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Oklahoma Municipal League

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OML ADVOCATE

Issue No. 10-18

April 20, 2018

RECORD NUMBER OF CANDIDATES FILE

Last week was the filing period for elected office. There were 462 candidates that filed for the House and State Senate (256 Republicans; 182 Democrats; 9 Libertarians and 15 Independents.) There are 41 open seats due to term limits, incumbents retiring before term limits and 3 State Representatives are running for State Senate. There are 20 legislators that have no challenger (8 Republicans and 12 Democrats.) The primary elections are scheduled for June 26th.

PERB WILL NOT MOVE THIS SESSION

SB 1369 by Sen. Chris Kidd (R-Addington) and Rep. John Paul Jordan (R-Yukon) was originally introduced and would have amended the Fire and Police Arbitration Act at 11 O.S. Section 51-102 by changing the definition of "Board" from PERB to an Arbitration Board appointed as contained in the bill.

It was amended before hitting the Senate floor with language requiring the police or firefighters to use the Labor Commissioner or his or her designee to certify the unions. It also required the use of the Federal Mediation Conciliatory Services (FMCS) to solve any dispute between them and the city. OML had several meetings with the FOP and PFFO and Lesa Smaligo, Broken Arrow contract lobbyist, regarding the language to express our concerns. The unions came back with new language to set up a five (5) member Arbitration board consisting of two (2) union representatives and two (2) municipal representatives with the neutral person being selected from Region IV of FMCS. After all parties involved took it back to their boards, the unions decided they wanted to not pursue SB 1369.

We all met again yesterday with Rep. Jordan to share with him our desire to not pursue this bill this year. Therefore, SB 1369 is dead for this Session.

LOOPHOLE FOR E-FAIRNESS CLOSES

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 is just one more loophole closed for online sales.

SMALL CELL WIRELESS BILL PASSES

SB 1388 by Sen. Greg Treat (R-OKC) and Rep. Todd Thomsen (R-Ada) is a comprehensive bill for the deployment of small wireless facilities. It passed the House on Monday by a [vote](#) of 86-1 and passed the Senate yesterday by a [vote](#) of 41-0. It now heads to the Governor's desk.

UNREGULATED CARRY BEING HEARD NEXT WEEK

SB 1212 by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Sean Roberts (R-Hominy) as introduced related only to wildlife refuge and management areas - that eliminated the requirement that Oklahoma residents obtain a permit before carrying a loaded handgun in public. On Wednesday, Rep. Jeff Coody (R-Grandfield) filed a floor [amendment](#) to the bill that will make it unregulated carry. The new language decimates the rights of business and property owners to implement safeguards that prohibit untrained, unvetted people from carrying guns on their property. In addition, many large, high-economic impact events are required by contract to prohibit weapons. This amendment has a negative economic development impact on events scheduled at the Chesapeake Center and Softball Hall of Fame in OKC, the BOK Center in Tulsa, and many other places that host concerts and events that do not allow guns at the events.

This bill is scheduled to be heard in the House next week.

BILLS ON THE MOVE

Here is a snapshot of bills impacting cities and towns.

Sales Tax Exemption/New: **HB 3123** by Rep. Meloyde Blancett (D-Tulsa) and Sen. Roger Thomsen (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 with the enacting clause stricken by a vote of 27-13. The Senate Amendment was rejected in the House and further conference has been requested.

Veterans Facility/Talihina: **SB 1347** by Sen. Frank Simpson (R-Ardmore) and Rep. Tommy Hardin (R-Madill) creates the Oklahoma Veterans Facility Investment Act of 2018. Operations of the Oklahoma War Veterans Center established in Talihina shall continue until its operations are transferred to the location identified via this bill.

The bill advanced off the House floor by a vote of 54-42.

Ambulance/Liens: **SB 1118** by Sen. Ervin Yen (R-OKC) and Rep. Dale Derby (R-Owasso) amends several sections in Title 42 regarding liens for every governmental entity or trust authority operating an ambulance service for any person injured as a result of the negligent or intentional act of another. Also impacted are physicians performing medical services and other professional persons in the healing arts as well as hospitals. It removes current law's requirement for written notice setting forth "an itemized" statement of the amount claimed.

The bill received a do pass recommendation in the House A&B Committee by a vote of 28-0. It is now waiting to be heard on the House floor.

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

The bill passed the House A&B Committee by a vote of 24-0. It is now waiting to be heard on the House floor.

Vehicles/Preemption: **SB 1375** by Sen. Mark Allen (R-Spiro) and Rep. Dustin Roberts (R-Durant) amends 47 O.S. Sections 14-101 and 14-109 impacting operation of a Covered Heavy-Duty Tow and Recovery Vehicle on the National System of Interstate and Defense Highways. The bill contains a variety of details including definitions, exceptions and changes to penalties. It also states that no state agency, board, commission or political subdivision shall issue a bond schedule that conflicts with the provisions of this section.

The bill passed the House A&B Committee with the title and enacting clause stricken by a vote of 16-11. It is now waiting to be heard on the House floor.

Vehicles/Enforcement: **SB 1380** by Sen. Mark Allen (R-Spiro) and Rep. Steven Vaughan (R-Ponca City) is an 80 page bill amending various sections of Title 47. Impacts include regulation of intrastate transportation, changing from the Corporation

Commission to the Department of Public Safety for regulatory authority, modification of enforcement officers and the like. In 47 O.S. Section 230.24 DPS is vested with authority to supervise and regulate every motor carrier whether operating between fixed termini or over a regular route "in this state". Removed from current law is an exception for every motor carrier "not operating exclusively within the limits of an incorporated city or town in this state and all private carriers operating vehicles having a gross registered weight of greater than 26,000 pounds and not operating exclusively within the limits of an incorporated city or town in this state."

The bill failed the House A&B Committee by a vote of 11-14.

OWRB/Fee Revolving Fund: [SB 1515](#) by Sen. Eddie Fields (R-Wynona) and Rep. John Pfeiffer (R-Mulhall) creates 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 A&B Committee by a vote of 24-0. It is now waiting to be heard on the House floor.

State Board of Equalization/Appportionment: [SB 1569](#) by Sen. Mike Schulz (R-Altus) and Rep. Charles McCall (R-Atoka) is a comprehensive bill creating new law applying to any fiscal year for which the amount of revenue available for appropriation by the Legislature, as determined by the State Board of Equalization at its February meeting, is less than the amount of revenue determined by the Board at its preceding June meeting. In this event, any apportionment of revenue provided by law to a fund or source other than the General Revenue Fund shall be reduced by the same percentage that the amount available for appropriation by the Legislature for the upcoming fiscal year is less than such amount for the then-current fiscal year. Section 5 impacts transportation, bridges and the municipal street and alley funds. The bill contains details.

The bill was laid over in the House A&B Committee on Monday.

Condemnation/Section Line Roads: [SB 1377](#) by Sen. John Sparks (D-Norman) and Rep. Avery Frix (R-Muskogee) amends 69 O.S. Section 646 regarding the county commissioners authority over section line roads involving a proposal to vacate. The bill contains details.

The bill advanced off the House floor with the enacting clause stricken by a vote of 72-12.

Law Enforcement/Highway Underpass: [SB 1474](#) by Sen. John Sparks (D-Norman) and Rep. Jon Echols (R-OKC) creates new law prohibiting a person from stopping, standing or parking a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, within a highway underpass.

The bill failed by a vote of 37-48 but was held on a motion to reconsider.

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

The conference committee report for the bill passed by a vote of 84-5.

Municipal Court/Expungement: [SB 650](#) by Sen. Wayne Shaw (R-Grove) and Rep. Ben Loring (D-Miami) amends 22 O.S. Section 18 by altering the categories for persons authorized to file a motion for expungement. Included are decreasing of time frames since a felony conviction.

The conference committee report for the bill passed by a vote of 38-0.

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

The conference committee report for the bill passed by a vote of 39-1.

Law Enforcement/Burglary: [SB 786](#) by Sen. Greg Treat (R-OKC) and Rep. Ben Loring (D-Miami) amends the definition and penalty for burglary. In addition, new

law creates penalty for breaking into any coin-operated or vending machine or device.

The conference committee report for the bill passed by a vote of 35-3.

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 advanced off the Senate floor by a vote of 34-5.

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”. Substituted for this language is any individual “who has called the Oklahoma One-/Call System before digging on his or her own property”.

The bill advanced off the Senate floor by a vote of 39-5. The Senate Amendment was rejected in the House and further conference has been requested.

County/Road Construction: [SB 1044](#) by Sen. Jack Fry (R-Midwest City) and Rep. Scott Fetgatter (R-Okmulgee) amends 19 O.S. Section 1505 by adding “road and bridge construction” to current procedures for county purchasing including bidding.

The bill advanced off the House floor by a vote of 83-4.

Open Records Act/Court Clerk: [SB 1346](#) by Sen. Paul Scott (R-Duncan) and Rep. Rande Worthen (R-Lawton) amends 22 O.S. Section 977 regarding court records of convictions. The court must include a notation in a copy of the judgment of the defendant’s “month and” year of birth “date”. The court shall also obtain this data.

The bill and its emergency clause advanced off the House floor by a vote of 84-0.

Roofing Contractor Registration Act/Labor Only Crews: [SB 1535](#) by Sen. A J Griffin (R-Guthrie) and Rep. Mike Osburn (R-Edmond) amends the Roofing Contractor Registration Act by adding a definition of “labor only crews” and “prefabricated or pre-engineered metal building erector” and altering the definition of “residential roofing contractor work”. Metal building erectors who install prefabricated or pre-engineered metal-building packages and labor only crews are then included in the section of those exempted from the Act. The bill contains details.

The bill and its emergency clause advanced off the House floor by a vote of 80-1.

Wind Energy/Military Bases: [SB 1576](#) by Sen. Mike Schulz (R-Altus) and Rep. Charles Ortega (R-Altus) amends 17 O.S. Section 160.20 to protect the operation of any military installation or branch of the military regarding proposed wind energy facilities or proposed wind energy facility expansion. These facilities shall not encroach or otherwise have a significant adverse impact on missions, training or operations. No wind energy facility may be constructed or expanded unless an active Determination of No Hazard from the FAA or an approved mitigation plan is obtained from the Military Aviation and Installation Assurance Siting Clearinghouse. These are filed with the Corporation Commission which is authorized to make rules. Amendments are made to 17 O.S. Section 160.21 regarding notification of intent to build a facility which must also be submitted to the Oklahoma Strategic Military Planning Commission. The bill contains details.

The bill and its emergency clause advanced off the House floor by a vote of 85-15.

School Surplus Property/Housing Authority: [HB 1334](#) by Rep. Chuck Hoskin (D-Vinita) and Sen. John Sparks (D-Norman) amends 70 O.S. Section 5-117 adding housing authorities to the entities eligible to receive surplus school property without consideration.

The bill failed in the Senate by a vote of 16-26. It is currently being held on a motion to reconsider.

Veteran Center/Talihina: [HB 3042](#) by Rep. Chris Kannady (R-OKC) and Sen. Frank Simpson (R-Ardmore) creates the Oklahoma Veterans Facility Investment Act of 2018. The long-term care facility in Talihina shall continue until operations are transferred to the location identified by the Oklahoma Veterans Commission. The bill contains details.

The bill advanced off the Senate floor with the title restored by a vote of 31-11.

Transportation/County: [HB 3129](#) by Rep. Dustin Roberts (R-Durant) and Sen. Casey Murdock (R-Felt) amends 19 O.S. Section 1505 by adding “road and bridge construction services” to county procedures for purchasing.

The bill advanced off the Senate floor by a vote of 42-0.

Juveniles/Court Records: [SB 224](#) by Sen. A J Griffin (R-Guthrie) and Rep. Chris Kannady (R-OKC) amends

various sections of Title 10A regarding the confidentiality of youthful offender court records.

The bill advanced off the House floor by a vote of 86-0.

Municipal Court/Fine: [SB 340](#) by Sen. Greg Treat (R-OKC) and Rep. Elise Hall (R-OKC) amends 11 O.S. Section 28-124 regarding jail time for a person convicted in a municipal court of record. If the defendant is without means to pay the fine or costs, and no undue hardship would result, the municipal judge may direct the defendant to perform community service at a rate of not less than the current federal minimum wage.

The bill advanced off the House floor by a vote of 87-0.

Law Enforcement/Pharmacy: [SB 956](#) by Sen. A J Griffin (R-Guthrie) and Rep. Chad Caldwell (R-Enid) provides for the State Board of Pharmacy to employ inspectors and pharmacist compliance officers "in the investigation of criminal activity or preparation of administrative actions". Any inspector certified as a peace officer by CLEET shall have statewide jurisdiction to perform duties authorized by this section. Such inspectors shall be considered peace officers having the same powers and authority as that granted to peace officer.

The bill advanced off the House floor by a vote of 89-0.

Fire Protection District/Elections: [SB 1403](#) by Sen. Marty Quinn (R-Claremore) and Rep. Mark Lepak (R-Claremore) amends 26 O.S. Section 3-101 by adding Fire Protection Districts to this statute for eligible election dates.

The bill advanced off the House floor by a vote of 90-0.

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

The bill advanced off the House floor by a vote of 83-0.

Construction Industries Board/New Authority: [HB 1280](#) by Rep. Kevin Wallace (R-Wellston) and Sen. James Leewright (R-Bristow) creates new authority for the Construction Industries Board including a website, contractual authority with Department of Career and Technology Education and establishment of the Skilled Trade Education and Workforce Development

Fund. The Fund consists of an annual transfer of fully adjudicated fine revenue received in the following revolving funds: Mechanical Licensing, Electrical, Plumbing Licensing or Roofing Contractor Registration. This Fund can be spent on a number of costs including instructional materials relating to plumbing, mechanical, electrical and roofing trades and state licensing standards, cost of equipment, materials, personnel and other costs in developing/implementing the workforce development programs and advancement of trade-related education and workforce development. The bill contains details.

The bill advanced off the Senate floor with the title restored by a vote of 40-3.

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

The bill advanced off the Senate floor by a vote of 42-0.

Water/Groundwater: [HB 3405](#) by Rep. Weldon Watson (R-Tulsa) and Sen. Eddie Fields (R-Wynona) amends 82 O.S. Section 1020.1 by adding "marginal water" to the definition of "groundwater". Marginal water means water which has less than 20,000 parts per million total dissolved solids.

The floor substitute was adopted and the bill advanced off the Senate floor by a vote of 42-0.

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

The bill advanced off the House floor by a vote of 87-0.

Oklahoma Inspectors Act/Licenses: [SB 1538](#) by Sen. Jack Fry (R-Midwest City) and Rep. Tess Teague (R-Choctaw) amends the Oklahoma Inspectors Act by removing the requirement that the Construction Industries Board establish by rule a method of prorating license fees to coincide with the birth date of the licensee. In addition, the municipal exemption for

communities with a population of 10,000 or less is altered by changing how the population is determined. Current law references the Oklahoma Employment Security Board; the bill substitutes for the U.S. Census Bureau.

The bill advanced off the House floor by a vote of 55-30.

BILLS MOVE TO THE GOVERNOR'S DESK

Taxation/Notice of Elections/Settlement: [HB 3156](#) by Rep. Earl Sears (R-Bartlesville) and Sen. Roger Thomsen (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 with the emergency clause and title restored by a vote of 40-0.

Firearms/Unlawful Carry: [HB 3353](#) by Rep. Sean Roberts (R-Hominy) and Sen. Nathan Dahm (R-Broken Arrow) amends unlawful carry of firearms to remove "billy" from current law's prohibition and exclude a "wildlife refuge or wildlife management area". In addition, a person with a valid handgun license is authorized to carry such concealed or unconcealed handgun while "scouting as it relates to hunting or fishing". Current law says "bow" hunting.

The bill passed the Senate by a vote of 38-0.

Jail/Inspections: [HB 1461](#) by Rep. Greg Babinec (R-Cushing) and Sen. Paul Rosino (R-OKC) amends jail inspections in 74 O.S. Section 192 removing references to the American Correctional Association Standards, substituting "detention officer" for jailer and amending current law on inspection reports including closure of a deficient facility.

The bill advanced off the Senate floor by a vote of 43-0.

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 advanced off the Senate floor by a vote of 43-0.

Boiler and Pressure Vessel Safety Act/Inspections: [HB 3151](#) by Rep. Jeff Coody (R-Grandfield) and Sen. Lonnie Paxton (R-Tuttle) amends 40 O.S. Section 141.9 impacting the Boiler and Pressure Vessel Safety Act regarding inspections conducted incidental to issuance or renewal of boiler and machine insurance.

The bill advanced off the Senate floor by a vote of 34-8.

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 advanced off the Senate floor by a vote of 43-0.

Occupational License/Military Training: [SB 1141](#) by Sen. J.J. Dossett (D-Sperry) and Rep. Chris Kannady (R-OKC) amends 59 O.S. Sections 4100.4 and 4100.5 to require any state licensing or certification authority to implement rules or laws for recognizing appropriate military training and experience for its occupational or professional licensing or certification process.

The bill advanced off the House floor by a vote of 87-0.

Pawnshop/Penalties: [HB 3070](#) by Rep. Rande Worthen (R-Lawton) and Sen. Greg Treat (R-OKC) amends the Oklahoma Pawnshop Act by creating penalties for selling or pledging property to a pawnbroker who uses false or altered identification.

The bill advanced off the Senate floor by a vote of 37-1.

BILLS SIGNED BY THE GOVERNOR

Law Enforcement/Sex Offenders Registration: [HB 1124](#) by Rep. Kyle Hilbert (R-Depew) and Sen. James Leewright (R-Bristow) amends the Sex Offenders Registration Act by adding the residence of a victim of a sex crime to the zone of safety in 21 O.S. Section 1125 and 57 O.S. Section 590. In addition, the bill provides prohibition from loitering. The bill contains details.

The bill takes effect on November 1, 2018.

Agriculture/Limitation of Liability: [HB 3416](#) by Rep. John Pfeiffer (R-Mulhall) and Sen. Larry Boggs (R-Wilburton) amends the Oklahoma Limitation of Liability for Farming and Ranching Land Act. It removes current law that the Act "applies only to an owner of land who

does not charge more than \$10 per acre per year for land used for recreational purposes” In addition, the definition of “charge” is deleted as well as current law impacting land leased to the state or subdivision thereof, that any consideration received by the owner for the lease shall not be deemed a charge.

The bill takes effect 90 days after the Legislature adjourns regular session sine die.

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

The bill takes effect on October 1, 2018.

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

The bill takes effect on November 1, 2018.

Elevator Safety Act/Inspections: [SB 1529](#) by Sen. Dave Rader (R-Tulsa) and Rep. Carl Newton (R-Cherokee) amends the Elevator Safety Act in a number of ways. It removes a penalty provision, alters elevator registration, changes inspections for “new nonresidential installations”, adds a third-party inspector and alters the period for property owners to be in full compliance with correcting violations.

The bill takes effect on November 1, 2018.

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 takes effect on November 1, 2018.

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

The bill took effect immediately upon the governor’s signature.

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 takes effect on July 1, 2018.

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 takes effect on November 1, 2018.