



*In This Issue*

Deadline Week is Approaching	1
Bills on the Move	2



**Oklahoma Municipal League**

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# OML ADVOCATE

**Issue No. 05-18**

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**DEADLINE WEEK IS APPROACHING – STAY ALERT**

Thursday, March 15th, marks the second deadline of hearing bills on the floor in the House and Senate. There are several bills still alive that are harmful to municipalities. OML needs you to contact your legislators and ask them to vote NO on these bills that preempt your ability to control your city or town.

**SB 1272** by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Josh Cockroft (R-Tecumseh) 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.

**SB 1259** by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Josh Cockroft (R-Tecumseh) 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.

**SB 1465** by Sen. James Leewright (R-Bristow) and Rep. Tim Downing (R-Purcell) creates new law preempting political subdivisions regarding auxiliary containers. An auxiliary container is any bag, cup, package, container, bottle or other packing that is made of a variety of substances designed for, but not limited to, consuming, transporting, or protecting merchandise, food or beverages from a food service facility or retail facility. Political subdivisions are prohibited from restricting, taxing, prohibiting or issuing any ordinance regulating the use, disposition or sale of auxiliary containers. An exception for this preemption is if the use of the auxiliary container is on property owned by a county or municipality. Nothing shall prohibit or limit any county or municipal ordinance or agreement regarding a recycling program or the disposal of solid waste.

**SB 1494** by Sen. James Leewright (R-Bristow) and Rep. Mark Lawson (R-Sapulpa) 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.

[SB 1369](#) by Sen. Chris Kidd (R-Addington) and Rep. John Jordan (R-Yukon) 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” for unfair labor practice authority as appointed as contained in the bill. Provision is made for a new “Labor Board” to consider union organization petitions. The Labor Board is defined as the Labor Commissioner and his or her designees. The Oklahoma Department of Labor is authorized to prescribe regulations. The bill contains for unfair labor practices the 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 and the like. Both Boards may subpoena witnesses, documents, notices or other process. The bill contains details. 11 O.S. Section 51-104a , as amended by Section 51, Chapter 304, O.S.L. 2012 (11 O.S. Supp. 2017, Section 51-104a), is repealed.

[SB 1374](#) by Sen. Jason Smalley (R-Stroud) and Rep. Josh Cockroft (R-Tecumseh) 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 bill impacts bicycle sharing companies which is an entity that makes dockless bicycles available for private use by reservation through an online application, software or website. Regulation via the Oklahoma Tourism and Recreation Department includes licensing, permitting, insurance requirements and mandates for a company’s online application, software or website. The Department may charge a fee and is authorized for rule-making. No political subdivision may impose a tax on, or require 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 requirements for rates, entry, operational or other requirements.

[SB 1475](#) by Sen. Adam Pugh (R-Edmond) and Rep. Mike Osburn (R-Edmond) creates the Occupational Licensing Review Act creating the Occupational Licensing Advisory Commission. The Commission shall review each occupational or professional licensing act in this state. This includes a public meeting with a vote to determine whether to recommend to the Legislature that the license be maintained, modified, or repealed. Forms shall be developed for consistent evaluation and review of licenses, permits and the like which may be issued by a state regulatory authority, or required by law or rule, before a person may lawfully engage in a particular occupation, profession, trade or business. The Commission may recommend rules and the Department of Labor shall develop rules governing the implementation, duties and responsibilities of the

Commission as provided in the Occupational Licensing Review Act.

[SB 1174](#) by Sen. Kimberly David (R-Porter) and Rep. Glen Mulready (R-Tulsa) 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.

[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.

### **BILLS ON THE MOVE**

Here is a snapshot of bills impacting cities and towns.

**Occupational License/Pardon and Parole Board:** [HB 2286](#) By Rep. Terry O’Donnell (R-Catoosa) and Sen. Greg Treat (R-OKC) is a bill running over 85 pages impacting various areas of law. Included in Section 16 is a prohibition for a “licensing board” to deny, suspend or revoke an occupational license or certificate for the sole purpose that the applicant has previously been convicted of a crime subject to the certificate of rehabilitation created in the bill. A licensing board includes a municipality that issues a license.

The bill is in conference committee and legislative action is expected soon.

**Municipal Court/Criminal Procedure:** [SB 689](#) by Sen. Greg Treat (R-OKC) and Rep. Terry O'Donnell (R-Catoosa) is a detailed bill exceeding 65 pages amending various statutes in Title 22. Included are changes to the Oklahoma Community Sentencing Act impacting risk and needs assessments, court procedures, intervention programs, sentencing considerations, suspended sentences, deferred judgments and the like. The bill contains details.

The bill is in conference committee and legislative action is expected soon.

**Law Enforcement/Burglary:** [SB 786](#) by Sen. Greg Treat (R-OKC) and Rep. Ben Loring (D-Miami) amends the definition and penalty for burglary. In addition, new law creates penalty for breaking into any coin-operated or vending machine or device.

The bill is in conference committee and legislative action is expected soon.

**Open Meeting Act/Executive Session Expansion:** [SB 898](#) by Sen. Roger Thompson (R-Okemah) and Rep. Greg Babinec (R-Cushing) adds two additional items to matters that can be discussed in executive session. The first is safety and security at state penal institutions or correctional facilities and the second is contract negotiations involving contracts for which the public body has the duty to approve. Contract negotiations in executive session are limited to members of the public body, its attorney and immediate staff. No person who may profit directly or indirectly by a proposed transaction which is under consideration may be present or participate in the executive session. See HB 2633.

The bill passed the Senate with the emergency clause by a vote of 44-0.

**Firearms/Retention of Sidearms/Doc Retirement:** [SB 908](#) by Sen. Roger Thompson (R-Okemah) and Rep. Greg Babinec (R-Cushing) adds the sidearm carried by a Department of Corrections correctional officer to the list of items the individual may retain upon retirement.

The bill passed the Senate by a unanimous vote.

**Firearms/Handgun:** [SB 910](#) by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Sean Roberts (R-Hominy) amends 21 O.S. Section 1290.8 by authorizing a person in possession of a valid handgun license or a valid military ID to carry a concealed or unconcealed handgun while

“scouting”, hunting or fishing. Current law is limited to “bow” hunting or fishing.

The bill passed the Senate with the amendment adopted by a vote of 44-0.

**CLEET/Basic Peace Officer:** [SB 1023](#) by Sen. Greg McCortney (R-Ada) and Rep. Todd Thomsen (R-Ada) authorizes CLEET to conduct full-time Basic Peace Officer Certification Academies and other law enforcement related training for individuals not commissioned or appointed by a law enforcement agency.

The bill passed the Senate with the amendment adopted by a vote of 41-1.

**Drones/Regulation:** [SB 1088](#) by Sen. Frank Simpson (R-Ardmore) and Rep. Pat Ownbey (R-Ardmore) authorizes unmanned aircraft systems (UAS) for inspection purposes for pipeline companies and utility companies. The bill contains details.

The bill passed the Senate by a vote of 40-4.

**Drones/Law Enforcement:** [SB 1100](#) by Sen. Frank Simpson (R-Ardmore) and Rep. Pat Ownbey (R-Ardmore) authorizes law enforcement to use unmanned aircraft systems (UAS) in the performance of its mission. Law Enforcement agencies shall establish policy, administrative rules and standard operating procedures for UAS use. The bill contains details on required elements.

The title was stricken after failing the Senate and being held on a motion to reconsider. The bill then failed a second time by a vote of 23-21.

**Right-of-Way/High-Wide Corridors:** [SB 1114](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Terry O'Donnell (R-Catoosa) creates a number of specific high-wide corridors in different geographical areas of the state with permits issued by DPS. Exclusive of municipal limits, no person may install any structures within the affected area without a permit from the Department of Transportation and several specific actions are prohibited. The Department of Transportation shall create additional design standards for improvements to prevent interference from permanent structures as described in the bill. 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 agreement with persons using the high-wide routes to provide timely vehicle escorts.

The bill passed the Senate by a unanimous vote.

**Water/DEQ:** [SB 1147](#) by Sen. Frank Simpson (R-Ardmore) and Rep. Tommy Hardin (R-Madill) amends DEQ's jurisdiction in 27A O.S. Section 1-3-101 by adding the development and utilization of policies and requirements necessary for the implementation of Oklahoma Groundwater Quality Standards to the extent that the implementation of such standards are within the scope of the Department's jurisdiction, including but not limited to the establishment of points of compliance when warranted."

The bill passed the Senate by a vote of 35-10.

**Police Pension/Benefits:** [HB 2515](#) by Rep. Randy McDaniel (R-Edmond) makes various changes to the Police Pension System impacting benefits in order to remain an IRS qualified plan. Included are benefits payable, including from the deferred option plans, shall be paid from general assets of the Fund and a permanent and total impairment equates to 100% of accrued retirement benefit.

The bill passed the House by a unanimous vote.

**Public Employees' Pension/Benefits:** [HB 2516](#) by Rep. Randy McDaniel (R-Edmond) changes the Oklahoma Public Employees Retirement system regarding service credit for unused sick leave.

The bill passed the House by a unanimous vote.

**Law Enforcement/Consolidation:** [HB 2910](#) by Rep. Bobby Cleveland (R-Slaughterville) and Sen. Nathan Dahm (R-Broken Arrow) consolidates the Bureau of Narcotics and Dangerous Drugs Control and the OSBI. This bill, over 300 pages, contains details.

The bill passed the House by a vote of 54-42.

**Veteran Center/Talihina:** [HB 3042](#) by Rep. Chris Kannady (R-OKC) and Sen. Frank Simpson (R-Ardmore) 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 contains details.

The bill passed the House by a vote of 57-33.

**Drug Courts/Treatment Providers:** [SB 1067](#) by Sen. A J Griffin (R-Guthrie) and Rep. Carol Bush (R-Tulsa) amends the Oklahoma Drug Court Act by requiring

treatment providers to be certified and evaluated annually by the Department of Mental Health and Substance Abuse Services.

The bill passed the Senate by a vote of 44-1.

**Nursing Homes/Administrator:** [SB 1328](#) by Sen. Jason Smalley (R-Stroud) and Rep. Carol Bush (R-Tulsa) authorizes long-term administrators to be the administrator of record for "two (2) facilities" provided they are within 50 mile radius of each other, the sum total of the administrator's responsibility does not exceed more than 120 occupied beds, and "one of the two (2) facilities" retains "a certified" assistant administrator. Current law is broader since it allows for "more than one facility" and does not require a certified assistant administrator. See [SB 1444](#).

The bill passed the Senate by a unanimous vote.

**Underground Facilities Damage Prevention Act:** [SB 997](#) by Sen. Dave Rader (R-Tulsa) and Rep. Todd Thomsen (R-Ada) alters the definition of "underground facility" by removing "refined petroleum products" and substituting "intra state and interstate gas pipelines" and "hazardous liquid or carbon dioxide pipelines". Language is also removed for oil and natural gas pipelines subject to the Hazardous Liquid Transportation System Safety Act and the jurisdiction of the Corporation Commission Pipeline Safety Department.

The bill passed the Senate by a vote of 41-2.

**Law Enforcement/Controlled Dangerous Substances:** [SB 1078](#) by Sen. A J Griffin (R-Guthrie) and Rep. Tim Downing (R-Purcell) adds substances to the Trafficking in Illegal Drugs Act.

The bill passed the Senate by a vote of 42-1.

**Law Enforcement/Notification of Child Abuse or Neglect:** [SB 1150](#) by Sen. A J Griffin (R-Guthrie) and Rep. Tim Downing (R-Purcell) 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 the Senate with the emergency clause by a vote of 39-4.

**Firearms/Unlawful Carry:** [SB 1212](#) by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Sean Roberts (R-

Hominy) adds “wildlife refuge, wildlife management area” to area designated by a municipality in the exception section for concealed carry prohibition.

The bill passed the Senate by a unanimous vote.

**Firearms/Deadly Force:** [HB 2632](#) by Rep. Greg Babinec (R-Cushing) and Sen. Micheal Bergstrom (R-Adair) adds places of worship to 21 O.S. Section 1289.25 regarding the use of deadly force.

The bill passed the House by a vote of 62-21 but has been held on a motion to reconsider.

**Scrap Metal/Reporting:** [HB 2950](#) by Rep. Carol Bush (R-Tulsa) and Sen. Jason Smalley (R-Stroud) amends the Oklahoma Scrap Metal Dealer Act impacting photo identification, internet reporting method for municipalities, digital image, purchasing copper wire with documentation requested by law enforcement and scrap metal dealer purchasing a vehicle.

The bill passed the House by a vote of 70-14.

**Forensic Labs/Accreditation:** [HB 3134](#) by Rep. Mike Ritze (R-Broken Arrow) and Sen. Josh Brecheen (R-Coalgate) amends the accreditation of forensic laboratories in 74 O. Section 150.37. It impacts the definitions of “accrediting body”, “ISO/IEC 17025”, “forensic laboratory”, toxicology analysis”, “internationally recognized”, “ISO/IEC 17020” and “supplemental accreditation requirements.”

The bill passed the House by a vote of 79-1.

**Law Enforcement/Stalking:** [HB 3260](#) by Rep. Mark McBride (R-Moore) and Sen. Anthony Sykes (R-Moore) amends the definition of stalking in 21 O.S. Section 1173 by adding a definition of “following” to include a GPS device or other monitoring device. The bill contains details.

The bill passed the House with the emergency clause by a vote of 74-7.

**Controlled Dangerous Substances/Electronic Prescribing:** [HB 2931](#) by Rep. Glen Mulready (R-Tulsa) and Sen. A J Griffin (R-Guthrie) amends the Uniform Controlled Dangerous Substances Act by requiring electronic prescriptions with several exceptions.

The bill passed the House by a vote of 62-25.

**Rural Physicians/Physician Assistant:** [HB 2987](#) by Rep. Marcus McEntire (R-Duncan) and Sen. Ervin Yen (R-OKC) amends the Physician Manpower Training

Commission adding physician assistants to the educational loan repayment assistance of the Oklahoma Medical Loan Repayment Program. Removed from current law is the authority to pay stipends to residents in exchange for a commitment to serve in rural or underserved areas. The maximum rural population criteria of 7,500 or less may be waived by the Commission. The Commission is given rulemaking authority.

The bill passed the House by a vote of 73-10.

**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 meetings 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 passed the House with the emergency clause by vote of 79-0.

**Agriculture/Limitation of Liability:** [HB 3416](#) by Rep. John Pfeiffer (R-Mulhall) amends the Oklahoma Limitation of Liability for Farming and Ranching Land Act. It removes current law that the Act “applies only to an owner of land who does not charge more than \$10 per acre per year for land used for recreational purposes” In addition, the definition of “charge” is deleted as well as current law impacting land leased to the state or subdivision thereof, that any consideration received by the owner for the lease shall not be deemed a charge.

The bill passed the House by a vote of 76-1.

**Law Enforcement/Reporting:** [HB 2629](#) by Rep. Greg Babinec (R-Cushing) and Sen. Tom Dugger (R-Stillwater) This bill by Rep. Nichols amends the reporting requirements by medical personnel in 22 O.S. Section 40.3A. Incidents must be reported “within 24 hours”. Current law states “promptly”. In new law, upon a report of sexual assault from a health care professional, law enforcement shall collect and take into custody results of examinations, notes, x-rays, photographs and other relevant records within 7 days. The bill contains additional time frames, reporting requirements and specific details.

The bill passed the House by a vote of 87-3.

**Law Enforcement/Vehicle Registration:** [HB 2649](#) by Rep. Steven Vaughan (R-Ponca City) and Sen. Larry Boggs (R-Wilburton) adds to the Oklahoma Vehicle License and Registration Act a definition for “living quarters” and alters the definition of vehicle to include livestock trailers that include a living quarters whose MSRP is at least \$65,000.

The bill failed the House and was held on a motion to reconsider.

**Law Enforcement/DNA Collection:** [HB 3439](#) by Rep. Carol Bush (R-Tulsa) and Sen. Wayne Shaw (R-Grove) amends DNA testing requirements in Title 22. Impacted are Rapid DNA instruments, accredited laboratories operating via OSBI, a municipality or a county and submission to the OSBI Combined DNA Index System (CODIS) database. The bill contains details.

The bill was laid over on the House Floor on Wednesday.

**Hospitals/Reporting Requirements:** [SB 890](#) by Sen. Josh Brecheen (R-Coalgate) and Rep. Sean Roberts (R-Hominy) creates the Oklahoma Health Care Cost Reduction and Transparency Act of 2018. It requires hospitals and ambulatory surgical centers that bill Medicaid to provide the Health Department detailed cost information as required in the bill. The State Board of Health is granted rule-making authority. The bill contains details.

The bill passed the Senate by a vote of 42-1.

**Employment/Voting:** [SB 926](#) by Sen. Dewayne Pemberton (R-Muskogee) and Rep. Avery Frix (R-Muskogee) amends 26 O.S. Section 7-101 regarding employer’s duty to grant employees time off to vote by expanding the duty to in-person absentee voting. Upon proof of voting, the employee shall not be subject to any loss of compensation or other penalty for the absence.

The bill passed the Senate with the emergency clause by a vote of 43-0.

**Apportionment of Special OSHA Fund:** [SB 1411](#) by Sen. Mike Schulz (R-Tulsa) and Rep. Charles McCall (R-Atoka) modifies the apportionment of revenue to the Special Occupational Health and Safety Fund. It provides the revenue apportioned to the fund cannot exceed the three-year average of the revenue apportioned in fiscal years 2015, 2016 and 2017 and that any amount in excess of the average be deposited in the General Revenue Fund.

The bill passed the Senate with the emergency clause by a vote of 32-7.

**Used Tire Recycling/DEQ:** [SB 1412](#) by Sen. Mike Schulz (R-Altus) and Rep. Charles McCall (R-Atoka) amends 27A O.S. Section 2-11-401.4 regarding capping monies from the Used Tire Recycling Indemnity Fund to DEQ.

The bill passed the Senate by a vote of 31-8 and the emergency clause passed by a vote of 32-7.

**Motor Fuel Tax/Apportionment:** [SB 1422](#) by Sen. Mike Schulz (R-Tulsa) and Rep. Charles McCall (R-Atoka) amends 68 O.S. Sections 500.6 and 500.7 by limiting the apportionment of the motor fuel tax to the High Priority State Bridge Fund.

The bill passed the Senate with the emergency clause by a vote of 34-7.

**Tag Agents/Location:** [SB 1439](#) by Sen. Mike Schulz (R-Tulsa) and Rep. Charles McCall (R-Atoka) removes the population limits for the location of motor license agencies in 47 O.S. Section 1140. The removed language is counties with a population of less than 130,000 and municipalities having a population of less than 8,500 located in a county having a population of greater than 130,000.

The bill passed the Senate with the title restored by a unanimous vote.

**Cigarette Tax/Limits:** [SB 1452](#) by Sen. Mike Schulz (R-Tulsa) and Rep. Charles McCall (R-Atoka) places limits on various aspects of the cigarette tax in 68 O.S. Section 302-5. Impacted is the Health Employee and Economy Improvement Act Fund, Oklahoma Health Care Authority Medicaid Program Fund and Mental Health and Substance Abuse Services Fund.

The bill passed the Senate with the emergency clause and the title restored by a vote of 35-8.

**State Board of Equalization/Apportionment:** [SB 1569](#) by Sen. Mike Schulz (R-Tulsa) and Rep. Charles McCall (R-Atoka) is a comprehensive bill creating new law applying to any fiscal year for which the amount of revenue available for appropriation by the Legislature, as determined by the State Board of Equalization at its February meeting, is less than the amount of revenue determined by the Board at its preceding June meeting. In this event, any apportionment of revenue provided by law to a fund or source other than the General Revenue Fund shall be reduced by the same percentage that the amount available for appropriation by the Legislature for the upcoming fiscal year is less than such amount for the then-current fiscal year. The bill contains details.

The bill passed the Senate with the emergency clause and the title restored by a vote of 36-7.

**Sales Tax Exemption/Expansion:** [SB 906](#) by Sen. Frank Simpson (R-Ardmore) and Rep. Tommy Hardin (R-Madill) expands the disabled veterans sales tax exemption by excluding the sale of a motor vehicle from the current annual limit of sales not to exceed \$25,000. The bill passed the Senate by a unanimous vote.

**Finance/Auditor:** [SB 1042](#) by Sen. David Holt (R-OKC) and Rep. Mike Osborn (R-Edmond) 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.

The bill passed the Senate by a unanimous vote.

**Abatement Proceedings/Liens:** [SB 1107](#) by Sen. Frank Simpson (R-Ardmore) and Rep. Pat Ownbey (R-Ardmore) amends 11 O.S. Sections 22-111 and 22-112.1 regarding abatement of trash, weeds and grass and liens. The county treasurer shall no longer attempt to collect these city liens once 7 years have passed from the date they were first certified or should have been certified to the county. Further, no property will be sold at the annual tax resale if the only amount due and owing on the property at the time of resale is a lien created under this section or Section 22-111 of this title.

The bill passed the Senate with the amendment adopted by a vote of 44-0.

**Occupational License/Post-Military Service:** [SB 1141](#) by Sen. J.J. Dossett (D-Sperry) and Rep. Chris Kannady (R-OKC) amends 59 O.S. Sections 4100.4 and 4100.5. It provides that any state licensing or certification authority that fails to implement rules or laws for recognizing appropriate military training and experience for its occupational or professional licensing or certification process shall be deemed in violation of this act.

The bill passed the Senate by a unanimous vote.

**Law Enforcement:** [SB 1185](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Jon Echols (R-OKC) amends the Uniform Controlled Dangerous Substances Act by altering the definition of marijuana creating the Oklahoma Industrial Hemp Agricultural Pilot Program Act.

The bill passed the Senate by a vote of 43-1.

**Elections/Dates:** [SB 1269](#) by Sen. Eddie Fields (R-Wynona) and Rep. Harold Wright (R-Weatherford)

amends election dates for general elections and regular and special elections for political subdivisions in 26 O.S. Section 3-101. The change made in Section 3-101 (B) is that no regular or special election to fill an elective office shall be held by a political subdivision except on the "first" Tuesday "after the first Monday" of November in an odd-numbered year. Current law allows the election on the "second" Tuesday of November in an odd-numbered year. Subsection C is amended by adding the "first Tuesday after the first Monday of" November. Current law provides for the second Tuesday of November.

The bill passed the Senate by a vote of 36-8.

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

The bill passed the Senate with the title stricken by a vote of 44-0.

**Oklahoma Inspectors Act/Licenses:** [SB 1538](#) by Sen. Jack Fry (R-Midwest City) and Rep. Tess Teague (R-Choctaw) amends the Oklahoma Inspectors Act by removing the requirement that the Construction Industries Board establish by rule a method of prorating license fees to coincide with the birth date of the licensee. In addition, the municipal exemption for communities with a population of 10,000 or less is altered by changing who the population is determined. Current law references the Oklahoma Employment Security Board while the bill substitutes the U.S. Census Bureau.

The bill passed the Senate by a vote of 44-0.

**Occupational Licensing/Fee Waiver:** [HB 2933](#) Rep. Glen Mulready (R-Tulsa) and Sen. Kimberly David (R-Porter) creates new law in Title 59 impacting every administrative body, state agency director or official with authority over any occupational or professional license or certification, and each of the respective examining and licensing boards. If an applicant is a low-income individual, there must be a grant of a one-year waiver of any fees associated with the licensure or certification. The bill contains details including rule-making.

The bill passed the House by a vote of 88-5.

**Workers' Compensation/Self-Insurance Fund:** [HB 2993](#) by Rep. Marcus McEntire (R-Duncan) and Sen. Anthony Sykes (R-Moore) amends the Self-Insurance Guaranty Fund. Monies transferred via Section 99 of Title

85A may be expended by the Fund Board to provide a credit against the assessment required. Section 99 is amended to authorize excess proceeds from the security remaining after each claim of an impaired self-insurer has been paid, settled or lapsed, and associated costs of administration, shall be transferred to the Self-Insurance Guaranty Fund.

The bill passed the House by a vote of 83-2.

**Pension/Actuarial Analysis Act:** [SB 527](#) by Sen. Gary Stanislawski (R-Tulsa) and Rep. Randy McDaniel (R-Edmond) alters the definition of a non-fiscal bill in the Oklahoma Pension Legislative Actuarial Analysis Act. Municipalities are impacted by authorizing the purchase, by an active member of the retirement system, of years of service for purposes of reaching a normal retirement date. This cannot be used to compute the number of years of service for purposes of computing the retirement benefit for the member.

The bill passed the House by a unanimous vote.

**Ambulance/Training Requirement:** [HB 2721](#) by Rep. Todd Russ (R-Cordell) prohibits the transport of an ambulance patient without an attendant that is a licensed emergency medical technician plus a driver who, at a minimum, are certified emergency medical responders. An exception is made if any EMS Region, Ambulance Service district or municipality serves any part of or is located in a municipality with a population of less than 5,000. In this case, the attendant shall either be a licensed emergency medical technician or an emergency medical responder and there is no emergency medical technician or an emergency medical responder licensing requirement for drivers. All drivers must complete an emergency vehicle operator course within 120 days of employment with a refresher course every 2 years.

The bill passed the House Rules Committee with the title stricken and is now waiting to be heard on the House floor.

**Drug Courts/Regulations:** [HB 2881](#) by Rep. Josh West (R-Grove) amends the Oklahoma Drug Court Act in a variety of ways. Included are changes to eligibility requirements and review and process of an offender for a drug court program.

The bill passed the House Rules Committee with the title stricken and is now waiting to be heard on the House floor.

**Law Enforcement/Construction Zones:** [HB 2650](#) by Rep. Steven Vaughan (R-Ponca City) and Sen. Dave Rader (R-Tulsa) amends 47 O.S. Section 11-1302 by modifying the requirement for "Merge Now" traffic-control devices by adding the most current edition of the Federal

Highway Administration's Manual on Uniform Traffic Control Devices.

The bill passed the House by a unanimous vote.

**Law Enforcement/Speed Limits:** [HB 3395](#) by Rep. Cory Williams (D-Stillwater) provides for highways or parts of highways that the speed shall not exceed 85 miles per hour.

The bill passed the House by a vote of 84-3.

**Water/Groundwater Quality:** [HB 3404](#) by Rep. Weldon Watson (R-Tulsa) amends 27A O.S. Section 1-3-101 granting DEQ jurisdictional responsibility for the development and utilization of policies and requirements necessary for the implementation of Oklahoma Groundwater Quality Standards. This includes, but is not limited to, establishment of points of compliance when warranted.

The bill passed the House by a vote of 83-2.

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

The bill passed the Senate by a vote of 35-6.

**Law Enforcement/Controlled Dangerous Substances:** [SB 1128](#) by Sen. Ervin Yen (R-OKC) and Rep. Dale Derby (R-Owasso) creates new law regarding electronic prescribing of controlled dangerous substances. The bill contains details.

The bill passed the Senate with the amendment adopted by a vote of 38-1.

**Assisted Living Centers/Influenza Information:** [SB 1220](#) by Sen. Greg McCortney (R-Ada) and Rep. John Enns (R-Enid) creates new law requiring assisted living centers to provide to each resident educational information on influenza disease. The bill contains details including time frames and specifics on the content of the information.

The bill passed the Senate by a vote of 31-10.

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



The bill passed the Senate by a vote of 29-5 but the emergency clause failed. The emergency clause was then held on a motion to reconsider.

**Alcoholic Beverages/Closure Hours:** [SB 1336](#) by Sen. Stephanie Bice (R-OKC) and Rep. Marcus McEntire (R-Duncan) amends 37A O.S. Section 3-125 by authorizing municipalities to enact ordinances requiring the closure of premises of a mixed beverage, caterer, public event, charitable event, special event, on-premises beer and wine, small brewer or brewpub licensee. Such premises may be closed by the municipality between the hours of 2 a.m. and 6 a.m. In addition, the above premises must stop selling or serving alcoholic beverages between 2 a.m. and 8 a.m. Current law's hours are 2 a.m. and 10 a.m. Section 37A O.S. Section 4-101 is amended to authorize municipalities to enact ordinances regulating the closing time of ABLE Commission licensees who provide alcoholic beverages for consumption on the premises; provided, no ordinance shall be enacted for premises to open later than 6 a.m. or close earlier than 2 a.m.

The bill passed the Senate by a vote of 34-4.

**Open Records Act/Court Clerk:** [SB 1346](#) by Sen. Paul Scott (R-Duncan) and Rep. Rande Worthen (R-Lawton) amends 22 O.S. Section 977 regarding court records of convictions. The court must obtain the date of birth of the defendant which shall only be released to those that comply with the detailed requirements in the bill. This includes making an application to the Supreme Court, newspapers and members of the Oklahoma Bar Association with approval by the Oklahoma Supreme Court. The Supreme Court must develop an online registration and access portal and is authorized to charge a fee (with members of the Bar exempt from paying the fee). There is a duty to keep the information confidential.

The bill passed the Senate by a vote of 34-1.

**Elections/Fire Protection Districts:** [SB 1403](#) by Sen. Marty Quinn (R-Claremore) and Rep. Mark Lepak (R-Claremore) adds fire protection districts to the election date requirements.

The bill passed the Senate by a unanimous vote.

**Law Enforcement/Electronic Communication Device:** [SB 1419](#) by Sen. J.J. Dossett (D-Sperry) and Rep. Ben Loring (D-Miami) makes it unlawful for an operator of a motor vehicle, in a school zone, during normal school hours, to use a cellular telephone or other handheld device to engage in voice communications. The bill contains exceptions and a penalty provision.

The bill passed the Senate Public Safety Committee with the title stricken and is now waiting to be heard on the Senate floor.

**Electrical License Act/Electrical Work:** [SB 1513](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Glen Mulready (R-Tulsa) amends the Electrical License Act by adding a definition for electrical work and directing the Construction Industries Board to amend its rules to conform with this definition. In addition, no more than three registered apprentice electricians shall work under the supervision of a single journeyman or contractor. The bill passed the Senate with the title restored by a vote of 33-5.

**Rights-of-Way/Landowners:** [SB 1561](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Ryan Martinez (R-Edmond) 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-way 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 contains details.

The bill passed the Senate by a unanimous vote.