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Emergency Funding Passed to Governor Stitt's Desk

The clock is winding down towards Sine Die. With just two weeks left in Session budget talks continue to happen in public meetings that are being livestreamed with the media present. The Budget Summits began with the Governor asking the Speaker and the President Pro Tempore to commit to their chambers voting on an income tax cut. The House has said they would be willing to cut additional taxes, but the Senate has said they have already passed the largest tax cut in history with the elimination of the grocery sales tax. They will meet again for the sixth time Friday morning to continue to hammer out the details of the budget. However, one issue that they have been able to agree on was emergency funding for those communities that have been impacted by the most recent storms.

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HB 2912 by Rep. Kevin Wallace (R-Wellston) and Sen. Chuck Hall (R-Perry) creates a revolving fund for the Oklahoma Department of Emergency Management to be designated the "State Assistance Dedicated for Disaster-impacted Local Economies Revolving Fund". The purpose of the fund is to provide advanced financial liquidity to governmental subdivisions directly impacted by events attributing to a FEMA declared emergency or disaster, provided such governmental subdivision has entered into a qualifying repayment agreement with Dept. of Emergency Management. The bill defines "advanced financial liquidity" to mean funding provided to fund gaps in mitigation of local and county revenue losses and operating deficits; infrastructure repair and replacement; temporary housing and shelter; and to fund gaps in required matching funds for participation in, or the benefit of programs administered or funded by FEMA. The bill also defines "qualifying repayment agreement" to mean a memorandum of understanding or legally binding agreement which identifies the purpose of use for such advanced financial liquidity, and which identifies the source or repayment a repayment timeline or standard for repayment by the governmental subdivision. The Department of Emergency Management is authorized to promulgate rules to implement the provisions of this bill.

HB 2913 by Rep. Kevin Wallace (R-Wellston) and Sen. Chuck Hall (R-Perry) appropriates Fifteen Million Dollars (\$15,000,000.00) to the State Emergency Fund. The bill also appropriates Thirty Million Dollars (\$30,000,000.00) to the State Assistance Dedicated for Disaster-impacted Local Economies Revolving Fund created in Enrolled HB 2912.

Both bills have been sent to Governor Stitt's desk.

Governor Vetoes Pension Bill

Retirement/OLERS: [HB 2687](#) by Rep. John George (R-Newalla) and Sen. Dewayne Pemberton (R-Muskogee) authorizes members of OPERS who are active commissioned or CLEET certified agents of the AG and Oklahoma Military Department on June 30, 2024, may make an irrevocable written election to participate in OLERS.

Governor's [veto](#) message.

Bills Signed by Governor Stitt

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 goes into effect on November 1, 2024.

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, withholding, assessment, or charge that would otherwise be offered if the transaction had taken place with US legal tender.

The bill goes into effect on November 1, 2024.

Bills Moved to Governor Stitt's Desk

Police Pension & Retirement System Increase: [SB 102](#) by Sen. Jessica Garvin (R-Duncan) and Rep. Steve Bashore (R-Miami) increases the benefit multiplier from two and a half percent (2.5%) to three percent (3%) for participants of the Oklahoma Police Pension and Retirement System (OPPRS). In

addition, the bill increases the member's contribution rate from eight percent (8%) to nine percent (9%) and the employee's contribution from thirteen percent (13%) to fourteen (14%). Additionally, it expands the term "nonfiscal retirement bill" to include any measure that increases the municipal contribution, employee contribution, or both for members of the Oklahoma Police Pension and Retirement System.

The bill passed the Senate on Tuesday by a [vote](#) of 39 to 6.

Bills on the Move

Sales Tax Exemption: [SB 406](#) by Sen. Dave Rader (R-Tulsa) and Rep. Jeff Boatman (R-Tulsa) provides a sales tax exemption to a nonprofit organization that primarily functions to prevent child abuse and neglect through education, treatment, and advocacy and operates a facility that offers community-based services for abused or neglected children from birth through eighteen (18) years of age. To be eligible for the exemption, an organization must submit documentation to the Oklahoma Tax Commission to verify its eligibility. The exemption shall apply to materials, supplies, and equipment used in the construction or improvement of buildings and other structures owned by the organization and operated in pursuit of the organization's primary and principal purpose as well as any person with whom the organization has duly entered into a construction contract, necessary for carrying out the contract or to any subcontractor to the construction contract. The bill also expands the sales tax exemption currently provided to an organization that provides food and other household products to the needy. The expansion allows products or services purchased for the construction of a facility that will be placed in service in 2023 to be exempt from sales tax. The Oklahoma Tax Commission is required to refund the full amount of sales tax paid items that were previously purchased prior to the effective date.

The bill has been assigned to the House GCCA Committee. The Senate conferees are Sens. Burns, Haste, Hicks, Howard, Murdock, and Pugh.

World Health Organization/Policies/Preemption: [SB 426](#) by Sen. George Burns (R-Pollard) and Rep. Rick West (R-) prohibits the state and its political subdivisions, including, but not limited to counties, cities, towns, precincts, water districts, school districts, school administrative units, or quasi-public entities, from engaging in the enforcement of, or any collaboration with the enforcement of, any requirements, instructions, mandates, recommendations, or guidance provided by the World Health Organization, the United Nations or the World Economic Forum.

The Senate rejected the House amendments. The bill has been assigned to the House Elections & Ethics Conference Committee. The Senate conferees are Sens. Burns, Floyd, Howard, Rader, and Rosino.

Volunteer Firefighter Retirement: [SB 453](#) by Sen. Jessica Garvin (R-Duncan) and Rep. Anthony Moore (R-Clinton) sets the maximum amount of compensation a volunteer firefighter may earn to Nine Thousand Nine Hundred Thirty-nine Dollars and sixty-nine cents (\$9,939.69) per year and still be considered a volunteer firefighter. Volunteer firefighters who retire on and after the effective date of this act shall receive a monthly pension in the amount of Ten Dollars (\$10.00) for each year of credited service not to exceed thirty (30) years.

The Senate conferees are Sens. Daniels, Garvin, Jett, Matthews, Paxton, and Pemberton. The bill is awaiting conference committee assignments.

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 has been assigned to the House General Government Conference Committee. The Senate conferees are Sens. Daniels, Floyd, Gollihare, Howard, and Kidd.