

May 8, 2020



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LEGISLATURE RETURNS TO THE CAPITOL

On Monday, May 4, legislators returned to the Capitol with limited public access. In a joint announcement, the House and Senate leadership shared they had come to an agreement on a \$7.7 billion budget for FY2021. This is approximately three percent less than the current fiscal year. A minimal number of policy bills were heard in both chambers during floor sessions this week. The House and Senate convened the Joint Committee on Appropriations and Budget (JCAB) meetings on Monday and again on Wednesday to consider FY2021 budget bills.

The legislature continues to state that very few policy bills will be considered for the remainder of this legislative session. While Senate committees continue to meet to consider Executive Nominations (exercising the video-conferencing option thus far), the policy bills heard this week have been sent directly to the floor calendar without having to pass out of a House or Senate committee first.

We have contacted the authors of our request bills and asked that they would be given a floor hearing this year. It is likely we will be sending out Action Alerts over the next three weeks asking you to contact your legislators encouraging their support for these important municipal bills. The legislature must complete their work and adjourn Sine Die by Friday, May 29.

The legislature met on Tuesday in Special Session for the second time this year. [SCR 1X](#) was heard and passed in Special Session by both the Senate and House and signed by the Governor. SCR 1X extends the powers of the Governor under the Catastrophic Health Emergency Power Act for an additional 30 days.

Approval by the Legislature is contingent on the Governor providing notice to legislative leaders of each statutory power exercised by the Governor from the original health emergency executive order, and those powers which will continue, or any powers to be newly exercised when the contingency for approval of the most recent order is met. The written notification must be received by the Senate Pro Tempore and the Speaker of the House within two business days after passage of the resolution. This legislative approval is valid for 30 days starting from the date the contingency is met by the Governor.

This legislative action continues the waiver of state health information protection requirements regarding the sharing of COVID-19 related health information with law enforcement and first responders.

TEMPORARY MUNICIPAL BUDGET BILL

In response to concerns from our members regarding the budgeting statute requiring municipal governments pass an annual budget in these fiscally uncertain times, OML has worked with the legislature to provide a solution. This legislation will create a temporary budget act allowing municipalities the option to pass a short-term budget, which would be no longer than six months and contain abbreviated processes for efficiency and timing. We will continue to keep you updated as the language is filed and the bill moves through the legislative process.

PUBLIC SAFETY DISTRICTS

[HB 1992](#) by Rep. Jadine Nollan (R – Sand Springs) and Sen. Darrell Weaver (R – Moore), which would create Public Safety Districts, could still be considered by the full Senate before the end of the legislative session. We are contacting Senate members daily requesting their support of this bill. We encourage you to reach out to your Senator as soon as possible and ask them to vote Yes on HB 1992.

BILL SIGNED BY GOVERNOR STITT

Elections/Absentee Ballots: [SB 210](#) by Pro Tempore Greg Treat (R-OKC) and Speaker Charles McCall (R-Atoka) allows alternative procedures for verifying absentee ballots during elections held during the calendar year of 2020 when the election occurs during or within 45 days of a state of emergency due to COVID-19. The bill allows a person who requests an absentee ballot to attach a photocopy of certain identification cards with the ballot instead of having the ballot notarized. It also sets a process for absentee ballots for registered voters in veterans centers and nursing homes. It requires absentee ballots to be notarized in future year's elections.

The bill was signed and went into effect on Thursday, May 7, 2020.

BILLS ON THE GOVERNOR'S DESK

Insurance Premium Tax/Pension Systems: [HB 2742](#) by Rep. Kevin Wallace (R-Wellston) and Rep. Kyle Hilbert (R-Depew) and Sen. Roger Thompson (R-Okemah) and Sen. Dave Rader (R-Tulsa) modifies the apportionment of the insurance premium tax for fiscal years 2021 and 2022 by reducing the percentage apportioned to the Oklahoma Firefighters Retirement, Oklahoma Police and Oklahoma Law Enforcement Systems and directing it into the Education Reform Revolving (HB 1017) Fund. There is a five (5) year repayment plan for these three systems. The apportionment could cease if it is no longer needed. The Legislature is given the authority to modify the apportionments and/or timeline.

The bill passed the House on Tuesday by a vote of 78-22 and the Senate on Thursday by a vote of 28-19.

ROADS Fund: [HB 2743](#) by Rep. Kevin Wallace (R-Wellston) and Rep. Kyle Hilbert (R-Depew) and Sen. Roger Thompson (R-Okemah) and Sen. Dave Rader (R-Tulsa) modifies the fiscal year 2020-2021 amount accruing to the Rebuilding Oklahoma Access and Driver Safety (ROADS) Fund by \$180,000,000 and directs it into the Education Reform Revolving (HB 1017) Fund.

The bill passed the House on Tuesday by a vote of 89-10 and the Senate on Thursday by a vote of 43-4.

COVID-19 Public Health Emergency Limited Liability Act: [SB 300](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Terry O'Donnell (R-Catoosa) is new law creating the COVID-19 Public Health Emergency Limited Liability Act. The bill provides health care providers with immunity from civil liability for any loss or harm to a person with a suspected or confirmed diagnosis of COVID-19 caused by an act or omission by the facility or provider that occurs during the COVID-19 public health emergency, provided the act or omission was not the result of gross negligence or willful or wanton misconduct. The provisions of the measure shall remain in effect until October 31, 2020, or until such time as the Governor affirmatively concludes the emergency declarations.

The bill passed the House on Monday by a vote of 95-2 and the Senate on Wednesday by a vote of 43-4.

Bills on the Move

Drug Testing/Reform Act: [HB 1112](#) by Rep. Justin Humphrey (R-Lane) and Sen. Casey Murdock (R-Felt) is new law creating the Oklahoma Drug Testing Reform Act which requires use of the best practices and guidelines outlined in 49 CFR Part 40 for entities described below. All drug testing shall be conducted by personnel meeting the training qualifications found in 49 CFR Part 40. This Act provides drug and alcohol testing standards for “testing required or requested by employers and for federal, state, county and municipal service providers, including probation and parole service providers, private probation persons, the Department of Corrections, any state-authorized court and community-based treatment programs”.

The bill has been doubly assigned to the Senate Business, Commerce and Tourism and Senate Appropriations Committees.

Cemeteries: [HB 1208](#) by Rep. Carl Newton (R-Cherokee) and Sen. Roland Pederson (R-Burlington) provides for reversion of abandoned burial sites to the private or public cemetery. It requires a reasonable search for heirs and beneficiaries after 85 years since the last recorded activity on a burial space.

The Conference Committee Report was submitted to the House.

Municipal Court/Drivers Licenses: [HB 1298](#) by Rep. Nicole Miller (R-Edmond) and Sen. Kim David (R-Porter) amends various sections of Title 47 impacting courts notification requirement to DPS, revocation of driving privileges upon conviction of specific crimes, procedure for filing a petition for relief based on error or hardship, period of revocation, license suspension and agreements with DPS for a provisional license.

The bill has been assigned to the Senate Public Safety Committee.

GRDA: [HB 1423](#) by Rep. David Hardin (R-Stilwell) and Sen. Wayne Shaw (R-Grove) is new law authorizing the Grand River Dam Authority (GRDA) to make rules to allow the beneficial removal of gravel from the Illinois River system and the Barren Fork River system in eastern Oklahoma. The areas impacted are areas of the river systems where gravel has collected in overabundance creating a shifting and less than ideal river channel.

The bill is in the House waiting for Senate Amendments to be accepted/rejected.

Tobacco & Vapor Products/Age Limit: [HB 1432](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Darrell Weaver (R-Moore) amends the Prevention of Youth Access to Tobacco Act in a number of statutes by increasing the Act’s applicable age from 18 to 21.

The bill has been doubly assigned to the Senate Health & Human Services and Senate Appropriations Committees.

Preemption/Working Animals: [HB 2008](#) by Rep. Justin Humphrey (R-Lane) and Sen. David Bullard (R-Durant) is new law prohibiting the state or political subdivisions from terminating, banning or effectively banning by creating undue financial hardship on the use of livestock in support of a family.

The bill has been assigned to the Senate Agriculture and Wildlife Committee. The title is stricken.

Public Buildings/Changing Stations: [HB 2017](#) by Rep. Kelly Albright (D-Midwest City) and Sen. Chris Kidd (R-Addington) is new law requiring new construction, renovations and replacement of state and municipal buildings open to the public include at least one baby changing table. The bill was amended on the floor to require all new construction in state or municipal buildings open to the public after January 1, 2022, to include at least one baby changing table and if a renovation or replacement exceeds fifty percent (50%) of the value of the state or municipal building. It exempts buildings not frequented by the public. Tables must be accessible for men and women.

The bill has been doubly assigned to the Senate General Government and Senate Appropriations Committee. Title is stricken.

Water Wells: [HB 2078](#) by Rep. Jay Steagall (R-Yukon) and Sen. John Montgomery (R-Lawton) amends 82 O.S. Section 1020.21 regarding municipalities authority to regulate or permit the drilling of domestic and industrial water wells within its corporate limits. A municipality’s use of the water allocated to platted land is amended by adding the wells located “on platted land shall be” not less than 600 feet within its limits, and such wells “may be” drilled on the platted land “or dedicated land.”

The bill has been assigned to the Senate Energy Committee.

Firearms/Schools: [HB 2336](#) by Rep. Sean Roberts (R-Hominy) and Sen. David Bullard (R-Durant) amends various statutes on unlawful carry of firearms. It impacts firearm carry in schools with annual training and specific handgun and campus-specific active shooter training as determined by the law enforcement agency having jurisdiction in that school district.

The bill is in the House waiting for Senate Amendments to be accepted/rejected.

Firearms: [HB 2546](#) by Rep. Sean Roberts (R-Hominy) and Sen. Julie Daniels (R-Bartlesville) is a large bill renaming Sections 1270 through 1290.27 of Title 21 as the Oklahoma Self-Defense Act of 2020. There are changes indicating this change in over 60 sections of the bill. Also, 21 Sections 1289.1 and 1290.1 are repealed.

The bill has been assigned to the Senate Public Safety Committee.

Firearms/Municipal Employees: [HB 2547](#) by Rep. Sean Roberts (R-Hominy) and Sen. Micheal Bergstrom (R-Adair) allows municipalities, by ordinance, to authorize all or certain municipal employees to carry concealed firearms. To be eligible while working and employed on a municipal property the employee must have been issued a valid handgun license pursuant to the Oklahoma Self-Defense Act. The bill provides immunity to civil and criminal liability under required conditions. It also prohibits carrying a firearm in prohibited locations and defines such location. In addition, preemption language for firearm regulation is expanded to include firearms and ammunition and political subdivision policies. The right to enforce the preemption is also expanded.

The bill has been assigned to the Senate Public Safety Committee.

Health Insurance/Non-Discrimination: [HB 2587](#) by Rep. Sean Roberts (R-Hominy) and Sen. Julie Daniels (R-Bartlesville) is new law creating the Nondiscrimination in Health Care Coverage Act impacting discrimination toward those with physical and mental disabilities, advanced age or chronic illness. Both public and private payers have a moral, legal and ethical obligation to make health care reimbursement decisions in a transparent fashion utilizing nondiscriminatory criteria. The bill contains definitions, a prohibition from employing a “dollars-per-quality adjust life year, or similar measure that discounts the value of a life because of an individual’s disability, as a threshold to establish what types of health care is cost effective or recommended”. The bill includes comment requirements, consultation mandates with various groups and stakeholder engagement, reporting requirements and the like.

The bill has been assigned to the Senate Health & Human Services Committee.

Affordable Housing Tax Credit: [HB 2760](#) by Rep. Kevin Wallace (R-Wellston) and Rep. Kyle Hilbert (R-Depew) and Sen. Roger Thompson (R-Okemah) and Sen. Dave Rader (R-Tulsa) reduces the annual cap for credits issued pursuant to the Oklahoma Affordable Housing Act from \$4 million to \$2 million.

The bill passed the House on Thursday by a vote of 59-41. It is now headed to the Senate.

CLEET/Technology Centers: [HB 2813](#) by Rep. Rande Worthen (R-Lawton) and Sen. Adam Pugh (R-Edmond) authorizes CLEET to establish and certify additional training program at state-supported technology centers for teaching pre-law-enforcement students between 16 and 19.

The bill has been assigned to the Senate Public Safety Committee.

Sunset/Construction Industries Board: [HB 2824](#) by Rep. Tom Gann (R-Inola) and Sen. Nathan Dahm (R-Broken Arrow) recreates the Construction Industries Board until July 1, 2021.

The bill has been assigned to the Senate Business, Commerce and Tourism Committee.

Sunset/Advisory Councils: [HB 2840](#) by Rep. Tom Gann

(R-Inola) and Sen. Nathan Dahm (R-Broken Arrow) recreates the Water Quality Management Advisory Council, the Hazardous Waste Management Advisory Council, the Solid Waste Management Advisory Council, and Radiation Management Advisory Council until July 1, 2021.

The bill has been assigned to the Senate Energy Committee.

CLEET: [HB 2848](#) by Rep. Daniel Pae (R-Lawton) and Sen. Michael Brooks (D-OKC) provides that CLEET “may establish appropriate training resources focused on the investigations of unidentified and missing persons and may require all CLEET-certified law enforcement officers to complete such training on a regular basis”.

The bill has been assigned to the Senate Public Safety Committee.

Small Oklahoma Hospital Survival Act: [HB 2870](#) by Rep. Lundy Kiger (R-Poteau) and Sen. Lonnie Paxton (R-Tuttle) is new law creating the Small Oklahoma Hospital Survival Act impacting reimbursement rates, contractual requirements, prohibiting discrimination, provider networks, penalty and notice provisions and the like.

The bill has been doubly assigned to the Senate Retirement and Insurance and Senate Appropriations Committees. The title is stricken.

9-1-1 Management Authority: [HB 2882](#) by Rep. Johnny Tadlock (R-Idabel) and Sen. Darrell Weaver (R-Moore) by Rep. Johnny Tadlock (R-Idabel) and Sen. Darrell Weaver (R-Moore) amends the Oklahoma Emergency Telephone Act by adding a definition for “authority” and deleting the definition for the Department of Public Safety. The “authority” is the Oklahoma 9-1-1 Management Authority which replaces DPS as the administrative head of the Act. In addition, 63 O.S. Section 2864 is amended requiring a new training program on or before June 30, 2021. The training program for 9-1-1 call takers includes delivery of High-Quality Telecommunicator Cardiopulmonary Resuscitation (TCPR) for acute events requiring CPR, including, but not limited to, out-of-hospital cardiac events. This training shall follow evidence-based, nationally recognized guidelines. Two repealed statutes are 63 O.S. Sections 2818.4 and 2820.

Municipal Operations/Recovering Costs: [HB 2917](#) by Rep. Ben Loring (D-Miami) and Sen. John Montgomery (R-Lawton) is new law authorizing municipalities to hold property owners liable for expenses or costs in cleaning/mowing property, dismantling/removal of dilapidated buildings in abating a public nuisance.

The bill has been assigned to Senate General Government Committee.

Law Enforcement/HIPPA: [HB 2938](#) by Sen. Greg McCortney (R-Ada) and Rep. Sheila Dills (R-Tulsa) permits the release of certain medical information when such release is authorized or required under the Health Insurance Portability and Accountability Act of 1996.

The bill passed the Senate by a vote of 42-5 on Thursday. It is headed back to the House to accept/reject amendments.

Soliciting: [HB 2948](#) by Rep. Stan May (R-Broken Arrow) and Sen. J.J. Dossett (D-Owasso) amends 47 O.S. Section 11-507 to forbid prohibition of individuals from soliciting in a roadway maintained by a municipality in compliance with a permit and regulations adopted by ordinance.

The bill has been assigned to the Senate Public Safety Committee.

Firearms/Regulations: [HB 3010](#) by Rep. Tom Gann (R-Inola) and Sen. Marty Quinn (R-Claremore) amends various statutes impacting firearms. Unlawful carry is amended in 21 O.S. Section 1277 impacting any structures, buildings or office space owned or leased by municipalities, counties, state or federal government. The bill provides it is lawful to carry a firearm on to any property designated by "statute, ordinance, resolution, policy or use" as a "street, plaza, sidewalk, alley". A firearm may be openly carried on property with "permission from the public trust or nonprofit entity". Changes are made to legislative findings, definitions including "unconcealed firearm" carried in a sling "in a general vertical position where the barrel is safely pointed in an up or down direction". Changes are made photo identification and a person must disclose his/her possession of a firearm "only upon the request of a law enforcement officer".

The bill has been assigned to the Senate Public Safety Committee.

Abandoned Property: [HB 3018](#) by Rep. Denise Crosswhite Hader (R-Yukon) and Sen. Lonnie Paxton (R-Tuttle) amends county property sales in 68 O.S. Section 3129 by adding an exception for nuisance property by granting the county the discretion to not bid off the property in the name of the county. Instead, the property would remain under its current ownership. Greenbelts, common areas, easements and detention ponds may be considered nuisance property if a hardship would be caused for the neighborhood or subdivision these areas were meant to serve, or to the county or third party. The bill contains definitions.

The bill has been assigned to the Senate General Government Committee.

Scrap Metal Dealers Act: [HB 3031](#) by Rep. Carol Bush (R-Tulsa) and Sen. Chuck Hall (R-Perry) 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 has been assigned to the Senate Business, Commerce and Tourism Committee.

Open Records/Employee Information: [HB 3040](#) by Rep. Tammy West (R-Bethany) and Sen. Brenda Stanley (R-OKC) amends the Open Records Act to protect current and former public employees. Protected is the home address, home telephone numbers, social security numbers, private email addresses, and private mobile phone numbers. Nothing shall be construed to exempt from disclosure public records created using a private email address or private mobile phone number.

The bill has been assigned to the Senate Judiciary Committee.

CLEET/Developmental Disability Training: [HB 3041](#) by Rep. Tammy West (R-Bethany) and Sen. Darrell Weaver (R-Moore) amends 70 O.S. Section 3311.5 to authorize that CLEET may include in its required courses of study for law enforcement certification a minimum of 8 hours of developmental disability awareness training.

The bill has been doubly assigned to the Senate Public Safety and Senate Appropriations Committees.

Water Sustainability: [HB 3051](#) by Rep. Trey Caldwell (R-Lawton) and Sen. Mark Allen (R-Spiro) This bill by Rep. Trey Caldwell (R-Lawton) amends 82 O.S. Section 1324.2 relating to water districts. Amendments are made to the definitions of "district", "rural resident" by increasing the municipality population from 10,000 to 25,000 or less and "rural area" by increasing the municipality population from 10,000 to 25,000 or less. In addition, 82 O.S. Section 1324.9 is amended to authorize the district to charge not to exceed "twenty cents (\$0.20) per 1,000 gallons of water sold. The current amount is ten cents (\$0.10) per 1,000 gallons. The money may also be used to fund any water sustainability assessments that the district participates in.

The bill has been assigned to the Senate Energy Committee.

Law Enforcement/Excessive Force: [HB 3058](#) by Rep. Kevin McDugle (R-Broken Arrow) and Sen. Darrell Weaver (R-Moore) amends 22 O.S. section 34.1 regarding a peace officer's use of excessive force. It removes the current definition references to policies and guidelines of the law enforcement entity. In addition, a violation of such policies or guidelines shall not be used or considered in determining if the force was excessive under criminal law.

The bill has been assigned to the Senate Public Safety Committee.

Administrative Procedures Act/Legislative Action: [HB 3078](#) by Rep. Jay Steagall (R-Yukon) and Sen. Stephanie Bice (R-OKC) provides that statutory law adopted by the Legislature shall supersede any rule promulgated by a state agency that conflicts with the statute.

The bill has been assigned to the Senate Rules Committee.

Workers' Compensation/Work-Based Learning: [HB 3085](#) by Rep. Kyle Hilbert (R-Depew) and Sen. James Leewright (R-Bristow) is new law impacting the workers' compensation act by creating a "work-based learning employer" with a premium

reduction not to exceed 5% if created as required in bill.

The bill has been assigned to the Senate Judiciary Committee.

Broadband/Rural Electric Cooperatives: [HB 3151](#) by Rep. Ryan Martinez (R-Edmond) and Sen. James Leewright (R-Bristow) is new law regulating charges by rural electric cooperatives (REC) for attachment to utility poles by communications service providers. It covers REC attachments for Internet services to any utility pole and no REC may provide cable television or video service to any incorporated city or town without first obtaining a franchise.

This bill has been assigned to the Senate Energy Committee. The title is stricken.

Tort Claims Act/Political Subdivisions: [HB 3155](#) by Rep. Ryan Martinez (R-Edmond) by Rep. Ryan Martinez (R-Edmond) amends the Governmental Tort Claims Act by redefining a "political subdivision" to include a certain regional transportation authority as well as its contract operator or any railroad operating in interstate commerce.

The bill has been assigned to the Senate Judiciary Committee.

Sales Tax Exemption/University Hospital Trust: [HB 3160](#) by Rep. Ryan Martinez (R-Edmond) and Sen. Roger Thompson (R-Okemah) alters the existing tax exemption for the University Hospitals Trust by adding nonprofit entities who have entered into a joint operating agreement with the Trust.

The bill has been doubly assigned to the Senate Finance and Senate Appropriations Committees.

Firearms/Immunity Claim: [HB 3165](#) by Rep. Kevin West (R-Moore) and Sen. Julie Daniels (R-Bartlesville) amends the Oklahoma Firearms Act impacting the claim of immunity for use of defensive force.

The bill has been assigned to the Senate Judiciary Committee.

Municipal Campaign Finance and Financial Disclosure Act: [HB 3172](#) by Rep. Kevin West (R-Moore) and Sen. Rob Standridge (R-Norman) amends the Campaign Finance Act of municipalities, counties, and school districts. Changes include additions to the definition of "municipal political committee" to include "two" or more persons composing the committee and adding questions submitted to a vote of the people. Also, 11 O.S. Section 56-108 is amended to require statements of financial interests be filed with the municipal clerk subject to requirements as set forth under Commission rules for statements of financial interests filed with the Ethics Commission. In addition, the Ethics Commission shall develop online reporting processes, as funds are available.

The bill has been assigned to the Senate Rules Committee.

Sales Tax Exemption/Addiction Services: [HB 3185](#) by Rep. T.J. Marti (R-Tulsa) and Sen. Dave Rader (R-Tulsa) creates a new sales tax exemption for organizations certified as a Comprehensive Community Addiction Recovery Center and substantially funded via the Oklahoma Department of Mental

Health and Substance Abuse Services. There was an untimely filed amendment that addresses one facility in the State.

The bill has been assigned to the Senate Finance Committee. The title is stricken.

Rural Electric Cooperatives: [HB 3196](#) by Rep. John Pfeiffer (R-Mulhall) and Sen. John Montgomery (R-Lawton) is new law impacting rural electric cooperatives easements for broadband providers.

The bill has been assigned to the Senate Judiciary Committee. The title is stricken.

Medical Marijuana: [HB 3227](#) by Rep. Jon Echols (R-OKC) and Sen. Lonnie Paxton (R-Tuttle) makes changes to various marijuana provisions including applications, dispensaries, procedures for contracting with licensed marijuana transporters, duties and requirements of transporters including marijuana concentrate and the like.

The bill has been assigned to the Senate Business, Commerce and Tourism Committee.

Medical Marijuana Act of 2020: [HB 3228](#) by Rep. Jon Echols (R-OKC) and Sen. Rob Standridge (R-Norman) is a comprehensive bill amending a number of areas of medical marijuana in Oklahoma. Included are changes to a number of license holders including regulation as well as fees and fines record-keeping, review time by the Department of Health. In addition, marijuana growers are authorized to sell pre-rolled cigarettes containing pure flower only and no additives, the location of retail marijuana establishments are prohibited within 300 feet from any public or private school with requirements of how the distance is measured, a number of definitions are changed in the Medical Marijuana and Patient Protection Act, changes are made to regulation by the Oklahoma Medical Marijuana Authority including fees, fines and emergency powers.

The bill has been assigned to the Senate Health and Human Services Committee.

Medical Marijuana Licenses: [HB 3229](#) by Rep. Jon Echols (R-OKC) and Sen. Lonnie Paxton (R-Tuttle) amends 63 O.S. Section 420 by removing the requirement that person in possession of a state-issued marijuana license and a caregiver license must be an Oklahoma residence.

The bill has been assigned to the Senate Health and Human Services Committee.

Marijuana/Waste Management: [HB 3230](#) by Rep. Jon Echols (R-OKC) and Sen. Darrell Weaver (R-Moore) amends 63 O.S. Section 428.1 by adding to the definition of "medical waste." Added is all products deemed to fail laboratory testing and products from commercial licensees, research facilities and education facilities that have gone out of business.

The bill has been assigned to the Senate Health and Human Services Committee.

Municipal Audits: [HB 3269](#) by Rep. Brad Boles (R-Marlow)

and Sen. Chuck Hall (R-Perry) amends 11 O.S. Section 17-105 regarding the requirements to prepare an annual financial audit. The current income of \$25,000 is increased to \$50,000 to trigger the audit requirement, which includes “component units of which the municipality is a beneficiary.” These municipalities with a population of less than 2,500 must prepare a “biennial” financial statement audit. The biennial audit shall cover the two (2) preceding years. Alternatively, the governing body may request biennial agreed-upon-procedures engagement over certain financial information and compliance requirements. The municipal income requirements shall also not include income of any public trusts with the municipality as the beneficiary; provided, income from trusts established principally for operating electric, water, wastewater and sanitation utilities shall be included for purposes of the municipal income requirements. In amendments to 11 O.S. Section 17-107 if municipalities do not file a copy of its audit or agreed-upon-procedures report with the Tax Commission and the gasoline tax is withheld, the time period of losing the tax is shortened. Under the bill, the report must be filed within one (1) year in the case of an annual audit or the second fiscal year of a biennial audit period. Current law allows two (2) years. The lost municipal gasoline tax is redirected from the counties to the State Auditor. Finally, 11 O.S. Section 17-108 is repealed.

The bill has been doubly assigned to the Senate General Government and Senate Appropriations Committee.

OMPA: [HB 3274](#) by Rep. Brad Boles (R-Marlow) and Sen. Chuck Hall (R-Perry) amends 11 O.S. Section 24-107 exempting the Oklahoma Municipal Power Authority (OMPA) from the Open Records Act, Open Meetings Act and the Information Technology Consolidation and Coordination Act. The exemptions from the Open Records and Open Meetings Act are limited to security plans including cybersecurity.

The bill has been assigned to the Senate General Government Committee.

Law Enforcement/Disposition of Property: [HB 3276](#) by Rep. Brad Boles (R-Marlow) and Sen. Darrell Weaver (R-Moore) amends 11 O.S. Section 34-104 impacting the police chiefs authorization to dispose of personal property or money which has come into the possession of the police department. If these items come into possession in connection with a criminal investigation or arrest, disposal shall be made by the court or a prosecuting attorney. Changes are also made to time frames, substituting the “municipality” for current laws “police chief” in the process, new notice provisions and the like.

The bill has been assigned to the Senate General Government Committee.

Law Enforcement/Property: [HB 3277](#) by Rep. Rande Worthen (R-Lawton) and Sen. Darrell Weaver (R-Moore) amends several sections of Title 22 regarding stolen or embezzled money or other property held in custody of a municipality in any criminal investigation being returned to the proper person. There are a number of changes including process, notice by first-class mail, changes in hearing dates, standards for the

courts and the like.

The bill has been assigned to the Senate Judiciary Committee.

Home Bakery Act: [HB 3314](#) by Rep. Melodye Blancett (D-Tulsa) and Sen. Brenda Stanley (R-Midwest City) is new law establishing regulation of “prepared food” sold by “home food establishments”. No licensing is required by the State Department of Health and food can be sold by delivery, at a farmers market, through a cooperative or a membership-based buying club. The bill contains details, a number of statutes are recodified and several statutes are repealed.

The bill has been assigned to the Senate Agriculture and Wildlife Committee.

Law Enforcement/Disability: [HB 3330](#) by Rep. David Perryman (D-Chickasha) and Sen. Lonnie Paxton (R-Tuttle) 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 from 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 has been assigned to the Senate Retirement and Insurance Committee.

Tort Claims/Liability: [HB 3337](#) by Rep. Andy Fugate (D-OKC) and Sen. Julia Kirt (D-OKC) amends the Governmental Tort Claims Act by adding an exclusion of liability for three (3) situations. These are: 1) actions of a commissioned police officer providing services to a secondary employer outside his/her primary employment as a peace officer, 2) operation of state or political subdivision owned vehicles or equipment by a commissioned peace officer not engaged in the furtherance of these government’s business at the time of the loss or claim, and 3) regarding outdoor public property and facilities available for public recreation, except those claims resulting from willful and wanton acts of negligence.

The bill has been assigned to the Senate Judiciary Committee.

Pensions/COLA Increase: [HB 3350](#) by Rep. Avery Frix (R-Muskogee) and Sen. Roger Thompson (R-Okemah) authorizes cost of living adjustment (COLA) between two and four percent for retirees of the following pension systems: Police Pension and Retirement System, Firefighters Pension and Retirement System, Public Employees Retirement System, Law Enforcement Retirement System, Retirement Systems for Justices and Judges, and Teachers’ Retirement System.

The bill has been assigned to the Senate Retirement and Insurance Committee.

Counties/Properties: [HB 3367](#) by Rep. Judd Strom (R-Copan) and Sen. Julie Daniels (R-Bartlesville) amends 19 O.S. Section 421.1 by altering authorization for counties to sell various property to political subdivisions.

The bill has been assigned to the Senate General Government

Committee.

PERB: [HB 3376](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. John Haste (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 and police officers. The election process shall be agreed upon by the parties. If unable to agree, either party may request the American Arbitration Association to conduct and certify the election. The election cost is paid by the union association proposed as the bargaining agent. If two associations seek recognition, the associations shall equally pay the election costs. 11 O.S. Sections 51-104, 51-104a and 51-104b are repealed.

The bill has been assigned to the Senate General Government Committee.

Assault & Battery/Code Officials: [HB 3377](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Darrell Weaver (R-Moore) makes it unlawful to commit assaults, battery or assault and battery upon the person of a municipal or county code enforcement official who is performing his or her duty of investigating or enforcing the codes, rules or regulations adopted by municipal ordinance, county legislation upon conviction. The bill defines "code official." It sets up the punishment details as well.

The bill has been assigned to the Senate Public Safety Committee.

Oklahoma Workplace Clean Air Act: [HB 3384](#) by Rep. Harold Wright (R-Weatherford) and Sen. Gary Stanislawski (R-Tulsa) is new law creating the Oklahoma Workplace Clean Air Act. It preempts any other regulation to control smoking in public places and standardizes laws that governmental subdivisions may adopt to control smoking. Municipalities may enact and enforce ordinances, but they shall be the same as this Act, except on property owned or operated by the governing body. Smoking includes marijuana. It prohibits smoking in all enclosed areas, including buildings and vehicles owned, leased, operated or contracted for use by the state or any of its' subdivisions, in all enclosed places of employment without exception, in all enclosed public places and indoor recreational areas and indoor and outdoor places, with exclusions. The bill is extensive regulation including anti-discrimination provisions with fines and criminal penalties and a number of details including definitions. Statutes are also repealed.

The bill has been doubly assigned to the Senate Health and Human Services and Senate Appropriations Committee. The title is stricken.

Municipal Utilities Oversight Act: [HB 3397](#) by Rep. Marcus McEntire (R-Duncan) and Sen. Chris Kidd (R-Addington) is new law creating the Municipal Utility Oversight Act. The amendment requires the municipal board of adjustment to hear utility customer appeals. It establishes a procedure by which a customer can file a complaint against the municipal utility. It also adds several definitions.

The bill has been assigned to the Senate General Government Committee.

Natural Gas Regulations/Preemption: [HB 3619](#) by Terry O'Donnell (R-Catoosa) and Sen. Mark Allen (R-Spiro) amends 11 O.S. Section 14-107 prohibiting municipalities and the county from adopting real estate development building or construction ordinances, rules or codes restricting or prohibiting connections to the facilities of utility providers lawfully operating in the state. Nor may these entities discriminate in the adoption of such rules or codes against one or more utility providers based in whole or in part upon the nature or source of the utility service provided.

The bill has been assigned to the Senate General Government Committee.

Taxation/Resale of Property: [HB 3857](#) by Rep. Ty Burns (R-Morrison) and Sen. Tom Dugger (R-Stillwater) amends 68 O.S. Section 3131 regarding the resale of property by the county treasurer. Added to taxes, assessments and penalties that are cancelled by the sale is such claims which the state, municipality or both may have had on the real estate for taxes or other liens or encumbrances. This happens with respect to any deed conveying title to the board of county commissioners where the property was bid off in the name of the county.

The bill has been assigned to the Senate Finance Committee.

Public Buildings/At-Risk Construction: [HB 3876](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Paul Rosino (R-OKC) amends 61 O.S. Section 2 impacting at-risk management contracts in which the at-risk construction manager, or a trade contractor under either an agency or an at-risk construction management contract, is required to furnish a payment bond. Only persons having a direct contractual relationship with the party furnishing the payment bond shall have a right of action upon the payment bond in the same manner as set forth in subsection A.

The bill has been assigned to the Senate Finance Committee.

Marijuana/Location: [HB 3954](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Michael Brooks (D-OKC) 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 business 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 allowing non-residents to hold a valid marijuana license under conditions in this bill.

The bill has been assigned to the Senate Business, Commerce and Tourism Committee. The title is stricken

Marijuana/Transportation: [HB 3956](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Rob Standridge (R-Norman) makes a number of changes to medical marijuana regulation. Medical marijuana testing laboratories that meet the bill's requirements and transporter agents are exempt from the residency requirement. Deleted are provisions for local licenses and permits including occupancy permits or certificate of compliance. Changes are made to transportation requirements and the annual fee is decreased.

The bill has been assigned doubly assigned to the Senate Health and Human Services and Senate Appropriations Committee.

Marijuana Products: [HB 3957](#) by Rep. Scott Fetgatter (R-Okmulgee) and Sen. Rob Standridge (R-Norman) makes several changes to medical marijuana regulation. It creates new law removing the Oklahoma Medical Marijuana Authority (OMMA) as a division within the State Department of Health and making it a separate and distinct state agency. The bill creates the OMMA Board which includes a chief of police from a municipality with a population over 100,000. The Board is authorized as the rulemaking body with the power to establish policies for the Authority. In addition, a Food Safety Standards Board is established. Included in the bill are changes to licensing and penalty provisions.

The bill has been assigned to the Senate Business, Commerce and Tourism Committee.

Tort Claims/Increased Liability: [HB 3992](#) by Rep. Harold Wright (R-Weatherford) and Sen. Kim David (R-Porter) amends the Governmental Tort Claims Act by increasing each liability dollar amount for the state and its subdivisions. The liability changes, as they appear in 51 O.S. Section 154, are increased from \$25,000 to \$40,000, from \$125,000 to \$200,000, from \$175,000 to \$275,000, from \$200,000 to \$300,000, from \$200,000 to \$300,000, from \$1 million to \$1.5 million.

The bill has been assigned to the Senate Judiciary Committee.

Municipal Operations/Dilapidated Buildings: [HB 4013](#) by Rep. Chris Kannady (R-OKC) and Sen. Paul Rosina (R-OKC) amends 11 O.S. Section 22-112 regarding the removal of dilapidated buildings within the municipal limits. The definition of dilapidated building is amended to require a structure to be boarded and secured for more than 6 consecutive months. Current law is more than 18 consecutive months.

The bill has been assigned to the Senate General Government Committee.

Rural Broadband: [HB 4018](#) by Speaker Charles McCall (R-Atoka) and Sen. James Leewright (R-Bristow) creates the Oklahoma Rural Broadband Expansion Act creating the Rural Broadband Expansion Council. The council is to study rural broadband access, costs, likelihood of changes, needed policy changes possible incentives, funding, state or local regulatory

policies and the like. The Council has a right to information from state agencies as well as political subdivisions and public trusts. The bill was amended on the House floor to designate one of the members of the Council to be "one of whom shall be a government official who has knowledge of and experience with the technology assets and operations of the Oklahoma Department of Transportation, OneNet and the Oklahoma Office of Management and Enterprise Services and who is not and has not been previously employed by OneNet, a mayor of a municipality having a population of less than twenty five thousand (25,000) persons according to the latest federal Decennial Census or most recent population estimate and which is not part of either the Oklahoma City or Tulsa Metropolitan Statistical Area, and a representative of a wireless telecommunications provider with operations in Oklahoma and at least twenty-four (24) other states."

The bill has been assigned to the Senate Business, Commerce and Tourism Committee.

Marijuana/Discrimination: [SB 305](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Tammy West (R-Bethany) makes a variety of changes to marijuana discrimination provisions. Included are exceptions for employment discrimination including safety-sensitive job duties, no requirement that an employer permit or accommodate use of medical marijuana on the property or premises of any place of employment or during hours of employment, no medical assistance program, or requirement for the employer or health insurance, workers' compensation benefits and the like to reimburse costs for the medical marijuana or prevent an employer from written policies regarding drug testing and impairment in accordance of the Oklahoma Standards for Workplace Drug and Alcohol Testing Act (Act). Provision is also made for applicants or an employee aggrieved by a willful violation to have an exclusive remedy as provided in the Act.

The bill was withdrawn from the House Rules Committee and moved Direct to Calendar.

Corporation Commission Rules: [SB 521](#) by Sen. Mark Allen (R-Spiro) and Rep. Jim Olsen (R-Roland) prohibits Corporation Commission rules from being more stringent than any EPA standards or regulations.

The bill has moved Direct to Calendar.

REAP/Population: [SB 553](#) by Sen. Roger Thompson (R-Okeamah) and Rep. Scott Fetgatter (R-Okmulgee) increases the population limits for entities eligible under the Rural Economic Action Plan of 1996. It requires priority in funding for economic development projects authorized therein to be given to cities, towns or unincorporated areas with less than seven 7,000 persons according to either the latest Federal Decennial Census or the current population estimates according to the U.S. Census Bureau.

The bill was withdrawn from the House A&B Committee and moved Direct to Calendar.

All-Terrain Vehicles: [SB 643](#) by Sen. Joseph Silk (R-Broken

Bow) and Rep. Justin Humphrey (R-Lane) provides all-terrain vehicles may operate in a street or highway ditch if the vehicle is operated as close as possible to the outer edge of the street or highway right-of-way. However, no person may operate an all-terrain vehicle in a highway ditch along the interstate highway system.

The bill has moved Direct to Calendar.

Marijuana/Advertising: [SB 755](#) by Sen. Greg McCortney (R-Ada) and Rep. Jon Echols (R-OKC) is new law establishing criteria for all medical marijuana advertising and labels of usable marijuana and marijuana products sold in the state. It cannot be false/misleading, promote overconsumption, represent that the use of marijuana has curative or therapeutic effects or depicts a child or others under legal age to consume marijuana. In addition, it cannot include objects such as toys, cartoons or other characters suggesting the presence of a child or other depiction appealing to children or other persons under legal age to consume marijuana or any design that would be especially appealing to children or those under legal age to consume marijuana.

The bill has moved Direct to Calendar.

Marijuana/Packaging: [SB 756](#) by Sen. Greg McCortney (R-Ada) and Rep. Jon Echols (R-OKC) is new law establishing criteria for the packaging of all medical marijuana and medical marijuana products. It shall be child resistant and not bear a reasonable resemblance to any commercially available product. It must minimize appeal to children, be plain, maximize shelf life, be tamper-evident, child proof, protect from contamination and not impart any toxic or deleterious substance, be opaque and not depict any images or commercial logos.

The bill has moved Direct to Calendar.

Firearms/Transporting: [SB 781](#) by Sen. Paul Scott (R-Duncan) and Rep. Jay Steagall (R-Yukon) amends 21 O.S. Section 1289.7a by prohibiting any person or business entity from maintaining, establishing or enforcing any policy or rule that has the effect of prohibiting any person or employee, except a convicted felon from transporting, carrying or storing firearms or ammunition in a motor vehicle owned, leased or rented by the person or employee to conduct business for the business entity. Amendments remove current law's protection from civil action resulting from storing firearms or ammunition in a locked vehicle. The same change is made to business owners' rights in Section 1290.22.

The bill has been moved Direct to Calendar.

Public Trust/Bidding: [SB 930](#) by Sen. Paul Rosino (R-OKC) and Rep. Brad Boles (R-Marlow) amends 60 O.S. Section 176 in a number of ways. The bill modifies authorized activities outside the geographic boundaries of the trust's beneficiary if the "activities benefit the beneficiary of the public trust." In addition, bidding is altered in several ways including dropping "labor" from current law. Construction contracts, when required, shall be administered, advertised and awarded according to the Public Competitive Bidding Act of 1974. Cur-

rent law's purchase via the Oklahoma Central Purchasing Act is changed by adding "repairs" and "approved" or awarded by the state or from any contract "approved or" awarded by the governmental entity which is the beneficiary of the public trust.

The bill has moved Direct to Calendar.

Marijuana/Firearms: [SB 959](#) by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Sean Roberts (R-Hominy) amends 21 O.S. Section 1289.9 by adding marijuana to the list of intoxicating substances which makes it unlawful to carry or use shotguns, rifles or pistols. In addition, 21 O.S. Section 1290.11 precludes a person from being eligible for a handgun license under certain conditions. One of these conditions relates to illegal drug use or possession. The bill makes an exception so an applicant or licensee in legal possession of a medical marijuana patient license is eligible for a handgun license. Finally, nothing in this section shall be construed to allow the OSBI to deny an otherwise qualified applicant from obtaining a handgun license solely on the basis of being a lawful holder of a medical marijuana license.

The bill has moved Direct to Calendar.

Firearms/Red Flag Laws: [SB 1081](#) by Sen. Nathan Dahm (R-Broken Arrow) creates the Anti-Red Flag Act preempting the field on "extreme risk protection orders" against an Oklahoma citizen. The state and political subdivisions are prohibited from accepting grants or funding for any statute, rule or judicial order that forces an extreme risk protection order. The order's "primary purpose is to reduce the risk of firearm-related death or injury" by 1) "prohibiting an individual from having under the custody or control of the individual, owning, possessing or receiving a firearm" or 2) having a firearm removed or requiring the surrender of firearms.

The bill has moved Direct to Calendar.

Tort Claims Act: [SB 1110](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Josh West (R-Grove) 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 Tort Claims Act. In addition, the current designation of a circuit engineering district as a political subdivision is only for the purposes of the Tort Claims Act.

The bill has moved Direct to Calendar.

Municipal Finance/Audit Reports: [SB 1196](#) by Sen. Roger Thompson (R-Okemah) and Rep. Scott Fetgatter (R-Okmulgee) amends 11 O.S. Section 17-107 impacting the withholding of gasoline taxes for failure to file a copy of the municipal audit or agreed-upon-procedures report with the State Auditor and Inspector. Changes include reducing from 2 years to 1 year the time frame before the withheld funds are remitted to the Tax Commission. The funds would go to the State Auditor's Office.

The bill has moved Direct to Calendar.

EMS/Athletic Events: [SB 1198](#) by Sen. Rob Standridge (R-Norman) and Rep. Sherrie Conley (R-Newcastle) is new law requiring school districts to coordinate with emergency medical services providers to develop plans for athletic events or activities held at school district facilities.

The bill has moved Direct to Calendar.

Mental Health Transport: [SB 1208](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Josh West (R-Grove) amends 43A O.S. Section 5-207 impacting mental health emergency detention. If the person is medically stable, the officer shall immediately transport the person to the nearest facility designated by the Commissioner of Mental Health and Substance Abuse Services as an appropriate facility for an initial assessment “or have the individual assessed by a licensed mental health professional employed by or under contract with a facility as defined in Section 1-103 of this title or a community mental health center via telemedicine if such capability is available”.

The bill has moved Direct to Calendar.

Sales Tax Exemption/City-County Library: [SB 1212](#) by Sen. Kevin Matthews (D-Tulsa) and Rep. Monroe Nichols (D-Tulsa) creates a new sales tax exemption for City-County Libraries.

The bill has moved Direct to Calendar.

Underground Facilities Damage Prevention Act: [SB 1225](#) by Sen. Mark Allen (R-Spiro) and Rep. Terry O’Donnell (R-Catoosa) by Sen. Mark Allen (R-Spiro) amends the Oklahoma Underground Facilities Damage Prevention Act in several ways. This includes changes to the definition of “certified project”, alterations to the notice provision of 63 O.S. Section 142.6 and authorizing public agencies, as defined by this act, to have access to the record of underground facilities.

The bill has moved Direct to Calendar.

Marijuana/Locations: [SB 1245](#) by Sen. Dave Rader (R-Tulsa) and Rep. Carol Bush (R-Tulsa) adds childcare facilities to the prohibition for a retail marijuana establishment location within 1,000 feet of the “entrance of a public” or private school. Any establishment licensed and operating on July 1, 2020, shall not be subject to the childcare requirement. Also, no establishment shall be in violation of this bill should a school or childcare facility located within the prohibited distance after July 1, 2020.

The bill has moved Direct to Calendar.

Tort Claims Act/Regional Transportation Authorities: [SB 1263](#) by Sen. Adam Pugh (R-Edmond) and Rep. Ryan Martinez (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 has moved Direct to Calendar.

Law Enforcement/Traffic Quotas: [SB 1264](#) by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Justin Humphrey (R-Lane) is new law prohibiting a political subdivision from evaluating, promoting, compensating or disciplining 1). a peace officer for issuing a specific number of traffic citations, 2). a judge for collecting a certain dollar amount of money.

The bill has moved Direct to Calendar.

OWRB/Flood Plans: [SB 1269](#) by Sen. Dave Rader (R-Tulsa) and Rep. Cynthia Roe (R-Lindsay) is new law authorizing OWRB to adopt, contingent on available funding a comprehensive state flood plan. There are requirements for the plan including infrastructure evaluation, a state-wide list and analysis of flood control and mitigation projects, study of special flood hazard areas and legislative recommendations.

The bill has moved Direct to Calendar.

Smoking in Public Places Act: [SB 1296](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Marcus McEntire (R-Duncan) 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 all building and other property, owned or operated by a county or municipal government, at the discretion of the governing body.

The bill has moved Direct to Calendar.

Court Fine Collection: [SB 1297](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Brad Boles (R-Marlow) 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 Tax Commission.

The bill has moved Direct to Calendar.

Workers’ Compensation: [SB 1326](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Jon Echols (R-OKC) amends the Administrative Workers’ Compensation Act by changing the definition of “compensable injury” to include “the employer’s knowledge that injury was substantially certain to result from the employer’s conduct”. Also, 85A O.S. Section 3 is amended requiring that every employer shall pay or provide benefits according to the Act for the “compensable” injury to or death of an employee. Current law is “accidental” injury to or death of an employee. Language in current law “based on accidents” is replaced with “arising out of the course and scope of employment”. In addition, workers’ compensation as the exclusive remedy in 85A O.S. Section 5 is amended. In defining an “intentional tort” the amendment provides that “the employer’s knowledge that the injury was substantially certain to result from the employer’s conduct shall not constitute an intentional tort “for the purposes of application of exclusive remedy under the Administrative Workers’ Compensation Act”. Removed from the current definition is “allegations or proof” and the requirement that the employee “shall plead facts that it is at least as likely as it is not that the employer acted with the purpose

of injuring the employee”.

The bill has moved Direct to Calendar.

CLEET/Crisis Intervention Training: [SB 1353](#) by Sen. Adam Pugh (R-Edmond) and Rep. Ross Ford (R-Broken Arrow) requires law enforcement agencies, by November 1, 2023, to have 25% of all 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 1 hour of crisis intervention training. By January 1, 2021 CLEET must include a minimum of 4 hours in crisis intervention training in the basic training course.

The bill has moved Direct to Calendar.

Local Development Act: [SB 1362](#) by Sen. Dave Rader (R-Tulsa) and Rep. Scott Fetgatter (R-Okmulgee) amends the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act regarding state and local enterprise matching payments. Amendments are made to 62 O.S. Section 842 removing the current prohibition for using the state local government matching payment for project costs for “any development within a project plan that provides for more than 10% of the net leasable space of such development to be used for retail purposes”. Substituted is “for more than 50% “except for such portions that includes grocery or specialty food store enterprises” that provide healthy nutrition options and that improve access within ½ mile of any low income and low access geographies.

The bill has moved Direct to Calendar.

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

The bill has moved Direct to Calendar.

Sales Tax Exemption/Bee Products: [SB 1388](#) by Sen. Allison Ikley-Freeman (D-Tulsa) and Rep. Johnny Tadlock (R-Idabel) expands the existing agriculture sales tax exemption to include a beekeeper’s bee products produced for sale.

The bill has moved Direct to Calendar.

Court Costs & Fines: [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 and 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. Notwithstanding any other provision of the Oklahoma Statutes, costs, fees and assessments shall not be considered a penalty for the underlying offense. Any that are due may be collected in the same manner as a judgment in a civil action. No person shall be incarcerated for being in default of court-imposed costs, fees or assessments, unless held in contempt of court for willful refusal or neglect of payment.

The bill has moved Direct to Calendar.

Sales Tax Exemption/Veterans: [SB 1440](#) by 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 has moved Direct to Calendar.

Law Enforcement/Impaired Driving: [SB 1464](#) by Sen. Kim David (R-Porter) and Rep. Chris Kannady (R-OKC) 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 has moved Direct to Calendar.

Bonds/Website: [SB 1487](#) by Sen. Brent Howard (R-Altus) and Rep. Chad Caldwell (R-Enid) amends 62 O.S. Section 896.1 regarding publishing or placing detailed information on the website of a local government entity due to calling an election for a vote authorizing the incurring of general obligation bonds. The governing body “may either” cause to be published on “or linked to” that local government website descriptions as required by law. The bill adds to these requirements. No local government entity shall be required to create a website solely for this purpose. If the entity does not have a website the information “may” be made accessible via some other method using the Internet to persons residing in the geographic area of the entity. Should there be no reasonable method, the information shall be published at least once in a newspaper of general circulation in the geographic area. The bill provides a new alternative if no newspaper of general circulation is available. It can be posted in prominent view at the principal office of the public body. Information posted online or at the principal office, must remain posted through the election of the bonds to be approved.

The bill has moved Direct to Calendar.

Unmanned Aircraft System: [SB 1489](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Harold Wright (R-Weatherford) is new law creating crimes committed by use of unmanned aircrafts, including definitions, in disrupting operation of manned aircraft. Unlawful activity includes the attachment of a weapon, fishing or hunting, unlawful taking of wildlife and publishing or disseminating recorded images taken by non-law enforcement via infrared or other thermal imaging tech-

nology. No unmanned aircraft can be launched or recovered from any federal, state or private property without consent from property within one and a half miles of the centerline of a runway owned by the Department of Defense. Any municipality may adopt an ordinance to regulate the use of local government property for launch and recovery of unmanned aircraft. The bill contains penalty provisions and a number of exceptions.

The bill has moved Direct to Calendar.

Finance/Federal Funds: [SB 1501](#) by Sen. Nathan Dahm (R-Broken Arrow) amends 62 O.S. Section 34.42.1 requiring political subdivisions to make an annual disclosure on its website of all federal funds under the entities' control and the programs for which the federal funds are use. The bill only applies to those political subdivisions that have a website.

The bill has moved Direct to Calendar.

Municipal Audit Accountability Revolving Fund: [SB 1554](#) by Sen. Roger Thompson (R-Okemah) and Rep. Scott Fetgatter (R-Okmulgee) is new law creating the Special Investigative Unit Auditing Fund for reimbursement to the State Auditor and Inspector for expenses incurred from investigative audits. The municipalities may request money appropriated to this fund to fund or offset expenses under the provisions in the bill.

The bill has moved Direct to Calendar.

Sale for Resale Permit: [SB 1595](#) by Pro Tempore Greg Treat (R-OKC) and Speaker Charles McCall (R-Atoka) is new law impacting the sales for resale sales tax exemption. It requires every person holding a sales tax permit to make purchases for resale who would be designated as a Group One, Group Two, Group Three or Group Four vendor shall be required to secure a sales tax permit annually. The bill contains details including hearings, a penalty provision, duties for the Tax Commission.

The bill has moved Direct to Calendar. The title is stricken.

Mental Health Transport: [SB 1606](#) by Sen. David Bullard (R-Durant) and Rep. Justin Humphrey (R-Lane) authorizes law enforcement to utilize telemedicine, if available for assessment by a mental health professional. "For the security of the jurisdiction" peace officers are responsible for transporting individuals to "a" designated "site" or "facility" for purpose of examination, emergency detention, or protective custody, "upon initial contact" under the conditions in the bill. 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 presented to a treatment facility by the law enforcement officer or has self-presented, the Department of Mental Health shall be responsible for any subsequent transportation pending completion of the examination, emergency detention, protective custody or inpatient services.

The bill has moved Direct to Calendar. The title is stricken.

Law Enforcement/Mental Health Diversion Program: [SB 1660](#) by Sen. John Haste (R-Broken Arrow) and Rep. Carol

Bush (R-Tulsa) allows a person in possession of a controlled dangerous substance, as defined in Section 2-102 of Title 63 of the Oklahoma Statutes, or in possession of drug paraphernalia as defined in Section 2-405 of Title 63 of the Oklahoma Statutes, who appears to be in need of evaluation and treatment, and if the person consents to the offered evaluation and treatment, in lieu of arrest, to be taken to entities specified therein. It requires the creation of such a program to be subject to the authority of the appropriate county, municipal or tribal governing body and any of its subsidiaries. It grants the Department of Mental Health and Substance Abuse Services the authority to approve or disapprove individual treatment centers described therein. It requires the creation of any program to be created with the advice and consent of the county's district attorney and must be approved annually by the county's district attorney.

The bill has moved Direct to Calendar.

Police Pension: [SB 1668](#) by Sen. Paul Rosino (R-OKC) and Rep. Mark Lepak (R-Claremore) amends the Police Pension's definition of "paid base salary" by deleting the current definition and substituting a new one. Included is all compensation including longevity, education allowances and normal compensation paid on a regularly scheduled pay period in which the pay period shall include holidays, annual leave and sick leave. Language is also included for elective and non-elective salary reduction under various sections of the Internal Revenue Code, compensation paid after severance in several contexts and specific exclusions from the definition of "paid base salary" including overtime, bonuses and the like. 11 O.S. Section 50-116.1 is amended regarding salary continuation by removing the citation in current law and substituting the provisions of Title 85A.

The bill has moved Direct to Calendar.

Lenders/Preemption: [SB 1682](#) by Sen. James Leewright (R-Bristow) and Rep. Marcus McEntire (R-Duncan) preempts the field on legislation on those businesses and occupations licensed, regulated and controlled under the Department of Consumer Credit that has the effect of regulating the interest rates or fees or through zoning or other measures, to unduly restrict the business location. The plaintiff has the right to injunctive relief.

The bill has moved Direct to Calendar.

Drug Testing/Volunteers: [SB 1687](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Jon Echols (R-OKC) amends the Standards for Workplace Drug and Alcohol Testing Act. The definition of "employer" is altered to include "volunteer opportunities in safety-sensitive positions" as defined by Section 427.8 of Title 63.

The bill has moved Direct to Calendar.

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

assistance.

The bill has moved Direct to Calendar.

Residential Building Design/Preemption: [SB 1713](#) by Sen. Kim David (R-Porter) and Rep. Ryan Martinez (R-Edmond) is new law forbidding municipalities to regulate the adoption or imposition of new single-family residential building design elements or implement new policies that have that effect, unless a number of elements are followed as specified in the bill. There are elements to regulation as well as new definitions.

The bill has moved Direct to Calendar.

Annexation/Road Maintenance & Funds: [SB 1719](#) by Sen. Paul Scott (R-Duncan) and Rep. Cynthia Roe (R-Lindsay) is new law requiring a municipality utilizing strip annexation on a road to maintain the roadway as it will become a city street. In addition, if a municipality utilizes strip annexation via a roadway, and not on any adjacent territory, the municipality is prohibited from receiving any revenue due to the annexation.

The bill has moved Direct to Calendar.

OWRB/Permit Protests: [SB 1742](#) by Sen. Kim David (R-Porter) and Rep. Harold Wright (R-Weatherford) makes several changes to water law including a procedure for filing a protest at OWRB of an application for a groundwater permit, procedure if a protest is not filed, and authorization for the Oklahoma Water Resources Board Executive Director to issue temporary and regular permits under certain circumstances specified in the bill.

The bill has moved Direct to Calendar.

Scrap Metal Dealers Act: [SB 1749](#) by Sen. Chuck Hall (R-Perry) and Rep. Carol Bush (R-Tulsa) amends the Oklahoma Scrap Metal Dealers Act. It defines the terms “digital image,” “exempted seller,” and “remote storage battery.” It changes the information every scrap metal dealer must collect and retain. Records must be retained for two (2) years. It also modifies the requirements for the purchase of a used motor vehicle, trailer or nonmotorized recreational vehicle. It makes it unlawful to purchase certain scrap metal and sets conditions for certain purchases.

The bill has moved Direct to Calendar.

Marijuana Revenue/School Building Funds: [SB 1758](#) by Sen. Gary Stanislawski (R-Tulsa) and Rep. Zack Taylor (R-Seminole) amends 63 O.S. Section 426 by reallocating 75% of the marijuana 7% sales tax to the State Public Common School Building Equalization Fund.

The bill has moved Direct to Calendar.

Elections/Absentee Ballots: [SB 1779](#) by Pro Tempore Greg Treat (R-OKC) and Speaker Charles McCall (R-Atoka) prohibits absentee ballot harvesting at any election conducted by a county election board, the State Election Board or any political subdivision. The bill prohibits a person from applying for an absentee ballot on behalf of another person by any means.

The bill has moved Direct to Calendar.

Mobile Food Vendor Act: [SB 1793](#) by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Toni Hasenbeck (R-Elgin) is comprehensive new law creating the Mobile Food Vendor Act. It provides that no local authority may prohibit a mobile food vendor from lawfully operating if the vendor holds a license issued by the State Department of Health and is in compliance with all other state laws and local laws not in conflict with this act. In another section of the bill it provides that the act preempts local authorities from prohibiting mobile food vending and regulating mobile food vending in a way that conflicts with the provisions of the act.

The bill has moved Direct to Calendar.

Law Enforcement/P25 Compliant: [SB 1813](#) by Sen. Gary Stanislawski (R-Tulsa) and Rep. Avery Frix (R-Muskogee) 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 any 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 has moved Direct to Calendar.

Workers’ Compensation: [SB 1818](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Terry O’Donnell (R-Catoosa) amends the Workers’ Compensation Act by redefining “compensable injury” by adding language on cumulative trauma and adding a new definition for “idiopathic”. The exclusive remedy language is amended to read: it shall not apply if the injury was caused by an intentional “act” committed by the employer. In addition, changes are made to permanent partial disability awards and final orders for permanent disability.

The bill has moved Direct to Calendar.

OMPA: [SB 1842](#) by Sen. Chuck Hall (R-Perry) and Rep. Brad Boles (R-Marlow) authorizes the Oklahoma Municipal Power Authority (OMPA) to hold an executive session 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 has moved Direct to Calendar.

9-1-1 Management Authority: [SB 1845](#) by Sen. Darrell Weaver (R-Moore) and Rep. Johnny Tadlock (R-Idabel) amends 63 O.S. Sections 2802, 2805-2807 of the Oklahoma Emergency Telephone Act and the duties of the Oklahoma 9-1-1 Management Authority in 63 O.S. Section 2864. The bill requires training for 9-1-1 call takers on High-Quality Telecommunicator Cardiopulmonary Resuscitation (TCPR) for acute events requiring CPR. The TCPR training shall follow evidence-based, nationally recognized guidelines which incorporates recognition protocols for out-of-hospital cardiac arrest and continuous education. The bill repeals 63 O.S. Section 2818.4 and 63 O.S. Section 2820.

The bill has been moved Direct to Calendar.

Occupational Licensing: [SB 1891](#) by Sen. Adam Pugh (R-Edmond) and Rep. Kevin Wallace (R-Wellston) 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 has moved Direct to Calendar.

Unmanned Aircraft Systems: [SB 1896](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Harold Wright (R-Weatherford) is new law creating the Unmanned Aircraft Systems Development Act of 2020 with the intention to ensure that drones are used in a safe and lawful manner and that concerns over privacy is addressed. The bill amends current law with new definitions of “manned aircraft” and model aircraft”. There are additional duties for the Aeronautics Commission for training and a prohibition on use by the state or a political subdivision until the tests have been implemented. There are requirements for commercial use, duties for the Commission to develop and program compliant with federal regulations. There are a number of prohibitions on use of the drones as well as exceptions.

The bill has moved Direct to Calendar.

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.

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.