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Oklahoma Municipal League

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OML ADVOCATE

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WEATHER DELAYS PUSH CAPITOL ACTIVITY TO NEXT WEEK

Rain, snow, sleet and thunder closed the Capitol building on Wednesday and Thursday. OML was ready to take on the challenges of stopping some bad bills for municipalities. Deadline to move bills from committees is March 1st. We will need YOU to take action and contact your legislators on these issues that greatly impact your municipality.

Bond Advisor: [SB 1032](#) by Sen. Josh Brecheen (R-Coalgate) provides new state requirements for the sale or placement of any lease-backed or lease revenue bond, note, lease or other obligation to construct or acquire any facility for the benefit of a municipality. Proposals are required from a list provided by the State Bond Advisor, if the lowest bidder is not selected, written justification must be provided to the State Auditor and the State Bond Advisor.

The bill received a do pass recommendation in the Senate Appropriations Subcommittee on Finance by a vote of 7-1. The bill has been scheduled to be heard in the full Senate Appropriations Committee on Wednesday.

Local Development Act: [SB 1279](#) by Sen. Jason Smalley (R-Stroud)—amends the Local Development Act in a number of ways including changes to historic preservation and tools of the act may not be used in areas where investment, development and economic growth “is occurring at a rate consistent with, or greater than, the governing body’s jurisdiction as a whole”. Tax increments shall only be allowed for that portion of the tax under jurisdiction of another local taxing entity by written agreement between the other local taxing entity and the governing body of the city, town or county.

The bill received a do pass recommendation in the Senate Appropriations Subcommittee on Finance by a vote of 7-1. The bill has been scheduled to be heard in the full Senate Appropriations Committee on Wednesday.

Election Restriction: [HB 2671](#) by Rep. Chuck Strohm (R-Jenks) amends 26 O.S. Section 3-101 by altering available election dates for county, school district, technology center school district, municipality or other political subdivision elections for any purpose other than to fill an elective office. All currently available dates are removed and the “second Tuesday in February” is substituted. All other “elections shall be held

on the dates of the State Primary, Runoff Primary or General Elections or the state Presidential Preferential Primary Election”.

The bill is scheduled to be heard in the House Elections and Ethics Committee on Wednesday.

Preemption/Lending Institutions: [SB 1494](#) by Sen. Leewright (R-Bristow) prohibits any political subdivision from preventing, restricting or discouraging any lender from lending in compliance with Article 3 of Title 14A and Chapter 57 of Title 59. The prohibition also extends to stopping a lender from operating in any location properly zoned for such commercial activities or to creating disincentives for making loans.

The bill is scheduled to be heard in the Senate Business and Commerce Committee on Thursday.

Preemption/Dockless Bikes: [SB 1374](#) by Sen. Jason Smalley (R-Stroud) creates new law in Title 47 regulating dockless bicycles defined as a bicycle, including an electric bicycle, that is self-locking and is not connected to a docking station. The proposed committee substitute provides insurance requirements and mandates for a bicycle sharing company. It requires the Department of Tourism to oversee the registration of these bicycles. The proposed committee substitute also prohibits a political subdivision of the state from imposing a tax on, or requiring a license for, a bicycle sharing company for the provision of bicycle rental and use or subject a bicycle sharing company to the political subdivision's rate requirement, entry requirement, operational requirement or other requirements.

The bill is scheduled to be heard in the Senate Business and Commerce Committee on Thursday.

Preemption Occupational Licensing: [SB 1174](#) by Sen Kimberly David (R-Porter) creates the Freedom to Work Act prohibiting a political subdivision from imposing any occupational fees or licensing requirements on any profession if the political subdivision does not already impose occupational fees or licensing requirements on that profession. Existing regulation may continue on condition that the occupational fees do not exceed \$25 per year. If the fees exceed \$25, then the licensing authority shall immediately reduce fees to the limits of this bill. No regulations can add additional licensing requirements to those already imposed by a state licensing authority. Municipalities must stop fees and licensing requirements if a state licensing authority imposes any new requirements on any profession that was previously unregulated by the state. Fees must be waived for low-income individuals and military families. State and political subdivision licensing

authorities must terminate all existing contracts with professional lobbyists and private entities that include a scope of work to provide lobbying services for a licensing authority. No new lobbying services may be purchased using funds from procurement or the income from a licensing authority's activities. The bill contains further detailed regulations, limitations and prohibitions. Finally, no political subdivisions can enforce minimum wage laws that differ from this state's minimum wage laws.

SMALL CELL DEPLOYMENT BILLS UPDATE

The first deadline is approaching next week and **SB 1388** by Sen. Greg Treat (R-OKC) and **HB 2957** by Rep. Todd Thomsen (R-Ada) will be heard in committees. At that time the title will be removed, rendering the bill harmless as we continue to work on the language.

OML would like to extend our thanks to OMPA, MESO and our member cities for working so diligently on this legislation. It is not a final product and we will continue to keep you posted as these bills move forward.

BILLS ON THE MOVE

Here is a snapshot of bills impacting cities and towns.

Law Enforcement/Vehicle Registration: [HB 2736](#) by Rep. Dell Kerbs (R-Shawnee) adds new law regarding noncommercial trailers as defined in the bill to Title 47 and places regulation of noncommercial trailers in several existing sections of Title 47.

The bill was laid over in the House Transportation Committee on Monday.

Ambulance/Training Requirement: [HB 2760](#) by Rep. Leslie Osborn (R-Mustang) amends the Oklahoma Emergency Response Systems Development Act by amending requirements for licensure and adding requirements for stretcher vans.

The bill received a unanimous “do pass” recommendation in the House Transportation Committee on Monday.

Law Enforcement/Notification of Child Abuse or Neglect: [SB 1150](#) by Sen. AJ Griffin (R-Guthrie) requires a school employee who has reason to believe that a student is a victim of abuse or neglect to report the matter promptly to the Department of Human Services and to local law enforcement. It requires the reports be made via the department's anonymous hotline. The bill defines applicable terms. The bill requires the State Department of Education to promulgate necessary rules.

The bill passed unanimously in the Senate Education Committee and is now waiting to be heard on the Senate Floor.

Government Entity/Religious Convictions: [SB 1140](#) by Sen. Greg Treat (R-OKC) prohibits a state or local government entity from denying a private child-placing agency any grant, contract, or participation in a government program because the agency's objection to performing or parting in a placement violates the agency's written religious or moral convictions or policies.

The bill was passed in the Senate Health and Human Services Committee and is now waiting to be heard on the Senate Floor.

Law Enforcement/Controlled Dangerous Substances: [SB 1175](#) by Sen. Josh Brecheen (R-Coalgate) amends Uniform Controlled Dangerous Substances Act by adding medical marijuana regulations.

The bill was passed unanimously with the title stricken in the Senate Health and Human Services Committee. It is now waiting to be heard on the Senate Floor.

Employment/Discriminatory Wages: [HB 1530](#) by Rep. Jason Dunnington (D-OKC) amends 40 O.S. Sections 198.1 and 198.2 regarding employer paying discriminatory wages. It increases penalties and prohibits an employer from discharging or discriminating against an employee because he/she inquired about, discussed or disclosed the wages of the employee or another employee with someone employed by the company.

The bill received a do pass as amended recommendation in the House A&B Committee by a vote of 24-2. It is now waiting to be heard on the House Floor.

Transportation Funding/State: [HB 2638](#) by Rep. Dustin Roberts (R-Durant) provides that the State Highway Construction and Maintenance Fund shall also consist of revenues specifically apportioned to such fund by Oklahoma statutes. Of the money deposited in the Fund pursuant to the apportionment of Motor Fuels Tax Fees, the lesser of \$10,000 and one and one-half percent of such monies may be used for the development and maintenance of alternative fuel corridors. 47 O.S. Supp. 2017, Section 1132.7 is repealed.

The bill received a do pass recommendation in the House A&B Committee by a vote of 18-8. It is now waiting to be heard on the House Floor.

Veteran Center/Talihina: [HB 3042](#) by Rep. Tommy Hardin (R-Madill) creates the Oklahoma Veterans Facility Investment Act of 2018. The Department of Veterans Affairs is authorized to develop and construct a long-term care facility in Talihina. The Oklahoma Capitol Improvement Authority is authorized to issue obligations to acquire real and personal property for projects.

The bill received a do pass recommendation in the House A&B Committee by a vote of 18-8. It is now waiting to be heard on the House Floor.

Taxation/Notice of Elections/Settlement: [HB 3156](#) by Rep. Earl Sears (R-Bartlesville) and Sen. Roger Thompson (R-Okemah) amends 11 O.S. Section 16-103.1 by removing the current requirement that municipalities send to the Oklahoma Tax Commission notice of biennial town meeting or resolution calling for its regular municipal elections. Under the bill, municipalities would still send the notice to the county treasurer. In addition, the Tax Commission is authorized to settle a tax controversy in which the liability exceeds \$25,000. Current law is \$10,000. Changes are also made to seizure of cigarettes or tobacco products.

The bill received a do pass recommendation in the House A&B Committee by a vote of 25-1. It is now waiting to be heard on the House Floor.

De-annexation/County Approval: [SB 1259](#) by Sen. Nathan Dahm (R-Broken Arrow) provides that the Board of County Commissioners shall have the authority to approve or disapprove any attempt by a municipality to de-annex property to a county.

The bill received a do pass recommendation with the title stricken in the Senate General Government Committee. It is now waiting to be heard on the Senate Floor.

Municipality/Country Transfer of Property: [SB 1272](#) by Sen. Nathan Dahm (R-Broken Arrow) authorizes county commissioners that receive, as a result of the failure to pay taxes, any real property, otherwise designated as a common area, greenbelt or detention pond for a neighborhood development, to transfer ownership to the municipality that created the areas or shall have the authority to invoice the municipality for maintenance and care of such areas.

The bill received a do pass recommendation with the title stricken in the Senate General Government Committee by a vote of 8-2. It is now waiting to be heard on the Senate Floor.

Daylight Savings Time: [SB 1309](#) by Joseph Silk (R-Broken Arrow) requires that daylight saving time shall be

the year-round standard time of the entire state and of its political subdivisions.

The bill received a do pass recommendation in the Senate General Government Committee by a vote of 5-4. It is now waiting to be heard on the Senate Floor.

Ad Valorem/Appraisal Funding: [SB 1547](#) by Sen. Kimberly David (R-Porter) creates the County Government Education -Technical Revolving Fund. The OSU Center for Local Government Technology, in cooperation with the County Assessors' Association, shall provide the administration, training and implementation of a computer-assisted mass appraisal computer software system to any county using the services provided by the Ad Valorem Division of OTC.

The bill was laid over in the Senate General Government Committee on Monday.

Law Enforcement/Sex Offenders: [HB 3330](#) by Rep. Mike Sanders (R-Kingfisher) amends the Sex Offenders Registration Act by changing the residency restriction to add family child care homes.

The bill passed the House on Tuesday by a unanimous vote.

Workers' Compensation/Commission: [SB 1065](#) by Sen. Micheal Bergstrom (R-Adair) amends various provisions of the Workers' Compensation Commission.

The bill passed the Senate Judiciary Committee by a vote of 7-1 and is now waiting to be heard on the Senate Floor.

Workers' Compensation/Affidavit of Exempt Status: [SB 1249](#) by Sen. Nathan Dahm (R-Broken Arrow) amends the Workers' Compensation Act regarding sub-contractors and altering the details of current law's Affidavit of Exempt Status.

The bill passed the Senate Judiciary Committee by a vote of 7-1 and is now waiting to be heard on the Senate Floor.

Workers' Compensation: [SB 1340](#) by Sen. Anthony Sykes (R-Moore) is a comprehensive amendment of the Workers' Compensation Act in a variety of ways. Included are changes to a number of definitions including compensable injury, disability, major cause, occupational disease, scheduled member and the like. This 110 plus page bill changes the Commission, Multiple Injury Trust Fund, Affidavit of Exempt Status, compensation awards, vocational rehabilitation, Self-

insurance Guaranty Fund and various procedural matters. Several existing statutes are repealed.

The bill passed the Senate Judiciary Committee by a vote of 8-0 and is now waiting to be heard on the Senate Floor.

Use Tax/Out-of-State Vendors: [SB 337](#) by Sen. David Holt (R-OKC) requires out-of-state vendors making sales of tangible personal property for use in this state that does not collect use tax to file an annual statement with the Tax Commission. The statement for each purchaser must show the total amount paid for Oklahoma purchases during the preceding calendar year. Retailers or vendors that do not collect use tax that make Oklahoma sales of more than \$100,000 in a year, may be required by OTC to electronically file the annual statement. Failure to file shall subject the retailer or vendor to a penalty of \$10 for each purchaser unless they show reasonable cause of such failure.

The bill passed the Senate Appropriations Subcommittee on Finance by a vote of 8-2. The bill has been scheduled to be heard in the full Senate Appropriations Committee on Wednesday.

Quality Events Initiative Act: [SB 1252](#) by Sen. Gary Stanislawski (R-Tulsa) amends the Oklahoma Quality Events Incentive Act several ways including current laws "economic impact study". The term "actual documentation" is substituted.

The bill received a do pass recommendation in the Senate Appropriations Subcommittee on Finance by a vote of 9-1.

Employment/Minimum Wage: [HB 2534](#) by Rep. Collin Walke (D-OKC) makes it unlawful for an employer to willfully pay wages to women at a rate less than an employee of the opposite sex for comparable work. It is unlawful to discharge or discriminate against an employee because he or she inquired about or disclosed wages of the employee or another employee with someone employed by the company. Commissioner of Labor fines are increased and 25% of back pay owed to the employee is deposited in the Department's revolving fund.

Bidding/Bond: [HB 2676](#) by Rep. Kevin West (R-Moore) amends 61 O.S. Sections 113.1 and 226 in various ways. Changes are made to the availability of retainage depending on whether the public construction contract is or is not subject to a bond. If not subject to a bond a contract may provide up to 5% of all partial payments withheld as retainage. If subject to a bond, no

retainage shall be withheld from the entity posting the bond. Subcontracts are also impacted in Section 226.

The bill passed the House Banking and Business Committee on Tuesday by a vote of 19-3.

Occupational License Database/DOL: [HB 2771](#) by Rep. Mike Osborn (R-Edmond) creates the Oklahoma Department of Labor Occupational License Database allowing public access to all occupational licenses and certifications. The Department of Labor shall make rules by which each state agency, board or commission or any other entity that regulates an occupation in this state shall submit a searchable electronic version of information listed in the bill related to licensure or certification of the occupation.

The bill was laid over in the House Banking and Business Committee on Tuesday.

Occupational Licensing/Prohibition: [HB 2894](#) by Rep. Zack Taylor (R-Seminole) creates new law for licensing and occupational fees. It requires all state and political subdivision licensing authorities to revise their existing licensing requirements to explicitly list the specific criminal records that would disqualify an applicant. A disqualification shall not last longer than 5 years. Political subdivisions are prohibited from creating any new occupational licenses after the effective date of this bill.

The bill was laid over in the House Banking and Business Committee on Tuesday.

Electrical License Act/Supervisory Authority: [HB 2935](#) by Rep. Glen Mulready (R-Tulsa) amends the Electrical License Act by adding a definition of “electrical work” including what electrical work is not. In addition, no more than 3 apprentice electricians shall work under the supervision of a single journeyman or contractor.

The bill received a do pass recommendations in the House Banking and Business Committee by a vote of 13-6.

Electrical License Act/Certification: [HB 2936](#) by Rep. Glen Mulready (R-Tulsa) amends the Electrical License Act by adding a definition of “student electrical intern” and “licensed electrical apprentice”, authorizing the Construction Industries Board to issue licenses, altering registration requirements. In addition, 59 O.S. Section 1689 is amended so that for political subdivisions that have adopted a nationally recognized electrical code and appointed an inspector, a state inspector may work directly with a “licensed electrical apprentice, student or

electrical intern”. Finally, new law creates detailed regulation regarding supervision roles and limitations.

The bill passed the House Banking and Business Committee by a vote of 13-6.

Firefighter Pension System/Volunteers: [HB 3329](#) by Rep. Mike Sanders (R-Kingfisher) amends 11 O.S. Section 49-135. The fire chief shall determine the activities of anyone over age 45 regardless of any current retirement pension benefits the individual may receive and/or is currently receiving in the performance of volunteer firefighting services.

The bill was laid over in the House Banking and Business Committee on Tuesday.

Motor Vehicles/Towing Regulation: [SB 912](#) by Sen. Mark Allen (R-Spiro) amends various sections of Title 47 granting the Department of Public Safety authority over rates in the licensing and control wrecker vehicles and wrecker or towing services. Current law grants the establishment of rates to the Corporation Commission.

The bill received a do pass recommendation in the Senate Transportation Committee and has now been referred to the Senate Appropriations Committee.

Aeronautics Commission/Consolidation: [SB 1083](#) by Sen. Stephanie Bice (R-OKC) consolidates the Aeronautics Commission into the Department of Transportation.

The bill failed in the Senate Transportation Committee.

Law Enforcement/Vehicle Weight: [SB 1089](#) by Sen. Micheal Bergstrom (R-Adair) amends 47 O.S. Section 14-109 regarding vehicle weight limits on “interstate” highways. Current law impacts “any road or highway”.

The bill received a do pass as amended recommendation in the Senate Transportation Committee by a vote of 10-1. It is now waiting to be heard on the Senate Floor.

Right-of-Way/High-Wide Corridors: [SB 1114](#) by Sen. Micheal Bergstrom (R-Adair) creates a number of specific high-wide corridors in different geographical areas of the state with permits issued by DPS. Structures are prohibited within the affected area without a permit from the Department of Transportation, several different actions are prohibited and design standards are required. The State shall consult with all political subdivisions before issuing or denying a permit. Political subdivisions are directed to attempt to reach agreements among affected parties regarding

allocation of costs and provision of services related to removing permanent structures that interfere with high-wide loads. Also political subdivisions shall attempt to reach agreements with persons using the high-wide routes to provide timely vehicle escorts.

The bill received a do pass as amended recommendation in the Senate Transportation Committee by a vote of 11-0. It is now waiting to be heard on the Senate Floor.

Railroads/Crossings: [SB 1137](#) by Sen. Stephanie Bice (R-OKC) amends 66 O.S. Section 128 impacting the duty of a railroad company to construct a crossing across the portion of its track, roadbed or right-of-way over which a public highway runs. The amendment establishes the crossing as “the space between the tracks and two (2) feet on either side thereof.”

The bill received a do pass as amended recommendation in the Senate Transportation Committee by a vote of 11-0. It is now waiting to be heard on the Senate Floor.

Railroads/Crossing Public Road: [SB 1138](#) by Sen. Stephanie Bice (R-OKC) amends 69 O.S. Section 601. Where a railway company crosses a public road, it shall improve the space between its tracks, and two (2) feet on either side thereof, in the manner that the remainder of the road is to be improved, or with such other material as the county commissioners may require.

The bill received a do pass as amended recommendation in the Senate Transportation Committee by a vote of 11-0. It is now waiting to be heard on the Senate Floor.

Rights-of-Way/Landowners: [SB 1561](#) by Sen. Lonnie Paxton (R-Tuttle) creates new law regarding the use of rights-of-way after permission by landowner with exceptions. Provisions are made for temporary pipe, water hoses or lines, meaning the use of rights-of-ways is not anticipated to exist and does not exist for longer than 3 months from the date permission is granted by the record landowner and compensation is received. Those utilizing the rights-of-way shall completely repair or replace any damage injury or other change to public roads or highways or rights-of-way of the state or any county or municipality.

The bill was laid over in the Senate Transportation Committee on Tuesday.

Sales Tax Exemption/Disabled Veterans: [HB 2593](#) by Rep. Ross Ford (R-Broken Arrow) amends the sales tax exemption for disabled veterans by adding those who

have been honorably discharged from active service and who received compensation or awarded a judgment, settlement or compromise pursuant to Section 1151 of title 38, and beginning November 1, 2020, is registered with the veterans registry created by the Oklahoma Department of Veterans Affairs. In addition, disabled veterans qualifying under the current law, beginning November 1, 2020 must register with the Department, unless the veteran has previously received the sales tax exemptions.

The bill passed the House A&B Subcommittee on Finance by a vote of 7-0.

Sales Tax Exemption/New: [HB 3123](#) by Rep. Meloyde Blancett (D-Tulsa) creates a new sales tax exemption for sales to or by a 501(c)(3) organization that provides community access to advanced 21st Century manufacturing and digital fabrication tools for stated purposes.

The bill passed the House A&B Subcommittee on Finance by a vote of 6-1.

Law Enforcement/Controlled Dangerous Substances: [SB 1185](#) by Sen. Lonnie Paxton (R-Tulsa) amends the Uniform Controlled Dangerous Substances Act by altering the definition of marijuana creating the Oklahoma Industrial Hemp Agricultural Pilot Program Act.

The bill received a do pass as amended recommendation in the Senate Agricultural and Wildlife Committee and has been referred to the Senate Appropriations Committee.

Drones/Agricultural: [SB 1491](#) by Sen. John Sparks (D-Norman) prohibits unmanned aircraft from being operated intentionally or knowingly at less than 500 feet above the surface over private agricultural property of another person. There are exceptions and a penalty provision.

The bill passed the Senate Agriculture and Wildlife Committee by a unanimous vote and is now waiting to be heard on the Senate Floor.

Urban Renewal/Brumbaugh Memorial Act: [HB 2594](#) by Rep. Ross Ford (R-Broken Arrow) amends 11 O.S. Section 38-101 by amending the definition of “blighted area” by removing “age or obsolescence” “or open spaces” and “faulty lot layout in relation to size, adequacy, accessibility or usefulness” from current law.

The bill was laid over in the House Rules Committee on Tuesday.

Firearms/Transportation: [HB 2713](#) by Rep. Jon Echols (R-OKC) amends various sections impacting firearms including convicted felons and delinquents, firearms in vehicles and improper transportation of firearms.

The bill was received a do pass recommendation in the House Rules Committee.

Roads/County Improvements: [HB 3438](#) by Rep. Jon Echols (R-OKC) amends the County Improvement for Roads and Bridges Fund by providing the funds shall be “distributed” ton “circuit engineering” districts “created pursuant to subsection A of Section 687.1 of Title 69 with the boundaries established as of July 1, 2018.

The bill received a do pass recommendation in the House Rules Committee.

OWRB/Fee Revolving Fund: [SB 1515](#) by Sen. Eddie Fields (R-Wynona) authorizes the OWRB Fee Revolving Fund which is a continuing fund for the direct and indirect costs of enforcement and administration of the water duties of OWRB. It shall consist of all the monies collected by OWRB for water-related fees.

The bill passed the Senate Appropriations Subcommittee on Natural Resources and Regulatory Services with the title stricken.

Sales Tax Exemption/Refund: [SB 1392](#) by Sen. Marty Quinn (R-Claremore) amends 68 O.S. Section 1358.1 regarding the agriculture exemption. On or after November 1, 2018, the exemption shall be claimed only via refund as required in the bill. The applicant for the exemption shall only qualify if total sales exceed \$25,000 per year. If total sales exceed such amount, the exemption shall apply to the total sales amount.

The bill received a do pass recommendation in the Senate Appropriations Subcommittee on General Government and Transportation and is now eligible to be heard by the Senate Appropriations Committee.

NEXT WEEK AT THE CAPITOL

**Monday, February 26, 2018:
Senate General Government Committee
10:30 a.m. in 230**

Finance/Auditor: [SB 1042](#) by Sen. David Holt (R-OKC) amends 11 O.S. Section 17-105.1 regarding required auditor filings with the State Auditor and Inspector who may contract for the “preparation” and reporting of the information submitted on the form.

Abatement Proceedings/Liens: [SB 1107](#) by Sen. Frank Simpson (R-Ardmore) and Rep. Pat Ownbey (R-Ardmore) amends 11 O.S. Sections 22-111, 22-112.1, 22-112.4, by authorizing a municipality to file a lien on the property with the county clerk “in the manner for other liens on real property”.

Oil & Gas/Municipal Preemption: [SB 1257](#) by Sen. Lonnie Paxton (R-Tuttle) amends the preemption of municipalities and other political subdivisions from regulating oil and gas activity by creating an exception for operations within 1,000 feet of an occupied residence or commercial building. The financial obligation of regulations on light pollution, noise and air pollution shall not exceed \$25,000 for each permit and an additional \$10,000 allowed per wellbore and \$5,000 for every acre in excess of 5 acres within the permitted location. An exception for enforcement of regulation is made if the oil and gas operation and owners of the real property execute a written agreement.

Open Meeting Act/Notice: [SB 1313](#) by Sen. David Holt (R-OKC) amends 25 O.S. Section 311 regarding 2017 changes to notice by public bodies under the Open Meeting Act. It clarifies the statutory reference to 74 O.S. Section 3106.2 and makes changes to the 2017 optional means for notice on the public bodies website. Paragraph 12 is altered by removing the requirement that the “48 hour notice is required for special meetings and that the 48 hour requirement shall exclude Saturday, Sundays and holidays legally declared by the State of Oklahoma.”

Open Records Act/Court Clerk: [SB 1346](#) by Sen. Paul Scott (R-Duncan) amends the Open Records Act at 51 O.S. Section 24A.30 regarding court clerk records that shall not be viewable, although there are exceptions in the bill, on the Internet or the World Wide Web. These records, if they contain complete personal identifier numbers in the case file, shall be viewable internally and available at the court clerk’s office. The list includes a number of warrants, tickets, transcripts and orders.

PERB Replacement: [SB 1369](#) by Sen. Chris Kidd (R-Addington) amends the Fire and Police Arbitration Act at 11 O.S. Section 51-102 by changing the definition of “Board” from PERB to an Arbitration Board appointed as contained in the bill. Provision is made for this new Board to consider union organization petitions and unfair labor practice claims. The bill contains a preponderance of the testimony standard, a cease and desist order, district court for enforcement of an order and for appropriate temporary relief of restraining order, procedure, selection of arbitrators and the like. 11 O.S. Sections 41-104 and 51-104a is repealed.

Fire Protection Districts/Annexation: [SB 1389](#) by Sen. Roland Pederson (R-Burlington) impacts fire protection districts by increasing the board of directors, all districts having more than two full-time paid firefighters shall have one full-time chief who will direct the fire department, the fire chief position is regulated in a variety of ways by new law, provision is made for an assistant fire chief and company officers. In addition territory adjacent to the existing district but within another county may be included in the limits of such district by the board of directors, county commissioners of both counties and written consent of owners of property to be included. Comprehensive new law is proposed in case a municipality annexes a portion of or all of the district.

Fire Protection Districts/Outdoor Burning: [SB 1390](#) by Sen. Roland Pederson (R-Burlington) amends 19 O.S. Section 901.8 authorizing the board of a fire protection district to regulate outdoor burning. There are publication requirements, a vote of the people, with action on the part of the State Fire Marshal or sheriff, or by civil action for enforcement.

Interlocal Cooperation Act/Housing Programs: [SB 1564](#) by Sen. A J Griffin (R-Guthrie) amends the Interlocal Cooperation Act by authorizing a public agency administering federal housing programs statewide to enter into agreements with a U.S. agency or of another state in order to benefit the State of Oklahoma through administration of federal housing programs.

House Transportation Committee
3:00 p.m. in 512A

Aeronautics/Transportation Consolidation: [HB 2877](#) by Rep. John Montgomery (R-Lawton) creates the Department of Transportation and Oklahoma Aeronautics Commission Reform Act which consolidate the Aeronautics Commission with the Department of Transportation.

Railcars/Traffic: [HB 3034](#) by Rep. Karen Gaddis (D-Tulsa) creates new law prohibiting a railcar from being brought to rest which blocks traffic at a railroad intersection for longer than 10 minutes, restrictions are placed on railcars transporting explosive, flammable or hazardous material being brought to rest longer than 10 minutes on a bridge or overpass that is above, below or beside a public highway or street, or being brought to rest longer than 2 hours within 300 yards of a hospital, school or multifamily or single-family resident. There is a penalty provision.

Maintenance Costs/Roads: [HB 3588](#) by Speaker Charles McCall (R-Atoka) amends 69 O.S. Section 1205 regarding construction on various roadway including the acquisition of rights-of-way in municipalities with population of 5,000 or more. Various paragraphs of Section 1205 are amended regarding funding to provide for the construction “and maintenance” on the Interstate Highway System, “U.S. highways, urban freeways, frontage roads, local roads, public roads and interchange-collector-distributor roads which are a part of the state highway system”. In addition, for new construction or unsurfaced roads within the limits of municipalities having a population of 5,000 or more, where the construction follows a section line or an existing unimproved road, the municipality or county involved and the Department shall equally share the costs of all necessary rights-of-way.

Tuesday, February 27, 2018:
Senate Public Safety Committee
8:00 a.m. in 419C

Law Enforcement/DUI: [SB 1091](#) by Sen. Greg Treat (R-OKC) amends 47 O.S. Section 11-902 by removing current law’s language authorizing the district attorney to seek to enhance punishment.

CLEET Academies: [SB 1096](#) by Sen. Greg McCortney (R-Ada) creates an investigations unit authorized to investigate violations of any state statute or administrative rule regarding the Bail Enforcement and Licensing Act, Oklahoma Security Guard and Private Investigator Act. The population limits are removed from CLEET conducting an investigation to determine if a requesting municipality or county meets criteria to conduct a basic law enforcement training academy. Finally, changes are made to other areas including revocation of certification and reserve officers.

Law Enforcement/Firearms: [SB 1098](#) by Sen. Greg Treat (R-OKC) enlarges the definition of grand larceny and crimes by persons who receive stolen property to include a firearm, without regard to the value of the firearm.

Law Enforcement/Impaired Driving: [SB 1163](#) by Sen. Kim David (R-Porter) repeals various 2017 statutes and replaces with new law. Specifically, 47 O.S. Section 2-116, as amended by Section 3, Chapter 392, O.S.L. 2017 (47 O.S. Supp. 2017, Section 2-116) is repealed. New law is created authorizing DPS to give notice as required in the bill. 47 O.S. 2011, Section 6-212.3, as last amended by Section 8, Chapter 392, O.S.L. 2017 (47 O.S. Supp. 2017, Section 6-212.3) is repealed. New law is created regulating the installation of an ignition interlock device as required by the bill. An Impaired

Driver Accountability Program shall be established by DPS under the bills requirements. 47 O.S. 2011, Section 753, as last amended by Section 12, Chapter 392, O.S.L. 2017 (47 O.S. Supp. 2017, Section 753) is repealed. New law provides for testing to determine alcohol concentration or any other intoxicating substance. 47 O.S. 2011, Section 754, as amended by Section 13, Chapter 392, O.S.L. 2017 (47 O.S. Suppl. 2017, Section 754) is repealed. New law establishes the procedure when alcohol concentration limits are reached. Finally, 47 O.S. 2011, Section 755 is repealed.

Law Enforcement/Impaired Driving: [SB 1164](#) by Sen. Kim David (R-Porter) repeals various 2017 statutes and replaces with new law impacting various aspects of revocation of the driving privilege.

Law Enforcement/Interlock Device: [SB 1165](#) by Sen. Kim David (R-Porter) repeals 47 O.S. 2011, Section 11-902a. New law impacts driving without an ignition interlock device by a person required to have the device. Penalties are created.

Law Enforcement/Prescription Drugs: [SB 1367](#) by Sen. Ervin Yen (R-OKC) prohibits a peace officer from taking a person into custody based solely on an offense involving prescription drugs under conditions listed in the bill.

Wednesday, February 28, 2018:
House Elections and Ethics Committee
9:00 a.m. in 512A

Elections/Dates: [HB 2671](#) by Rep. Chuck Strohm (R-Jenks) amends 26 O.S. Section 3-101 by altering available election dates for county, school district, technology center school district, municipality or other political subdivision elections for any purpose other than to fill an elective office. All currently available dates are removed and the “second Tuesday in February” is substituted. All other “elections shall be held on the dates of the State Primary, Runoff Primary or General Elections or the state Presidential Preferential Primary Election”.

Public Safety/Immediate Family: [HB 2592](#) by Rep. Ross Ford (R-Broken Arrow) authorizes the Secretary of the State Election Board to keep confidential the residence and mailing address of the immediate family of law enforcement personnel. Immediate family means a spouse, child by birth or adoption, stepchild, parent, grandparent, grandchild, sibling or spouse of any immediate family member.