

10-24

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**Moratorium on Sales Tax Increases Lifted in Grocery Tax Bill**

At the request of OML, Speaker McCall eliminated the moratorium on local sales tax increases that would have been in place until June 30, 2025. Many of you expressed concern about the moratorium language and we are thankful that the House listened to our concerns. [SB 1283](#) by Sen. Pro Tempore Greg Treat (R-OKC) and Speaker Charles McCall (R-Atoka) adds definitions for "bottled water" and "food sold with eating utensils" provided by the seller, as it relates to the state sales tax exemption on groceries and food items. The bill amends the definition of "prepared food" to clarify that food sold with eating utensils provided by the seller is taxable if it does not include a container or packaging used to transport the food. The definition of prepared food is further modified to exclude food sold by a food manufacturer, food sold in an unheated state by weight or volume as a single item and food sold that ordinarily requires additional cooking by the consumer prior to consumption.

The bill passed the House Rules Committee on Thursday by a [vote](#) of 8 to 0. The bill moves to the House floor. If passed, it will have to go back to the Senate to accept or reject the House amendments.

**Budget Stalemate Continues**

On Wednesday, Senate Appropriations Chairman Roger Thompson canceled the Senate Appropriations Committee that was scheduled to hear House appropriations bills. Despite the House and Senate Appropriations chairs meeting earlier in the week, the Senate still did not have the House budget numbers.

Yesterday marked the deadline for hearing House bills and joint resolutions in Senate committees and vice versa for the Senate bills and joint resolutions to be heard in the House. However, the House A&B Committee has until next Wednesday to hear Senate appropriations bills. It is unknown if the Senate will extend their deadline or just move these bills to Joint Conference on Appropriations and Budget (JCAB).

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

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## Bills on the Move

**Oklahoma Public Finance Protection Act/Pensions:** [HB 1617](#) by Rep. Mark Lepak (R-Claremore) and Sen. Shane Jett (R-Shawnee) 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.

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

**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) but prior to the effective date of this act, the sum shall remain Five Thousand Dollars (\$5,000.00).

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

**Law Enforcement/Laser Safety Act:** [HB 2159](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. Roland Pederson (R-Burlington) increases the penalties for any person who knowingly and maliciously projects a laser on or at a law enforcement officer, upon conviction, from One Hundred Dollars (\$100.00) to Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for a period of not more than one (1) year, or by both such fine and imprisonment. For

a second or subsequent conviction, the fine is increased to One Thousand Dollars (\$1,000.00) or imprisonment in DOC for a period no more than two (2) years or both. Anyone who knowingly aims a beam of a laser at an aircraft in flight or the flight path, upon conviction, guilty of a felony punishable by a fine of One Thousand Dollars (\$1,000.00) or by imprisonment in DOC no less than three (3) months nor more than two (2) years, or both. For second and subsequent violations, upon conviction, the felony is punishable by a fine no more than Five Thousand Dollars (\$5,000.00) or imprisonment no less than one (1) year no more than five (5) years or both.

The bill with the title restored passed the Senate Public Safety Committee on Thursday by a [vote](#) of 6 to 3. The bill moves to the Senate floor.

**Finance/Proxy Voting:** [HB 2547](#) by Rep. Terry O'Donnell (R-Catoosa) and Sen. Dave Rader (R-Tulsa) requires all shares held directly or indirectly by or on behalf of a governmental entity and the participants and their beneficiaries to be voted solely in the pecuniary interest of plan participants and their beneficiaries. A governmental entity is prohibited from relying on any voting decision guidance from a company on a restricted financial institution and company. A governmental entity may not grant proxy voting authority to any person who is not a part of the governmental entity. All proxy votes shall be tabulated and reported annually to the State Treasurer.

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

**Firearms/Medical Marijuana Patient Licenses:** [HB 2643](#) by Rep. Jay Steagall (R-Yukon) and Sen. Julie Daniels (R-Bartlesville) prohibits OSBI from denying an otherwise qualified applicant from obtaining a handgun license pursuant to the Oklahoma Self-Defense Act solely on the basis of the applicant being a lawful holder of a medical marijuana patient license.

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

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**Open Records Requests:** [HB 2730](#) by Rep. Annie Menz (D-Norman) and Sen. Julia Kirt (D-OKC) provides that if a records request cannot be completed within ten (10) business days of the request, a person shall provide written notice to the requestor indicating the reason for the delay and specifying a date within a reasonable time when the information requested will be available for inspection or duplication.

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

**Ambulances/Out-of-Network Ambulance Provider Act:** [HB 2872](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Paul Rosino (R-OKC) establishes the minimum allowable reimbursement rate under any health care benefit plan issued by a health care insurer to an out-of-network ambulance service provider for providing covered ambulance services shall be at a rate set or approved, whether in contract or ordinance, by a local governmental entity in the jurisdiction in which the covered ambulance services originate. In the absence of the rates provided in subsection A, the rate shall be the lesser of: 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 the ambulance service provider's billed charges. Payment in compliance with this section shall be considered payment in full for the covered ambulance services provided, except for any copayment, coinsurance, deductible, and other cost-sharing feature amounts required to be paid by the enrollee. 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. In administering and paying claims, a health care insurer shall comply with Section 1219 of Title 36. The bill also modifies the definition of health care benefit plans to include government sponsored self-insured plans.

The bill passed the Senate Health & Human Services Committee on Thursday by a [vote](#) of 12 to 0. The bill moves to the Senate floor.

**Whistleblower Act of 2024:** [HB 3023](#) by Rep. JJ Humphrey (R-Lane) and Sen. David Bullard (R-Durant) declares it public policy of this state to protect those persons disclosing wrongdoing by state agencies, political subdivisions, public trusts, and those in the private sector who have supervisory or other controls over persons in their workplace who report wrongdoing without the fear or threat of retaliation. Any public official and/or employee, employer or employee who supervises a whistleblower that engages in an action or activity that violates this public policy for reporting wrongdoing shall be guilty of a misdemeanor punishable by incarceration for up to one (1) year and a Five Thousand Dollars (\$5,000.00) fine, and liable civilly for all economic, emotional and mental anguish directly caused thereby together with punitive damages, and such person shall be prohibited from holding any public office or employment. Any whistleblower who successfully prosecutes and actions is entitled to a reasonable attorney fee together with costs.

The bill with the title stricken passed the Senate Judiciary Committee on Tuesday by a [vote](#) of 10 to 2. The bill moves to the Senate floor.

**Firearms/School Property:** [HB 3056](#) by Rep. Jay Steagall (R-Yukon) and Sen. Jack Stewart (R-Yukon) authorizes the transport and storage of firearms and weapons on school property for purposes kept in a privately owned vehicle and properly displayed or stored as required by law. The bill also allows any person who is not precluded from lawfully owning and possessing a firearm pursuant to state law shall be considered to be individually authorized by the State of Oklahoma within the meaning of the provisions regarding individual licensure and verification pursuant to the federal Gun-Free School Zones Act of 1990.

The bill was [amended](#) and passed the Senate Public Safety Committee on Thursday by a [vote](#) of 9 to 0. The bill moves to the Senate floor.

**Law Enforcement/Bernardo-Mills Law:** [HB 3065](#) by Rep. Neil Hays (R-Checotah) and Sen. Blake Stephens (R-Tahlequah) requires drivers to take certain precautionary maneuvers when passing a stationary vehicle displaying flashing lights, failure

to do so constituting roadway endangerment. "Stationary vehicle" means any stationary vehicle, authorized emergency vehicle, Department of Transportation maintenance vehicle, Oklahoma Turnpike Authority maintenance vehicle, a service vehicle belonging to a utility company, or a licensed wrecker that is displaying flashing amber lights, a combination red or blue lights, or any combination of amber, red or blue lights. A person committing a first offense in violation of this subsection may complete the Operation Work Zone Awareness program established in Section 11-1304 of this title to avoid the monetary penalty of a first offense.

The bill passed the Senate Public Safety Committee on Thursday by a [vote](#) of 8 to 1. The bill moves to the Senate floor.

**Electrical Licensing Act:** [HB 3215](#) by Rep. Kevin West (R-Moore) and Sen. Julie Daniels (R-Bartlesville) alters the qualifications for electrical licensing exams for electrical contractors or journeyman electricians. A passing score of seventy percent (70%) or higher on each part is considered a passing score. Any applicants who fail shall not be permitted to take another examination for a period of thirty (30) days. Effective January 1, 2026, continuing education requirements for electrical contractors, journeymen, and apprentices shall not be renewed unless the licensee has completed twelve (12) hours of continuing education every three (3) years or thirty-six (36) months preceding the expiration of the license or registration certificate. The courses must be approved by the Committee of Electrical Examiners and cover specified topics. Apprentices must complete three (3) hours of continuing education annually for registration renewal. Continuing education is not required for apprentices who are students or enrolled in an approved course.

The bill passed the Senate Business & Commerce Committee on Monday by a [vote](#) of 10 to 1. The bill moves to the Senate floor.

**Sales Tax Exemption/Firearms:** [HB 3427](#) by Rep. Nick Archer (R-Elk City) and Sen. JoAnna Dossett (D-Tulsa) adds a new sales tax exemption on the sales of firearm safety devices and gun safety devices. The bill defines "firearm safety device" as a

gun safe, gun case, gun lock box, trigger lock, barrel lock, or other device that is designed to be used to store a firearm and that is designed to be unlocked only by means of a key, combination, or other similar means. "Gun safety device" means any integral device to be equipped or installed on a firearm that permits a user to program the firearm to operate only for specified persons designated by the user through computerized locking devices or other means integral to and permanently part of the firearm.

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

**Municipal Airports Act/Vertiports & Air Navigation Properties:** [HB 3672](#) by Rep. Nicole Miller (R-Edmond) and Sen. John Haste (R-Broken Arrow) defines "vertiport" to mean an area of land, water, or structure used or intended to be used for the landing and takeoff of VTOL aircraft. "VTOL aircraft" means an aircraft which has vertical takeoff and landing capability. The Department of Aerospace and Aeronautics clearinghouse adds that the Department will investigate the development of and, if necessary, create a statewide system plan that will provide the framework for the construction, development, siting, and potential partnerships required for vertiports, and other infrastructure needed to integrate AAM and UAS into the existing air transportation system of the state. The Department is authorized to enter into partnerships with any city or town of this state and any county or political subdivision or district of this state, or any public trust thereof, for the purpose of investing in and operating infrastructure and any other items necessary to integrate AAM safely and effectively and UAS into the existing air transportation system of the state as well as the testing and development of these new aeronautical technologies.

The bill passed the Senate Aeronautics and Transportation Committee on Tuesday by a [vote](#) of 7 to 1. The bill moves to the Senate floor.

**Agriculture Sales Tax Exemption/Forestry:** [HB 3738](#) by Rep. Eddy Dempsey (R-Valliant) and Sen. Chris Kidd (R-Waurika) amends the definition of "agricultural products" shall include horses and

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timber; and defines "farming" or "farm" shall include the production of timber, seedling production.

The bill with the enacting clause stricken passed the Senate Agriculture & Rural Affairs Committee on Monday by a [vote](#) of 9 to 0. The bill passed the Senate Finance Committee on Monday by a [vote](#) of 10 to 1. The bill moves to the House floor.

**Fire Departments/Burn Ban Signage:** [HB 3763](#) by Rep. Josh Cantrell (R-Kingston) and Sen. Jack Stewart (R-Yukon) requires all fire departments and/or appropriate county officials to place "Burn Ban" signs on agreed-upon signposts controlled by ODOT and Oklahoma Turnpike Authority (OTA). Fire departments and/or appropriate county officials shall work with ODOT to agree upon locations for signage. ODOT shall develop standards that fire departments and/or appropriate county officials shall adhere to in placing signage. It shall be the responsibility of the entity placing the sign to post and remove signage in a timely manner. Signage shall not obstruct the view of traffic. Signage costs shall be the responsibility of the fire department and/or county wishing to install.

The bill passed the Senate Aeronautics & Transportation Committee on Tuesday by a [vote](#) of 7 to 1. The bill moves to the Senate floor.

**Law Enforcement/Criminal Subpoenas:** [HB 3777](#) by Rep. Collin Duel (R-Guthrie) and Sen. Brent Howard (R-Altus) establishes requirements for the issuance of criminal subpoenas issued on behalf of or by a criminal defendant to a law enforcement agency. They can command the production of the following law enforcement records: body camera, vehicle mounted camera; and traffic camera videos as well as law enforcement incident reports. A law enforcement agency may charge a copying fee of not more than One Dollar (\$1.00) per page and a video copying fee of not more than Fifty Dollars (\$50.00) per video when complying with a subpoena. Parties responsible for the issuance and service of a subpoena are to take steps to avoid imposing undue burdens or expenses on a person subject to the subpoena. The bill outlines situations under which the court must quash or modify a subpoena. A subpoena that directs the production of documents or inspection of premises before trial must be served

on each party. The bill also allows for the nonappearance of persons required to submit documents, unless commanded to appear. A person subject to a subpoena to produce documents may serve written objections to the subpoena within fourteen (14) days of service of the subpoena. A subpoena may be served by any person 18 years of age or older and may be accomplished by certified mail with return receipt requested.

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

**Open Meeting Act/Video Conferencing and Teleconferencing:** [HB 3780](#) by Rep. Collin Duel (R-Guthrie) and Sen. Jessica Garvin (R-Duncan) eliminates the language pertaining to the use of teleconferencing and video conferencing during a state of emergency to respond to the threat of COVID-19.

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

**Municipal Water and Wastewater Infrastructure Investments:** [HB 3854](#) by Rep. Rusty Cornwell (R-Vinita) and Sen. Micheal Bergstrom (R-Adair) creates an investment rebate program through July 1, 2029. for the cost of water and wastewater infrastructure investments by municipalities with a population between five thousand (5,000) and seven thousand (7,000). The bill lays out the provisions by which a municipality may be eligible for consideration for an investment rebate payment: submit an application and documentation to the Department of Commerce, outlining the planned water and wastewater infrastructure expenditures of at least Thirty-five Million Dollars (\$35,000,000.00); provide documentation that the water and wastewater infrastructure expenditures exceeds One Hundred Million Dollars (\$100,000,000.00); and have made expenditures of no less than twenty percent (20%) of the water and wastewater expenditure plan outlined in the application submitted by the municipality. Commerce shall approve or disapprove claims for rebates and shall issue payment for all approved

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claims from funds held in the Water Infrastructure for Economic Development Fund.

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

**Law Enforcement/School Mapping Data:** [HB 3884](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. Darrell Weaver (R-Moore) defines "school mapping data" to mean information provided in an electronic or digital format to assist first responders in responding to emergencies in schools. The school mapping data must be compatible with software used by local, county, state and federal public safety agencies that provide emergency services to the specific school without requiring agencies to purchase additional software or requiring a fee to view or access the data. Data must be printable and digital and verified by the entity producing the data for accuracy by a walk-through of school buildings and grounds. It should align with true north and overlay aerial imagery. Data shall not be modified or updated independently without corresponding updates to public safety agencies software. The bill establishes the School District Mapping Data Grant Program within the Oklahoma Department of Public Safety. The department may seek funds to provide mapping data for all public and private schools.

The bill with the title stricken passed the Senate Education Committee on Tuesday by a [vote](#) of 13 to 0. The bill moves to the Senate Appropriations Committee.

**Open Meeting Act/Public Notice:** [HB 3937](#) by Rep. Melissa Provenzano (D-Tulsa) and Sen. George Burns (R-Pollard) strikes expired provisions from the Oklahoma Open Meeting Act that allowed public bodies to meet by teleconference during the threat of COVID-19. The bill clarifies that all state public bodies are to post meeting information at least twenty-four (24) hours prior to regularly scheduled meetings by posting the date, time, place and agenda for the meeting in prominent public view at the principal office of the public body or at the location of the meeting if not office exists, and

posting on the public body's Internet website the date, time, place and agenda for the meeting.

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

**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 with the enacting clause stricken passed the Senate Finance Committee on Monday by a [vote](#) of 8 to 1. The bill moves to the Senate Appropriations Committee.

**OTC/Voluntary Disclosure Initiative:** [HB 4044](#) by Speaker Charles McCall (R-Atoka) and Pro Tempore Greg Treat (R-OKC) directs the Oklahoma Tax Commission (OTC) to establish a Voluntary Disclosure Initiative for eligible taxes. The disclosure program for unpaid withholding, income, sales, use, gross production, gasoline, or mixed beverage taxes that were due from January 1, 2020, through December 31, 2024. Eligible taxpayers must apply for the program during the period beginning January 1, 2025, and ending on December 1, 2025. Upon payment of the eligible taxes under the program, OT shall abate and not seek to collect any interest, penalties or fees that would have otherwise been applicable. "Eligible taxes" include mixed beverage tax; gasoline and diesel tax; gross production and petroleum tax; sales and use tax; income tax; and withholding tax. To be eligible for the program, taxpayers must: not have collected taxes from others and not reported those taxes; and not have, within three (3) preceding years, entered

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into a voluntary disclosure agreement for the type of tax owed. If OTC agrees to the proposed terms for payment of the principal amount due and owing, the penalties and interests shall be waived and no further action by OTC or the taxpayer shall be required for the waiver of such items. OTC shall limit the period to three (3) taxable years for annually filed taxes or thirty-six months for taxes that do not have an annual filing frequency. OTC is authorized to promulgate rules detailing the terms and conditions of this program. This program is not applicable to any person appointed or elected to a public office.

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

**Law Enforcement/Larceny of Gift Cards:** [HB 4069](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Darrell Weaver (R-Moore) adds gift cards to larceny of merchandise. The bill modifies the crime of falsely manufacturing of credit and debit cards to include the cloning or altering any credit, debit or similar card containing a magnetic strip capable of storing data. The bill provides that the possession of three (3) or more cards containing cloned or altered data is a rebuttable presumption that the person possesses the cards with the intent to defraud. The bill modifies the penalties for possession of cloned or altered cards by providing that the possession of five or fewer cards is a felony punishable by a term of imprisonment of not less than two (2) years nor more than five years and a fine of up to Five Thousand Dollars (\$5,000.00). Possession of six (6) to twenty (20) cards is a felony punishable by imprisonment of not less than five years and not more than ten years and a fine of not more than Ten Thousand Dollars (\$10,000.00). Possession of twenty (20) or more falsely made cards is a felony punishable by a term of imprisonment of not less than ten (10) years and not more than twenty (20) years and a fine of up to One Hundred Thousand Dollars (\$100,000.00).

The bill passed the Senate Public Safety Committee on Thursday by a [vote](#) of 9 to 0. The bill moves to the Senate floor.

**Rural County Economic Development Organization of 2024:** [HB 4070](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Chuck Hall (R-Perry) creates the Rural County Economic Development Organization of 2024. It provides the process and parameters of the Organization. Any county, with a population of one hundred thousand (100,000) or less pursuant to the last preceding Federal Decennial Census of this state, may levy a sales tax not to exceed seventy-five hundredths' percent (.75%) upon the gross proceeds or gross receipts derived from all sales or services in the county upon which a consumer's sales tax is levied. Before the sales tax may be levied by the county, the imposition of the tax shall first be approved by a majority of the registered voters of the county voting thereon at a special election called by the county commissioners. Each county commissioner of a county with a county economic development organization shall appoint from the county two (2) persons to serve as members of the county economic development organization. Each organization member shall serve at the pleasure of his or her appointing county commissioner.

The bill passed the Senate General Government Committee on Thursday by a [vote](#) of 6 to 4. The bill moves to the Senate floor.

**Law Enforcement/Alyssa's Law:** [HB 4073](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Darrell Weaver (R-Moore) creates Alyssa's Law. Beginning with the 2024-2025 school year, each school district in the state shall implement a hardwired or mobile panic alert system. The system shall: 1) connect emergency service technologies to ensure real-time coordination among multiple first responder agencies; and 2) integrate with public safety answering point infrastructure to transmit 9-1-1 calls and mobile activation. The bill requires the Board of Education to publish a list of approved hardwired or mobile panic alert systems and set up the minimum requirements for those systems.

The bill passed the Senate Education Committee on Tuesday by a [vote](#) of 13 to 0. The bill moves to the Senate floor.

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**Law Enforcement/Firearm ID Cards:** [HB 4120](#) by Rep. David Hardin (R-Stilwell) and Sen. Darrell Weaver (R-Moore) modifies procedures for renewing identification cards issued by CLEET to eligible retired peace officers is to remain valid if no preclusion is found. Any firearms permit issued to a retired peace officer in accordance with the provisions of this section that previously expired and a preclusion has not been discovered by CLEET, shall remain valid and the expiration date on the original firearms permit shall be deemed irrelevant.

The bill passed the Senate Public Safety Committee on Thursday by a [vote](#) of 9 to 0. The bill moves to the Senate floor.

**Open Meetings Act/Public Health Emergency:** [SB 1055](#) by Sen. Chris Kidd (R-Waurika) and Rep. Daniel Pae (R-Lawton) provides a definition for "public health emergency" to mean an occurrence of imminent threat of an illness or health condition that poses a high probability of a large number of deaths or serious or long-term disabilities in the affected population, or widespread exposure to an infectious or toxic agent that poses a significant risk of harm to a large number of people in the affected population, for which the Governor or an elected official or officials of a political subdivision are authorized by law to declare an emergency. "Electronic means" means members of a public body remote from one another or other technology permitting communication among members of a public body and between members of the public body and public. During any meeting conducted utilizing electronic means, both visual and audio shall attempt to be utilized. The bill removes the definition for teleconference. It authorizes a public body to hold meetings utilizing electronic means except for in subparagraphs b and c, no less than a quorum of the public body shall be present in person at the physical meeting site. The meeting notice and agenda shall indicate if the meeting will include electronic locations and shall state the location address, website or link or telephone number of each available physical or electronic site, if applicable, and identify each member of the public body and specific physical or electronic site from which each member of the public body is physically or electronically present and participating. Once the meeting notice and agenda have been posted, no

member of the public body shall be allowed to participate in a meeting by electronic means unless such remote participation was specifically authorized in the meeting notice. A public body is authorized to hold meetings by electronic means without a quorum at a physical location open to the public in the following circumstances: any meeting conducted by a virtual charter school and board of community action agency; during a declared state of emergency in which the public body is unable to utilize the physical meeting location. A state of emergency declared by an elected official or officials of a political subdivision as authorized by law shall not be a sufficient reason to suspend the use of a physical location open to the public for more than three (3) consecutive meetings unless a state of emergency covering the political subdivision is concurrently declared by the Governor; or if the physical location designated on the meeting notice has become unsafe or otherwise inaccessible to the members of the public body and the public due to circumstances including but not limited to a gas leak, electrical failure, or structural damage to the physical location. The public body is allowed to conduct regular or special meetings utilizing electronic means subject to the following several requirements. If a public body maintains a website, has dedicated information technology employees, and has immediate access to a high-speed Internet connection, meetings shall be streamed live on the public body's website. Video of such meetings shall be maintained by the public body and available to the public for a period of at least seven (7) business days after the adoption of the meeting minutes. This shall not apply if a public body determines the implementation of this would create a significant financial burden to the public body. A public body that makes a good faith effort to comply with the provisions of this section shall be immune from liability for court costs and attorney fees in a civil action brought for a violation of the requirements of this section of law.

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

**Law Enforcement/Cyberbullying:** [SB 1100](#) by Sen. Paul Rosino (R-OKC) and Rep. Steve Bashore (R-Miami) modifies the penalties related to obscene,



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threatening, or harassing telecommunication or other electronic communications by including any other online platform. The bill defines "online platform" to mean a website or online application that is open to the public, allows a user to create an account, and enables users to communicate with other users for the primary purpose of posting information, comments, messages, or images. The bill makes it is unlawful to make indecent comments with intent to harass or threaten to inflict injury, physical harm, or severe emotional distress to any person or to post such threats on an online platform. The bill also provides that it is a violation of this section of law to commit an act of bullying. Punishment for conviction is a misdemeanor punishable by a fine of up to Five Hundred Dollars (\$500.00), imprisonment in the county jail for up to one (1) year or both fine and imprisonment. A second offense is punishable as a felony with a fine of up to One Thousand Dollars (\$1,000.00), imprisonment in the DOC for up to two years, or both fine and imprisonment. A third or subsequent conviction is punishable as a felony with a fine of not less than Five Thousand Dollars (\$5,000.00) nor more than One Hundred Thousand Dollars (\$100,000.00), imprisonment for up to ten (10) years, or both fine and imprisonment. The measure also provides that it is a crime to willfully use a computer, computer system, computer network, or other electronic device or system to aid in a suicide or attempted suicide.

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

**Firearms/Age Limit:** [SB 1218](#) by Sen. David Bullard (R-Durant) and Rep. Jay Steagall (R-Yukon) prohibits a person who is eighteen (18) years or older from being denied the right to purchase a firearm based on age unless otherwise prohibited by state law.

The bill with the title restored passed the House States Powers' Committee on Wednesday by a [vote](#) of 6 to 1. The bill moves to the House floor.

**DEQ/Blue River-Little Blue Creek Stream Health Assessment Study:** [SB 1273](#) by Sen. Jerry Alvord (R-Wilson) and Rep. Tammy Townley (R-Ardmore)

creates a revolving fund for DEQ to be designated the Blue River-Little Blue Creek Stream Health Assessment Revolving Fund. As it relates to waters emanating from a sensitive sole source aquifer, DES shall establish and perform a Blue River-Little Blue Creek Stream Health Assessment Study. DEQ shall coordinate with the Center for Reservoir and Aquatic Systems Research at Baylor University for the purpose of defining the study scope and conducting the work necessary to complete data collection and development of the study. DEQ may coordinate with other state and federal agencies as well.

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

**Water/Groundwater Permits:** [SB 1341](#) by Sen. Brent Howard (R-Altus) and Rep. Carl Newton (R-Cherokee) requires holders of water permits to remit the annual use of water report not later than January 31 of the year following the permitted use and shall contain usage data. Nonuse, conservation, or usage practices that result in less usage than the permitted annual yield shall not result in diminishment of the permit holder's future permitted annual yield. Complaints by any individual in violation of the provisions of subsection A of this section shall be made to the Board and to the local groundwater irrigation district if such district is established pursuant to the laws of this state. Investigation of such complaints by the Board shall be made in collaboration with the local groundwater irrigation district. The bill further requires all holders of a use permit to equip each well with a water well flow meter or an alternative measuring system. The meter or alternative measuring system shall have contemporary, verifiable records. OWRB is directed to promulgate rules to establish a phase-in schedule and plan for the meter and measurement requirements. Such requirements shall be met within eight (8) years of the effective date.

The bill with the enacting clause stricken passed the House Agriculture Committee on Tuesday by a [vote](#) of 10 to 4. The bill moves to the Senate floor.

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**Nonopioid Alternatives:** [SB 1344](#) by Sen. Paul Rosino (R-OKC) and Rep. Josh West (R-Grove) authorizes the Department of Mental Health and Substance Abuse Services, the State Department of Health, and the Oklahoma Health Care Authority to collaborate in finding funding opportunities for educational and health care services related to nonopioid alternatives as well as to assist political subdivisions that receive opioid grant awards under the Political Subdivisions Opioid Abatement Grants Act with the development and implementation of educational and health care services related to nonopioid alternatives. The bill also prohibits the Authority and contracted entities from denying coverage of a nonopioid drug in favor of an opioid drug. The bill clarifies that it shall not preclude opioid drugs from being preferred over other opioid drugs or nonopioid drugs from being preferred over other nonopioid drugs.

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

**Texting While Driving/Court Costs:** [SB 1347](#) by Sen. Todd Gollihare (R-Kellyville) and Nicole Miller (R-Edmond) specifies that a person operating a vehicle in motion may not use a hand-held electronic communication device or cellular telephone to compose a text message. Such people are also prohibited from holding a cellular telephone. The bill specifies that the fine, upon conviction, shall not exceed Five Dollars (\$5.00) and court costs shall not exceed One Hundred Dollars (\$100.00). The court clerk shall collect the fine, costs and fees and direct their distribution to the Sheriff's Service Fee Account, Office of the Attorney General, Child Abuse Multidisciplinary Account, the CLEET Fund, Forensic Science Improvement Revolving Fund, Department of Public Safety Patrol Vehicle Revolving Fund, Court Clerk's Revolving Fund, District Court Revolving Fund, and General Revenue Fund.

The bill passed the House A&B Committee on Wednesday by a [vote](#) of 26 to 7. The bill moves to the House 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 appropriates to OWRB for the fiscal year ending June 30, 2023, the sum of Fifty Million Dollars (\$50,000,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Board.

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

**Law Enforcement/OK Child Abduction Response Teams (OCARTs):** [SB 1407](#) by Sen. Roger Thompson (R-Okemah) and Rep. John George (R-Newalla) authorizes the Department of Public Safety (DPS) to create and administer Oklahoma child abduction response teams (OCARTs). OCARTs shall be created by the Commissioner in coordination with federal, state, tribal, county, municipal law enforcement agencies, and appropriate social services agencies. Each member of the OCART shall be responsible for its own acts or omissions under The Governmental Tort Claims Act, or otherwise under state or federal law. The Commissioner is authorized to accept contributions, donations, and gifts in support of OCART programs. The Commissioner is authorized to local OCART committees. The members of OCART shall be CLEET certified peace officers, communications personnel, administrative personnel, support personnel, and multidisciplinary professionals reasonably necessary to effectuate the purposes of this act. The eleven (11) member OCART Committee shall consist of one representative who is an active chief of police from the applicable region or a designee. In conjunction with the OCART coordinator, each OCART committee shall develop a plan for mounting a coordinated response to a verified child abduction. Within four (4) hours of receiving a report of verified child abduction, the law enforcement agency receiving the report shall notify the applicable OCART point of contact. Law enforcement agencies are authorized to utilize the automated license plate readers (ALPRs) in carrying out a coordinated response. Each law enforcement member of an OCART committee shall receive

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initial training and an annual refresher training as determined by the Commissioner.

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

**Sales Tax/Heavy Equipment Rental Fees:** [SB 1438](#) by Sen. Dave Rader (R-Tulsa) and Rep. Scott Fetgatter (R-Okmulgee) provides that a company primarily in the business of renting heavy equipment property classified under 532412 or 532 hundredths' 2017 NAICS; located in this state may include as a separate line item on the rental invoice a recovery fee of one and twenty-five hundredths percent (1.25%) on the rental charge from any item of heavy equipment property rental by a customer. On or before February 15, each rental business that collects the equipment rental recovery fee shall be required to electronically submit to OTC a consolidated report showing the aggregated personal property taxes paid in the state in the previous calendar year and the aggregated recovery collections. If the aggregated recovery collections in the state exceed the aggregated taxes paid in the state, the aggregate excess shall be paid to the county treasurers. The amount of excess paid to each county treasurer shall be a pro rata distribution based on the amount of personal property tax paid by the business to each county in the previous calendar year in relation to the total personal property tax paid in this state in the previous calendar year. No excess collections shall be retained by the business. Revenues from the fee may be used to pay personal property taxes. The recovery fee shall not apply to the rental of heavy equipment property to the federal government, any federally recognized Indian tribe, the state, or any municipality or county. The recovery fee shall not be subject to state or local sales taxes.

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

**Sales Tax Exemptions/OSU:** [SB 1445](#) by Sen. Dave Rader (R-Tulsa) and Rep. John Pfeiffer (R-Orlando) creates a new sales tax exemption for providing exemption for the OSU Medical Authority, the OSU Medical Authority Trust, the OSU Veterinary

Medicine Authority, and the OSU Veterinary Medicine Trust to extend to any person that has duly entered into a public contract with the entities.

The bill with the title and enacting clause stricken passed the House A&B Committee on Wednesday by a [vote](#) of 35 to 0. The bill moves to the House floor.

**Political Subdivisions Opioid Abatement Grants Act:** [SB 1453](#) by Sen. Paul Rosino (R-OKC) and Rep. Carl Newton (R-Cherokee) expands approved purposes as it relates to the Political Subdivisions Opioid Abatement Grants Act to include any approved uses as authorized by opioid-related settlement agreements in which the State of Oklahoma is a litigant or participant. The bill broadens the definition of "political subdivision" to include the board of regents or board of trustees of an institution of higher education within the Oklahoma State System of Higher Education. The bill eliminates reference to interest accrued to the Purdue Political Subdivision Fund from the Revive Oklahoma Health Foundation. To the extent allowed by any settlement or judgment relating to opioid litigation involving pharmaceutical supply chain participants, the AG may withhold not more than five percent (5%) of the funds received by the Oklahoma Opioid Abatement Revolving Fund for staff and administrative support. Such funds may also be used to research and evaluate the effectiveness of grants disbursed by the Oklahoma Opioid Abatement Board.

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

**Alcohol/Small Towns:** [SB 1474](#) by Sen. Roger Thompson (R-Okemah) and Sen. Jon Echols (R-OKC) removes language prohibiting retail spirits licensees from selling spirits in a town with a population below two hundred (200) people.

The bill passed the House Alcohol, Tobacco and Controlled Substances Committee on Wednesday by a [vote](#) of 7 to 0. The bill moves to the House floor.

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**(OML Priority) Energy Discrimination Elimination Act of 2022: [SB 1510](#)** by Sen. Chuck Hall (R-Perry) and Rep. Nick Archer (R-Elk City) modifies the application of the Energy Discrimination Elimination Act of 2022 by excluding political subdivisions from the requirements of this act.

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

**Law Enforcement/School Resource Officers: [SB 1521](#)** by Sen. Dewayne Pemberton (R-Muskogee) and Rep. Dick Lowe (R-Amber) authorizes a school district participating in the School Resource Officer Program to give priority to a law enforcement officer who is trained in school-based law enforcement and crisis response. If a law enforcement officer as described in paragraph 1 of this subsection is unavailable, a participating school district may employ or contract with a retired law enforcement officer or security guard who is licensed pursuant to the Oklahoma Security Guard & Private Investigator Act. The law enforcement agency that serves the area in which a school district is located shall provide an individual employed or contracted, pursuant to this paragraph, with a police band radio system which may be used by the individual in the performance of his or her duties. A school district may use funds from the School Security Revolving Fund to cover the cost of the radio system.

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

**Medical Marijuana/Certificate of Occupancy: [SB 1635](#)** by Sen. Bill Coleman (R-Ponca City) and Rep. T.J. Marti (R-Broken Arrow) requires any marijuana-licensed premises, medical marijuana business or any other premises licensed to grow, process, store, or manufacture marijuana to submit with its application or request to change location, a certificate of occupancy from the political subdivision or State Fire Marshal. If the political subdivision does not have an authority having a jurisdiction agreement on file with the State Fire Marshal's office, the State Fire Marshal shall certify compliance with all applicable codes. Once a

certificate of occupancy has been submitted to OMMA, the licensee shall only need to submit an affidavit for renewal stating the premises continues to comply with zoning classifications, municipal ordinances, and all applicable safety, electrical, fire, plumbing, waste, construction, and building specification codes. If there is a change of use or occupancy, an additional certificate of occupancy along with an affidavit shall be submitted. Municipalities or the State Fire Marshal may implement an inspection program to verify compliance. If an application for renewal is submitted in violation, OMMA shall suspend operations of licensees' premises until compliance is reestablished. Any marijuana licensed premises, businesses or any other marijuana premises that have been issued a certificate of occupancy by any political subdivision prior to the effective date of this act shall not be denied licensure or registration by a state agency for failing to provide a certificate of occupancy who has an authority having jurisdiction on file with the State Fire Marshal until after July 1, 2025. The bill also requires licensed medical marijuana testing laboratories to test samples from each final product harvest batch or final production batch, prohibiting licensed commercial growers or processors from transferring any product to a dispensary until final product testing is complete.

The bill passed the House Alcohol, Tobacco & Controlled Substances on Wednesday by a [vote](#) of 7 to 0. The bill moves to the House floor.

**Ownership of Land/Foreign Governments: [SB 1705](#)** by Sen. Brent Howard (R-Altus) and Rep. Anthony Moore (R-Clinton) prohibits foreign governments, foreign government adversary, and foreign government enterprises from acquiring land. The bill also authorizes a person's attorney-in-fact, court-appointed guardian or personal representative, authorized officer of the entity, or trustee to execute the affidavit when registering a deed with the county clerk. The bill outlines which deeds are exempt from this affidavit. The AG may establish additional exemptions the AG deems necessary to substantially comply with the requirements of this section. The county clerk may accept an affidavit in substantial compliance with the affidavit form promulgated by the AG.

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The bill passed the House Agriculture Committee on Tuesday by a [vote](#) of 14 to 0. The bill moves to the House floor.

**Advancement of Wellness Advisory Council:** [SB 1708](#) by Sen. Ally Seifried (R-Claremore) and Rep. Cynthia Roe (R-Lindsay) outlines the appointment of the ten (10)-member Advancement of Wellness Advisory Council. Three (3) members appointed by the Governor, three (3) members appointed by the Pro Tempore of the Senate, three (3) members appointed by the Speaker of the House, and one appointed by the Commissioner of Health. Six (6) members will constitute a quorum. The bill also adds one member who is 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 in this state, and one member who represents a federally recognized tribe based in this state which maintains a tribally operated health system.

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

**Law Enforcement/Mental Health Transport:** [SB 1862](#) by Rep. John Haste (R-Broken Arrow) and Rep. Marcus McEntire (R-Duncan) transfers the responsibility of transporting an individual who self-presents at a facility or medical facility to the Department of Mental Health Substance Abuse Services or an entity contracted by the Department for alternative transportation.

The bill passed the House A&B Committee on Wednesday by a [vote](#) of 35 to 0. The bill moves to the House floor.

**Law Enforcement/Vehicle Registration Information:** [SB 1907](#) by Sen. Darcy Jech (R-Kingfisher) and Rep. Carl Newton (R-Cherokee) authorizes DPS to provide the Oklahoma Turnpike Authority access to vehicle registration information online within this state that is available through the Oklahoma Law Enforcement Telecommunication Systems network for purposes of toll transportation facilities.

The bill failed the House Public Safety Committee on Tuesday by a [vote](#) of 2 to 6.

**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 House Agriculture Committee on Tuesday by a [vote](#) of 10 to 4. The bill moves to the Senate floor.

**Law Enforcement/SAFE Board:** [SB 1933](#) by Sen. Kay Floyd (D-OKC) and Rep. Kevin Wallace (R-Wellston) creates the Sexual Assault Forensic Evidence (SAFE) Board within the Office of the Attorney General. The Board's duties include developing a comprehensive training plan for equipping and enhancing the work of law enforcement, prosecutors, victim advocates, Sexual Assault Nurse Examiners, and multidisciplinary Sexual Assault Response Teams (SARTs) across all jurisdictions within this State; identify and pursue grants and other funding source to address untested sexual assault forensic evidence kits; examine the process for gathering and analyzing sexual assault forensic evidence kits and work with members of the Legislature to draft proposed legislation to improve the response of medical and law enforcement systems to sexual assault; and other duties. The Board shall promulgate rules establishing criteria for the collection of sexual assault forensic evidence; establish and maintain statistical information; and other duties assigned by law.

Of the thirteen (13) member Board one member is a chief of a municipal police department selected from a list of three names submitted by the Oklahoma Association of Chiefs of Police. The Board is authorized to hold executive sessions.

The bill with the enacting clause stricken passed the House A&B Committee on Wednesday by a [vote](#) of 29 to 0. The bill moves to the House floor.

**OK Local Development & Enterprise Zone Incentive Leverage Act/Reporting:** [SB 2017](#) by Sen. Dave Rader (R-Tulsa) and Rep. Lonnie Sims (R-Jenks) requires an enterprise or entity receiving

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payments authorized pursuant to the provisions of Section 844 of this title shall annually report to the Oklahoma Department of Commerce the following:

1. All employment resulting from the project or facility location or expansion, including payroll amounts;
2. Capital investment amounts resulting from the project or facility location or expansion;
- and 3. Changes in the assessed value of property resulting from the project or facility location or expansion.

The Department shall make available on the Department website the information reported pursuant to this subsection.

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

**State Question/Public Infrastructure Districts:** [SJR 16](#) by Sen. John Haste (R-Broken Arrow) and Rep. Terry O'Donnell (R-Catoosa) proposes a state question for the people to amend the Oklahoma Constitution by adding a new Section 9E of Article X by allowing the creation of Public Infrastructure Districts. The joint resolution authorizes municipalities to approve the creation of such districts using district bonds to pay for all or part of the cost of public improvements within such districts. A public infrastructure district shall not be created unless the petition filed in the municipality contains one hundred percent (100%) of surface property owners in the proposed public infrastructure district. The levy shall be in addition to all other levies authorized by this Constitution, and when approved, shall be made for the repayment of the public infrastructure districts bonds. The resolution also authorizes the Legislature to enact such laws as may be necessary in order to implement public infrastructure districts.

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