature. Monies from the School Security Revolving Fund shall be used for the implementation of crisis management solutions which consists of a hard-wired notification system for identifying the location of a threat notifying staff, law enforcement, and first responders. The system must address the time gap issue from the beginning of a violent event until law enforcement support can arrive and end the threat.

The bill passed the House A&B: Education Subcommittee on Monday by a [vote](#) of 13 to 0. The bill moves to the House A&B Committee.

**Economic Development/Investment Rebate Program:** [HB 4019](#) by Rep. Mark McBride (R-Moore) and Sen. Jerry Alvord (R-Wilson) creates

until July 1, 2030, an investment rebate program for the cost of qualified capital expenditures that: are defined or classified in the NAICS Manual under Industry Group No. 325120 and have acquired real property located within the boundaries of a municipality with a population of twenty thousand (20,000) and thirty thousand (30,000) where the qualified capital will be located. The bill spells out the criteria for qualifying for the program. The Oklahoma Department of Commerce shall approve or disapprove claims for rebates for disbursement from the newly created Commerce Manufacturing Activity Development Fund.

The bill passed the House A&B Committee as [amended](#) on Wednesday by a [vote](#) of 31 to 1. The bill moves to the House floor.

**Public Utilities/Electric Transmission:** [HB 4097](#) by Rep. Trey Caldwell (R-Lawton) modifies the definition of "local electric transmission facility" by removing the maximum amount of kilovolts. For any local electric transmission facility with a rating greater than three hundred (300) kilovolts with a need date within three (3) years, as determined by the Southwest Power Pool (SPP), an incumbent electric transmission owner has the right to construct, own, and maintain any such facility that has been approved for construction in a SPP transmission plan and will interconnect to facilities owned by that incumbent electric transmission owner. The bill requires those with a need date greater than three years to solicit bids for the construction of the additional facility.

The bill passed the House Utilities Committee on Thursday by a [vote](#) of 10 to 2. The bill moves to the House floor.

**Poultry Waste/Nutrient Management Plan:** [HB 4118](#) by Rep. David Hardin (R-Stilwell) and Sen. Brent Howard (R-Altus) provides that compliance with a Nutrient Management Plan developed under subsection B of this section shall be deemed compliant with the Best Management Practices prescribed in this subsection, as well as the requirements of subsection C of this section. Each Nutrient Management Plan shall contain measures designed to prevent the discharge of poultry waste into the waters of this state. Land application of poultry litter in compliance with a current Nutrient

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Management Plan shall not be the basis for criminal or civil liability in Oklahoma, whether relating to that single plan, or aggregated with the application of poultry waste pursuant to other Nutrient Management Plans, nor shall an administrative violation be the basis for a criminal or civil action, nor shall any alleged violation be the basis for any private right of action, nor any action other than enforcement of the terms of the Nutrient Management Plan and other sections of this title by the Oklahoma Department of Agriculture, Food, and Forestry (Department). A current plan means a plan approved by the Department and not yet revoked or rescinded by the state or suspended by a more recent plan. This provision shall apply both directly and vicariously to the integrator with whom a contract poultry grower contracts, as well as to any poultry grower, operator, contractor of, or employee for a certified poultry waste applicator or a poultry waste owner's agent, so long as the land application is performed pursuant to and in compliance with the current Nutrient Management Plan. Compliance with a current Nutrient Management Plan, as determined by the Department, shall create a presumption that no violation of this section has occurred and shall insulate the poultry grower, integrator, and waste applicator from any private right of action and shall constitute "express authority" for purposes of this title and Section 4 of Title 50 of the Oklahoma Statutes. Nothing in this subsection shall restrict the Department exclusive authority from enforcing the terms of Nutrient Management Plans or their authority to enforce the Oklahoma Registered Poultry Feeding Operations Act and the Oklahoma Certified Poultry Waste Applicator's Act.

The bill [passed](#) the House on Tuesday by a vote of 68 to 28 and the "emergency" passed 69 to 25. It is now in the Senate.

**Sales Tax Rebate/Qualifying Broadband Equipment:** [SB 1259](#) by Sen. Roger Thompson (R-Okemah) and Rep. Kevin Wallace (R-Wellston) modifies the deadline for filing rebate claims on equipment used for broadband services. The report shall be filed no later than April 1, 2025, with respect to rebates paid for equipment purchases made during calendar years 2022 and 2023 and April 1 of

the second succeeding year for equipment purchases made in subsequent calendar years.

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

**Volunteer Firefighter Group Insurance Pool:** [SB 1333](#) by Sen. Chuck Hall (R-Perry) and Rep. Trey Caldwell (R-Lawton) applies only to workers compensation claims for volunteer firefighters incurred prior to the effective date of this act. No later than the effective date of this act, the Volunteer Firefighter Group Insurance Pool shall be transferred to the Office of Management and Enterprise Services (OMES) Comprehensive Professional Risk Management Program. Provided, existing reserves from the Pool shall remain with CompSource Mutual Insurance Company for the purpose of managing claims incurred prior to the effective date of this act. All claims incurred on and after the effective date of this act shall be administered by (OMES). OMES may contract with a third-party administrator or hire up to two (2) FTE's to administer the Pool. OMES shall collect a premium of One Hundred Twenty Dollars (\$120.00) per firefighter from state agencies, public trusts, and other instrumentalities of the state. Any funds received by OMES from any state agency, public trust, or other instrumentality for purposes of workers compensation insurance shall be deposited to the credit of the Volunteer Firefighter Group Insurance Pool. OMES shall collect premiums, pay claims, and provide excess insurance as needed. The bill directs the Office to submit an electronic report to the President Pro Tempore of the Senate, Speaker of the House, and Governor detailing the number of enrollees in the Pool and the amount of any anticipated surplus or deficiency of the Pool. Notice shall also be provided by the Office to the listed entities of any proposed change in rates for the Pool. The bill provides that the amount of claims aid, claim expenses, underwriting losses, loss ratio, or any other financial aspect of the Pool shall not be considered when determining or considering bids. The bill also creates the Volunteer Firefighter Group Insurance Pool Revolving Fund.

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

**Medical Marijuana/Water Usage Fee:** [SB 1352](#) by Sen. David Bullard (R-Durant) creates the Reservoir Capital Investment Fund, which shall consist of fees, appropriations, apportionments, federal grants, or gifts and donations. Once the combined assets of the fund reach a total value of One Billion Six Hundred Million Dollars (\$1,600,000,000.00) and provides for monies over that amount to be deposited in the newly created Water Sustainability Revolving Fund. The Water Sustainability Revolving Fund shall consist of monies received by the Oklahoma Water Resources Board from the Reservoir Capital Investment Fund, in addition to any appropriations or federal funds to the Board for the purpose of reservoir construction. The bill authorizes municipalities and counties to impose a fee of One Dollar and twenty-five cents (\$1.25) for every one thousand (1,000) gallons of water used by a licensed commercial medical marijuana grower located within the boundary of the municipality or county. Counties shall not collect the fee from a commercial grower located in a municipality which imposes the fee. The municipality collecting the fee shall keep sixteen percent (16%) of the fee and deposit the remaining eighty-four percent (84%) into the Reservoir Capital Investment Fund. Counties collecting the fee shall keep twelve percent (12%) of the fee and apportion four percent (4%) of the fee to the emergency medical service districts established within the county. If there are no such districts in the county's jurisdiction, the four percent (4%) shall be apportioned to the county. If there is more than one emergency medical services district in the county, the apportionment shall be the same ratio that the population the district encompasses. The remaining eighty-four percent (84%) shall be deposited into the Reservoir Capital Investment Fund.

The bill passed the Senate Appropriations Committee with the title stricken on Wednesday by a [vote](#) of 13 to 7. The bill moves to the Senate floor.

**Arkansas River Levee Improvement Revolving Fund:** [SB 1391](#) by Sen. Cody Rogers (R-Tulsa) and Speaker Pro Tempore Kyle Hilbert (R-Bristow) creates the Arkansas River Levee Improvement

Revolving Fund for the purpose of providing levee improvements and matching funds for levee projects.

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

**Spring Creek Watershed Study Act:** [SB 1398](#) by Sen. Tom Woods (R-Westville) and Rep. David Hardin (R-Stilwell) creates the Spring Creek Watershed Study Act. The study will be used to direct implementation of voluntary, incentive-based conservation practices by the Oklahoma Conservation Commission in partnership with other local, state, and federal agencies and subject to availability of resources, in the Spring Creek watershed to protect and improve the aquatic habitat and water quality in the area. The bill creates the Spring Creek Watershed Quality Advisory Group with two members representing municipal governments from Oaks and Kansas, Oklahoma. The Oklahoma Conservation Commission, in consultation with the Advisory Group, undertake a comprehensive watershed-based water quality plan designed to improve and protect the water quality and aquatic habitat in the Spring Creek watershed through the utilization of voluntary, incentive-based programs.

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

**Historical Society/OK Museum of Popular Culture:** [SB 1517](#) by Sen. Roger Thompson (R-Okemah) creates the Oklahoma Museum of Popular Culture Revolving Fund to provide funding for repairs, planning, staging, refurbishing, and improvements for construction of the Oklahoma Museum of Popular Culture. On November 15, 2025, if no determination is made authorizing expenditures from this fund, all unencumbered funds shall be transferred to the General Revenue Fund.

The bill passed the Senate Tourism & Wildlife Committee on Monday by a [vote](#) of 7 to 2. The bill moves to the Senate Appropriations Committee.



**Open Records:** [SB 1574](#) by Sen. Kay Floyd (D-OKC) and Rep. Tammy Townley (R-Ardmore) provides that the Open Records Act shall not apply to applications and other documents related to licensure matters that are filed of record in a district court including but not limited to marriage licenses, process server licenses, closing out sale licenses, transient merchant licenses, pool hall licenses, and bail bondsmen registrations.

The bill passed the Senate on Thursday by a [vote](#) of 39 to 3. The bill heads to the House.

**Law Enforcement/Terrorism Threat:** [SB 1579](#) by Sen. Warren Hamilton (R-McCurtain) authorizes the Commissioner of DPS to assign to personnel of DPS to collect information concerning the activity and identity of individuals reasonably suspected of involvement in terrorism, threats to public safety, organized crime, criminal conspiracies, or any other threats of violent crime; analyze the information and disseminate it to other law enforcement and public safety agencies; coordinate with state, local and federal agencies to protect against terrorism threats, organized crimes, criminal conspiracies, or other threats of violent crime; and provide training to peace officers of this state concerning the legal collection, preservation, and dissemination of crime-related information. The bill also prohibits release of certain information; providing exceptions to release of certain information. It creates a misdemeanor offense for unauthorized release and unauthorized use of the information. The Commissioner of DPS is authorized to promulgate rules to implement the provisions in this section of law.

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

**Law Enforcement/Run Aways:** [SB 1638](#) by Sen. Ally Seifried (R-Claremore) requires DHS to communicate certain information in a report submitted to law enforcement and the National Center for Missing and Exploited Children. This report shall include where reasonably possible: a) a photo of the missing or abducted child or youth; b) a description of the child or youths' physical features; and c) endangerment information, such as the child or youths' pregnancy status, prescription medicines, tendency towards suicidal thoughts,

vulnerability to being a victim of sex trafficking, and other health or risk factors. DHS shall maintain regular communication with law enforcement and the National Center for Missing and Exploited Children in an effort to provide for a safe recovery, including by sharing information pertaining to the child or youths' recovery and circumstances related to the recovery.

The bill passed the Senate Health & Human Services Committee on Thursday by a [vote](#) of 9 to 0. The bill moves to the Senate floor.

**Underground Facilities Damage Prevention Act/Excavation:** [SB 1744](#) by Sen. Lonnie Paxton (R-Tuttle) prohibits certain excavation activities without certain observations. The bill defines watch and protect to mean an operator, or their designated representative is present to observe an excavation within ten (10) feet of the underground facility. Pre-excavation meeting request means a notice to underground facility operator to participate in a scheduled meeting for the purposes of planning large projects and coordinating resources accordingly. Large projects are defined as an excavation project that involves one of the following: project exceeds distance defined in Section 142.6 of this title, or the estimated duration of the project is more than ninety (90) days. If a positive response to watch and protect has been indicated, no excavation may take place without the operator or their designated representative present to observe the excavation within ten (10) feet of the operator's markings of the existing underground facility. If a positive response has been indicated, the operator or the representative designated by the operator to be on-site at the ticket date and time, or at the start date and time agreed upon in writing by the excavator and operator. Excavators involved in large projects may submit a pre-excavation meeting request no less than fourteen (14) calendar days prior to beginning excavation or blasting activities.

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

**Sewage Disposal System Installers/DEQ:** [SB 1759](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Ty Burns (R-Pawnee) modifies the specified amount needed for required certification to install individual



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sewage disposal system from ten (10) to one (1) individual sewage disposal systems per calendar year.

The bill passed the Senate Business & Commerce Committee on Monday by a [vote](#) of 11 to 1. The bill moves to the Senate floor.

**Local Development Act/Counties:** [SB 1863](#) by Sen. Jack Stewart (R-Yukon) expands the areas in which a county can create a Local Development District.

The bill passed the Senate General Government Committee with the title stricken on Thursday by a [vote](#) of 6 to 5. The bill moves to the Senate Finance Committee.

**Groundwater Irrigation Districts:** [SB 1914](#) by Sen. Casey Murdock (R-Felt) and Rep. Carl Newton (R-Cherokee) requires all permit holders within a groundwater irrigation district to participate.

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

### NEXT WEEK AT THE CAPITOL

Monday, February 26, 2024

**Senate Agriculture & Rural Affairs Committee**  
10:00 a.m., Room 535

**Fire Protection Districts/Millage Increase:** [SB 1842](#) by Sen. Kristen Thompson (R-Edmond) and Rep. Nicole Miller (R-Edmond) authorizes fire protection district board may levy an assessment starting at seven (7) mills with allowed increases of no more than three (3) mills per ballot measure in order to form an ambulance district upon approval of time and in such manner as provided for election of board members.

**REAP Reporting:** [SB 2008](#) by Sen. Dave Rader (R-Tulsa) and Rep. Toni Hasenbeck (R-Elgin) requires each entity to develop a plan to measure the qualitative effects of projects funded through the Rural Economic Action Plan of 1996. The plan may utilize inquiries or surveys of the public, local governments, or municipalities to measure the effect. On or before January 1, 2027, each entity required to develop a plan shall submit a report to

the Oklahoma Department of Commerce detailing the qualitative effects of at least two projects that received funds pursuant to the Rural Economic Action Plan of 1996. Any expenditures associated with creating the plan required by subsection A of this section and the report required by subsection B of this section shall be made using the initial planning expenditure payments.

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

**Municipal Property/Lakes/Amusement:** [SB 1680](#) by Sen. Grant Green (R-Wellston) and Rep. Tammy Townley (R-Ardmore) allows lakes and lands which adjoin and abut upon a lake owned or leased by a municipality or public trust of which a municipality is a beneficiary, which are dedicated for a public purpose, may also be used or leased, for fair market value for amusement, parks, or recreation without abandoning or declaring such public property as surplus or unsuitable, provided the governing body of the municipality determines use of such property for amusement, parks, or recreation is a compatible contemporaneous use that is subordinate to the primary public purpose for which the lake or land was purchased or leased. A municipality or public trust may contract with any person, entity, or any county, state, or federal agency to manage and operate lakes and lands which adjoin and abut upon a lake dedicated for a public purpose or for amusement, parks, or recreation contemporaneous with a public purpose as described in this section. Lake and lands which adjoin and abut upon a lake that are leased or used as provided for in this section shall not be deemed to have been declared surplus, abandoned, or unsuitable by such lease or use.

**House Elections & Ethics Committee**  
3:00 p.m., Room 5s2

**Elections/Prohibit the Private Funding of Election Act:** [HB 3294](#) by Rep. Mark Lepak (R-Claremore) prohibits government official or election officials from receiving services of funds, which may or may not be credits offsets, or other inducements, directly offered from a membership organization of which the government official of election official is a member, for the purposes of conducting and administering elections. Any election official who,

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in his or her official capacity, joins any membership organization, or who utilizes public funds to pay membership dues to any membership organization, shall disclose such membership on the website for the election official's agency. In the event the election official's agency does not have a website, a notice of such membership shall be displayed conspicuously in a public area of the agency's office.

**Elections/Foreign Financing:** [HB 3815](#) by Rep. Mickey Dollens (D-OKC) and Sen. David Bullard (R-Durant) prohibits candidates for state or local office, political action committees, and ballot measure committees from knowingly accepting foreign principal contributions. Violations lead to returning or forfeiting funds to the Ethics Commission. Alleged violations shall be subject to all notice, hearing, and appeals requirements applicable to the Ethics Commission. It also defines and limits foreign principals from financially supporting state or local candidates, political action committees, ballot measures, and related political ads.

**House Banking, Financial Services & Pension  
Committee  
3:00 p.m., Room 450**

**Pensions/COLA Increase:** [HB 1277](#) by Speaker Charles McCall (R-Atoka) provides a two percent (2%) cost of living adjustment (COLA) to retirees of the state's public pension systems, including police and firefighters. The COLA will take effect July 1, 2023, and will be given to those that have been retired at least 1 year as of July 1, 2023.

**Pensions/COLA Increase:** [HB 1290](#) by Speaker Charles McCall (R-Atoka) provides a four percent (4%) cost of living adjustment (COLA) to retirees of the state's public pension systems. The COLA will take effect July 1, 2023, and will be given to those that have been retired at least 1 year as of July 1, 2023.

**Oklahoma Public Finance Protection Act/Pensions:** [HB 1617](#) by Rep. Mark Lepak (R-Claremore) requires fiduciaries to act solely in the pecuniary interest of the plan participants and beneficiaries. Plan fiduciaries are not permitted to promote non-pecuniary factors. Environmental, social, corporate governance, or other similarly

oriented considerations are pecuniary only if they present economic risks. The bill establishes reporting requirement for proxy voting, which must be reported and tabulated annually and posted on a public website. Additionally, the bill authorizes the Attorney General to enforce the act and provides civil immunity to all officers, board members and employees of any state pension plan for any act or omission related to the act. The bill provides civil immunity to all officers, board members and employees of any state pension plan for any act or omission related to the act.

**OPERS/Emergency Medical Personnel:** [HB 1805](#) by Rep. Neil Hays (R-Checotah) and Sen. Casey Murdock (R-Felt) designates licensed emergency medical personnel hired on or after November 1, 2023, as hazardous duty members of the Oklahoma Public Employees Retirement System (OPERS). Qualifying emergency medical personnel includes emergency medical responders, technicians and paramedics working for a participating OPERS employer. Hazardous duty members of OPERS receive increased retirement and pension benefits compared to non-hazardous duty employees and are subject the following contribution and benefit structure: the employee contribution rate is eight percent (8%) and the employer contribution rate is sixteen and one-half percent (16.5%); members are eligible to receive full, unreduced retirement benefits after twenty (20) years of service; and benefits are calculated using a two and one-half percent (2.5%) per year multiplier for the first twenty (20) years of service and two percent (2%) per year multiplier for service in excess of twenty (20) years. Compensation does not include payment for overtime, compensation, or reimbursement for traveling, moving expenses, or any compensation in excess of the maximum compensation level.

**Firefighter & Police Pension System/Death Benefit Increases:** [HB 1824](#) by Rep. Stan May (R-Broken Arrow) and Sen. Blake Stephens (R-Tahlequah) increases the death benefit for members of the Police and Firefighter Pension & Retirement Systems from Five Thousand Dollars (\$5,000.00) to Seven Thousand Five Hundred Dollars (\$7,500.00).

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**Firefighters Pension & Retirement System:** [HB 2991](#) by Rep. Josh West (R-Grove) amends the Firefighters Pension & Retirement System to conform with the IRS Code.

**Law Enforcement/OLERS/IRS Compliance:** [HB 2996](#) by Rep. Mark Lepak (R-Claremore) adds members to OLERS who are CLEET certified police officers employed by OU and OSU and lake patrolman or dispatchers of GRDA who participate in this System. This bill also aligns the System with current IRS standards.

**Law Enforcement Staff/OLERS:** [HB 3807](#) by Rep. Ty Burns (R-Pawnee) authorizes participating agencies may make an irrevocable written election to become participating employers in OLERS for their Board-designated law enforcement support staff who directly support CLEET certified law enforcement officers and are employed by a participating employer. The Board shall determine the allowable law enforcement support staff eligible for transfer and may cease new membership if it is determined that the support staff is no longer eligible. The bill sets up new hires to automatically become members of OLERS. Existing participants of OPERS and Pathfinders may elect to become members of OLERS. Past service credits may be purchased at the actuarial costs.

**Police Pension and Retirement System/Late Charges:** [HB 3858](#) by Rep. Ross Ford (R-Broken Arrow) provides for a monthly late fee of five percent (5%) of the unpaid balance to be paid by the municipality to the Oklahoma Police Pension and Retirement System. The bill also updates to the latest revision of the IRS Code, effective for calendar years after 2023 with respect to certain distributions shall be considered.

**Firefighter Pension and Retirement System/Military Credit:** [HB 4051](#) by Rep. Stan May (R-Broken Arrow) allows a member who served in the Armed Forces of the United States or any component thereof and who was honorably discharged may receive up to five years of prior or participating military service credit, only upon payment of the actuarial cost of service credit as determined by the Oklahoma Firefighters.

Tuesday, February 27, 2024

**House Public Safety Committee**  
10:30 a.m., Room 4s5

**Emergency Proclamations:** [HB 3061](#) by Rep. Jay Steagall (R-Yukon) provides that if the Governor issues a proclamation after an emergency or disaster, it will terminate automatically after thirty (30) days unless renewed by concurrent resolution of the Legislature, whichever occurs first. Any such emergency proclaimed by the Legislature shall terminate upon passage by the Legislature.

**Law Enforcement/DUI:** [HB 3220](#) by Rep. Kevin West (R-Moore) and Sen. Darrell Weaver (R-Moore) prohibits a police officer or sheriff from releasing a person arrested for a second or subsequent DUI without the violator appearing before a magistrate, judge, or court. In determining bond and other conditions of release, the magistrate, judge, or court shall consider any evidence that the person is in any manner dependent upon alcohol or a controlled dangerous substance or has a pattern of regular abuse of alcohol or the illegal use of any controlled dangerous substance. If the person was arrested for any crime provided for in Section 11-902 of Title 47, the court shall consider the threat the person poses to the public safety and shall present written findings on the bail amount. The bill removes the drug and alcohol testing requirements. It also modifies the list of written statements authorizing the certain withdrawal of blood.

**Law Enforcement/DNA Labs:** [HB 3568](#) by Rep. Robert Manger (R-OKC) requires OSBI to promulgate necessary policies, procedures, and forms for participation in a rapid DNA investigative lead program, a statewide program for law enforcement agencies, outlining the collection and processing of suspected single source crime scene samples utilizing rapid DNA instrumentation. The bill authorizes the OSBI to promulgate program parameters as well as provide the procedures on technical and practical procedures for law enforcement agencies concerning the training, maintenance, and use of rapid DNA instruments throughout the state.

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**(OML Support) Law Enforcement/Automatic License Plate Readers:** [HB 3570](#) by Rep. Robert Manger (R-OKC) allows the use of automatic license plate readers. Prior to using an automatic license plate reader system, the municipal or state law enforcement agency that intends to use the technology shall: confirm that the automatic license plate reader system meets all requirements of this section; establish a policy governing that includes a training process for the officers that will use it and an auditing schedule to ensure proper use; and obtain a permit from ODOT before installing an automatic license plate reader systems installed on highway rights-of-way. ODOT shall promulgate rules providing for the issuance of permits to law enforcement agencies for license plate reader systems installed in highway rights-of-way.

**Wednesday, February 28, 2024**

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

**Firearms/Felony Expungements:** [HB 3037](#) by Rep. Preston Stinson (R-Edmond) authorizes any person who has had a felony conviction expunged and has not been convicted of any other felony offense which has not been pardoned or expunged, to have restored the right to possess any firearm or other weapon prohibited by subsection A of Section 1283 of Title 21, the right to apply for and carry a handgun, concealed or unconcealed, pursuant to the Oklahoma Self-Defense Act or as otherwise permitted by law, and have the right to perform the duties of a peace officer or gunsmith, and for purposes of performing firearm repairs.

**Prevention of Youth Access to Tobacco Act:** [HB 3331](#) by Rep. Cynthia Roe (R-Lindsay) modifies the fines of selling, giving, or furnishing tobacco products, nicotine products, or vapor products to anyone who is under twenty-one (21) years of age to include the store owner when there is a sale to a minor. The fines increase from One Hundred Dollars (\$100.00) to Two Hundred Fifty Dollars (\$250.00) for the first offense to both the employee and the store owner. The fines continue to increase for subsequent violations.

**Court Financial Obligations:** [HB 3546](#) by Rep. Danny Sterling (R-Tecumseh) and Sen. Brent Howard (R-Altus) provides that at the hearing following the arrest on the cost arrest warrant, the court shall conduct a cost hearing or willfulness hearing, as the court deems appropriate, within seventy-two (72) hours of the arrest unless: the defendant pays One Hundred Dollars (\$100.00) toward the court financial obligation, is released from custody, and the new cost hearing date is provided, or the court releases the defendant on the defendant’s own recognizance and a new cost hearing date is provided.

**Law Enforcement/Body Cameras:** [HB 3598](#) by Rep. Brian Hill (R-Yukon) directs law enforcement agencies to establish policies and procedures relating to the use, maintenance, and storage of body cameras and the data recorded by body cameras. One of the policies include permitting a peace officer using a body camera to review the recorded footage from the body camera, upon his or her own initiative and request, before writing a report or providing a statement regarding an event arising within the scope of his or her official duties. A law enforcement agency that permits its peace officers to wear body cameras shall ensure they are trained in the policies and procedures of the law enforcement agency; retain audio and video data recorded in accordance with the requirements of the Oklahoma Open Records Act; and perform periodic reviews to ensure conformity with the policies and procedures of the law enforcement agency.

**House Energy & Natural Resources Committee**  
**3:00 p.m., Room 206**

**Environment/PFAS Act:** [HB 2305](#) by Rep. John Pfeiffer (R-Orlando) authorizes DEQ to promulgate rules and regulations related to the receipt, storage, treatment, and disposal of PFAS waste in this state. A person shall apply for the activity to DEQ and receive the authorization prior to any activity regarding PFAS waste. The bill provides a list of protected passive receivers of PFAS waste that provide essential services to not be held liable to the State of Oklahoma, or any political subdivision, for costs arising from a release to the environment of a PFAS substance. The list includes a public water system; a publicly or privately owned or operated



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treatment works, or the owner of a site where biosolids generated from a treatment works or a permitted municipal wastewater lagoon; a municipality to which a permit is issued for stormwater discharge; a political subdivision acting as wholesale water agency; a contractor performing the management or disposal activities; an entity with a fire suppression system installed in accordance with federal, state and local fire codes; airports; and an owner or operator of a solid waste management facility.