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Oklahoma Municipal League

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OML ADVOCATE

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Remote Sellers Sales Tax Passes

These bills were passed last Friday. HB 1019xx was passed to help fund the shortfall that was made by the repeal of the occupancy tax. The Oklahoma Education Association (OEA) is demanding that the Governor veto HB 1012xx as one of the items to help end the walkout.

[HB 1012XX](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Kim David (R-Wagoner) repeals the \$5 State of Oklahoma lodging fee that was signed by Governor Fallin on March 29, 2018. The Oklahoma Occupancy Tax Act, was created by Sections 9, 10, 11, 12, 13, 14 & 15 of Enrolled **HB 1010** of the 2nd Extraordinary Session of the 56th Legislature. In HB 1012 they are hereby repealed.

[HB 1019XX](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Kim David (R-Wagoner) creates new law impacting a marketplace facilitator or a referrer and their duty to collect sales/use tax. If a marketplace facilitator or a referrer that had aggregate sales of tangible personal property within this state or delivered to locations within this state worth at least \$10,000, during the immediately preceding twelve-calendar-month period, they shall file an election with the Tax Commission to collect and remit tax imposed under Section 1354 or 1402 of Title 68 or to comply with the notice and reporting requirements. The bill specifies when the election applies and to which sales, specifics of the notice requirement, if no election is made to collect tax shall provide a written report to each purchaser consistent with the bills requirements. The apportionment in 68 O.S. Section 1403 is altered to require for FY 2019 19.6 million and for FY 2020 and thereafter \$20.5 million to the Department of Education. The bill contains details.

BILLS ON THE MOVE

Here is a snapshot of bills impacting cities and towns.

Fire Protection District/Withdrawal: [HB 2581](#) by Rep. Mark Lepak (R-Claremore) and Sen. Marty Quinn (R-Claremore) amends 19 O.S. Section 901.23 regarding who can withdraw from a Fire Protection District. Current law requires 51% of homeowners with one (1) acre or less. The bill removes one acre and substitutes three (3) acres or less.

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

Budgets/Public Hearing: [HB 3347](#) by Rep. Sean Roberts (R-Hominy) and Sen. Josh Brecheen (R-Coalgate) amends 11 O.S. Section 17-208 expanding the notice of a public hearing on a proposed municipal budget. The notice of the date, time and place, together with the proposed budget shall be published “on the municipality’s website” and in a newspaper of general circulation in the municipality not less than “seven (7)” days before the date of the hearing. Current law is “five (5)” days. The bill also removes current law regarding the limited publication requirements for small municipalities when the total operating budget, not including debt service, does not exceed \$12,000 per year. Under current law, for these small communities the proposed budget and notice may be posted at the governing body’s principal headquarters in lieu of publication in a newspaper.

The bill received a do pass as amended recommendation in the Senate General Government Committee by a unanimous vote. It is now waiting to be heard on the Senate Floor.

Jails/Housing: [HB 3470](#) by Rep. John Jordan (R-Yukon) and Sen. Lonnie Paxton (R-Tuttle) amends 19 O.S. Section 180.43 regarding the county sheriff contracting with federal and state entities and municipalities for the feeding, care, housing and upkeep of prisoners, or alien detainees incarcerated in the county jail. Funds from these contracts shall be deposited in the “Sheriff’s Service Fee Account”. Funds may be expended for “capital expenditures”.

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

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

The bill received a do pass recommendation in the House Appropriations & Budget, Natural Resources & Regulatory Services Subcommittee by a unanimous vote.

OWRB/Fee Revolving Fund: [SB 1515](#) by Sen. Eddie Fields (R-Wynona) and Rep. John Pfeiffer (R-Mulhall) 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 received a do pass recommendation in the House Appropriations & Budget, Natural Resources & Regulatory Services Subcommittee by a unanimous vote.

Law Enforcement/Agricultural Vehicles: [SB 912](#) by Sen. Mark Allen (R-Spiro) and Rep. Zack Taylor (R-Seminole) creates new law making agricultural motor vehicles engaged in intrastate commerce exempt from the requirement for electronic logging devices and hours of services as mandated by the Commercial Motor Vehicle Safety Enhancement Act. The bill contains definitions.

The bill passed the House Transportation Committee with the enacting clause stricken by a unanimous vote. It is now waiting to be heard on the House Floor.

Law Enforcement/Vehicle Weight: [SB 1089](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Terry O’Donnell (R-Catoosa) amends 47 O.S. Section 14-109 regarding vehicle weight limits on “interstate” highways. Current law impacts “any road or highway”. In addition, 47 O.S. Section 14-109 is amended regarding regulation of specific large vehicles operating under special permits with a definition added for oversized or overweight vehicles used for specialized transportation.

The bill received a do pass recommendation in the House Transportation Committee by a unanimous vote. It is now waiting to be heard on the House Floor.

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 received a do pass recommendation in the House Transportation Committee by a unanimous vote. It is now waiting to be heard on the House Floor.

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

The bill passed the House by a vote of 92-1 and has been signed by the Governor.

DEQ/Clean Air Act: [SB 492](#) by Sen. John Sparks (D-Norman) and Rep. Chuck Hoskin (D-Vinita) adds tribal governments to the Oklahoma Clean Air Act under duties of DEQ. In addition, in preparing any response on behalf of the State of Oklahoma to the federal government on any issue pertaining to the federal Clean Air Act, the Oklahoma Clean Air Act, modifications to air emission standards or any air quality issue, DEQ shall seek and include any response by any of Oklahoma's federally- recognized tribal governments.

The Senate moved to reject the House amendment for the bill. It is now waiting to be discussed in joint committee conference.

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 House Appropriations & Budget Committee with the enacting clause stricken by a unanimous vote. It is now waiting to be heard on the House Floor.

Affordable Housing Act/Tax Credit: [SB 953](#) by Sen. A J Griffin (R-Guthrie) and Rep. Kevin Wallace (R-Wellston) modifies the Oklahoma Affordable Housing

Act. Any unused credit in a taxable year "which begins on or after January 1, 2019," may be carried forward to each of the next "two (2)" subsequent taxable years. Current laws carry forward is five (5) years.

The bill passed the House Appropriations & Budget Committee with the enacting clause stricken by a unanimous vote. It is now waiting to be heard on the House Floor.

Pension/Actuarial Analysis Act: [HB 1340](#) by Rep. McDaniel (R-Edmond) and Sen. Greg Treat (R-Oklahoma) amends the Oklahoma Pension Legislation Actuarial Analysis Act by adding to the definition of a non-fiscal bill. Added is a provision for a one-time increase in retirement benefits if the increase in retirement benefits is not a permanent increase in the gross annual retirement benefit payable to a member or beneficiary, occurs only once pursuant to a single statutory authorization and does not exceed four (4) alternative benefit increases/funded ratios. The retirement benefits increase in the alternatives if higher funded ratios are maintained. As an example, included is the lesser of 2% of the gross annual retirement benefit of the member or \$1,000 if the funded ratio of the affected retirement system would not be less than 60% but not greater than 80% after the benefit increase is paid. New law defines "funded ratio" including that the rate of return on public retirement system assets for computation of the funded ratio shall not exceed 7.5% but shall be computed using any assumed rate of return utilized by the applicable retirement system if such rate or return does not exceed 7.5%. Effective October 1, 2018, a public retirement system shall make a one-time distribution, consistent with one of the four above alternative benefit increases/funded ratios, to retired members who have retired for a period of 5 or more years. In addition, new law recites the need for retiree benefit increases since the last authorization in 2008, and the modification of a non-fiscal bill is a prudent response to the needs of retirees and is consistent with obligations for prudent and conservative management.

The bill was referred to Senate Retirement & Insurance Committee.

Police Pension/Benefits: [HB 2515](#) by Rep. Randy McDaniel (R-Edmond) and Sen. Marty Quinn (R-Claremore) makes various changes to the Police Pension System impacting benefits in order to remain an IRS qualified plan. (Included is 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 received a do pass recommendation in the Senate Retirement & Insurance Committee by a unanimous vote.

Sales Tax/Collection: [SB 337](#) by Sen. Tom Dugger (R-Stillwater) and Rep. Greg Babinec (R-Cushing) 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 received a do pass recommendation in the House A&B Committee by a unanimous vote.

Public Safety/Jurors: [HB 2567](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. Nathan Dahm (R-Broken Arrow) adds municipal, county and state law enforcement officers certified by CLEET to those persons not qualified to serve as jurors.

The bill passed the Senate Judiciary Committee by a vote of 5-2. It is now waiting to be heard on the Senate Floor.

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 received a do pass recommendation in the Senate Judiciary Committee and was then referred to the Senate Appropriations Committee.

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 was laid over in the House Public Health Committee on Tuesday.

Law Enforcement/Uniform Controlled Dangerous Substances: [SB 940](#) by Sen. Robert Standridge (R-Norman) and Rep. Rande Worthen (R-Lawton) adds substances to the Uniform Controlled Dangerous Substances Act.

The bill received a do pass recommendation in the House Public Health Committee by a unanimous vote. It is now waiting to be heard on the House Floor.

Sales Tax Exemption/New: [HB 3123](#) by Rep. Meloyde Blancett (D-Tulsa) and Sen. Roger Thompson (R-Okemah) 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 contains details.

The bill passed the Senate Appropriations Committee with the enacting clause stricken by a vote of 22-13. It is now waiting to be heard on the Senate 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 passed the Senate Appropriations Committee with the title stricken by a unanimous vote. It is now waiting to be heard on the Senate Floor.

Law Enforcement/Multipurpose Vehicles: [HB 3317](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Roger Thompson (R-Okemah) creates new law requiring the registration of High Mobility Multipurpose Wheeled Vehicles (HMMWVs). The bill contains details and including giving rulemaking authority to the Tax Commission and definitions.

The bill failed in the Senate Appropriations Committee with the title stricken by a vote of 18-18.

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 received a do pass recommendation in the House Banking & Business Committee by a unanimous vote. It is now waiting to be heard on the House Floor.

Alcohol Beverages/Licenses: [SB 1571](#) by Sen. Stephanie Bice (R-OKC) and Rep. Marcus McEntire (R-Duncan) amends the authorization of a mixed beverage license holder in a municipality in which a university is located. Beer may be sold in original packages only for off-premises consumption, from 8 a.m. until midnight on the day of any regularly scheduled football game of the university.

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

Alcoholic Beverages/Licenses: [SB 1498](#) by Sen. Stephanie Bice (R-OKC) and Rep. Glen Mulready (R-Tulsa) authorizes any political subdivision which is entitled to notice of any application for a license to be considered an interested party and shall be given notice of any issuance of license. The political subdivision is also entitled to appeal any issuance in the same manner as the applicant would be entitled to appeal a denial of the license application. In addition, notice of an application for a license shall be mailed to the "chief of police" of any city or town – current law requires it be mailed to the city or town.

The bill received a do pass recommendation in the House Banking & Business Committee by a unanimous vote.

County Improvements for Roads Fund/County Infrastructure Fund: [HB 2656](#) by Rep. JJ Humphrey (R-Lane) and Sen. Casey Murdock (R-Felt) amends 69 O.S. Section 507 regarding funds apportioned by

subparagraph L of 47 O.S. Section 1104. Prior to November 1, 2018 funding shall be held by the Transportation Commission to the credit of a county project regarding roads or bridges. After this date, all encumbered funds shall be deposited in the new County Infrastructure Disbursement Fund, a continuing fund, not subject to fiscal year limitations. This Fund will be used to carry out the implementation of the specific project to construct or reconstruct county roads or bridges on the county highway system that are the highest priority as defined by the Transportation Commission via 69 O.S. Section 507.

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

Groundwater/Turnpike Authority: [HB 3089](#) by Rep. Josh Cockroft (R-Tecumseh) and Sen. Darcy Jech (R-Kingfisher) amends 69 O.S. Section 1707 impacting the exception to the Oklahoma Turnpike Authority's authorization to acquire by purchase, or condemnation, land or deposits of rock, gravel and the like. The bill adds "groundwater rights" to the exception which currently is limited to oil and other mineral rights. The bill contains details.

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

Rights-of-Way/Temporary Pipes: [HB 3578](#) by Rep. Ryan Martinez (R-Edmond) and Sen. Lonnie Paxton (R-Tuttle) creates new law authorizing any person or entity lawfully operating and in the course of doing business in this state to use the public roads and highways, including the right-of-way and all easements pertaining thereto. Use is specifically allowed for the placement of temporary pipe and supporting equipment for the transportation and disposal of waste water used in the process of oil production. Consent must be obtained via rules made by the Department of Transportation as to the highway system, and board of county commissioners regarding roads and highways under their jurisdiction, and/or private property owners. The use is temporary if it does not exist for longer than one (1) year. The pipes cannot inconvenience or endanger the public and the person or entity must repair/replace and damage, injury or other change to roadways or rights-of-way of the state, county or municipality.

The bill passed the Senate Transportation Committee with the enacting clause stricken. It is now waiting to be heard on the Senate Floor.

Wind Energy/Military Aviation: [HB 3561](#) by Rep. Charles Ortega (R-Altus) and Sen. Mike Schulz (R-Altus) amends 17 O.S. Sections 160.20 and 160.21 regarding construction of proposed wind energy facility or proposed expansion. It shall not encroach or have a significant adverse impact on the mission, training or operations of any military installation as determined by the Military Aviation and Installation Assurance Siting Clearinghouse and AFA. A written Determination of No Hazard or mitigation plan are not prohibited. Regulation and rule-making is with the Corporation Commission. Notice requirements are required to the Oklahoma Strategic Military Planning Commission and local base commanders. The bill contains details.

The bill was signed by the Governor on Tuesday.

Occupational License Database/DOL: [HB 2771](#) by Rep. Mike Osburn (R-Edmond) and Sen. Adam Pugh (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 contains details.

The bill passed the Senate Appropriations Committee with the title stricken. It is now waiting to be heard on the Senate Floor.

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 Senate Appropriations with the title stricken by a vote of 26-9. It is now waiting to be heard on the Senate Floor.

Unemployment Compensation/Benefits: [HB 2523](#) by Rep. Randy McDaniel (R-Edmond) and Sen. Julie Daniels (R-Bartlesville) makes several changes to the Employment Security Act of 1980 including to base period, assignments, disqualification to receive benefits, child support obligations and the like.

The bill passed the Senate by a unanimous vote on Wednesday and was sent to the Governor on Thursday.

Law Enforcement/Immediate Family: [HB 2592](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. Nathan Dahm (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 or parent living at the same residence as the law enforcement personnel.

The bill passed the Senate by a vote of 39-2 on Wednesday and was sent to the Governor on Thursday.

Initiative and Referendum/Procedure: [HB 2827](#) by Rep. John Echols (R-OKC) and Sen. Nathan Dahm (R-Broken Arrow) amends 34 O.S. Section 9 altering the procedure for initiative and referendum. The ballot title procedure is changed by starting the 10 business day time clock upon completion of the review, and if necessary, the filing of a ballot title in compliance with the law, by the Attorney General. Current law starts the time clock after publication of the notice required by subsection I of Section 8 of Title 34.

The bill passed the Senate by a vote of 34-9 on Wednesday.

Electrical License Act/Supervisory Authority: [HB 2935](#) by Rep. Glen Mulready (R-Tulsa) and Sen. Julie Daniels (R-Bartlesville) amends the Electrical License Act by adding a definition of "electrical work" including what electrical work is not and an exception is created for Class 2 and Class 3 circuits provided NFPA 70 requirements are met. In addition, no more than 3 apprentice electricians shall work under the supervision of a single journeyman or contractor.

The bill passed the Senate by a vote of 33-6 on Wednesday and was sent to the Governor on Thursday.

Law Enforcement/Uniform Controlled Dangerous Substances: [SB 939](#) by Sen. Robert Standridge (R-Norman) and Rep. Rande Worthen (R-Lawton) adds substances to the Uniform Controlled Dangerous Substances Act.

The bill passed the House by a unanimous vote and was sent to the Governor on Friday.

Underground Facilities/Excavate: [HB 3407](#) by Rep. Weldon Watson (R-Tulsa) and Sen. Mark Allen (R-Spiro) amends the definition of "excavate" by deleting from

current law “any individual excavating on his own property and who is not in the excavating business for hire”.

The bill received a do pass recommendation in the Senate Energy Committee by a unanimous vote. It is now waiting to be heard on the Senate Floor.

Public Employee Pension/Benefits: [HB 2516](#) by Rep. Randy McDaniel (R-Edmond) and Sen. Adam Pugh (R-Edmond) changes the Oklahoma Public Employees Retirement system regarding service credit for unused sick leave. In addition, 74 O.S. Section 913.4 is amended to provide that any elected official first elected or appointed to an elected office on or after November 1, 2011, who has a minimum of 10 years “elected or appointed service” may retire under the early retirement provisions of this act. Current law is triggered by 10 years of “participating” service.

The bill passed the Senate by a unanimous vote and was sent to the Governor on Thursday.

Petroleum Storage Act/Corporation Commission: [HB 3430](#) by Rep. John Pfeiffer (R-Mulhall) and Sen. Marty Quinn (R-Claremore) amends the newly named Oklahoma Petroleum Storage Tank Consolidation Act beginning at 17 O.S. Section 301. The Petroleum Storage Tank Program is administered by the Corporation Commission. Among the changes in the 135 page includes release of “regulated substances” from storage tanks into surface and groundwater, air and subsurface soils poses a potential threat to the “environment”. Current law provides for the release of “petroleum” from storage tanks. Storage tank system inspections and regulation of antifreeze are included in the Consolidation Act. Various funds are created including an Indemnity Program funded by a \$0.01 per gallon on sale of gas. Rule-making is given to the Corporation Commission. There are numerous repealed statutes.

The bill was withdrawn from the Senate Appropriations Committee and is now waiting to be heard on the Senate Floor.

State Holiday/National Freedom Day: [HB 3471](#) by Rep. John Jordan (R-Yukon) and Sen. Anastasia Pittman (D-OKC) amends 25 O.S. Section 82.1 adding the National Freedom Day as a state holiday on the third Saturday in June.

The bill passed the Senate Education Committee by a unanimous vote.

Water/Conservation Act: [HB 3536](#) by Rep. Chad Caldwell (R-Enid) and Sen. Greg McCortney (R-Ada) amends the Oklahoma County and City Energy Conservation Act by adding water-metering devices that increase efficiency or accuracy of water measurement and energy reduction to the definition of energy conservation measures. Impacted is repayment of lease-purchase agreements which shall not exceed the “greater of 20” years and procedure for energy conservation contracts. Amendments are made in 62 O.S. Section 318 changing the definition of “performance-based efficiency contract” including adding water-metering devices, changing lease purchase agreements, State Bond Advisor consultation and method of calculating cost savings. The bill contains details.

The bill passed the Senate by a vote of 39-5.