BILLS ADVANCE AS DEADLINE NEARS

This week, SB 1296 by Sen. Lonnie Paxton (R – Tuttle) and Rep. Marcus McEntire (R – Duncan) passed unanimously out of the Senate Health and Human Services Committee on Monday. This bill amends the Smoking in Public Places and Indoor Workplaces Act to include marijuana consumed in a smoked or vaporized manner.

Two bills with specific impacts to public safety passed out of the Senate Public Safety and Appropriations Committees this week:

- SB 1606 by Sen. David Bullard (R – Durant) and Rep. Justin Humphrey (R - Lane) addresses transportation for mental health services by law enforcement.
- SB 1813 by Sen. Stanislaski (R – Tulsa) and Rep. Frix (R – Muskogee), as filed, would have required any new public safety radio network purchased by any law enforcement agency in this state including, but not limited to, municipalities and sheriff offices, emergency services, first responders, and statewide transportation departments to be P25 compliant by December 31, 2025. After communicating our concerns with committee members, the author agreed to remove the deadline for compliance.

SB 1687 by Sen. Paxton (R – Tuttle) modifies the Standards for Workplace Drug and Alcohol Testing Act to include certain volunteers, which would include volunteer fire firefighters and reserve peace officers. This bill passed unanimously in the Senate Business, Commerce, and Tourism committee Thursday afternoon.

These bills will advance to the full Senate for consideration.

The legislative clock is ticking for numerous bills, both carryover and newly filed this session. Next week is the deadline for bills to be heard in committee in the chamber of origin. The deadline for substantive language to be placed in shell bills was Wednesday, February 19. We are carefully reviewing the language in these bills for municipal impact.
Bills on the Move

**Firearms/Liquor Establishments:**  **HB 1111** by Rep. Kevin West (R-Moore) and Sen. Michael Bergstrom (R-Adair) alters various firearms provisions in Title 21. This includes carrying firearms where liquor is consumed, penalty for a firearm in a liquor establishment and business owners’ rights.

The bill passed the House by a vote of 76 to 21. It will now go to the Senate.

**Open Records/Acts of Discovery:**  **HB 2800** by Rep. Ken Luttrell (R-Ponca City) amends the Open Records Act creating an exception to application of the Act if the information is available via criminal discovery. (Same as SB 1372 by Sen. Coleman.)

The bill passed the House Public Safety Committee vote by a vote of 11 to 2. It will now go to the full House.

**Construction Industries Board/Sunset:**  **HB 2824** by Rep. Tom Gann (R-Inola) recreates the Construction Industries Board (CIB) until July 1, 2021.

The bill passed the House Administrative Rules Committee by a vote of 7 to 2. It will now go to the full House.

**CLEET/Training:**  **HB 2848** by Rep. Daniel Pae (R-Lawton) requires CLEET to include in basic training a minimum of one (1) hour of training related to missing or murdered indigenous persons including cultural sensitivity training.

The bill passed the House Public Safety Committee by a vote of 13 to 0. The bill will now go to the full House.

**Affordable Housing Tax Credit:**  **HB 2941** by Rep. Monroe Nichols (D-Tulsa) increases the maximum tax credits in the Oklahoma Affordable House Act from $4 million to $5 million.

The bill passed the House A&B Finance Subcommittee by a vote of 7 to 0. It will now go to the full House A&B Committee.

**Law Enforcement/Community Policing Standards:**  **HB 2946** by Rep. Monroe Nichols (D-Tulsa) creates the Oklahoma Community Policing Standards Task Force. The Task Force is to review laws, practices and training programs regarding the use of deadly force in Oklahoma. Included is an appointment of a member of the Association of Chiefs of Police.

The bill passed the House Public Safety Committee by a vote 9 to 4. It will now go to the full House.

**Firearms:**  **HB 3010** by Rep. Tom Gann (R-Inola) amends various sections impacting firearms. The bill says that whenever an individual is carrying a firearm, the firearm must be carried in a general vertical position with the barrel of the firearm safely pointed in a general up or down direction. It also requires a person carrying a firearm to have valid identification on their person while carrying a firearm.

The bill passed the House Public Safety Committee by a vote of 12 to 0. It will now go to the full House.

**Sales Tax/Vendor Discount:**  **HB 3011** by Rep. Tom Gann (R-Inola) alters the interest rate charged for delinquent taxes. The Tax Commission, within three (3) years from the date of payment, may accept an amended “sales or use tax” report or return as a verified claim for refund. Current law’s 2-year limitation for filing a verified claim for refund is deleted. The bill authorizes a vendor to retain 1% of tax due with a maximum allowable of $2,500 per return filed. Provision is also made for consolidated reporting regarding sales and use taxes.

The bill passed the House A&B Subcommittee, General Government by a vote of 5 to 2. It will now go to the full House A&B Committee.

**Scrap Metal Dealer Act:**  **PCS for HB 3031** by Rep. Carol Bush (R-Tulsa) amends the Oklahoma Scrap Metal Dealers Act in a variety of ways including new definitions
for “digital image,” “exempted seller,” “remote storage battery” and “scrap metal.” Changes are made to data required to be maintained by a dealer including digital images, removal of language regarding purchase of 35 pounds or more of scrap metal, alterations to the text of the declaration of ownership, the purchase of a vehicle, trailer or non-motorized recreational vehicle, new exemptions, regulation of copper wire, highway guard rails, remote storage batteries and the like.

The bill passed the House Agriculture and Rural Development Committee by a vote of 15 to 0. It will now go to the full House.

**Elections: HB 3099** by Rep. Mike Osburn (R-Edmond) is new law impacting the death of a candidate for municipal and other local offices who has qualified for the ballot. Changes in the bill include the ballot printing process, consequences of electing the deceased candidate and removal from the ballot. The Secretary of the State Election Board has rulemaking authority.

The bill passed the House Rules Committee by a vote of 7 to 0. It will now go to the full House.

**Firearms/Immunity Claims: HB 3165** by Rep. Kevin West (R-Moore) amends the Oklahoma Firearms Act impacting the claim of immunity for use of defensive force. The change is to the burden of proof. It states that if a prima facie claim of immunity from criminal prosecution has been raised by a person, the State of Oklahoma is required to prove beyond a reasonable doubt that such immunity is not applicable.

The bill passed the House Public Safety Committee by a vote of 13 to 0. It will now go to the full House.

**Pension/Police Disability: HB 3330** by Rep. David Perryman (D-Chickasha) is known as the Sergeant Schoolfield Line of Duty Disability Act. amends the Oklahoma Pension Legislation Actuarial Analysis Act by adding to the definition of a non-fiscal retirement bill. It adds a modification to the disability pension standard for members of the Police Pension System. If the injury results form a violent act against the officer in the performance of their duty, the Pension Board shall find a 100% disability. The bill defines “violent act” as an attack by a dangerous weapon.

The bill passed the House Banking, Financial Services, and Pensions Committee by a vote of 10 to 0. It will now go to the full House.

**PERB: PCS for HB 3376** by Rep. Ross Ford (R-Broken Arrow) amends the Fire and Police Arbitration Act by requiring a municipal employer to recognize an association selected by majority vote as the exclusive bargaining agent for firefighters or police officers. The election process shall be agreed upon by the parties. If unable to agree, either party may require the American Arbitration Association to conduct and certify the election. The election costs will be paid for by the fired department or police department who seeks the election; provided, that if two or more associations seek recognition as the bargaining agent, the associations will pay the election costs. The bill also repeals 11 O.S. Sections 51-104, 51-104a, and 51-104b.

The bill passed the House County and Municipal Government Committee by a vote of 10 to 0. It will now go to the full House.

**Municipal Operations/Municipal Utility Oversight Act: HB 3397** by Rep. Marcus McIntire (R-Duncan) is new law creating the Municipal Utility Oversight Act. Included in its provisions is the creation of a utility review board appointed mostly by district judges. The Board has jurisdiction over complaints, will hold hearings and the Boards determination is final with no right to appeal. There are also requirements for utility bills, methods for computing the bill and meter reading regulations.

The bill passed the House County and Municipal Government Committee by a vote of 8 to 2. It will now go to the full House.

**DEQ/Rules: PCS for HB 3461** by Rep. Todd Russ (R-Cordell) is new law authorizing the Department of Environmental Quality (DEQ) to adopt rules reducing the minimum trench length of new conventional subsurface absorption fields for individual onsite sewage treatment systems. In addition, DEQ has exclusive jurisdiction to regulate all solid pipe and fittings used in the conveyance of wastewater from the stub-out of a house, business or other structure to an on-site sewage treatment system serving the structure. DEQ is authorized for emergency rulemaking.

The bill passed the House Energy and Natural Resources Committee by a vote of 19 to 0. It will now go to the full House.

**Medical Marijuana/Waste Disposal: HB 3474** by Rep. Scott Fetgatter (R-Okmulgee) provides that there is no limit to the number of medical marijuana waste disposal licenses issued by the Oklahoma Medical Marijuana Authority (OMMA).
The bill passed the House Rules Committee by a vote of 7 to 0. It will now go to the full House.

**Law Enforcement/Body Cam Recordings:** [HB 3515](#) by Rep. Regina Goodwin (D-Tulsa) requires law enforcement officers to use audio or video recording at all times when responding to a call for service or at the initiation of any encounter between an officer and an individual. An officer is prohibited from editing, redacting erasing, copying, sharing, altering or distributing any recordings unless authorized by federal or state law or policy of the law enforcement agency. Any officer who violates this law with intent to obstruct justice will be charged with a misdemeanor.

The “do pass motion failed” in the House Public Safety Committee by a vote of 1 to 12. The bill is dead for the legislative session.

**Law Enforcement/Security Guard:** [HB 3517](#) by Rep. Dell Kerbs (R-Shawnee) modifies the definition of “security guard” within the Oklahoma Security Guard and Private Investigation Act by excluding “active reserve certified peace officers from the definition.

The bill passed the House Public Safety Committee by a vote of 12 to 0. It will now go to the full House.

**Personal Privacy Protection Act/Data:** [HB 3613](#) by Rep. Terry O’Donnell (R-Catoosa) is new law protecting certain persons affiliated with any entity organized under Section 501 (c) of the Internal Revenue Code. Impacted are “public agency’s” including any state or local governmental unit and political subdivisions. The bill states detailed data that a public agency is prohibited from requiring exceptions and a penalty provision including treble damages for an intentional violation plus court costs including attorney fees and criminal penalties for a knowing violation.

The bill passed the House Government Efficiency Committee by a vote of 10 to 0. It will now go to the full House.

**CLEET/Training:** [HB 3640](#) by Rep. Cyndi Munson (D-OKC) authorizes CLEET to offer training to officers on how to alert a school about the presence of a minor child or an eighteen (18) year old who is enrolled in high school if that child has been identified at the scene of a traumatic event.

The bill passed the House Public Safety Committee by a vote of 12 to 0. It now will go to the full House.

**Sales Tax Exemption/Museums:** [HB 3776](#) by Rep. John Waldron (D-Tulsa) creates a new sales tax exemption for museums whose primary purpose is to educate about the history of aviation, rocketry and space program.

The bill passed the House A&B Finance Subcommittee by a vote of 7 to 0. It will now go to the full House A&B Committee.

**Law Enforcement/Missing Children:** [HB 3892](#) by Rep. Merleyn Bell (D-Norman) amends 74 O.S. Section 1501.12A regarding law enforcement’s duties following a report of a missing or runaway person. New language requires the reporting agency to collect detailed biographical and contact information for all involved parties, including any reporting party, alleged suspects and the alleged missing or involved child.

The bill passed the House Public Safety Committee by a vote of 10 to 2. It will now go to the full House.

**Law Enforcement/Missing Children:** [HB 3893](#) by Rep. Merleyn Bell (D-Norman) amends 74 O.S. Section 1501.12A to increase the duties of the law enforcement agency which receives a report of a missing child. Within two (2) hours the agency must inform various individuals and agencies as well as obtain a photo from the State Department of Education.

The bill passed the House Public Safety Committee by a vote of 8 to 4. It will now go to the full House.

**Medical Marijuana/Location/Certificate of Compliance:** [PCS for HB 3954](#) by Rep. Scott Fetgatter (R-Okmulgee) amends various sections impacting medical marijuana. Included is how to measure distance between a retail marijuana establishment and a public or private school entrance. The bill provides that the distance is measured from the nearest property line of the public or private school to the front entrance of the retail marijuana establishment. The bill also states that a medical marijuana businesses that has submitted a certificate of compliance with the municipal government in which it resides to the OMMA does not need any additional certificates of compliance for license renewal unless there is a change to the facility that requires additional inspection, licensure, or permits. Removed is the prohibition that an officer or employee of a municipality cannot be issued a medical marijuana business license. The prohibition on a police officer is still in the bill. There are changes to packaging requirements and adjusting non-residents to hold a valid marijuana license under conditions in this bill. The bill also states that a medical
marijuana businesses that has submitted a certificate of compliance with the municipal government in which it resides to the OMMA does not need any additional certificates of compliance for license renewal unless there is a change to the facility that requires additional inspection, licensure, or permits.

The bill passed the House Rules Committee by a vote of 6 to 1. It will now go to the full House.

Marijuana/Transportation:  **HB 3956** by Rep. Fetgatter (R-Okmulgee) and Sen. Rob Standridge (R-Norman) makes several changes involving transporter agents. The agent shall be exempt from the two-year or five-year Oklahoma residency requirement and the annual fee for a transporter agent license is reduced from $100 to $25 and proof of residency is no longer required.

The bill passed the House Rules Committee by a vote of 7 to 0. It will now go the full House.

Marijuana/Regulations:  **HB 3957** by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Rob Standridge (R-Norman) amends several areas of medical marijuana including dispensaries, licensing, products for sale and the penalty provision. Beginning November 1, 2020, licensed dispensaries shall be authorized to grind and offer for sale pre-rolled marijuana cigarettes to licensed marijuana patients or licensed marijuana caregivers.

The bill passed the House Rules Committee by a vote of 7 to 0. It will now go to the full House.

Medical Marijuana/OMMA:  **PCS for HB 3959** by Rep. Scott Fetgatter (R-Okmulgee) makes the Oklahoma Medical Marijuana Authority (OMMA) beginning July 1, 2021, as its own agency. The bill replaces the Department of Health with OMMA where applicable. The Authority’s executive director will be appointed by the governor and the board will have nine (9) members. It also clarifies the medical marijuana dispensary license applications.

The bill passed the House Rules Committee by a vote of 7 to 0. It will now go to the full House.

**Governmental Tort Claims Act:  SB 1110** by Sen. Michael Bergstrom (R-Adair) expands the definition of “political subdivision” to include a sub-state planning district, regional council of government or other entity created via 74 O.S. Section 1001 and following. The change is only for the purposes of the GTCA.

The bill passed the Senate Judiciary Committee with the title stricken by a vote of 10 to 0. It will now go to the full Senate.

**CLEET/Training:  PCS for SB 1200** by Sen. Roger Thompson (R-Okemah) removes the appointing authority for the Executive Director of CLEET from the council and gives it to the Governor. It creates a thirteen (13) member Advisory Council. It authorizes the Basic Peace Officer Certification Academies and other training facilities to determine their own rates for training. CLEET must provide a report on the application and approval process to establish a training facility to the Secretary of Public Safety for review and approval no later than November 1, 2020. The applications must be approved or denied within 30 days of the receipt of the application. CLEET is directed to coordinate with the Department of Career and Technology Education to develop a curriculum no later than November 1, 2020.

The bill passed the Senate Appropriations Committee with the title stricken by a vote of 15 to 4. It will now go to the full Senate.


The bill passed the Senate Appropriations Committee with the title stricken by a vote of 20 to 0. It will now go to the full Senate.

**Governmental Tort Claims Act/Regional Transportation Authorities:  SB 1263** by Sen. Adam Pugh (R-Edmond) adds regional transportation authorities created by 68 O.S. Section 1370.7 to the definition of “political subdivision.” The bill contains details including contracting with certain operators or any railroad operating in interstate commerce.

The bill passed the Senate Judiciary Committee by a vote of 10 to 0. It will now to the full Senate.

**Law Enforcement/Traffic Quotas:  SB 1264** by Sen. Nathan Dahm (R-Broken Arrow) is new law prohibiting a political subdivision from evaluating, promoting, compensating or disciplining a peace officer for issuing a specific number of traffic citations, and a judge for collecting a certain dollar amount of money. Officials who violate the provisions of this bill may be removed from office if they are elected officials or removed from his/her position if they are nonelected.
The bill passed the Senate General Government Committee by a vote of 10 to 0. It will now go to the full Senate.

**OWRB/Flood Plan:**  [SB 1269](#) by Sen. Dave Rader (R-Tulsa) is new law authorizing OWRB to adopt a comprehensive flood plan.

The bill passed the Senate Appropriations Committee with the title stricken by a vote of 20 to 0. It will now go to the full Senate.

**Medical Marijuana/Smoking in Public Places:**  [SB 1296](#) by Sen. Lonnie Paxton (R-Tuttle) amends the Smoking in Public Places and Indoor Workplaces Act by authorizing the prohibition of tobacco smoking or vaping, marijuana smoking or vaping or other lawful products which are consumed or used in a smoked or vaporized manner. This applies to buildings or other property or portion thereof owned or operated by a county or municipal government.

The bill passed the Senate Public Health and Human Services Committee by a vote of 9 to 0. It will now go to the full Senate.

**Municipal Court/Collection of Fines and Costs:**  [SB 1297](#) by Sen. Lonnie Paxton (R-Tuttle) amends 68 O.S. Section 205.2 allowing municipal court to collect a debt, unpaid “municipal or district court” fines and costs from an individual who has filed a state income tax refund by making a claim with the Oklahoma Tax Commission.

The bill passed the Senate Judiciary Committee by a vote of 10 to 0. It will now go to the full Senate.

**Annexation:**  [SB 1330](#) by Sen. John Montgomery (R-Lawton) and Rep. Trey Caldwell (R-Lawton) prohibits a municipality from annexing territory or property which is a permanent structure used for indoor, seasonal sale of goods, is over 6,000 square feet and has been in operation for at least 15 years.

The bill passed the Senate General Government Committee by a vote of 9 to 1. It will now go to the full Senate.

**CLEET/Training:**  [SB 1353](#) by Sen. Adam Pugh (R-Edmond) requires law enforcement agencies, by November 1, 2023, to have 25% of a full-time peace officers certified by CLEET trained in crisis intervention training, as provided by the Department of Mental Health and Substance Abuse Services. Beginning January 1, 2021, reserve officers training must include one (1) hour of crisis intervention training. By January 1, 2021, CLEET must include a minimum of four (4) hours in crisis intervention training in the basic course.

The bill passed the Senate Appropriations Committee with the title stricken by a vote of 20 to 0. It will now go to the full Senate.

**Workers’ Compensation/Chiropractic Services:**  [SB 1375](#) by Sen. Kim David (R-Porter) amends the Workers’ Compensation Act by adding “chiropractic” services to required treatment, including in certified workplace medical plans.

The bill passed the Senate Judiciary Committee by a vote of 11 to 0. It will go to the full Senate.

**Tobacco/Age Limit Increase:**  [SB 1423](#) by Sen. Greg McCortney (R-Ada) and Sen. Kevin Wallace (R-Wellston) makes a number of changes to tobacco and vapor products. Included are increasing the legal tobacco possession and distribution age from 18 to 21 with over ten statutes being amended to make this age correction.

The bill passed the Senate Health and Human Services Committee by a vote of 10 to 0. It will now go to the full Senate.

**Courts/Fines and Costs:**  [SB 1425](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Chris Kannady (R-OKC) amends 22 O.S. Section 983 regarding failure to pay court fines, costs, fees or assessments. This includes disclosures, court hearings with new standards, steps required before a sentence of incarceration for non-payment or adjustment if the defendant is found unable to pay and the like.

The bill passed the Senate Judiciary Committee by a vote of 10 to 0. It will go to the full Senate Appropriations Committee.

**Veterans’ Sales Tax Registry:**  [SB 1440](#) by Sen. Frank Simpson (R-Ardmore) and Rep. David Hardin (R-Stilwell) amends the current sales tax exemption for disabled veterans in several ways. A veteran disabled who received his/her sales tax exemption prior to November 1, 2020 shall be required to register with the veterans’ registry prior to July 1, 2022, in order to remain qualified. In addition, the Tax Commission is authorized to provide information to the Department of Veterans Affairs for eligibility of each individual who qualifies for the disabled veteran sales tax exemption. Also, additional rulemaking is given to the Tax Commission and the Tax Commission may request verification of eligibility for the sales tax exemption from the veterans’ registry.
The bill passed the Senate Finance Committee with the title stricken by a vote of 8 to 0. It will now go to the full Senate.

Law Enforcement/Impaired Driving: SB 1464 by Sen. Kim David (R-Porter) impacts revoking drivers licenses in a number of ways. It makes changes to court and operational processes, ignition interlock devices, participation in the Impaired Driver Accountability Program, which licensed individuals are authorized to withdraw blood for concentration of alcohol or other intoxicating substances, collection requirements involving law enforcement officers, laboratory testing requirements and the like.

The bill passed the Senate Public Safety Committee by a vote of 9 to 1. It will go to the full Senate.

Personal Privacy Protection Act/Data: SB 1491 by Sen. Julie Daniels (R-Bartlesville) is new law protecting certain persons affiliated with any entity organized under Section 501 (c) of the Internal Revenue Code. Impacted are “public agency’s” including any state or local governmental unit and political subdivisions. The bill states detailed data that a public agency is prohibited from requiring, exceptions and a penalty provision including treble damages for an intentional violation plus court costs including attorney fees and criminal penalties for a knowing violation.

The bill passed the Senate Judiciary Committee by a vote of 10 to 0. It will now go to the full Senate.

Hemp/License: SB 1528 by Sen. Lonnie Paxton (R-Tuttle) changes 2 O.S. Section 3-403 by stating a license is authorized to “engage in the growth, cultivation, handling or processing of industrial hemp.”

The bill passed the Senate Agriculture and Wildlife Committee by a vote of 12 to 0. It will now go to the full Senate.

OMPA: SB 1561 by Sen. Chuck Hall (R-Perry) amends Title 62 O.S. Section 35.3 by in the Information Technology Consolidation and Coordination Act is amended to add OMPA to the definition of “state agency.”

The bill passed the Senate General Government Committee by a vote of 10 to 0. It will now go to the full Senate.

Finance/Performance-Based Efficiency Contract: SB 1564 by Sen. Chuck Hall (R-Perry) amends 61 O.S. Section 212 impacting performance-based efficiency contracts. Contracts for financing are amended by increasing the term from 20 years to 25 years. Also, in calculating the cost savings, the public entity may consider capital cost avoidance and include additional revenue that is directly attributed to the performance-based efficiency contract.

The bill passed the Senate General Government Committee by a vote of 10 to 0. It will now go to the full Senate.

CLEET/Human Trafficking: SB 1569 by Sen. Wayne Shaw (R-Grove) amends 70 O.S. Section 70 O.S. Section 3311.5 by directing CLEET to establish appropriate training resources focused on human trafficking. This includes, but is not limited to, identification, understanding effects of trauma and victimization and training of effective screening protocol.

The bill passed the Senate Appropriations Committee with the title stricken by a vote of 20 to 0. It will now go to the full Senate.

Mental Health Transport: PCS for SB 1606 by Sen. David Bullard (R-Durant) directs peace officers and sheriffs to use telemedicine, when capability is available, to assess a person the officer believes should receive mental health treatment. For the security of the jurisdiction, the officer shall transport the individual to a designated site, facility or emergency detention, or protective custody for initial contact. “Initial contact” shall include, but not be limited to, contact with an individual in need of examination, emergency detention or protective custody made by a law enforcement officer. Initial contact does not include an individual self-presenting at a hospital, medical or mental health treatment center or crisis center. Once an individual has been transported by a law enforcement officer or self-presented to a treatment facility, the Department of Mental Health and Substance Abuse Services is responsible for any subsequent transportation of the individual pending completion of the examination, emergency detention, protective custody or inpatient services.

The bill passed the Senate Appropriations Committee with the title stricken by a vote of 18 to 2. It will now go to the full Senate.

Drug Testing/Volunteers: SB 1687 by Sen. Lonnie Paxton (R-Tuttle) amends the Standards for Workplace Drug and Alcohol Testing Act. The definition of “employer” is altered to include “volunteer opportunities
The bill passed the Senate Business, Commerce and Tourism Committee by a vote of 8 to 0. It will now go to the full Senate.

Sales Tax Exemption/University Hospitals Trust:  **SB 1703** by Sen. Roger Thompson (R-Okemah) expands the sales tax exemptions for the University Hospitals Trust by adding nonprofit entities which have entered into joint operating agreements with the trust. The effective date was amended in committee from November 1, 2020 to July 1, 2021.

The bill passed the Senate Finance Committee with the title stricken by a vote of 7 to 0. It will now go to the full Senate Appropriations Committee.

Sales Tax Exemption/Women Veterans:  **SB 1704** by Sen. Michael Brooks (D-OKC) and Rep. Nicole Miller (R-Edmond) creates a new sales tax exemption for entities who communicate and associate with women veterans and provides them assistance.

The bill passed the Senate Finance Committee with the title stricken by a vote of 8 to 0. It will now go to the full Senate Appropriations Committee.

Residential Building Design/Preemption:  **SB 1713** by Sen. Kim David (R-Porter) is new law forbidding municipalities to regulate single-family residential building design elements unless a number of elements are followed as specified in the bill. There are elements to regulation as well as new definitions.

The bill passed the Senate Business, Commerce and Tourism Committee with the title stricken by a vote of 9 to 1. It will now go to the full Senate.

**OWRB/Permit Process:**  **PCS for SB 1742** by Sen. Kim David (R-Porter) creates a process for protesting a groundwater permit. Each protest must be submitted in writing to the Board and contain: 1) the name, address and location of any groundwater wells of the interested party that are owned or operated within 1,320 feet of the well locations described in the application; 2) a statement of specific allegations showing that the application does not comply with the provisions of Section 1020.9 of Title 82 and will have a direct, substantial and immediate effect upon a legally protected interest of the interested party; and 3) a statement of the relief sought by the interested party. Any administrative hearing shall comply with the Administrative Procedures Act and any rules promulgated by the Board. If there is no written protest within thirty (30) days, the application is considered complete. After a determination that the requirements in Section 1020.9 of Title 82 have been met the Board has thirty (30) days to issue the permit. The bill provides for additional authority for the executive director to issue temporary and regular permits that have not been the subject of protest.

The bill passed the Senate Energy Committee by a vote of 10 to 1. It will now go to the full Senate.

**Law Enforcement/P25 Communication: PCS for SB 1813** by Sen. Gary Stanislawski (R-Tulsa) amends 62 O.S. Section 35.6.2 impacting public safety radio networks. Effective January 1, 2021, any new public safety radio network purchased by law enforcement agency in this state including, but not limited to, municipalities and sheriff offices, emergency services, first responders and statewide transportation departments shall be P25 compliant.

The bill passed the Senate Appropriations Committee with the title stricken by a vote of 19 to 0. It will now go to the full Senate.

**OMPA:**  **SB 1842** by Sen. Chuck Hall (R-Perry) authorizes the Oklahoma Municipal Power Authority (OMPA) to hold executive sessions to discuss security plans and procedures including, but not limited to cybersecurity matters. The same language is placed in the Open Records Act making these records confidential.

The bill was amended in committee to remove Section 3 of the bill because it is addressed in SB 1561.

The bill passed the Senate General Government Committee by a vote of 10 to 0. It will now go to the full Senate.

**Ambulance/Paramedic:**  **SB 1874** by Sen. Paul Rosino (R-OKC) and Rep. Brian Hill (R-Mustang) amends the Oklahoma Emergency Response Systems Development Act by adding definitions for “community paramedic” and “community paramedic services.” In addition, 63 O.S. Section 1-2503 is repealed.

The bill passed the Senate Health and Human Services Committee by a vote of 11 to 0. It will now go to the full Senate.

**Occupational Licensing/Regulations:**  **SB 1891** by Sen. Adam Pugh (R-Edmond) is new law creating the Universal Occupational License Recognition Act. The bill requires a person be able to obtain an occupational license who has established residency or is married to an active
duty member of the armed forces and who is accompanying the member to an official permanent change of station to a military installation. There are detailed requirements that must be met and exceptions. In addition, an occupational license shall be issued to a person based on work experience in another state if detailed requirements are met. All licenses must be reviewed not less than once every four (4) years and the least restrictive regulations must be used to protect consumers.

The bill passed the Senate Business, Commerce and Tourism Committee by a vote of 7 to 1. It will now go to the full Senate Appropriations Committee.

Unmanned Aircraft Systems Development Act of 2020: SB 1896 by Sen. Michael Bergstrom (R-Adair) creates the Unmanned Aircraft Systems Development Act of 2020. It defines “manned aircraft” as an aircraft operated with a person in or on the aircraft. It also defines “model aircraft” to mean an aircraft that is mechanically driven or launched into flight and that meets all of the following requirements: 1) is flown solely for hobby or recreational purposes; and 2) is not used for payment, consideration, gratuity or benefit, directly or indirectly charged, demanded, received or collected by any person for the use of the aircraft or any photographic or video imaged produced by the aircraft. It defines “unmanned aircraft” as an aircraft that is operated without the possibility of human intervention from within or on the aircraft. “Unmanned aircraft system” is defined as an unmanned aircraft and associated elements including communication links and components that control the unmanned aircraft that are required for the pilot in command to operate safely and efficiently in the national airspace system.

The bill passed the Senate Transportation Committee with the title stricken by a vote of 9 to 0. It will now go to the full Senate Appropriations Committee.

Homeland Security/Emergency Management Consolidation: SB 1916 by Sen. Wayne Shaw (R-Grove) provides that the Office of Homeland Security shall be a division under the Oklahoma Department of Emergency Management. It provides for the appointment of a Homeland Security Advisor and changes in a variety of statutes to provide for the advisor.

The bill passed the Senate Public Safety Committee by a vote of 11 to 0. It will now go to the full Senate Appropriations Committee.

Next Week at the Capitol

Monday, February 24, 2020
Senate Public Safety Committee
Room 230 After Adjournment 1

Law Enforcement/Peace Officer Definition: SB 1565 by Sen. Darrell Weaver (R-Moore) amends 21 O.S. Section 99 adding to definition of “peace officer” that he/she is certified by CLEET. In addition, no agency rule shall prevent a peace officer, as defined in 21 O.S. Section 99, from rendering assistance under the circumstances enumerated in paragraphs 1 through 5 of subsection A of section 99a.

CLEET/Consolidation: PCS for SB 1602 by Sen. Micheal Bergstrom (R-Adair) creates the 13-member Law Enforcement Unification Commission. The Commission shall evaluate and make recommendations concerning the unification of public safety agencies within this state.

9-1-1: PCS for SB 1845 by Sen. Darrell Weaver (R-Moore) and Rep. Johnny Tadlock (R-Idabel) the bill requires training for 9-1-1 call takers on High Quality Telecommunicator Cardiopulmonary Resuscitation (TCPR) for acute events requiring CPR. TCPR training shall follow evidence-based, nationally recognized guidelines for high-quality TCPR which incorporates recognition protocols for out-of-hospital cardiac arrest and continuous education. The bill also repeals 63 O.S. Sections 2818.4 and 2820.

House Agriculture and Rural Development Committee
Room 432A at 3:00 p.m.

Preemption/Livestock: PCS for HB 2008 by Rep. Gary Mize (R-Edmond) is new law prohibiting the state or political subdivisions from terminating, banning or effectively banning by creating undue financial hardship on the job or use of livestock in support of a family. The definition of “livestock” includes horses, cattle, mules, asses, sheep, swine, goats, poultry and any other livestock. Livestock does not include feral swine or birds engaged in cockfighting. Nothing in this bill shall prohibit the enactment or enforcement or county, municipality, state agency or political subdivision ordinances, regulations or rules that regulate animal care or public health and safety.

Hemp Licenses: HB 3786 by Rep. Scott Fetgatter (R-Okmulgee) amends 2 O.S. Section 3-403 eliminating certain industrial hemp licenses authorized activities.
Advocating for Your Community

This year, several bills have been filed that will have a negative impact on our members, which means we need YOU more than ever. Here are a few tips to help you help us.

Stay vigilant, stay informed. Let OML be your clearing house for legislative information and news. OML sends out many GRIP Alerts to our members to let you know when a pressing issue needs your attention. Pay attention to these emails, as we send them for your benefit. You can also read any version of any bill on the Legislature’s website at oklegislature.gov.

Be active. If you can’t be at the Capitol, call, text, and email your legislators. They want to hear from you!

Act swiftly. Often times, bills heard in committee or on the floor can come and go very quickly. This means that you have a small window to communicate with your legislators. Same day action is paramount.

Send us your comments. Is a particular issue or bill important to your community? Tell us about it. We also frequently send out bills and ask for comments from you for guidance. These comments remain completely in-house, so don’t be afraid to speak up. Your words are safe with us!

Build a coalition. Never has the phrase “strength in numbers” been more relevant. Discuss these issues with community leaders and surrounding municipalities. Collaboration is invaluable in the legislative process.

Build a relationship with your legislators. Legislators appreciate hearing from their constituents back home. They’re also usually happy to give their phone numbers and email addresses out to remain in contact with you.

Future Issues

Look for the Legislative Advocate to highlight bills that exemplify the ways in which municipalities are squeezed dry. We will also highlight some positive developments from the Capitol including bills that we are lobbying on behalf of individual members.

Cities and towns either win or lose together at the State Capitol since it takes a majority of legislators from all over the state—whether urban or rural, democrat or republican—to carry the day. The number-one ingredient for success at the legislature and state agencies is a united collective municipal voice.