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In This Issue:

| | |
|--|---|
| OML's Municipal Audit Bill Unanimously Passes Senate | 1 |
| Court Notification Bill Signed by Governor Stitt | 1 |
| Governor Stitt Vetoes Bills | 2 |
| Bills Signed by Gov. Stitt | 2 |
| Bills Moved to Gov. Stitt's Desk | 5 |
| Bills On the Move | 8 |

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OML's Municipal Audit Priority Bill Unanimously Passes Senate

On Tuesday, the Senate unanimously passed [HB 2362](#) by a [vote](#) of 44 to 0. The bill by Rep. Brad Boles (R-Marlow) and Sen. Jessica Garvin (R-Duncan) modifies current law relating to annual audits of municipalities. The measure directs the governing body of each municipality that requests the biennial agreed-upon-procedures engagement to determine the establishment of policies related to adjustments, write-downs, or write-offs for various receivables due to the municipality and/or the utility-related trust and select a sample of adjustments to test for adherence to policies and for appropriate supporting documentation; obtain two (2) months of bank statements of the General Fund and Utility Fund and confirm that cash deposits were made in the appropriate account(s) and verify utility billing receipts or posting reports agree to the daily deposits. The governing body shall agree upon a pay rate to be authorized and documented in the personnel file or in approved meeting minutes for the city manager/town administrator, city/town clerk, city/town treasurer and payroll clerk. If any employee received compensation over and above his or her authorized salary or hourly rate, the payroll clerk, upon request, shall provide appropriate documentation of authorization for such pay. The requirements shall not include expense reimbursements but shall include any allowances considered taxable. Public trusts with municipal governments as the beneficiary that meet the same financial requirements established in subsection B, may in alternative to obtaining an audit, follow the biennial agreed-upon-procedures engagements as outlined in subsection D of this section.

The bill will go back to the House to accept or reject the Senate amendments.

Court Notification Bill Signed by Governor Stitt

On Tuesday, Governor signed [HB 3885](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. Julie Daniels (R-Bartlesville) which 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 goes into effect on November 1, 2024.

OML would like to thank the Oklahoma Municipal Court Clerks Association for their support on this bill.

Governor Stitt and His Veto Pen

Governor Stitt vetoed 13 bills this week. Those that we are tracking are as follows:

Noxious Weeds: [HB 3186](#) by Rep. Kenton Patzkowsky (R-Balko) and Sen. Grant Green (R-Wellston) adds musk thistles, Scotch thistles, poison hemlock and Kudzu as a noxious weed. It is the duty of every public, private or corporate landowner to treat, control, or eradicate these thistles, poison hemlock, and Kudzu growing on any property owned by the landowner.

Governor Stitt's [veto](#) message.

On Monday, he vetoed [SB 1649](#) by Sen. Todd Gollihare (R-Kellyville) and Rep. Jon Echols (R-OKC) which modified the Attorney General's duties assisting law enforcement with human trafficking.

Governor Stitt's [veto](#) message.

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 532310 of the 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.

Governor Stitt's [veto](#) message.

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

Governor Stitt's [veto](#) message.

Bills Signed by Governor Stitt

Open Records/Discovery Process: [HB 3779](#) by Rep. Collin Duel (R-Guthrie) and Sen. Rob Standridge (R-Norman) 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. Such notice must also be provided to the AG.

The bill goes into effect on November 1, 2024.

Law Enforcement/Retired Officers: [HB 3786](#) by Rep. John George (R-Newalla) and Sen. Darrell Weaver (R-Moore) does not require a retired peace officer applying for an armed security guard license or armed private investigator license or a combination thereof to provide a set of classifiable fingerprints to CLEET and shall be exempt from the provisions of paragraph 2 of this subsection upon submitting to CLEET a notarized letter confirming that the peace officer retired in good standing from a law enforcement agency within this state.

The bill goes into effect on November 1, 2024.

Police Pension and Retirement System/Late Charges: [HB 3858](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. Lonnie Paxton (R-Tuttle) 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.

The bill went into effect on April 23, 2024.

Utility Bills/Domestic Violence Victims: [HB 3863](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. Kristen Thompson (R-Edmond) 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 goes into effect on November 1, 2024.

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 goes into effect on November 1, 2024.

Law Enforcement/DUI: [HB 3960](#) by Rep. Jon Echols (R-OKC) and Sen. Paul Rosino (R-OKC) removes the ability of the court to suspend the sentence or give probation to a third or subsequent DUI offender.

The bill goes into effect on November 1, 2024.

CLEET/Training Reimbursement: [HB 3998](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Lonnie Paxton (R-Tuttle) 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.

The bill goes into effect on November 1, 2024.

Public Pools/Spas: [HB 4035](#) by Rep. Tammy Townley (R-Ardmore) and Sen. John Haste (R-Broken Arrow) requires the State Department of Health to establish regulations for public pools and spas. The Department shall not regulate: 1) spray pads, spray grounds, or splash pads intended for use by children in which the water is supplied by a system of sprays and does not accumulate above ground; 2) pools located at private residences; 3) pools run by Homeowner's Association where pools or spas are limited to use by the homeowner group and their nonpaying guests; and 4) public and semipublic pools where the main objective is the external cleansing of the body. The State Commissioner of Health is authorized to create rules ensuring safety and sanitation, set fees, and define penalties for non-compliance. The bill sets the cost for construction permit applications and operation license applications at Fifty Dollars (\$50.00) for municipalities with a population of five thousand (5,000) or less, according to the latest Federal Decennial Census. The bill requires public pool owners to apply for construction permits via a form designated by the Department, base designs on the International Swimming Pool and Spa Code, possess an annual license, and allow Department inspections. Pools found non-compliant during consecutive inspections may be considered a public nuisance and permanently closed. These pools shall be considered permanently closed by the municipality in which the public pool is located. Municipalities may secure permanently closed public pools and spas and charge the costs against the taxes of the owner. Permanently closed pools must go through the licensure or construction permit process before reopening to the public. The bill repeals 63 O.S. 2021, Sections 1-1013, 1-1013.1, 1-1013.2, 1-1014, 1-1015, 1-1016, 1-1016A, 1-1016B, 1-1017, 1-1018, 1-1019, 1-1020, 1-1020.1, and 1-1021.

The bill goes into effect on November 1, 2024.

Fire Districts/Arbitration: [HB 4091](#) by Rep. Trey Caldwell (R-Lawton) and Sen. Paul Rosino (R-OKC) authorizes the Fire Marshal's Commission on

service areas and to determine fire protection service area boundary lines should a disagreement over service areas arise between jurisdictions providing services, with or without an agreement. In deciding the Fire Marshal's Commission must consider but is not limited to, the importance of a quick response time, financial burden on both the service providers and, the jurisdiction receiving services, and the capabilities of both jurisdictions to render services.

The bill goes into effect on July 1, 2024.

Oklahoma Underground Facilities Damage Prevention Act: [HB 4095](#) by Rep. Trey Caldwell (R-Lawton) and Sen. Lonnie Paxton (R-Tuttle) adds definitions to the act. "Watch and Protect" to mean an operator or its designated representative is present to observe an excavation within ten (10) feet of the operator's marking of its existing underground facility. "Pre-Excavation Meeting Request" means a notice to an underground facility operator to participate in scheduled meetings for the purpose of planning large projects and coordinate resources accordingly. "Large projects" means those excavation projects that involve one of the following: exceeds distances or estimated duration is more than ninety (90) days. The bill modifies the definition of "underground facility" to include projects in a private easement. If a positive response of watch and protect has been indicated, excavation is prohibited without the operator or its designated representative present to observe the markings. If a positive response to watch and protect is indicated, the operator shall provide the name and phone number of the contact who shall be present for observation and a designated operator representative shall be on site at the ticket 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 date of the meeting shall be a minimum of seventy-two (72) hours after the notification has been submitted. All parties involved in the pre-excavation meeting shall coordinate a marking plan and take actions necessary to ensure proper notice requirements are met for affected facility operators. The bill requires the Oklahoma One-Call System to keep notifications and positive responses for at least four (4) years.

The bill goes into effect on November 1, 2024.

Initiative & Referendums: [SB 518](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Mark Lepak (R-Claremore) modifies the initiative and referendum process by allowing proponents of a referendum or an initiative petition to file a petition pamphlet with the Secretary of State at any time, and the Secretary of State must immediately begin the counting and review process.

The bill went into effect on April 23, 2024.

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 goes into effect on November 1, 2024.

Municipal Court Holidays: [SB 1545](#) by Sen. Todd Gollihare (R-Kellyville) and Rep. Chris Kannady (R-OKC) authorizes municipal courts of record to close on holidays declared by the municipal governing body on dates when the municipal offices close.

The bill goes into effect on November 1, 2024.

Law Enforcement/Run Aways: [SB 1638](#) by Sen. Ally Seifried (R-Claremore) and Rep. John Talley (R-Stillwater) 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

Bills Moved to Governor Stitt's Desk

where reasonably possible: a) a photo of the missing or abducted child or youth; b) a description of the child's or youth's physical features; and c) endangerment information, such as the child's or youth's 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's or youth's recovery and circumstances related to the recovery.

The bill went into effect on April 23, 2024.

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 goes into effect on November 1, 2024.

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 goes into effect on November 1, 2024.

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 the effective date of this act, 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.

The bill passed the Senate on Tuesday by a [vote](#) of 41 to 0.

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

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

Elections/Ranked Choice Voting: [HB 3156](#) by Rep. Eric Roberts (R-OKC) and Sen. Brent Howard (R-Altus) prohibits an election conducted by the State Election Board, a county election board, or any municipality authorized to conduct elections in Oklahoma from using ranked choice voting, ranked voting, proportional ranked voting, preferential voting, or instant runoff voting. An existing or

future ordinance enacted or adopted by a county, municipality, or any other local government entity which is in conflict with this section is void. The Secretary of the State Election Board, or Pro Tempore and the Speaker jointly, has the authority to bring a civil action in an appropriate court for such declaratory or injunctive relief.

The bill passed the Senate on Wednesday by a [vote](#) of 37 to 8.

Water Wells/Metering: [HB 3194](#) by Rep. Carl Newton (R-Cherokee) and Sen. Brent Howard (R-Altus) authorizes OWRB to require all water wells requiring a permit to take and use groundwater from OWRB be equipped with water well flow meters or an alternative measuring system as defined by the Board. Such measuring systems shall remain on the well and be in proper operating condition at all times when groundwater is being produced. Data from the measuring system shall be utilized for the annual groundwater use report. OWRB may also require that the applicant report the reading or such meters or alternative measuring system at reasonable intervals. Beginning January 1, 2025, a five-year allocation of the maximum yield of the basin or subbasin may be approved for a regular permit. An applicant for a five-year allocation is required to submit annual usage as determined by a water well flow meter and pay the annual permit fee. If OWRB approves the permit, the applicant may exceed the maximum annual yield in any year of the five-year allocation; provided, the applicant shall adhere to the cumulative maximum annual yield for the basin or subbasin over the five-year period.

The bill passed the Senate on Wednesday by a [vote](#) of 37 to 7.

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 Senate on Wednesday by a [vote](#) of 43 to 0.

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 custodian is presented with proof of payment in the amount of One Hundred Dollars (\$100.00) to each jurisdiction where the financial obligations are owed and the new cost hearing date is provided; the court releases the defendant released from custody and the new cost hearing date is provided, or the court conducts a cost or willfulness hearing as appropriate and determines the defendant should be released. The district court or municipal court within one hundred twenty (120) days from the date upon which the person fails to comply with the financial obligation as ordered by the court or fails to appear for the offered cost or willfulness hearing, may, if the defendant has previously been notified of the possibility of a suspension, send notice of nonpayment of any court-ordered financial obligation for a moving traffic violation to Service Oklahoma with recommendation of suspension of driving privileges of the defendant until the total amount is paid or waived by the court. Every county and district court shall fully utilize and participate in the court cost compliance program.

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

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 on Wednesday by a [vote](#) of 41 to 2.

Law Enforcement/Immigration: [HB 4156](#) by Speaker Charles McCall (R-Atoka) and Sen. Pro Tempore Greg Treat (R-OKC) provides that impermissible occupation occurs if the person is an alien and willfully and without permission enters and remains in the State of Oklahoma without having first obtained legal authorization to enter the United States. A conviction is a misdemeanor punishable by imprisonment in the county jail for up to one (1) year, a fine of not more than Five Hundred Dollars (\$500.00) or both fine and imprisonment. A second or subsequent conviction is a felony, punishable by imprisonment for up to two (2) years, a fine of up to One Thousand Dollars (\$1,000.00) or both fine and imprisonment. Any person convicted of impermissible occupation is required to leave the state within seventy-two (72) hours following conviction or release from custody, whichever comes later. The bill provides penalties for any alien who has been denied admission, excluded, or removed, or has departed the United States while an order of removal is outstanding and then enters or attempts to enter or is found in Oklahoma is guilty of a felony. Law enforcement is required to collect all identifying information of persons arrested for impermissible occupation and cross-reference the information with relevant criminal databases. OSBI is authorized to maintain the collected information. The bill provides that it is an affirmative defense that the person has been granted lawful presence by the federal government or has been granted asylum by the federal government or the defendant was approved for benefits under DACA. The bill prohibits eligibility for probation or delayed sentencing or participation in community sentencing for convictions of impermissible occupation. The bill declares a

statewide preemption on legislation concerning the presence of persons who enter and remain in the state without legal authorization. The bill also provides a severability clause.

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

Firearm/Training Course Exceptions: [SB 721](#) by Sen. Jerry Alvord (R-Wilson) and Rep. Tom Gann (R-Inola) removes language requiring firearms instructors to train with a specific type of firearm in order to qualify as an instructor for that firearm.

The bill passed the House on Tuesday by a [vote](#) of 65 to 16.

Electric Vehicle Charging Act: [SB 1587](#) by Sen. Chuck Hall (R-Perry) and Rep. Brian Hill (R-Mustang) modifies the definition of electric vehicle as it relates to the Oklahoma Electric Vehicle Charging Act to require such vehicles to draw current from fuel cells to power an electric motor. The bill defines "fuel cell" to mean a cell that converts the chemical energy of hydrogen directly into electricity through electrochemical reactions. The bill also defines "hydrogen fueling station" to mean any equipment that dispenses hydrogen into a motor vehicle or electric vehicle powered by a fuel cell. The bill clarifies that the provisions of the Act shall not be construed as to prohibit an electric supplier or municipal corporation from operating, leasing, installing, or otherwise procuring service from an electric vehicle charging station or hydrogen fueling station on its own premises for the sole purpose of serving its own electric vehicles that is not open to the public. The bill does not apply to fueling stations that were constructed, provided by, owned, operated, or maintained by a retail electric supplier or municipal corporation prior to November 1, 2023.

The bill passed the House on Tuesday by a [vote](#) of 77 to 6.

Homeless Camps/State-Owned Lands: [SB 1854](#) by Sen. Darrell Weaver (R-Moore) and Rep. Chris Kannady (R-OKC) prohibits persons from using state-owned lands camp. Any person who violates this law 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 any assistance, food pantry or other place where resources are made available to assist the indigent and homeless.

The bill passed the House on Monday by a [vote](#) of 77 to 18.

Law Enforcement/Larceny: [SB 1877](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Terry O'Donnell (R-Catoosa) expands the time period to be considered for aggregate crimes of larceny from ninety (90) days to one hundred eighty (180) days.

The bill passed the House on Monday by a [vote](#) of 77 to 12.

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 seventeen (17) 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 chiefs of the OKC and Tulsa police departments or their designees. The Board is authorized to hold executive sessions.

The bill passed the House on Monday by a [vote](#) of 93 to 0.

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 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 on Tuesday by a [vote](#) of 79 to 0.

Bills on the Move

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 OLEERS, and emergency medical technicians who have given their lives in the line of duty. Such waiver of room and board shall be limited to a period of five (5) years.

The bill passed the Senate on Wednesday by a [vote](#) of 40 to 0. The bill goes back to the House to accept or reject the Senate amendments.

County Sales Tax/Emergency Medical Services: [HB 1967](#) by Rep. Carl Newton (R-Cherokee) and Sen. Darcy Jech (R-Kingfisher) authorizes any county to levy a sales tax of not to exceed one percent (1%) upon the gross proceeds or gross receipts derived from all sales or services in the county upon which a consumer's sales tax is levied. The proceeds will be used solely for the purpose of emergency medical services. Before the sales tax may be levied by the county, the imposition of the tax shall first be approved by a majority of the

registered voters of the county at a special election called by resolution of the board of county commissioners.

The bill was [amended](#) and passed the Senate on Thursday by a [vote](#) of 37 to 6. The bill goes back to the House to accept or reject the Senate amendments.

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

The bill passed the Senate on Thursday by a vote of 33 to 9. The bill goes back to the House to accept or reject the Senate amendments.

Environment/PFAS Act: [HB 2305](#) by Rep. John Pfeiffer (R-Orlando) and Sen. Dave Rader (R-Tulsa) the bill defines "PFAS", "AFFF" and "AFFF waste". The bill lists protected passive receives of PFAS that provide essential services to not be liable to this state for costs arising from a release of PFAS to the environment such as public water systems, a publicly or privately owned or operated treatment works, or the owner of a site where biosolids generated from a treatment works or a permitted municipal wastewater lagoon; a political

subdivision acting as a wholesale water agency; a municipality that is permitted to issue stormwater discharges; and others. Nothing precludes liability for damages or costs associated with the release of PFAS by a protected passive receiver of PFAS if the protected receiver acted with gross negligence or willful misconduct in the discharge, disposal, management, conveyance, or storage of PFAS. DEQ must promulgate rules and regulations related to the receipt, storage, treatment, and disposal of PFAS waste in this state, including rules related to a waste exclusion plan. A person shall apply for the activity to DEQ prior to receiving, storing, treating, or disposing of more than two hundred (200) pounds of AFFF waste per day. AFFF waste generated in or transported from another state shall maintain the same classification or characterization it would receive in the state or origin. If the AFFF waste is banned in another state, then the waste is banned in Oklahoma.

The bill passed the Senate on Wednesday by a [vote](#) of 34 to 10. The bill goes back to the House to accept or reject the Senate amendments.

9-1-1 Management Authority/Repealer: [HB 2426](#) by Rep. Stan May (R-Broken Arrow) and Sen. Casey Murdock (R-Felt) repeals Sections 2869.1 and 2815 of Title 63.

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

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 on Thursday by a [vote](#) of 37 to 5. The bill goes back to the House to accept or reject the Senate amendments.

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 healthcare 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 on Monday by a [vote](#) of 45 to 1. The bill goes back to the House to accept or reject the Senate amendments.

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

Energy/Southwest Power Pool: [HB 3053](#) by Rep. Brad Boles (R-Marlow) and Sen. Dave Rader (R-Tulsa) requires the Corporation Commission to coordinate with the Southwest Power Pool (SPP) to develop and provide a reporting of the regulatory

and statutory frameworks addressing the rule of the SPP as it pertains to this state. The report shall provide a comprehensive assessment of the impact of the SPP on the state's electricity infrastructure and areas in which the state may desire further evaluation. The Commission shall ensure the completion of the report no later than December 31, 2024. A copy of the report shall be submitted electronically to the following: the Governor, Speaker, Pro Tempore, Chair of the House Utilities Committee of the House or successor committee, and the Chair of the Senate Energy & Telecommunications Committee or successor committee.

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

Terry Peach North Water Restoration Act: [HB 3106](#) by Rep. Mike Dobrinski (R-Okeene) creates a statewide pilot program for managing and eradicating invasive woody species in watersheds throughout the state. Oklahoma Conservation Commission will receive an appropriation of Ten Million Dollars (\$10,000,000.00) that may be necessary to perform the duties imposed upon the Terry Peach Water Restoration Act.

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

State Fire Marshals/Grills & Griddles: [HB 3169](#) by Rep. Dell Kerbs (R-Shawnee) and Sen. Grant Green (R-Wellston) 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. The fire extinguisher shall be installed and maintained in accordance with the most current version of NFPA 10 (Standard for Portable Fire Extinguishers). 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 Senate on Wednesday by a [vote](#) of 35 to 8. The bill goes back to the House to accept or reject the Senate amendments.

Economic Development/Competitiveness: [HB 3252](#) by Rep. Mike Osburn (R-Edmond) and Sen. Kristen Thompson (R-Edmond) enhances 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 assist in compliance with the laws and regulations of economic incentives and economic development initiatives.

The bill passed the Senate on Tuesday by a [vote](#) of 35 to 4. The bill goes back to the House to accept or reject the Senate amendments.

Arkansas River Levee Projects Revolving Fund: [HB 3288](#) by Rep. Kyle Hilbert (R-Bristow) and Sen. Cody Rogers (R-Tulsa) creates the Arkansas River Levee Improvement Revolving Fund for OWRB. OWRB will be appropriated from the General Fund, the sum of Fifty Million Dollars (\$50,000,000.00) to perform the duties imposed upon OWRB by law.

This bill passed the Senate on Wednesday by a [vote](#) of 36 to 6. The bill goes back to the House to accept or reject the Senate amendments.

Prevention of Youth Access to Tobacco Act: [HB 3331](#) by Rep. Cynthia Roe (R-Lindsay) and Sen. JoAnna Dossett (D-Tulsa) 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.

The bill passed the Senate on Thursday by a [vote](#) of 32 to 11. The bill is ready for enrollment and then will head to Governor Stitt.

Law Enforcement/DNA Labs: [HB 3568](#) by Rep. Robert Manger (R-OKC) and Sen. Darrell Weaver (R-Moore) 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 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.

The bill passed the Senate on Wednesday by a [vote](#) of 41 to 3. The bill is ready for enrollment and then will head to Governor Stitt.

Blockchains/Digital Asset Mining: [HB 3594](#) by Rep. Brian Hill (R-Mustang) and Sen. Bill Coleman (R-Ponca City) establishes Title 75A in the Oklahoma Statutes to address laws and regulations related to Technology. The bill defines numerous terms related to blockchain and digital asset mining and outlines a series of actions that the state and local governments are prohibited from doing to hinder or restrict the use of digital asset for purchases, commercial asset mining, home asset mining, staking or operating nodes on a blockchain networks. The bill does not prohibit state or a local government from imposing or collecting a tax, withholdings, assessment, or charge that would

otherwise be offered if the transaction had taken place with US legal tender.

The bill passed the Senate on Wednesday by a [vote](#) of 36 to 5. The bill goes back to the House to accept or reject the Senate amendments.

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

The bill passed the Senate on Thursday by a [vote](#) of 37 to 5. The bill goes back to the House to accept or reject the Senate amendments.

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 to 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 to 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 on any person eighteen (18) years of age or older and may be accomplished by certified mail with return receipt requested.

The bill passed the Senate on Monday by a [vote](#) of 29 to 17. The bill goes back to the House to accept or reject the Senate amendments.

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 on Thursday by a [vote](#) of 38 to 1. The bill is ready for enrollment and then will head to Governor Stitt.

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 Million Dollars (\$30,000,000.00); 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 claims from funds held in the Water Infrastructure for Economic Development Fund.

The bill failed in the Senate on Wednesday by a [vote](#) of 21 to 22. Sen. Bergstrom held it on a "Motion to Reconsider." The bill was reconsidered and passed the Senate on Thursday by a [vote](#) of 27 to 18. However, the emergency clause failed. The bill goes back to the House to accept or reject the Senate amendments.

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 failed the Senate on Wednesday by a [vote](#) of 17 to 26. Sen. Alvord held it on a "Motion to Reconsider." The bill was reconsidered and passed the Senate on Thursday by a [vote](#) of 30 to 13. The bill goes back to the House to accept or reject the Senate amendments.

Firefighter Pension and Retirement System/Military Credit: [HB 4051](#)

by Rep. Stan May (R-Broken Arrow) and Sen. Dave Rader (R-Tulsa) 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. The service credit provided shall be administered pursuant to subsections B through D of this section, including but not limited to, only full-time active duty military service not for training only purposes, unless discharged from active duty for a service-connected disability, as reflected on the members Defense Department Form 214, shall be considered for prior service credit and such prior service credit shall only be used in determining the member's retirement benefit but shall not be used in determining years of service for retirement, vesting purposes or eligibility for participating in the Oklahoma Firefighters Deferred Option Plan.

The bill passed the Senate on Thursday by a [vote](#) of 42 to 0. The bill is ready for enrollment and then will head to Governor Stitt.

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 on Thursday by a [vote](#) of 38 to 6. The bill is ready for enrollment and then will head to Governor Stitt

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 on Thursday by a [vote](#) of 42 to 0. The bill goes back to the House to accept or reject the Senate amendments.

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 (NMP) developed 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 NMP 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 NMP 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 NMPs, 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 NMP and other sections of this title by the Oklahoma Department of Agriculture, Food, and Forestry (ODAFF). A current plan means a plan approved by the ODAFF 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 NMP. Compliance with a current NMP, as determined by the ODAFF, 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 ODAFF's 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 with the title struck passed the Senate by a [vote](#) of 33 to 10. The bill goes back to the House to accept or reject the Senate amendments.

City-County Library Meetings: [SB 5](#) by Sen. Kevin Matthews (D-Tulsa) and Rep. Mary Boren (D-Norman) authorizes the City-County Library Commission to hold at least four (4) meetings each year and at other times as deemed necessary by the Commission.

The bill passed the House on Tuesday by a vote of 69 to 21. The bill goes back to the House to accept or reject the Senate amendments.

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 first seek to coordinate with a qualified in-state university for the purpose of defining the study scope and conducting the work necessary to complete data collection and the development of the Blue River-Little Blue Creek Stream Health Assessment Study. However, if no in state universities are qualified, 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 was [amended](#) and passed the House on Thursday by a [vote](#) of 87 to 0. The bill goes back to the Senate to accept or reject the Senate amendments.

Grocery Sales Tax Exemption/Terms: [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 eliminates the temporary moratorium on local sales tax increases on food and food ingredients that would have been in place until June 30, 2025.

The bill passed the House on Thursday by a [vote](#) of 81 to 0. The bill goes back to the Senate to accept or reject the House amendments.

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 House on Monday by a [vote](#) of 93 to 1. The bill goes back to the Senate to accept or reject the House amendments.

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 conducting a coordinated response. Each law enforcement member of an OCART committee shall receive initial training and an annual refresher training as determined by the Commissioner.

The bill passed the House on Thursday by a [vote](#) of 77 to 0. The bill goes back to the Senate to accept or reject the House amendments.

Poultry Feeding Operations: [SB 1424](#) by Sen. Brent Howard (R-Altus) and Rep. David Hardin (R-Stilwell) amends the Oklahoma Registered Poultry Feeding Operations Act. The bill revises the best management practices so that they reflect the poultry waste nutrient management plans, rather than the industry itself. The bill clarifying that the occurrence of poultry waste runoff indicates a plan revision is required and that the operators of poultry feeding operations and poultry waste applicators are responsible for obtaining any required training. The bill creates an administrative penalty of no more than Five Hundred Dollars (\$500.00) per day and requires ODAFF to use penalty money to fund enforcement of the act. The bill creates a pathway for growers and integrators to achieve compliance and removes the ability for a court to grant interim equitable relief or punitive damages. It also offers liability protection from action related to poultry waste runoff, if poultry integrators and growers comply with the nutrient management plan and ensures that nothing in the language prohibits a civil suit for damages caused by a violation of a nutrient management plan.

The bill passed the House on Thursday by a [vote](#) of 67 to 22. The bill goes back to the Senate to accept or reject the Senate amendments.

Oklahoma Ports Infrastructure Revolving Fund: [SB 1429](#) by Sen. John Haste (R-Broken Arrow) and Rep. Nicole Miller (R-Edmond) creates the Oklahoma Ports Infrastructure Revolving Fund (OPIRF). Such monies shall include but not limited

to: monies received by ODOT for waterway projects or infrastructure projects at public water ports; principal and interest and penalty payments on loans made directly from appropriated monies in the fund; and any other sums deposited into the fund from any public or private source. The monies placed in the OPIRF shall be invested by the State Treasurer. Income and earnings from the fund shall accrue to the fund and may be used for the purposes provided for in this section. Any interest earned shall be deposited in the OPIRF. A qualified project shall: 1) enhance the safe and efficient operation of the commercial waterway systems of this state; or 2) repair, improve, or construct waterway or industrial park infrastructure located at or within waterway ports of this state that are determined to provide a public benefit. Projects must be developed in coordination with the United States Army Corps of Engineers and all Indian tribes with an ownership interest in the riverbed of the Arkansas River when necessary. ODOT is authorized to issue loans from the Fund and grant an amount not exceeding ten percent (10%) of the funds available in the OPIRF during any one (1) year for qualified projects. ODOT shall promulgate rules necessary to effectuate this act. ODOT shall also promulgate rules to ensure any grants or loans made from the OPIRF are made at market-competitive terms.

The bill passed the House on Wednesday by a [vote](#) of 89 to 1. The bill goes back to the Senate to accept or reject the House amendments.

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 passed the House on Tuesday by a vote of 89 to 0. The bill goes back to the Senate to accept or reject the House amendments.

Economic Development/COMPETE Act: [SB 1447](#) by Sen. Kristen Thompson (R-Edmond) and Rep. Mike Osburn (R-Edmond) creates the Creating Oklahoma's Modern Plan for Economic

Transformation and Effectiveness (COMPETE) Act. The bill creates a separate and distinct agency to be designated as the Oklahoma Office of Economic Development, Growth, and Expansion. All responsibilities pertaining to economic development currently held by the Department of Commerce shall be transferred to the newly created Office. The Office shall: strategically drive opportunities for economic growth and diversification across the state; collaborate across local, regional and state entities; coordinate the funding and investment activities of each element of the state economic development efforts and marketing campaigns; and act as the principal point of contact regarding investment in this state for public officials, businesses, and the public.

There is created a nine (9) member board: three (3) members appointed by the President Pro Tempore of the Senate; provided at least one appointed member shall be from a municipality with a population of sixty thousand (60,000) people or less; three (3) members appointed by the Speaker of the House; provided, at least one appointed member shall be from a municipality with a population of sixty thousand (60,000) people or less; and three (3) members appointed by the Governor; provided at least one appointed member shall be an economic development practitioner from this state.

The Board shall appoint an Executive Director of the Office with the experience outlined in the bill and serve as an advisory body for policy. The bill also creates the Division on Economic Development, Growth and Expansion within the Oklahoma Department of Commerce.

The Legislature shall create the Legislative Evaluation and Development Committee. The Committee shall review financing or individual incentive packages which shall include packages offering tax incentives, funds for economic development, and when the annual investment exceeds Seventy-five Million Dollars (\$75,000,000.00). The Office shall inform the Committee of when it plans to present a project for the Committee's consideration. The meetings of the Committee are subject to the Oklahoma Open Meeting Act and the Oklahoma Open Records Act. Marketing plans, financial statements, trade secrets,

or any other commercially sensitive information of persons, firms, associations, partnerships, agencies, corporations, or other entities shall be confidential. The bill also creates the Economic Development, Growth, and Expansion Revolving Fund, which shall consist of all monies received by the Office from appropriations and donations, grants, contributions, or gifts from any public or private source.

The bill passed the House on Thursday by a [vote](#) of 80 to 4. The bill goes back to the Senate to accept or reject the House amendments.

Worker's Compensation/PTSD: [SB 1457](#) by Sen. Pro Tempore Greg Treat (R-OKC) and Rep. Chris Kannady (R-OKC) adds a mental injury for a first responder who suffers post-traumatic stress disorder while responding to an emergency to be compensable. The bill defines "first responders". If the treating physician is of the opinion that the first responder is temporarily unable to perform his or her job or any alternative work offered by the employer, he or she shall be entitled to receive compensation which is the greater of the weekly benefit provided for in a collective bargaining agreement or according to the policy of the employer, or seventy percent (70%) of the injured employees average weekly wage not to exceed the state average weekly wage. If the employee has a temporary pension benefit available at no additional cost to the employee and the benefit is equal to or greater than the temporary award in this system, the employer may elect to exercise the temporary pension benefit. In no event shall the disability benefits extend beyond fifty-two (52) weeks). A first responder who receives benefits for a mental injury or illness not accompanied by a physical injury who, after reaching maximum medical improvement, is unable to perform the essential functions of his or her employment position and who is not eligible to receive a disability retirement through his or her pension or retirement system shall be eligible to be awarded permanent disability benefits not to exceed Fifty Thousand Dollars (\$50,000.00). In the event that the Workers Compensation Commission finds that a first responder has suffered PTSD not accompanied by a physical injury, the employer shall provide reasonable and necessary medical treatment for such injury, subject to the

Commissions Fee Schedule, for a period not longer than one (1) year. The employer shall not be responsible for medical treatment in the form of prescription medicine in excess of Ten Thousand Dollars (\$10,000.00). During any period in which a first responder is temporarily unable to perform his or her job, the employer must pay to maintain health insurance coverage for the first responder if such health insurance was in effect on the date of the injury. Claim payments for volunteer firefighters shall be paid pursuant to the Volunteer Firefighter Group Insurance Pool.

The bill passed the House on Thursday by a vote of 76 to 3. The bill goes back to the Senate to accept or reject the House amendments.

Sales Tax Exemption/Proof of Exemption for Construction Contracts: [SB 1502](#) by Sen. Dave Rader (R-Tulsa) and Rep. Scott Fetgatter (R-Okmulgee) creates a sales tax exemption for sales of tangible personal property or services to apply to sales to the exempt entity as well as to sales to any contractor with whom the exempt entity has entered into a construction contract, necessary for carrying out such contract and sales to any subcontractor to such a construction contract. Any contractor or subcontractor making purchases necessary for conducting such contract may present a copy of the exemption letter or card issued to the entity by OTC and documentation indicating the contractual relationship between the contractor and the entity to the vendor and the vendor shall retain such documentation as certification that the purchase is exempt.

The bill passed the House on Thursday by a [vote](#) of 66 to 5. The bill goes back to the Senate to accept or reject the House amendments.

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 must preauthorize any individual employed or contracted with under this paragraph. The school shall require a background check on the individual. The law enforcement agency that serves the area in which the school district is located allow an authorized individual employed or contracted with the school district access to the preauthorizing agency's radio system, pursuant to this paragraph and a police band radio system, pursuant to this paragraph and a police band radio system which may be used by the individual in the performance of his or her duties to be paid for by the employing district. 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 on Thursday by a [vote](#) of 83 to 0. The bill goes back to the Senate to accept or reject the House amendments.

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 licensee's premises until compliance is reestablished. All existing medical marijuana business licensees that do not possess a valid certificate of occupancy, where required, shall be subject to revocation until such time as a valid certificate of occupancy is obtained for all applicable structures. This provision shall not apply to medical marijuana business licensees who submitted a full and complete application for a valid certificate of occupancy to the State Fire Marshal or political subdivision with an authority having jurisdiction agreement on file with the State Fire Marshal before November 1, 2023, and while the same application remains under review by the State Fire Marshal or political subdivision. Medical marijuana business licensees are responsible for compliance with applicable state fire, building, and electrical codes and may be liable for all damage that results from noncompliance with state fire, building, and electrical codes to the extent authorized by law. 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 was [amended](#) and passed the House on Thursday by a [vote](#) of 84 to 1. The bill goes back to the Senate to accept or reject the House amendments.

Law Enforcement/Burglary: [SB 1735](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Terry O'Donnell (R-Catoosa) makes it a crime for a person who, with the intent to commit a crime, enters an area of a commercial business that is: 1) commonly reserved for personnel of the commercial business where money or other property is kept; or 2) clearly marked with a sign or signs that indicates to the public that entry is forbidden, shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for a term of not more than one (1) year, or a fine of not more than Five Hundred Dollars (\$500.00), or by both such fine and imprisonment. Any second or subsequent conviction under the provisions of this subsection shall be a felony punishable by imprisonment in the custody of the Department of Corrections for a term of not more than two (2) years, or by a fine of not

more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

The bill passed the House on Monday by a [vote](#) of 79 to 9. The bill goes back to the Senate to accept or reject the House amendments.