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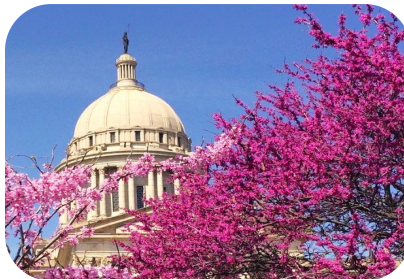
April 25, 2025

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

Oklahoma Municipal League  
201 N.E. 23rd Street  
OKC, OK 73105  
Phone: 1-800-324-6651 /  
405-528- 7515  
Fax: 405-528-7560  
Email: [leslie@oml.org](mailto:leslie@oml.org)  
Internet: [www.oml.org](http://www.oml.org)



### PERB PAUSED THIS YEAR

On Tuesday, Senator Paul Rosino laid over [HB 1424](#) in the Senate Judiciary Committee. This bill by Rep. Mike Kelley and Sen. Rosino authorized PERB to set the matter for hearing, take evidence and decide the questions presented. Whenever an employer or bargaining agent claims an unfair labor practice has been committed, it shall notify the other in writing, within six (6) months of the alleged practice. Within ten (10) days of notification each party must select and name one arbitrator and notify the other side immediately. The two arbitrators within five (5) days from and after the expiration of the ten-day period shall select the third arbitrator. If they can't agree on the third arbitrator, the bargaining agent and the corporate authorities must request from the Federal Mediation and Conciliation Service (FMCS) to provide a list of five arbitrators. The third arbitrator shall act as the chairman of the Arbitration Board. This provision applies for interest arbitration, consideration, of alleged unfair labor practices, and for certification, decertification, election or determination of the bargaining representative.

Thank you to all of you for reaching out to the members of the Senate Judiciary Committee. This bill is paused for this Session but can be brought up next year.

### PLANNING BILL PROCEEDS WITH CHANGES

On Thursday, [SB 647](#) by Sen. Avery Frix (R-Muskogee) and Rep. Preston Stinson (R-Edmond) passed the House Government Oversight Committee by a [vote](#) of 13 to 0. Rep. Gise presented the Committee Substitute and struck the title to make sure the bill stayed alive for Rep. Stinson to work on it.

The bill provides that while comprehensive plans are allowed to be used as a guide in the decision-making process, determinations must be made in light of objective and relevant facts as well as utilizing processes and requirements outlined in the municipal code. The notice and hearing provisions are intended

to provide members of the public with a right to be heard, explain how they think their interests are affected, and bring to the attention of the governing body objective and relevant facts. Information presented from the public that is neither objective or relevant shall not be determinative in land use application proceedings. The bill establishes that municipal zoning decisions are deemed valid unless the challenging party proves the ordinance lacks a substantial relation to public health, safety or general welfare of the public in light of objective and relevant facts, or if a zoning decision constitutes an arbitrary exercise of police power. The bill establishes that municipal platting decisions are quasi-judicial in nature and gives the planning commission and the governing body of a municipality the discretion to determine a plats compliance with regulations, codes, and ordinances. In the case of a preliminary or final plat denial, the city is required to identify the basis for denial. Governing bodies are prohibited from basing their decision making on presented information that is neither objective nor relevant.

The bill moves to the full House.

### **GOVERNOR SIGNS BILL**

**Emergency Management/Governor's Duties:** [SB 672](#) by Sen. Julie McIntosh (R-Porter) and Rep. Kevin West (R-Moore) prohibits the Governor from closing or forcing to close any business without documented scientific evidence that the nature of a particular business actually contributes to the direct spreading of disease relating to the pandemic. The Governor is required to give notice and a hearing to any business determined to be nonessential or detrimental to the health and safety of citizens during a pandemic before issuing an executive order against keeping the business open.

The bill passed the House on Monday by a [vote](#) of 74 to 15. Governor Stitt signed it on Wednesday. The bill will go into effect on July 1, 2025.

### **BILLS ON THE MOVE:**

**Law Enforcement/Criminal Offense:** [HB 1001](#) by Rep. Steve Bashore (R-Miami) and Sen. Kristen Thompson (R-Edmond) adds accessory to murder in

the first degree or accessory to murder in the second degree to the list of crimes required not to serve less than eighty-five percent (85%).

The bill passed the Senate Appropriations Committee with the title stricken on Wednesday by a [vote](#) of 21 to 4. The bill moves to the full Senate.

**Law Enforcement/Statutory Rape:** [HB 1003](#) by Rep. Jim Olsen (R-Roland) and Sen. Warren Hamilton (R-McCurtain) increases the age for statutory rape when the victim is under the age of sixteen (16) to eighteen (18) years of age. No one can be convicted of rape or rape by instrumentation with anyone sixteen (16) years of age or older, with his or her consent, unless the person is more than four (4) years older than the other person.

The bill passed the Senate Judiciary Committee on Tuesday by a [vote](#) of 8 to 0. The bill moves to the full Senate.

**Firefighter Activity Reports:** [HB 1052](#) by Rep. Mike Kelley (R-Yukon) and Sen. Grant Green (R-Wellston) requires the fire chief of a fire department to file the appropriate activity reports utilizing the National Emergency Response Information System (NERIS) with the State Fire Marshal in OKC. The report shall be completed within forty-eight (48) hours of the incident and include fire-related burn injuries and deaths. The bill also applies to Fire Protection Districts.

The bill passed the Senate Local & County Government Committee on Tuesday by a [vote](#) of 8 to 0. The bill moves to the full Senate.

**Firefighter Pension & Retirement/Military Service Credits:** [HB 1091](#) by Rep. Mike Kelley (R-Yukon) and Sen. Todd Gollihare (R-Kellyville) provides clarification for contributions and benefits, improve retirement planning options, and addresses specific scenarios like military service, ultimately benefiting current and future firefighters in Oklahoma as they prepare for retirement.

The bill passed the Senate Business & Insurance Committee on Thursday by a [vote](#) of 9 to 0. The bill moves to the full Senate.

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**(OML Priority) Firearms/Municipal Carry Act:** [HB 1095](#) by Rep. Derrick Hildebrant (R-Catoosa) and Sen. Christi Gillespie (R-Broken Arrow) creates the Municipal Carry Act. The bill authorizes the governing body of a city or town to authorize the concealed carry of handguns into any building or office space that is owned or leased by a city or town, except those listed in paragraph 2 of this subsection. Elected officials of a municipality, as well as municipal employees approved by the governing body may carry a concealed handgun when acting in the performance of their duties within municipal buildings that are within the jurisdiction of the elected official or municipal employee. A firearm may not be present inside a firearm-prohibited location which includes: any building or office space on municipally owned or leased property designated as a firearm-prohibited location, and any police department, courthouse, courtroom, prison, prison, jail, detention facility, or any facility used to process, hold, or house arrested persons, prisoners, or persons alleged delinquent or adjudicated delinquent. Any municipal judge who is in possession of a valid handgun license may carry when acting in the course and scope of employment within the courthouse of the municipality that is within the jurisdiction of the municipal judge. Nothing shall in this law require an elected official or designated employees of the municipality to carry a firearm as a condition of employment or service with the municipality.

The bill passed the Senate Public Safety Committee on Tuesday by a [vote](#) of 6 to 2. The bill moves to the full Senate.

**Sales Tax Exemption/Farming:** [HB 1378](#) by Rep. Eddy Dempsey (R-Valliant) and Sen. Casey Murdock (R-Felt) adds "farming" and "farm" to include the production of timber, seedling production, and forestry management.

The bill passed the Senate Appropriations Committee on Wednesday by a [vote](#) of 24 to 1. The bill moves to the full Senate.

**Business Courts/OK & Tulsa Counties:** [HB 1562](#) by Rep. Collin Duel (R-Guthrie) and Sen. Brent Howard (R-Altus) creates a business court division within the district court of any judicial district

containing a municipality with a population in excess of five hundred thousand (500,000). Each business court division created shall hereinafter be categorized and named numerically. Business Court Division I shall be located in OK County and Business Court Division II shall be located in Tulsa County. The bill establishes the Joint Committee on Judicial Vacancy Appointments that will be responsible for providing a list of five nominees to the Governor for consideration for a business court judge appointment. The committee will be made up of ten (10) members appointed by the Speaker and President Pro Tempore of the Senate; eight (8) of the members will be from the majority party and two (2) will be from the minority party. The business court judges have eight (8) year terms. The bill also outlines the qualifications to serve as a business court judge. Qualifications include being at least thirty-five (35) years of age, being a United States citizen and having at least ten (10) or more years of civil litigation experience. Lastly, the measure outlines the authority, jurisdiction and filing fees for the business courts. Cases under the purview of a business court must have a minimum claim amount of Five Hundred Thousand Dollars (\$500,000.00) and must be resolved within twelve (12) months unless an extension is requested by the disputing parties. The Supreme Court is authorized to provide for electronic filing. The Administrative Office of the Courts shall promulgate rules for the filing of documents transmitted by electronic device.

The bill passed the Senate Appropriations Committee with the enacting clause stricken on Wednesday by a [vote](#) of 17 to 4. The bill moves to the full Senate.

**Conservation Commission/Spring Creek Watershed Study:** [HB 1588](#) by Rep. David Hardin (R-Stilwell) and Sen. Tom Woods (R-Westville) creates the Spring Creek Watershed Study to be used to direct implementation of voluntary, incentive-based conservation practices by the Conservation Commission in partnership with other local, state, and federal agencies and subject to availability of resources, in the Spring Creek watershed to protect and improve the aquatic habitat and water quality in the area.

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The bill passed the Senate Appropriations Committee with the title stricken on Wednesday by a [vote](#) of 22 to 0. The bill moves to the full Senate.

**Law Enforcement/Crimes and Punishments:** [HB 1591](#) by Rep. John George (R-Newalla) and Sen. Darrell Weaver (R-Moore) adds specific crimes to the list of offenses to include domestic abuse by strangulation, domestic assault and battery with a deadly weapon, and aggravated assault and battery upon a law officer to the list of those crimes not to serve less than eighty-five percent (85%) of any sentence.

The bill passed the Senate Judiciary Committee with the enacting clause stricken on Tuesday by a [vote](#) of 7 to 1. The bill moves to the full Senate.

**Oklahoma Organized Retail Crime:** [HB 1592](#) by Rep. John George (R-Newalla) and Sen. Darrell Weaver (R-Moore) defines "organized retail crime" based on specific circumstances involving theft, retail theft, or larceny. It establishes penalties based on the value of stolen property is less than Fifteen Thousand Dollars (\$15,000.00) can be punished by imprisonment up to five (5) years in DOC or in the county jail for a term not to exceed one (1) year, or a One Thousand Dollars (\$1,000.00) fine for property valued below Fifteen Thousand Dollars (\$15,000.00); up to eight (8) years in prison or a One Thousand Dollars (\$1,000.00) fine for property valued at Fifteen Thousand Dollars (\$15,000.00) or more. It mandates restitution to victims as per Section 991f of Title 22. The term "municipalities" is added to the definition of the locations where a person can engage in a pattern of criminal offenses, expanding the scope of jurisdictions. The bill recreates the Oklahoma Organized Retail Crime Task Force to continue until June 1, 2026. The members that are currently serving will automatically continue. The bill authorizes the Attorney General to staff the task force. The Office of the AG may employ, either directly or through memorandums of understanding or cross-deputization agreements, people to serve as Oklahoma Organized Retail Crime Task Force officers whose primary responsibility is to prevent, respond to, investigate and prosecute criminal violations related to organized crime.

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

**Harassment/First Responders:** [HB 1597](#) by Rep. John George (R-Newalla) and Sen. Darrell Weaver (R-Moore) makes it a crime for a person, after receiving a verbal warning not to approach a person who is a first responder, who is engaged in the lawful performance of a legal duty, to knowingly and willfully violate such warning and approach or remain within twenty-five (25) feet of the first responder with the intent to: impede or interfere with the ability of the first responder to perform such duty; threaten the first responder with physical harm; or harass the first responder. A person, upon conviction, is guilty of a misdemeanor punishable by imprisonment in a county jail not exceeding one (1) year or by a fine not to exceed One Thousand Dollars (\$1,000.00) or both.

The bill passed the Senate Judiciary Committee on Tuesday by a [vote](#) of 7 to 1. The bill moves to the full Senate.

**ODOT/Invasive Woody Species:** [HB 1822](#) by Rep. Carl Newton (R-Cherokee) and Sen. Casey Murdock (R-Felt) requires ODOT to establish and implement a program for the systematic identification, removal, and management of invasive woody species within rights-of-way under its jurisdiction. The eradication program shall include the following components: surveys to identify the presence and extent of invasive woody species, develop a prioritized plan for eradication and control; use best management practices for removal; monitor and follow-up measures to prevent reestablishment; and collaborate with local, state, and federal agencies to leverage expertise and resources.

The bill passed the Senate Appropriations Committee on Wednesday by a [vote](#) of 21 to 0. The bill moves to the full Senate.

**Firearms/Convicted Felons:** [HB 1990](#) by Rep. Tim Turner (R-Kinta) and Sen. Darrell Weaver (R-Moore) adds "imitation pistol" which means any pistol capable of raising in the mind of the one threatened with such device a fear that it is a real pistol from being carried by a convicted felon.

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

**Eminent Domain/Attorney Fees:** [HB 2036](#) by Rep. Nick Archer (R-Elk City) and Sen. Casey Murdock (R-Felt) directs courts to provide reimbursement of attorney fees in certain eminent domain hearings. Property owners are eligible for attorney, appraisal, and engineering fee reimbursement if: the condemning authority requests a jury trial and the jury's award is at least ninety percent (90%) of the commissioners' award; the condemning authority and the property owner request a jury trial and the jury's award is equal to or greater than the commissioners' award; or the condemning authority makes a written settlement offer after the commissioners' report and the jury's award exceeds the offer by at least ten percent (10%).

The bill passed the Senate Judiciary with the title stricken on Tuesday by a [vote](#) of 8 to 0. The bill moves to the full Senate.

**Energy Discrimination Elimination Act:** [HB 2043](#) by Rep. Nick Archer (R-Elk City) and Sen. Chuck Hall (R-Perry) removes political subdivisions from the provisions of the Energy Discrimination Elimination Act. The Act only applies to contracts with a state agency.

The bill passed the Senate Appropriations Committee with the enacting clause stricken on Wednesday by a [vote](#) of 22 to 2. The bill moves to the full Senate.

**(OML Priority) Law Enforcement/Dual Office Holding:** [HB 2083](#) by Rep. Jason Blair (R-Moore) and Sen. Darrell Weaver (R-Moore) adds an exemption for dual office holding for a campus police officer who is elected as a member of the governing board of a town or municipality that is outside of the town or municipality where the person serves as a campus police officer.

The bill passed the Senate Local & County Government Committee on Tuesday by a [vote](#) of 7 to 1. The bill moves to the full Senate.

**Open Records Response:** [HB 2095](#) by Rep. Annie Menz (D-Norman) and Minority Leader Julia Kirt (D-OKC) requires public bodies to respond to a records request within thirty (30) business days of receipt.

The bill passed the Senate Judiciary Committee on Tuesday by a [vote](#) of 8 to 0. The bill moves to the full Senate.

**Municipal Code Lien Enforcement Act:** [HB 2147](#) by Rep. Mike Lay (R-Jenks) and Sen. Brenda Stanley (R-Midwest City) applies to any municipal governing body that adopts the provisions of this act and are applicable to the collection of municipal code liens as to real property, other than owner-occupied property, in the municipality. The bill allows for any fees, penalties, and abatement costs imposed against property for violations of a municipality's housing and building codes may be enforced in rem as a lien. Municipalities may proceed with judicial in rem foreclosures of municipal code liens by an enactment of an ordinance or resolution of the governing authority of the municipality in which the real property is located. This act does not constitute an action for personal liability for the municipal code liens against the owner or owners of real property. Rights and remedies set forth are available solely to the governmental entities authorized by law to enforce municipal ordinances. The bill allows a municipality that seeks to enforce a municipal code lien through the sale of real property shall utilize the judicial in rem proceedings as the sole remedy. Enforcement proceedings may only be brought by the municipality. The bill establishes a timeframe for filing a petition for judicial in rem foreclosure for a municipal code lien. It also provides requirements for filing a petition in rem foreclosure when the property is subject to unpaid taxes. Every municipal code lien shall be superior to all other liens, except those liens for taxes as described or reference in Section 3103 of Title 68.

The bill passed the Senate Judiciary Committee on Tuesday by a [vote](#) of 7 to 1. The bill moves to the full Senate.

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**Mobile Food Trucks/Fire Marshal:** [HB 2459](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Grant Green (R-Wellston) requires all mobile food preparation vehicles operating within Oklahoma prior to July 1, 2024, that are capable of producing smoke or grease-laden vapors shall be in compliance with the most current adopted code. With the exception of an automatic fire extinguishing system, this shall include, but not be limited to, those utilizing electric, liquid petroleum (LP) gas, compressed natural gas (CNG), or combination thereof for cooking, provided that portable fire extinguishers installed and maintained with the most current version of NFPA 10. A six-liter Class K-rated portable fire extinguisher is required for all cooking equipment involving solid fuels or vegetable oils, animal oils, or fats. All liquified petroleum gas shall be inspected by the Oklahoma Liquified Petroleum Gas Board or a certified contractor. The provisions in paragraph 1 of this subsection will expire on July 1, 2026, and all mobile food preparation vehicles shall comply with the most current adopted codes set forth by the State. Mobile food preparation vehicles are under the sole jurisdiction of the State Fire Marshal and shall be inspected annually by the State Fire Marshal to ensure compliance with the latest version of the state adopted minimum codes for fire and life safety adopted by OUBCC. Political subdivisions are not prevented from enforcing the political subdivision's event permits, operational fees, land use regulations, zoning, and other ordinances in relation to the operation of a mobile food preparation vehicle within the boundaries of said political subdivision. The rules promulgated shall have uniform force and effect and no city, town, county, political subdivision, or other agency shall enact or enforce any fire or life safety code related ordinances, rules, or other requirements for mobile food preparation.

The [Committee Substitute](#) passed the Senate Business & Insurance Committee with the title stricken on Thursday by a [vote](#) of 8 to 2. The bill moves to the full Senate.

**Public Nuisances:** [HB 2622](#) by Rep. Erick Harris (R-Edmond) and Sen. Todd Gollihare (R-Kellyville) makes the repeated use of any real property or structure to commit activities of unlawful drug distribution, prostitution, or human and/or sex trafficking as a public nuisance. The bill also deems

that manufacturing, marketing and selling lawful products are not deemed a public nuisance. The bill also adds the remedy of seeking injunctive or other equitable relief. To be found liable in an action for public nuisance, the defendant must be determined by the court to have been in control of the conditions giving rise to the nuisance at the time of the injury. A private person may maintain an action for a public nuisance if the court finds clear and convincing evidence that the nuisance is the proximate cause of special injury to the private person.

The bill passed the Senate Rules Committee on Thursday by a [vote](#) of 14 to 4. The bill moves to the full Senate.

**Oklahoma Rural Hospitals Funding Assistance Grant Program Act of 2025:** [HB 2754](#) by Rep. Trey Caldwell (R-Altus) and Sen. Jerry Alvord (R-Wilson) establishes the Oklahoma Rural Hospitals Funding Assistance Grant Program. As used in this Act, "adequate medical care facilities" means facilities that: would meet or meet the eligibility of a federally qualified critical access hospital; are located in a town or municipality with fewer than five thousand (5,000) population; and is owned by a public trust organized under the laws of this state or by a town or municipality of this state. The bill places the administration of the program by the State Department of Health.

The bill passed the Senate Appropriations Committee on Wednesday by a [vote](#) of 15 to 6. The bill moves to the full Senate.

**Oklahoma Volunteer Firefighter Support Program:** [HB 2759](#) by Rep. Trey Caldwell (R-Altus) and Sen. Avery Frix (R-Muskogee) creates a grant program to support training needs of volunteer firefighters in Oklahoma. The program must assist volunteer firefighters to receive up to ten (10) hours of training a year from programs approved by OSDAFF. The State Fire Marshal is required to create an application system for volunteer firefighters to apply for grant assistance. The State Fire Marshal may promulgate rules for the grant program.

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The bill passed the Senate Appropriations Committee on Wednesday by a [vote](#) of 22 to 1. The bill moves to the full Senate.

**Workers Compensation/Interns:** [SB 95](#) by Sen. Ally Seifried (R-Claremore) and Rep. Nick Archer (R-Elk City) amends the definition of "employee" that are not included in receiving workers' compensation benefits to mean any person engaging in a temporary work arrangement that allows the individual to observe a work environment and gain work experience without expectation of financial compensation.

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

**OK Housing Authorities Act:** [SB 333](#) by Sen. John Haste (R-Broken Arrow) and Rep. Mark Lawson (R-Sapulpa) modifies the Oklahoma Housing Authorities Act. The bill broadens the definition of "area of operation" to include in the case of an authority of a city or of a county and only for the purpose of construction or rehabilitation projects, beginning on the effective date of this act, anywhere within this state; provided such city or county housing authority has consulted with the city, county or counties and all other active and duly certified city and county housing authorities, if any, where the project or projects are located.

The bill passed the House Government Oversight Committee on Tuesday by a [vote](#) of 9 to 7. The bill moves to the full House.

**Finance/Surcharges:** [SB 351](#) by Sen. Avery Frix (R-Muskogee) and Rep. Neil Hays (R-Checotah) specifies that there shall be no limit on the offer of a discount for the payment of goods and services using cash or check. The bill requires any seller passing on the credit card or debit card processing fee to list the fee on a separate charge. The fee shall not exceed the total of the bank processing fees, financial transaction fees, the cost of providing for secure transaction, portal fees, and fees necessary to compensate for increased bandwidth incurred as a result of providing the transaction.

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The bill passed the House Commerce & Economic Development Oversight Committee on Thursday by a [vote](#) of 14 to 3. The bill moves to the full House.

**REAP Reporting:** [SB 473](#) by Sen. Dave Rader (R-Tulsa) and Rep. Eric Roberts (R-OKC) requires each entity to develop a plan to measure the qualitative effects of projects funded through the Rural Economic Action Plan of 1996. The plan may utilize inquiries or surveys of the public, local governments, or municipalities to measure the effect. On or before January 1, 2028, each entity required to develop a plan shall submit a report to the Oklahoma Department of Commerce detailing the qualitative effects of at least two projects that received funds pursuant to the Rural Economic Action Plan of 1996. Any expenditures associated with creating the plan required by subsection A of this section and the report required by subsection B of this section shall be made using the initial planning expenditure payments.

The bill passed the House Government Oversight Committee on Tuesday by a [vote](#) of 16 to 0. The bill moves to the full House.

**Data Privacy:** [SB 546](#) by Sen. Brent Howard (R-Altus) and Rep. Josh West (R-Grove) creates the Oklahoma Computer Data and Privacy Act. This bill entitles a consumer to request that a business that collects the consumer's personal information deletes any personal information the business has collected from the consumer. It contains several other provisions to ensure that the privacy of consumers' personal information. It also preempts any ordinance, order or rule adopted by a political subdivision of this state relating to the collection or sale by a business of a consumer's personal information. This bill contains penalties, definitions, and extensive details.

The bill passed the House Commerce & Economic Development Oversight Committee on Thursday by a [vote](#) of 15 to 2. The bill moves to the full House.

**(OML Priority) Firearms/Municipal Carry:** [SB 628](#) by Sen. Christi Gillespie (R-Broken Arrow) and Rep. Derrick Hildebrant (R-Catoosa) allows municipalities to authorize certain employees or public officials of the municipality, municipal public

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trust, or municipal authority who possess a valid handgun license and who have successfully completed any additional training or other requirements as established by ordinance or resolution to carry a concealed handgun when acting in the course and scope of employment. Firearms may not be present in a firearm-prohibited location. Firearm prohibited location is defined as any room, location or other place on municipally owned, leased or maintained property designated as a firearm-prohibited location by the municipal government and any police department, courthouse, courtroom, prison, jail, detention facility, or any facility used to process, hold, or house arrested persons, prisoners, or persons alleged to be delinquent or adjudicated delinquent. Nothing shall be construed to allow municipal employees to carry a firearm as a duty or function of their employment. A municipality may authorize the public display of a firearm in a public building subject to policies established by the municipality, municipal public trust, or municipal authority.

The bill passed the House Judiciary & Public Safety Oversight Committee on Tuesday by a [vote](#) of 8 to 2. The bill moves to the full House.

**Massage Therapists/Zoning Regulations:** [SB 644](#) by Sen. Kristen Thompson (R-Edmond) and Rep. Preston Stinson (R-Edmond) provides exceptions to the exemptions on massage therapists by not affecting the regulations of a city, county, or a political subdivision of this state relating to zoning or licensing requirements for business locations offering massage therapy.

The bill passed the House Health & Human Services Oversight Committee on Monday by a [vote](#) of 13 to 0. The bill moves to the full House.

**Finance/Surcharge Repealer:** [SB 677](#) by Sen. Spencer Kern (R-Duncan) and Rep. Emily Gise (R-OKC) allows a seller to offer discounts to a consumer that elects to pay by cash, check or debit card in lieu of payment by credit card. There shall be no limit on the discount that may be offered by the seller. Pursuant to the regulations of the Administrator, a seller who provides a discount not in accordance with regulations shall disclose such information to the Administrator. Any seller that

wishes to impose a surcharge for credit card transactions is required to clearly post a notice about the surcharge for both in-store and online transactions. If the transaction is processed over the phone, the surcharge must be verbally disclosed to the consumer. The surcharge is limited to two percent (2%) of the total transaction amount or the processing cost for the retailer, whichever is less. The bill defines "credit card", "seller", and "surcharge". If the seller only accepts credit cards for payment, no surcharge may be imposed. The bill repeals Title 14A, Section 2-417 of the Oklahoma Statutes, which bans surcharges for credit and debit card transactions. The bill leaves in the language that allows a public trust or municipality the ability to charge service fees as a result of providing the transaction. OML worked with Rep. Gise and provided examples of what Municipalities have to charge in order to provide the option to pay by credit card.

The bill passed the House Commerce & Economic Development Oversight Committee on Thursday by a [vote](#) of 16 to 1. The bill moves to the full House.

**Detachment/Intervening Strips:** [SB 694](#) by Sen. Jerry Alvord (R-Wilson) and Rep. Josh Cantrell (R-Kingston) provides that territory detached from a municipality under certain circumstances shall not be detached if: 1) the territory includes an intervening strip less than four (4) rods wide; 2) the territory is only separated from the corporate limits of a municipality by a railway right-of-way; 3) the territory is a highway right-of-way adjacent to or contiguous with a municipality; or 4) the territory includes properties that will be split in two, resulting in part of the property falling inside the corporate limits of a municipality and part of it falling outside the corporate limits of the municipality. The state, county, or any other political subdivision or governmental entity which will assume responsibility over the proposed detached territory may give written consent to the detachment.

The bill passed the House Government Oversight Committee on Tuesday by a [vote](#) of 16 to 0. The bill moves to the full House.



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**Architectural & Licensed Interior Designs Act: [SB 751](#)** by Sen. Jack Stewart (R-Yukon) and Rep. Nicole Miller (R-Edmond) modifies the value of construction value from One Hundred Fifty Thousand Dollars (\$150,000.00) to Three Hundred Thousand Dollars (\$300,000.00) of all buildings used by a municipality, county, state, public trust, public agency or federal government that are exempt from the State Architectural & Licensed Interior Designers Act.

The bill passed the House Commerce & Economic Development Oversight Committee on Thursday by a [vote](#) of 16 to 0. The bill moves to the full House.

**Construction/Oath: [SB 898](#)** by Sen. Adam Pugh (R-Edmond) and Rep. Emily Gise (R-OKC) removes the requirement that a written statement under oath must accompany a bid for construction.

The bill passed the House Government Oversight Committee on Thursday by a [vote](#) of 12 to 1. The bill moves to the full House.

**(OML Priority) Public Finance/Investment Procedures: [SB 957](#)** by Sen. Jerry Alvord (R-Wilson) and Rep. Mark Lawson (R-Sapulpa) requires the governing body, the authority of a public entity having as its beneficiary a political subdivision, or the governing board of a qualified pool investment program to authorize an investment policy by ordinance or resolution directing the treasurer to invest public funds. The investment policy shall address liquidity, diversification, safety of principal, yield, maturity and quality, and capability of investment management. The treasurer shall focus on safety and liquidity in the investment of funds and use competitive bids when purchasing brokered securities and shall seek to maximize yield within each class of investment instrument consistent with the safety of the funds invested. Any political subdivision which elects to participate in a local government investment pool shall be deemed to have authorized investments in the items specified in paragraphs 1 through 10 of subsection B, notwithstanding any differences in the written investment plans adopted by the governing body.

The bill repeals 62 O.S. 2021, Section 348.1 and 62 O.S. 2023, Section 348.3. regarding investment policies.

The bill passed the House Government Oversight Committee on Tuesday by a [vote](#) of 16 to 0. The bill moves to the full House.

**(OML Priority) Law Enforcement/Dual Office Holding: [SB 1091](#)** by Sen. Darrell Weaver (R-Moore) and Rep. Jason Blair (R-Moore) allows a campus police officer who is elected to serve as a member of the governing board of a town or municipality that is outside of the town or municipality where the person serves as a campus police officer.

The bill passed the House Government Oversight Committee on Thursday by a [vote](#) of 14 to 0. The bill moves to the full House.