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LEGISLATURE ENTERS FINAL MONTH

As we enter the last month of the legislative process, several bills continue to head toward the Governor's desk. Two bills with notable municipal impact include:

[HB 1425](#) by Rep. Loring (D-Miami) and Sen. Montgomery (R-Lawton) allows municipalities to apply a service fee to online or in-person transactions to offset bank processing fees. The bill exempts municipal courts not of record.

[HB 2010](#) by Rep. Mize (R-Edmond) and Sen. David (R-Porter) is related to the permitless carry bill signed by the Governor earlier in session and allows a person to carry a concealed handgun, but not openly carry, in any municipal zoo or park that is owned or operated by a public trust or nonprofit entity.

To date, Governor Stitt has signed 294 bills and vetoed eight others.

The House amendments to OML's two remaining priority bills, [SB 400](#) (GPT for municipal road repairs) and [SB 1030](#) (municipal fixes to medical marijuana) were accepted. It is anticipated that the amendments to these bills will be heard on the Senate floor early next week.

Bills on The Move

A Snapshot of Bills Impacting Cities and Towns

Bidding/Retainage: [HB 1114](#) by Rep. Kevin West (R-Moore) and Sen. Roland Pederson (R-Burlington) amends 61 O.S. Section 226 authorizing the retainage not to exceed 5% to be reduced to 2.5% with respect to the balance of the work to be performed, once the contractor's work is at least 50% complete. A subcontract "shall" include retainage – current law is "may". The terms of the subcontract retainage are the same as above.

The bill has been referred to Conference.

Health Insurance/Prescription Access: [HB 2632](#) by Rep. Jon Echols (R-OKC) and Sen. Greg McCortney (R-Ada) is new law creating the Patient's Right to Pharmacy Choice Act to establish minimum and uniform access to a provider and standards and prohibitions on restrictions of a patient's right to choose a pharmacy provider. The focus is on retail pharmacy networks including coverage percentage requirements for retail pharmacy designated as a preferred participating pharmacy, regulation of pharmacy benefits managers including prohibitions on contracts, with job duties for health insurers and the Oklahoma Insurance Department. The bill provides details.

The bill has been referred to Conference.

Courts/Pretrial Release Act: [SB 252](#) by Sen. Roger Thompson (R-Okemah) and Rep. Chris Kannady (R-OKC) amends various sections of Title 22 regarding bail, conditions of release by a police officer of an individual arrested for several domestic abuse/assault/stalking, initial appearance, pretrial release, and the like. The bill contains extensive details.

After advancing off the House floor, the House amendments were rejected in the Senate.

Hospitals/Funding: [SB 499](#) by Sen. Robert Standridge (R-Norman) and Speaker Charles McCall (R-Atoka) is new law creating a hospital trust and a hospital district. A hospital or two or more hospitals located within a county or adjacent counties, or located within a county or adjacent counties and a municipality may jointly create a public trust and subsidiary districts to submit to voters of each county whether to impose a tax not previously imposed, the revenues of which shall be used for the financial support of hospitals within each district. The bill contains details. This is potentially a new funding source for beleaguered hospitals. However, the devil is in the details.

The House amendments were rejected in the Senate. The bill has since been referred to Conference.

Employment/Workplace Violence Act: [SB 715](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Chris Kannady (R-OKC) is new law impacting employers whose employee has suffered unlawful violence or a credible threat which can reasonably be construed to be carried out, or was carried out, at the workplace. The bill authorizes the employer to seek an emergency ex parte order or final protective order issued under the Protection from Workplace Violence Act. The bill contains extensive details.

The House amendments were rejected in the Senate. The bill has since been referred to Conference.

Bidding/Preference: [SB 762](#) by Sen. Roland Pederson (R-Burlington) and Rep. Kevin West (R-Moore) amends bidding at 60 O.S. Section 176 and 61 O.S. Section 103 by providing that construction contracts may provide for a local bid preference of not more than 5% if the awarding public agency determines there is an economic benefit to the local area or economy. No preference shall be granted unless the local bidding entity is the second lowest qualified bid. The local bidder or contractor must agree to perform the contract for the same price and terms as the bid proposed by the nonlocal bidder or contractor. Local means within 200 miles of the job site, but not outside the State of Oklahoma. In 61 O.S. Section 103 this language applies to public construction contracts exceeding \$50,000 and applies to any public trust. The bill contains extensive details.

The House amendments were rejected in the Senate. The bill has since been referred to Conference.

Workers' Compensation/Comprehensive: [HB 2367](#) by Rep. Chris Kannady (R-OKC) and Sen. Julie Daniels (R-Bartlesville) contains over 160 pages altering a number of sections of the Workers' Compensation Act. Among the many changes is the definition of a compensable injury. Also, no wages paid in excess of the statutory temporary disability maximum, pursuant to a collective bargaining agreement, shall be deducted from any benefit otherwise available under this title. Several statutes are repealed. The bill contains comprehensive details.

The Senate amendments were rejected in the House. The bill has since been referred to Conference.

Employment/Prohibition: [HB 1259](#) by Rep. Kyle Hilbert (R-Depew) and Sen. Lonnie Paxton (R-Tuttle) amends voting within an election enclosure and absentee by authorizing the voter to take a digital image or photograph of his/her marked ballot. It may be shared via social media or other means if performed voluntarily and in compliance with the law. If voting absentee, specific prohibitions are made regarding testimony. No employer, supervisor, or a person with authority or influence over another person shall require that person to distribute or share an image of the voted ballot. There is a penalty provision.

The Senate amendments were rejected in the House. The bill has since been referred to Conference.

Sales Tax Exemptions/Medicare Reimbursement: [HB 1262](#) by Rep. Kyle Hilbert (R-Depew) and Sen. James Leewright (R-Bristow) expands the current sales tax exemption in 68 O.S. Section 1357.6 for drugs, eyeglasses, hearing aids, prosthetic devices and the like. Added is sales of medical equipment including prosthetic devices, durable medical equipment and mobility-enhancing equipment as defined in Section 1357.6. The bill contains details.

The Senate amendments were rejected in the House. The bill has since been referred to Conference.

Alcohol Sales/Church Location: [HB 1640](#) by Rep. Ryan Martinez (R-Edmond) and Sen. Adam Pugh (R-Edmond) authorizes churches to waive the 300-foot requirement in current law for the location of a mixed beverage establishment, beer and wine establishment or bottle club. The bill contains details.

The Senate amendments were rejected in the House. The bill has since been referred to Conference.

Criminal Procedure/Fines and Costs: [HB 2218](#) by Rep. Stan May (R-Broken Arrow) and Sen. Darcy Jech (R-Kingfisher) amends various sections of Title 22 impacting payment of fines, fees and costs, probation, payment plan, suspended and deferred sentence and the like. The bill contains details.

The Senate amendments were rejected in the House. The bill has since been referred to Conference.

Occupational Licenses/Regulation: [HB 1373](#) by Rep. Zack Taylor (R-Seminole) and Sen. Julie Daniels (R-Bartlesville) is new law impacting numerous licensing authorities. All state entities that are charged with oversight of occupational licenses shall explicitly list the specific criminal records that would disqualify an applicant from receiving a license or certification. These

include only disqualifying criminal offenses that substantially relate to the duties and responsibilities of the licensed occupation and pose a reasonable threat to public safety. The bill includes licensure, notification duties and new definitions. The occupations are located in Title 59. The bill contains details.

The bill advanced from the Senate floor and was sent back to the House for approval of amendments.

Criminal Procedure/Juries: [HB 2310](#) by Rep. Avery Frix (R-Muskogee) and Sen. Stephanie Bice (R-OKC) amends 22 O.S. Section 926.1 providing detailed changes in all cases in which a jury may assess and declare punishment. 22 O.S. Section 860.1 is repealed. The bill contains details.

The Senate amendments were rejected in the House. The bill has since been referred to Conference.

Hemp/Industrial Hemp Program: [HB 2628](#) by Rep. Jon Echols (R-OKC) and Sen. Lonnie Paxton (R-Tuttle) authorizes the State Board of Agriculture to submit documents to the U.S. Department of Agriculture for approval of the Oklahoma Industrial Hemp Program.

The Senate amendments were rejected in the House. The bill has been sent to Conference.

Bills Move to the Governor's Desk

Sales Tax Exemption/American Legion: [HB 1003](#) by Rep. Mike Sanders (R-Kingfisher) and Sen. Roger Thompson (R-Okemah) adds a sales tax exemption for the American Legion.

Children's Code/Residential Program: [HB 1993](#) by Rep. Jadine Nollan (R-Sand Springs) and Sen. Frank Simpson (R-Ardmore) amends the Oklahoma Children's Code by adding a definition for family-style residential program and adding it to the definition of child-placing agency and in other parts of the Code. Also, a definition for least-restrictive placement is added to the Code.

Municipal Construction Management/Major Changes: [HB 2666](#) by Rep. Kevin Wallace (R-Wellston) and Sen. James Leewright (R-Bristow) makes extensive changes to political subdivision construction contracts dictating procedures and qualifications. This includes amendments to various statutes, a repealer of current construction management standards and new law creating the Public Construction Management Act for Political Subdivisions. The new Political Subdivision Act is extensive with definitions, how construction managers must be selected, contents of contracts, management fee, reimbursement of construction manager costs, procedures for awarding contracts/bidding, bonds, retainage and restrictions on rejecting all bids.

The bill adds public subdivisions to State Consultants in 61 O.S. Sections 61 and 62 by requiring all political subdivisions to only consider construction managers recognized by the State via the Office of Management and Enterprise Services. Included are a number of requirements on evaluating the construction managers including the requirement that negotiations with potential construction managers be one at a time with the best qualified first. Only if a fee cannot be negotiated that is "fair and reasonable to both parties", can the political subdivision negotiate with other construction managers in order of their qualifications. Where construction management at-risk is the project delivery method is amended in 61 O.S. Sections 113 and 121. This includes the requirement that contracts shall be executed by the awarding public agency, "or, where construction management at-risk is the project delivery method, by the construction manager" and the successful bidder and change order limits in current law for at-risk are changed to the "total cost of the project rather than the cost of the individual trade contracts."

Finally, public subdivisions are impacted by changes to the Public Facilities Act which is Sections 202 through

213. Current law is through Section 220. Alterations are made in 61 O.S. Sections 201, 202 and 202.1. Impacted is changes to agency construction management and at-risk construction management, removal of current language which provides political subdivisions do not need to obtain approval of any other state agency to use agency and at-risk construction management, design-build deletions and additional new requirements. New language impacts publication and procedure for bids. The current political subdivision construction management provisions are repealed (61 O.S. Section 220, as last amended by Section 18, Chapter 302, O.S.L. 2013). The bill contains comprehensive details.

Employment/Voting: [SB 58](#) by Sen. Dewayne Pemberton (R-Muskogee) and Rep. Avery Frix (R-Muskogee) amends 26 O.S. Section 7-101 adding requirements to an employer's duty to grant an employee two (2) hours to vote on the day of the election. In-person absentee voting is added on the day of the election or on a day on which in-person absentee voting is allowed by law and the current requirement that the employee be in the county is removed. There is a three (3) day notice requirement. Also, upon proof of voting, the employee shall not be subject to any loss of compensation or other penalty for such absence. There is a civil penalty provision.

Alcoholic Beverages/Golf Courses: [SB 113](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Marcus McEntire (R-Duncan) amends 37A O.S. Section 6-108 (4) regarding sales of alcohol beverages by a holder of a Retail Wine License, Retail Beer License or Mixed Beverage License. Beer and wine may be sold on credit when the license holder is a private membership club, marina, golf course or country club that normally charges food, drinks and other purchases to the member's monthly dues account in the regular course of business, in lieu of actual cash payment at the time of purchase. Such practice does not constitute the extension of credit.

Alcoholic Beverages/Commercial Vessels: [SB 115](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Marcus McEntire (R-Duncan) adds commercial vessels to the airline/railroad beverage license authorized by 37A O.S. Section 2-118.

Nursing Home/Long-Term Care: [SB 142](#) by Sen. Stephanie Bice (R-OKC) and Rep. Tammy West (R-Bethany) provides that no long-term care facility resident shall be prescribed or administered any antipsychotic drug not already prescribed prior to admission unless a number of conditions are met. The bill contains details.

Marijuana/Physicians: [SB 162](#) by Sen. Robert Standridge (R-Norman) and Rep. T.J. Marti (R-Tulsa) amends marijuana provisions in several ways. New law, not to be codified, provides that the “provisions of this act shall be implemented in accordance with the subject to the Oklahoma Medical Marijuana and Patient Protection Act” The bill impacts applications in several ways including authorizing applications for a marijuana medical license be signed by a licensed physician who is in good standing with the State Board of Medical Licensure and Supervision of the State Board of Osteopathic Examiners. In addition, changes are made to the definition of “test batch” by adding “no greater than ten (10) pounds”. Test batch is then included in regulation impacting growers and processors and batch size is removed from rulemaking by the State Commissioner of Health.

Law Enforcement/OLETS: [SB 259](#) by Sen. Dewayne Pemberton (R-Muskogee) and Rep. Ross Ford (R-Broken Arrow) authorizes use of DPS images displayed on licenses and identification cards for those approved agencies through images obtained via the Oklahoma Law Enforcement Telecommunication system (OLETS) and/or the National Law Enforcement Telecommunications System (NLETS) or through an entity approved by DPS.

Law Enforcement/Mopeds: [SB 337](#) by Sen. Larry Boggs (R-Wilburton) and Rep. Jim Grego (R-Wilburton) increases allowable speeds for mopeds and authorizes operation on streets and highways under conditions in the bill.

Law Enforcement/Preemption: [SB 365](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Ryan Martinez (R-Edmond) creates the Oklahoma Driving Automation System Uniformity Act by preempting counties or municipalities from regulating motor vehicles with driving automation systems. The Act supersedes any existing law or ordinance. The bill contains details.

Law Enforcement/Motor Vehicles: [SB 374](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Avery Frix (R-Muskogee) adds dual lane axles and dual lane axles group to Title 47. In addition, 47 O.S. Section 14-109 is amended in various ways including impacting vehicles operating under special permits, removing interstate and adding road, affecting oversize or overweight vehicles and providing an exception to current law’s prohibition on vehicle operation. The bill provides details.

Taxation/Voluntary Compliance: [SB 402](#) by Sen. Kay Floyd (D-OKC) and Rep. Tammy West (R-Bethany) is new law prohibiting a taxpayer from participating in a

statutory voluntary compliance initiative if he/she has previously participated in a similar initiative. The prohibition applies if there is a waiver of penalty, interest and other collection fees due on unpaid taxes. The bill contains conditions and exceptions.

Hospital/Mammography: [SB 443](#) by Sen. Adam Pugh (R-Edmond) and Rep. Lewis Moore (R-Arcadia) requires all health care facilities to send the summary of a mammography report by electronic mail if elected by the patient.

Jails/Reimbursement: [HB 1374](#) by Rep. Zack Taylor (R-Seminole) and Sen. Paul Rosino (R-OKC) amends 57 O.S. Section 95 providing details on reimbursement for the sheriff’s transportation of the convicted person to the Department of Corrections Lexington Assessment and Reception Center or other location as designated. Components are mileage, hourly wage reimbursement not to exceed \$30 an hour per officer, rule-making and rulemaking authorization. The bill contains details.

Wind Turbine/Individual Structure Regulation: [HB 2118](#) by Rep. Charles Ortega (R-Altus) and Sen. Gary Stanislawski (R-Tulsa) amends wind energy facilities by prohibiting individual wind turbines or any other individual structure requiring a Federal Aviation Administration (FAA) Form 7460-1 from encroaching on military installations as determined by the Military Aviation and Installation Assurance Siting Clearinghouse and the FAA. A valid Determination of No Hazard from the FAA and adverse impacts to the U.S. Department of Defense must be resolved. The bill contains exceptions, dispute resolution, required procedures and penalty provisions. The Corporation Commission and the Aeronautics Commission has duties. The bill contains extensive details.

Bills Signed by the Governor

Housing Tax Credit: [HB 1411](#) by Rep. Monroe Nichols (D-Tulsa) and Sen. Kevin Matthews (D-Tulsa) amends the tax credits in the Oklahoma Affordable Housing Act by altering the current definition of qualified project. The bill removes the population limit of less than 150,000 in a county. In addition, any tax credit claimed but not used in a taxable year may be carried forward two (2) subsequent taxable years. Current law is five (5) subsequent taxable years.

The bill will take effect on November 1, 2019.

Pay for Success Act: [HB 2670](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Roger Thompson (R-Okemah) is new law creating the Pay for Success Act to authorize innovation opportunities via an agency entering pay-for-success contracts with a private entity or entities to receive up-front capital to fund a service or program. Nothing in this bill shall prohibit the use of pay-for-success contracts by municipalities, counties or other local jurisdictions. The bill creates details.

The bill will take effect on November 1, 2019.

Law Enforcement/Sex Offender: [SB 163](#) by Sen. Adam Pugh (R-Edmond) and Rep. Ben Loring (D-Miami) amends the Sex Offenders Registration Act regarding reporting requirements for any person subject to the act who resides with a minor child. Registration is required even if the child was not the victim of the offense for which the person is required to register. Registration is via a statewide centralized hotline of the Department of Human Services. The bill contains details.

The bill will take effect on November 1, 2019.

Fire Protection District/Territory: [SB 164](#) by Sen. Roland Pederson (R-Burlington) and Rep. Garry Mize (R-Edmond) amends various sections of Title 19 fire protection districts. Changes include authorization to increase membership of its board of directors, detailed requirements for a fire chief who shall direct and control the department and criteria is established for company officers, territory adjacent to the existing district but within another county may be included under procedures required in the bill, requirements are placed on a municipality which annexes part or all of the district including standards for fire protection, debt assumption, acquiring district assets and contracting for fire protection. The bill provides details.

The bill will take effect on November 1, 2019.

Law Enforcement/Controlled Dangerous Substances: [SB 166](#) by Sen. Robert Standridge (R-Norman) and Rep. Chris Kannady (R-OKC) adds new substances to Schedule I controlled dangerous substances.

The bill will take effect on November 1, 2019.

Finance/Federal Funds: [SB 271](#) by Sen. Nathan Dahm (R-Broken Arrow) and Rep. Kyle Hilbert (R-Depew) requires all agencies to make an annual disclosure of all federal funds under the control of the entity and the programs for which the federal funds are used. The bill contains details.

The bill will take effect on November 1, 2019.

Enterprise Zone/Tax Credit: [SB 473](#) by Sen. Dave Rader (R-Tulsa) and Rep. Scott Fetgatter (R-Okmulgee) amends 62 O.S. Section 842 impacting income tax credits and changing the qualifying dates for an incentive or increment district. In addition, an enterprise engaged in a retail activity loses current law's income tax credit authorized by the Local Development and Enterprise Zone Incentive Leverage Act. The maximum amount of state local enterprise matching payments is also altered. The dates for a qualifying incentive district or increment district's creation is altered from current law's prior to December 31, 2018 to prior to December 31, 2028. Current law requires the investments or improvements to begin no later than December 31, 2019. This date is changed to not later than December 31, 2029. Dates are also changed in 62 O.S. Section 843 regarding the Department of Commerce certification of the project plan located in an enterprise zone and that the qualifying investment and development being substantially completed no later than December 31, 2034. Current law is December 31, 2024.

The bill took effect upon the Governor's signature.

Cervidae Facility/Regulation: [SB 551](#) by Sen. Casey Murdock (R-Felt) and Rep. John Pfeiffer (R-Mulhall) amends 2 O.S. Section 6-505 regarding Oklahoma Department of Agriculture rules regarding the application and licensing process, fees and regulation of farmed cervidae facilities. New law states any regulation relating to the import of nonnative cervidae by local government, authority or state agency or office shall be consistent with corresponding federal regulations.

The bill took effect upon the Governor's signature.

Alarm, Locksmith and Fire Sprinkler Industry Act: [SB 664](#) by Sen. Adam Pugh (R-Edmond) and Rep. Mike Osburn (R-Edmond) amends the Alarm, Locksmith and

Fire Sprinkler Industry Act in a number of ways which includes changes to a several definitions.

The bill will take effect on November 1, 2019.

Law Enforcement/Undercover Officers: [SB 679](#) by Sen. Darrell Weaver (R-Moore) and Rep. Chris Kannady (R-OKC) is new law authorizing law enforcement organizations to request to a county assessor that personal information regarding an undercover or covert office not be made publicly available on the internet. Instead the information must be kept in a secure location at the assessor's office. The bill contains details.

The bill took effect upon the Governor's signature.

Law Enforcement/Street Gangs: [SB 711](#) by Sen. Darrell Weaver (R-Moore) and Rep. Justin Humphrey (R-Lane) amends the definition of criminal street gangs in 21 O.S. Section 856. The Sex Offenders Registration Act is amended to include 856, if the offense involved child prostitution or human trafficking for commercial sex.

The bill will take effect on November 1, 2019.

Law Enforcement/Eyewitness Procedures: [SB 798](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Chris Kannady (R-OKC) is new law requiring all law enforcement agencies that conduct eyewitness identification procedures to adopt a detailed, written policy that includes a number of requirements including photo arrays and live lineups, eyewitness notification, selection of fillers, requirements after an identification is made, protocols for use of show-ups and for documenting eyewitness identification procedures. The bill contains details.

The bill will take effect on November 1, 2019.

Alcohol Beverages/Under Age 21: [SB 819](#) by Sen. Stephanie Bice (R-OKC) and Rep. Marcus McEntire (R-Duncan) authorizes those holding a brewer license to sell cider and allow visitors under age 21 into anywhere on the premises except for a serving area. The bill contains details including definitions.

The bill will take effect on November 1, 2019.

Courts/Traffic Offenses: [SB 858](#) by Sen. Darcy Jech (R-Kingfisher) and Rep. Chris Kannady (R-OKC) amends 21 O.S. Section 11 regarding other laws, which create a criminal act and prescribes punishment. That offense and punishment shall be governed by the special provision, not by the provisions of this title. There is a statutory change and current language in Section 11 (B) which

includes traffic offenses is deleted. Also, 22 O.S. Section 16 is repealed.

The bill will take effect on November 1, 2019.

Environmental/Audit Act: [SB 1003](#) by Sen. Mark Allen (R-Spiro) and Rep. Mark McBride (R-Moore) is new law creating the Oklahoma Environmental, Health and Safety Audit Privilege Act to encourage voluntary compliance with environmental and occupational health and safety laws. The bill contains a number of definitions with a regulated facility or operation defined as an operation that is regulated under an environmental or health and safety law. A penalty is created for a public entity, public employee or public official who discloses information in violation of the bill. There is an affirmative defense. The bill contains details.

The bill will take effect on November 1, 2019.

Environment/Air Curtain Incinerators: [SB 1005](#) by Sen. Mark Allen (R-Spiro) and Rep. Terry O'Donnell (R-Catoosa) creates new law prohibiting the Department of Environmental Quality from requiring the use of an air curtain incinerator for fires purposely set for land clearing operations except in counties or areas that are or have been designated nonattainment for a National Ambient Air Quality Standard or in metropolitan statistical areas with a population of greater than 900,000. The same prohibition is also made for air curtain incinerators purposely set for burning of clean wood waste or yard brush. The bill contains a definition of air curtain incinerator and authorizes rulemaking. The burning of clean wood waste or yard brush shall not create a public nuisance.

The bill will take effect on November 1, 2019.

Credit Card/Surcharge: [HB 1425](#) by Rep. Ben Loring (D-Miami) and Sen. John Montgomery (R-Lawton) amends 14A O.S. Section 2-417 regarding regulation of a surcharge on the use of a credit card or debit card. The bill authorizes municipalities and a public trust with a municipality as a beneficiary to charge a service fee which may be applied to online or in-person transactions and shall be used to offset bank processing fees and the like. In addition, 28 O.S. Section 151 is amended to provide this section shall not apply to municipal courts not of record.

The bill will take effect on November 1, 2019.

Route 66 Commission/Appointments: [HB 1774](#) by Speaker Charles McCall (R-Atoka) and Sen. Adam Pugh (R-Edmond) creates the Oklahoma Route 66 Centennial Commission Act to plan special events to celebrate

historic Route 66 centennial in 2026. The bill contains details.

The bill will take effect on November 1, 2019.

Firearms/Municipal Property: [HB 2010](#) by Rep. Garry Mize (R-Edmond) and Sen. Kimberly David (R-Porter) amends unlawful carry in 21 O.S. Section 1277 by exchanging handgun in current law for firearm including on municipal property. In addition, an individual shall be allowed to carry a concealed handgun in any municipal zoo or park owned, leased or managed by a public trust created via 60 O.S. Section 176; or a nonprofit entity. In addition, a number of changes are made to unlawful carry impacting colleges, universities or technology centers. Finally, the peace officer exclusion for this section is expanded from carrying, in current law, a pistol in the course of employment to carrying a firearm. The bill provides details.

The bill will take effect on November 1, 2019.

Alcohol Beverages/Retail License: [HB 2325](#) by Rep. Kevin McDugle (R-Broken Arrow) and Sen. Stephanie Bice (R-OKC) authorizes a retail spirits licensee to permit any person under age 21 into the licensed premises if accompanied by their parent or legal guardian.

The bill will take effect on November 1, 2019.

Environment/DEQ: [HB 2476](#) by Speaker Charles McCall (R-Atoka) and Sen. Chuck Hall (R-Perry) provides that except for closure standards, DEQ's industrial wastewater system rules shall not apply to facilities governed by the Oklahoma Funeral Board. There are reporting, remedial action and notification requirements. Federal law must be followed and failure to comply with the requirements in the bill shall cause the spill, leak or release to be deemed a public nuisance. The bill contains details.

The bill will take effect on November 1, 2019.

Sales Tax/Rolling Stock Exemption: [SB 18](#) by Sen. Roger Thompson (R-Okemah) and Rep. Kyle Hilbert (R-Depew) amends the current sales tax exemption for rolling stock by extending the exemption from before July 1, 2019 to "before July 1, 2024," and including sales "or leases" of rolling stock. Sales or leases includes "railroad car maintenance and retrofitting."

The bill took effect upon the Governor's signature.

Law Enforcement/Driving: [SB 189](#) by Sen. Darcy Jech (R-Kingfisher) and Rep. Carl Newton (R-Cherokee) amends

47 O.S. Section 11-310 impacting non-lead vehicles in a platoon. The bill contains details.

The bill took effect upon the Governor's signature.

CLEET/Training: [SB 224](#) by Sen. Greg McCortney (R-Ada) and Rep. Ronny Johns (R-Ada) amends various provisions regarding CLEET background checks, fees, complaints involving a final Victims Protective Order and training for full-time certified officers working as a reserve officer.

The bill will take effect on November 1, 2019.

CLEET/Security Guard: [SB 235](#) by Sen. Greg McCortney (R-Ada) and Rep. Ronny Johns (R-Ada) alters several sections of the CLEET statute. Among these changes is in applicants for an armed security guard and armed private investigator license in 59 O.S. Section 1750.3A as well as changes to the current exemption for active and retired peace officers by adding full-time. The bill provides details including conditional licenses, licensing requirements, Alford Pleas, mental health reporting, fees, revocation and disciplinary provisions.

The bill will take effect on November 1, 2019.

Jail/Transfer: [SB 244](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Zack Taylor (R-Seminole) amends 57 O.S. Section 37 regarding the Department of Corrections being required to contract for bed space to house state inmates. Impacted is transferring inmates including electronic documents and removal of current law's five-day requirement regarding responsibility for the cost of housing the inmate in the county jail. The bill contains details.

The bill will take effect 90 days after Sine Die.

Law Enforcement/Traffic Collision Reports: [SB 289](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Avery Frix (R-Muskogee) amends 47 O.S. Section 40-102 regarding the current prohibition allowing a person to examine or reproduce a collision report or related investigation report if it is sought for making a commercial solicitation. The bill amends commercial solicitation to include personal information that is not pursuant to a request under paragraph 2 of subsection A of this section. Personal information is defined in detail with exceptions. The bill contains details.

The bill will take effect on November 1, 2019.

Public Finance/Bonds: [SB 295](#) by Sen. Chuck Hall (R-Perry) and Rep. Garry Mize (R-Edmond) impacts bonds or other obligations issued by the Oklahoma Capital

Improvement Authority. There are various requirements including submitting such bonds/other obligations to the Oklahoma Attorney General for examination. The Attorney General will examine and certify these as legal obligations with such requirements as he or she may make. 73 O.S. Section 158 is repealed. The bill contains details.

The bill will take effect on November 1, 2019.

Children's Code/Qualified Residential Treatment: [SB 318](#) by Sen. Frank Simpson (R-Ardmore) and Rep. Tammy Townley (R-Ardmore) amends the Oklahoma Children's Code by adding a definition of qualified residential treatment program which has a trauma-informed treatment model. The bill contains details.

The bill will take effect on November 1, 2019.

Employment/Unemployment Compensation: [SB 335](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Ryan Martinez (R-Edmond) makes numerous amendments to the Oklahoma Employment Security Commission impacting wages, supplemental unemployment benefit plan, claims, reemployment services, appeals, technology fund and the like. Also, 40 O.S. Section 4-314 is repealed.

The bill took effect upon the Governor's signature.

Water/Arbuckle Simpson: [SB 568](#) by Sen. Greg McCortney (R-Ada) and Speaker Charles McCall (R-Atoka) creates a OWRB Phase II Arbuckle-Simpson Hydrology Study Revolving Fund. The fund consists of monies from appropriations, apportionments, donations, federal grants and fee revenue for the development of enhanced hydrologic framework and modeling of the eastern Arbuckle-Simpson Groundwater Basin. OWRB shall coordinate with East Central University and the U.S. Geological Survey. The bill contains details.

The bill took effect upon the Governor's signature.

Occupational Licenses/Veterans: [SB 670](#) by Sen. Adam Pugh (R-Edmond) and Speaker Charles McCall (R-Atoka) authorizes those serving in the armed forces and his/her spouse who meet the conditions in the bill to notify the appropriate licensing or credentialing agency in this state to request an "expedited" temporary or reciprocal license or certification. The bill contains details.

The bill will take effect on November 1, 2019.

Economic Development/Oklahoma Community Pooled Finance: [SB 749](#) by Sen. Dave Rader (R-Tulsa) and Rep. Kyle Hilbert (R-Depew) amends the Oklahoma Community Economic Development Pooled Finance Act

in a variety of ways. Included are new definitions for Federal government defense entities and Public-Private Partner Development Pool. Federal government defense entities are Fort Sill, Tinker Air Force Base, Altus Air Force Base, Vance Air Force Base and McAlester Army Ammunition Plant. New law in the bill authorizes the Oklahoma Development Finance Authority to act as a conduit issuer for the benefit of at least one eligible local government entity, to issue obligations and provide financing under specific criteria. The Oklahoma Department of Commerce is authorized for rule-making for the funding of authorized infrastructure projects and to establish a scoring system to evaluate projects. The bill contains a number of new definitions as well as extensive details.

The bill will take effect on November 1, 2019.

Alcoholic Beverages/License: [SB 805](#) by Sen. Stephanie Bice (R-OKC) and Rep. Marcus McEntire (R-Duncan) is new law authorizing the ABLE Commission to make rules for employee license payment plans or to recommend changes in legislation to allow large corporate employers to pay for its employee alcohol licenses.

The bill will take effect on November 1, 2019.

Burning Prohibitions/County: [HB 1218](#) by Rep. Tommy Hardin (R-Madill) and Sen. Frank Simpson (R-Ardmore) amends prohibitions on burning during a period of extreme fire danger by adding "temperatures for any day over the next 3 days are forecasted at or over 100 degrees".

The bill will take effect on November 1, 2019.

Law Enforcement/Tow Away Trailer: [SB 61](#) by Sen. Micheal Bergstrom (R-Adair) and Rep. Avery Frix (R-Muskogee) amends 47 O.S. Section 14-103 by adding the overall length limitation of a tow away trailer transporter and definitions. Detailed requirements for a stinger-steered automobile transporter is added to 47 O.S. Section 14-103B.

The bill will take effect on November 1, 2019.

Alcohol Beverages/Tasting Flights: [SB 814](#) by Sen. Stephanie Bice (R-OKC) and Rep. Marcus McEntire (R-Duncan) authorizes ABLE licensees to utilize tasting flights which is several samples of various beers, wines or spirits served at one time. The bill contains details.

The bill will take effect on November 1, 2019.

Bills Vetoed by the Governor

Employment/FPAA: [HB 1968](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. John Haste (R-Broken Arrow) amends the Fire and Police Arbitration Act (FPAA) by adding a procedure for unionization elections. Due to the sunset of the Public Employees Relations Board the bill authorizes the Oklahoma Department of Labor to hold elections. If a legal challenge arises related to the election, the Labor Commissioner shall choose either to rule, which his/her ruling being final, or the challenge may be referred to arbitration via 11 O.S. Sections 51-106 through 51-111. Fees and expenses are borne equally. The bill contains details.

Health Insurance/Prescription Access: [SB 841](#) by Sen. Greg McCortney (R-Ada) and Rep. Marcus McEntire (R-Duncan) is new law creating the Prescription Access and Affordability Act to establish minimum and uniform access standards and prohibitions on restriction of the right of a patient to choose a pharmacy provider. The focus is on retail pharmacy networks including coverage percentage requirements for retail pharmacy designated as a preferred participating pharmacy, regulation of pharmacy benefits managers including prohibitions on contracts, with job duties for health insurers and the Oklahoma Insurance Department. The bill provides details.

Advocating for Your Community

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

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

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

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

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

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

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

Future Issues

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

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