

2023 LEGISLATIVE SESSION OVERVIEW

The First Regular Session of the 59th Legislature began with nearly 3,100 bills filed this year that were considered to be of significant interest to municipal governments. There were proposals to remove the state's portion of sales tax on groceries, numerous proposals on guns and grass aka medical marijuana, preemption measures, and tax policy.

The OML Legislative Committee and Board of Directors were very engaged in crafting several pieces of legislation to improve and strengthen municipal government. These topics included drug courts, judicial training, and youth tobacco regulations and abandoned property legislation.

Here are the wins that OML achieved:

(OML Priority) Law Enforcement/Drug Offenders: [HB 2153](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. Micheal Bergstrom (R-Adair) provides that any person convicted of a second offense within ten (10) years of the previous conviction relating to possessing, selling, or purchasing controlled dangerous substances may be ordered by the court to complete a diversion program for up to one (1) year following the date of conviction in lieu of other punishments. The program may include drug testing as a requirement. Any person convicted of a third offense within ten (10) years of the previous conviction shall be subject to a fine not exceeding One Thousand Dollars (\$1,000.00) and/or a term of imprisonment in the county jail not to exceed 30 days. The court may, with the consent of the defendant, order the defendant to complete a substance abuse assessment and evaluation and to complete a diversion program for up to three (3) years following the date of conviction. The court may impose punishment as provided for in current law if the defendant refuses to complete the program. Any person convicted for a fourth offense within the ten (10)-year period shall be subject to a fine not to exceed Five Thousand Dollars (\$5,000.00) and/or a term of imprisonment for not less than one (1) year and not more than five (5) years. The court may order the defendant to complete a diversion program and, upon completing the program, change the felony charges to a misdemeanor.

The bill takes effect on November 1, 2023.

(OML Priority) Tobacco Regulations/Youth Access: [HB 2165](#) by Rep. Cynthia Roe (R-Lindsay) and Sen. Bill Coleman (R-Ponca City) requires an individual who is under twenty-one (21) who purchases, receives, or possess a tobacco, nicotine, or vapor product or attempts to purchase any of these products using false proof of age to complete an education or tobacco use cessation program approved by the court. If the violator fails to complete the court ordered program, a fine not to exceed Fifty Dollars (\$50.00) may be imposed or a fine not to exceed One Hundred Dollars (\$100.00) may be imposed for subsequent offenses. The violator may also be required to complete a community service program or other appropriate programs or services as the court orders. To ensure all programs and court orders are followed, the court will have jurisdiction over the violator for 12 months. The measure authorizes cities and towns to enact and municipal police offices to enforce ordinances that prohibit and penalize conduct that violates this law.

The bill takes effect on November 1, 2023.

(OML Priority) Abandoned Property/Liens: [HB 2361](#) by Rep. Brad Boles (R-Marlow) and Sen. Jessica Garvin (R-Duncan) requires there to be a reserve minimum bid placed in an amount covering all taxes, abatement costs, penalties, interest, costs due to a municipality if the right to exercise the reserve minimum bid is noticed to the county treasurer. However, the property must be bid off in the name of the municipality if demand is made in writing by a municipality which has outstanding liens upon the property. In cases of nuisance property, the county treasurer shall have discretion not to bid off the property, unless the demand is made in writing by a municipality which has outstanding liens upon the property. Nuisance property definition is expanded to add property in which abatement liens have been placed upon the property by a municipality in excess of twenty-five percent (25%) of the property's fair market value as shown by the county assessor's office.

The bill takes effect on November 1, 2023.

(OML Priority) Municipal Judge Certification: [SB 462](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Josh West (R-Grove) prohibits appointing persons who are not a licensed attorney as a municipal judge beginning July 1, 2026. Non-attorney judges who were appointed prior to July 1, 2026, can continue to be reappointed if they complete the required certification program. The bill also allows municipal judges in cities with a population of more than two hundred thousand (200,000) people to engage in the practice of law in any other court during their tenure. The bill requires all current municipal judges to complete a certification program approved by the Oklahoma Municipal Judges Association by July 1, 2026. Municipal judges appointed after July 1, 2026, will have one (1) year to complete the certification program. If a municipal judge fails to complete their certification, the maximum fine a municipal court can impose on all traffic and criminal cases is Fifty Dollars (\$50.00). Municipal judges must file their Oklahoma Municipal Judge certifications with the county clerk and municipal court clerk. The bill also clarifies that a municipal judge in a court not of record is not an "officer" of the municipality according to Title 11 Section 1-102 and is not to be considered a state officer for the purpose of Title 51 Section 6. All municipal judges, including nonlawyer judges, are subject to the code of judicial conduct and legal ethics.

The bill takes effect on November 1, 2023.

BILLS SUCCESSFULLY STOPPED

OML continues to be recognized at the State Capitol as the unified voice of Oklahoma municipal governments in shaping policy and safeguarding local control. Throughout this Session, there were numerous bills filed attempting to preempt local control and hinder municipal governments including sales tax exemptions, zoning preemptions, making tax increment financing more difficult, water tap fees, and limiting election dates. OML opposed ninety (90) bills and nearly all of those we actively opposed were halted in the legislative process. Here are a few that were successfully stopped:

Right to Garden Act of 2023: [HB 1008](#) by Rep. Rick West (Heavner) and Sen. George Burns (R-Pollard) created the Oklahoma Right to Garden Act of 2023. The bill defined "vegetable garden" and "residential property". It is the right of citizens in Oklahoma to engage in growing their own vegetables in a garden on their personal property for personal consumption, subject to restrictions rationally related to a governmental purpose. A municipality, city or town was not prohibited from enacting content-neutral ordinances or regulations that address the following: limiting the size and proximity of gardens to roadways, structures, or other locations that impact health and safety; or the enforcement of constitutional and lawful ordinances adopted by municipalities that are in conformity with general powers that do not specifically ban gardening, including, but not limited to, regulations and ordinances related to water usage during drought conditions, fertilizer use, or control of invasive species.

The bill passed the House but was never heard in the Senate General Government Committee.

Comprehensive Plan/Zoning Preemption: [HB 1599](#) and [HB 2089](#) by Rep. Jon Echols (R-OKC) and Sen. Lonnie Paxton (R-Tuttle) provides that municipal zoning decisions are legislative in nature and valid unless the challenging party proves the ordinance lacks a substantial relation to the public health, safety, or general welfare of the public in light of objective and relevant facts, or if the decision constitutes an unreasonable, arbitrary exercise of police power. If the validity of a challenged zoning ordinance or zoning decision is fairly debatable, in light of objective and relevant facts, the legislative judgment of the municipality must stand. The bill also establishes that municipal platting decisions are quasi-judicial in nature and gives the Planning Commission and the City Council of a municipality the discretion to determine a plats compliance with regulations, codes, and ordinances. In the case of a preliminary or final plat denial, the objecting governing body member is required to identify their basis for denial. Comprehensive plans are allowed to be used as a guide when making zoning or plat decisions, but decisions are required to be based on objective and relevant facts and the municipal code.

HB 2089 passed the House but was never heard in the Senate Rules Committee. HB 1599 failed the House floor by a vote of 34 to 59 but was reconsidered and rescinded back to fourth reading. Both bills will be available to be heard next session.

Election Date Changes: [HB 1823](#) by Rep. Sherrie Conley (R-Newcastle) and Sen. Shane Jett (R-Shawnee) authorized a general election to be held on the first Tuesday after the first Monday in November of every odd-numbered year and every two years thereafter. The bill also authorized a primary election to take place on the second Tuesday of June of every odd-numbered year and

every two years thereafter. These dates would be held when general and primary elections of members of the board of education of every school district and technology school district will be conducted. Candidates for these offices must file on the first Monday in April through the following Wednesday, in off-numbered years. The measure specifies that any political subdivision authorized to call elections can call them on the first Tuesday after the first Monday of November in an odd-numbered year and the second Tuesday of June of an odd-numbered year in addition to the dates already in statute.

The bill failed on the House floor by a vote of 26 to 67.

PERB Hearings: [HB 2134](#) by Rep. John George (R-Newalla) and Sen. Grant Green (R-Wellston) modifies the Public Employee Relations Board (PERB) allowing the Board to have the power to set an unfair labor practice matter for hearing, take evidence and decide the questions presented. When an employer or bargaining agent claims that an unfair labor practice has been committed by the other, it shall notify the other in writing, within six (6) months of the commission of the alleged practice. Within ten (10) days of such notification each party shall select and name one arbitrator and shall immediately thereafter notify each other in writing of the name and address of the person selected. The two arbitrators so selected and named shall, within five (5) days from and after the expiration of the ten (10) day period, agree upon and select a third arbitrator. If the arbitrators are unable to agree upon the selection of a third arbitrator, the bargaining agent and the corporate authorities shall request the Federal Mediation and Conciliation Service to provide a list of five arbitrators. The chairperson of the Arbitration Board shall schedule a hearing, take evidence, and render a decision based thereon. Decisions of the former PERB and of the National Relations Board may be considered persuasive on the issues presented. The provision for interest arbitration, consideration of alleged unfair labor practices, and for certification, decertification, election, or determination of the bargaining representative.

The bill passed the House but was never heard in the Senate General Government Committee.

Preemption/Internal Combustion Engines: [HB 2135](#) by Rep. Mark Lepak (R-Claremore) and Sen. Grant Green (R-Wellston) created the Oklahoma Right to Drive Act. For purposes of promoting commerce and the equitable treatment of the citizens of this state, limitations on the sale, purchase, trade, or usage of any motor vehicle which utilizes an internal combustion engine as a means of propulsion by any city, town, county, or subdivision thereof is declared a statewide concern and shall be prohibited from any regulation by a city, town, county, or subdivision.

The bill passed the House but was never heard on the Senate floor.

Law Enforcement/Investigations of Officers: [HB 2161](#) by Rep. Ross Ford (R-Broken Arrow) and Sen. Darrell Weaver (R-Moore) requires at least two-thirds (2/3) of the members, staff, employees or seats of any government committee, board, agency, department, office, or entity that investigates law enforcement officer misconduct, influences the conduct of or certifies law enforcement officer misconduct investigations, recommends disciplinary actions for law enforcement officer misconduct or imposes discipline for law enforcement officer misconduct must be law enforcement officers certified by the CLEET and who are of any rank and who are from the same department or agency as the law enforcement officer who is the subject of the investigation or disciplinary action. Any findings or recommendations from any government

committee, board, agency, department, office or entity shall require a majority vote to do any of the following: investigate law enforcement officer misconduct; influence the conduct of or certify law enforcement officer misconduct investigations; recommend disciplinary actions for law enforcement officer misconduct; or impose discipline for law enforcement for officers' misconduct. The Legislature find that setting and maintaining standards of professionalism and integrity of law enforcement officers in this state are of statewide concern.

The bill passed the House but was never heard on the Senate floor.

Eminent Domain Restrictions: [HB 2191](#) by Rep. Kevin West (R-Moore) and Sen. Todd Gollihare (R-Kellyville) prohibits the taking of private property or damaged by a condemning authority unless the taking or damage is necessary for public use and with just compensation. The public purpose or public benefit of economic development, including an increase in tax base, tax revenues, employment, or general economic health, does not constitute a public use. Nothing in subsection A shall be construed to prohibit a taking of private property for public uses because the public use also provides ancillary economic benefits. The court shall strictly construe eminent domain statutes in favor of the property owner and against the condemning authority. A governmental body subordinate to the state may not exercise, create, extend, or expand a power of eminent domain in the absence of statutory authority. Additional procedures, remedies, or limitations that do not deny or diminish the substantive and procedural rights and protections of property owners under this section may be provided by other law, ordinance, or charter. The bill also provides definitions for abandoned property, blighted property, and public use.

The bill passed the House but was never heard on the Senate floor.

Firearms/Contractual Requirements: [HB 2218](#) by Rep. Kevin West (R-Moore) and Sen. Micheal Bergstrom (R-Adair) prohibits any governmental entity entering into a contract with a company for the purchase of goods or services unless the contract contains a written verification from the company that it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and will not discriminate during the term of the contract against a firearm entity or firearm trade association. The provisions of this bill shall apply to companies with ten (10) full-time employees and has a value of One Hundred Thousand Dollars (\$100,000.00) that is paid wholly or partly from public funds of the governmental entity. The provisions of subsection C of this section shall not apply to a governmental entity that contracts with a sole-source supplier or after requesting bids, only receives bids from companies that do not comply with provisions of subsection C of this section. It is up to the Central Purchasing Division of the Office of Management and Enterprise Services shall have the authority and responsibility of reviewing state governmental contracts to confirm that the requirements of subsection C of this section have been provided. A governmental entity shall utilize its current method of processing and analyzing the provisions within a contractual agreement and shall confirm that the required written verification has been included and made a part of the contractual agreement. The provisions of this section shall only apply to financial institutions that have Fifty Billion Dollars (\$50,000,000,000.00) or more in assets.

The bill failed in the Senate General Government Committee by a vote of 4 to 5.

Open Records Act/Public Access Counselor/AG's Office: [HB 2287](#) by Rep. John Pfeiffer (R-Mulhall) and Sen. Greg McCortney (R-Ada) creates the position of a Public Access Counselor Unit in the Office of the Attorney General. Any person whose request to inspect or copy a public record is denied by a public body, except the Legislature and committees, commissions, and agencies thereof, may file a request for review with the Public Access Counselor not later than thirty (30) days after the date of the final denial. The request for review must be in writing, signed by the requester, and include: a copy of the request for access to records and any response from the public body. A person who makes the request for commercial purposes may not file a request for review. If the public body treats the request for review as a commercial purpose, the individual may file a request with the Public Access Counselor to review whether the public body properly determined the request. The Public Access Counselor must forward a copy of the request for the public body to review within seven (7) business days after receipt and specify the records or other documents that the public body shall furnish to facilitate the review. If the public body fails to respond, the AG may issue a subpoena to any person or public body having knowledge of or records pertaining to a request for review of a denial of access to records. There is a process for extending the time by the Public Access Counselor with notification to the requester and public body. The opinion shall be binding upon both the requester and the public body. Upon receipt of the binding opinion, the public body must either take the necessary action to comply or file suit in the proper district court. The AG may also issue advisory opinions to public bodies regarding compliance with this act.

The bill was sent to conference, but the Conferees were unable to agree.

Governmental Tort Claims Increase: [HB 2373](#) by Rep. Chris Kannady (R-OKC) and Sen. Brent Howard (R-Altus) passed the House and the Senate Judiciary Committee but was never heard in the Senate Appropriations Committee.

[SB 261](#) by Sen. Brent Howard (R-Altus) and Rep. Chris Kannady (R-OKC) was amended to a Name, Image, and Likeness (NIL) bill in conference and was never heard.

Workers' Compensation/PTSD/First Responders: [HB 2398](#) by Rep. Neil Hays (R-Muskogee) and Sen. Paul Rosino (R-OKC) amends Worker's Compensation in 85A O.S. Section 13 authorizing mental injury or illness as a compensable injury, without a physical injury, for a first responder who suffers post-traumatic stress disorder (PTSD) after responding to an emergency. The bill defines "first responder" as a law enforcement officer, firefighter, or emergency medical technician on a full-time basis by a municipality, county, or the State of Oklahoma, or a volunteer firefighter. If the treating physician is of the opinion that the first responder is temporarily unable to perform his or her job or any alternative work offered by the employer, he or she is entitled to receive compensation which is the greater of the weekly benefit provided in the collective bargaining agreement or according to the policy of the employer, or seventy percent (70%) of the injured employee's average weekly wage not to exceed the state average weekly wage. If the employee has a temporary pension benefit available and the benefit is equal to or greater than the temporary award in this system, the employer may elect to exercise the temporary pension benefit not to extend beyond fifty-two (52) weeks. If the person who receives benefits for a mental injury or illness not caused by a physical injury who, after reaching maximum medical improvement, is unable to perform the essential functions of their employment and who is not eligible to receive a disability retirement through their pension or retirement system shall be

eligible to be awarded permanent disability benefits not to exceed Fifty Thousand Dollars (\$50,000.00). The employer shall provide reasonable and necessary medical treatment for such an injury, subject to the Oklahoma Workers' Compensation Schedule, for a period of no longer than one (1) year. The employer is not responsible for medical treatment in the form of prescription medicine in excess of Ten Thousand Dollars (\$10,000). The bill defines "post-traumatic stress disorder" to mean an injury or condition in which a first responder has been exposed to a traumatic event and has experience, witnessed, or was confronted with an event that involved actual or threatened death or serious injury, or a threat to the physical integrity of others, and the response involved fear, helplessness, or horror and is reexperienced in several ways. The bill also defines "emergency medical technician" and "volunteer firefighter". Any city or town in this state that incurs a claim relating to post-traumatic stress disorder may, at the city or town's option, transfer the payment of all or any portion to the judgment rolls of the geographic area or areas serviced by the department of the injured worker and shall be listed on official publications as "First Responder PTSD". The effective date was moved to January 1, 2024.

The bill went to conference and after a couple of versions of the bill, Conferees were unable to agree.

Election Date Changes: [HB 2685](#) by Rep. Neil Hays (R-Checotah) and Sen. Jerry Alvord (R-Wilson) amends dates in which a political subdivision authorized to call elections for any purpose. Elections can be called the second Tuesday of August in an odd-numbered year and the first Tuesday after the first Monday of November in an odd-numbered year. A special election called by the Governor must only be set on the second Tuesday of January, February, May, June, July, August, September, and October and the first Tuesday in March and April as well as the first Tuesday after the first Monday in November in odd-numbered years. The Governor may call a special election on the second Tuesday of January and February, the first Tuesday in April, and the date of any regularly scheduled state or federal election. The bill removes the authorization for a municipality with a population of more than 250,000 people to hold an election on the second Tuesday or December in odd-numbered years. The bill requires that any school district, technology center district, municipality, rural fire protection district or any other entity seeking to hold a special election for the purpose of filling a vacancy must schedule a three (3) day candidate filing period that begins not more than ten (10) days following the date the resolution calling the election is required to be filed.

The bill failed on the House floor by a vote of 36 to 57. Rep. Hays held it on a "Motion to Reconsider" but the motion expired. The bill is dead.

Municipal Franchise Agreements: [HB 2857](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Grant Green (R-Wellston) allows the terms and conditions of an expired or terminated municipal franchise granted pursuant to Section 5(a) and 5(b) of Article 18 of the Oklahoma Constitution, to continue in effect as an implied contract between the municipality and the franchise holder for a reasonable time. Franchise fees are to continue to be paid by the former franchise holder to the municipality during the term of the implied contract. Municipalities are to hold the money collected from the franchise fees in a separate account until the implied contract expires. If a civil action is filed against the implied contract, all franchise fees are to be held by the municipality in a separate account until resolved.

The bill passed the House but was never heard on the Senate floor.

Mobile Food Vendor Act: [SB 185](#) by Sen. Micheal Bergstrom (R-Adair) Rep. Mark Lepak (R-Claremore) creates the Mobile Food Vendor Act requiring all food vendors to obtain a license from the State Department of Health. Each applicant is required to hold a current driver's license as well as provide information requested by the Department of Health. The bill establishes a Two Hundred Dollars (\$200.00) initial fee and One Hundred Seventy-five Dollars (\$175.00) for a renewal. Each license is valid for one (1) year after the issuance date. Each licensee must apply for renewal at least fourteen (14) days prior to the expiration of the license. Mobile food vendors may operate on public property provided that they park at least twenty (20) feet away from an intersection as well as private property located in an industrial, commercial, or institutional zoning district. The bill requires vendors to submit to health inspections. The Commissioner of Health may promulgate rules to enforce the measures of this law. The bill also creates three (3) classifications for mobile food vendors. The Department of Health shall determine the costs of such inspections and may, in consultation with any local authority partner, charge a reasonable fee for inspections. The Department of Health may also investigate a food vending vehicle upon reasonable suspicion the mobile food vendor has violated the laws or upon receipt of a health or safety complaint.

The bill passed the Senate Health and Human Services Committee and the Appropriations Committee but was never heard on the Senate floor.

EFFECTIVE DATE OF BILLS

There are five ways that a bill can go into effect:

- If the measure has *only* an emergency clause, it will go into effect on the Governor's signature.
- However, if a bill has an effective date, the new law will go into effect on the date declared in the bill.
- If there is no effective date or emergency clause included, the law automatically becomes effective 90 days after Sine Die adjournment. In 2023, that date is August 24.
- If the bill has an effective date *and* an emergency clause (as do most appropriation measures) it will go into effect on the effective date.
- If the bill says, "not codified," these sections of law do not require permanent inclusion in state statutes, such as appropriations sections or matters of a limited-time nature.

HOUSE BILLS OF MUNICIPAL INTEREST SIGNED INTO LAW

Dept. of Agriculture/Appropriation/Rural Fire/Winter Storm Funding: [HB 1006X](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Roger Thompson (R-Okemah) appropriates to the Oklahoma Department of Agriculture, Food and Forestry in Enrolled HB 1004X, the sum of Two Million One Hundred Thousand Dollars (\$2,100,000.00), under the direction of the Commissioner of Agriculture, be used for providing grants to incorporated municipalities affected by the extreme weather event that began February 7, 2021 and ended February 21, 2021, as provided for in Enrolled SB 1091 of the 2nd Session of the 58th Oklahoma Legislature. The bill also includes an appropriation of Two Million Dollars (\$2,000,000.00) for wildland fire response resources, Six Million Nine Hundred Fifty Thousand Dollars (\$6,950,000.00) to rural fire departments for replacement of equipment and gear burned during fires including truck chassis, and One Hundred Thousand Dollars (\$100,000.00) shall, under the direction of the Commissioner of Agriculture, be allocated to rural fire coordinators to administer a wet hydrant program.

The bill takes effect 90 days after Sine Die of Special Session.

DPS/Communications: [HB 1012X](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Roger Thompson (R-Okemah) authorizes the Oklahoma Capitol Improvement Authority (Authority) to utilize available funds from the Legacy Capital Financing Fund created by Enrolled HB 1002 of the 1st Extraordinary Session of the 59th Oklahoma Legislature, in the amount of: 1) Twenty Million Dollars (\$20,000,000.00) for the benefit of the Department of Public Safety to create an Oklahoma Wireless Information Network (OKWIN); and 2) Fifty-nine Million Five Hundred Sixty-four Thousand Four Hundred Nineteen Dollars (\$59,564,419.00) for the benefit of the Department of Public Safety for the construction of a centralized training center and related facilities and 3) Eight Million Dollars (\$8,000,000.00) for the benefit of the Department of Public Safety for facility upgrades, repair, expansion, and replacement of Oklahoma Highway Patrol facilities. The Authority may enter memoranda of understanding with agencies, departments, and subdivisions of the state as needed, to facilitate the provisions of this act, provided that such memoranda of understanding do not constitute a legal obligation of the State of Oklahoma or impede the administration of the provisions of the Legacy Capital Financing Act.

The bill takes effect 90 days after Sine Die of Special Session.

OEM/Emergency Relief & Impacts Grant Program: [HB 1017X](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Roger Thompson (R-Okemah) creates a grant program at the Oklahoma Department of Emergency Management and Homeland Security named the "Emergency Relief and Impacts Grant Program." The grant program shall be used to either: 1) Provide effective service delivery or administrative needs to increase public sector capacity; or 2) Provide emergency relief from natural disasters or negative economic impacts of natural disasters, including immediate needs. Oklahoma Department of Emergency Management and Homeland Security may promulgate rules to administer the grant program. Such rules shall be consistent with the provisions of the American Rescue Plan Act of 2021, Public Law No. 117-2, Section 604, and guidance from the United States Department of Treasury.

The bill went into effect on June 2, 2023.

Emergency Relief and Impacts Grant Program Funding: [HB 1020X](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Roger Thompson (R-Okemah) appropriated to the Emergency Relief and Impacts Revolving Fund the sum of Twenty-Five Million Dollars (\$25,000,000.00) or so much thereof as may be necessary to administer the Emergency Relief and Impacts Grant Program. Such funds shall be utilized in a manner consistent with the recommendations adopted by the Joint Committee on Pandemic Relief Funding on May 19, 2023.

The bill went into effect on June 2, 2023.

Rural Economic Transportation Reliability & Optimization Fund: [HB 1025X](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Roger Thompson (R-Okemah) amends the Rural Economic Transportation Reliability and Optimization Fund within the Dept. of Transportation to include new applicable projects in counties with a population of less than seventy-five thousand (75,000).

The bill takes effect on November 1, 2023.

Oklahoma Housing Stability Program: [HB 1031X](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Roger Thompson (R-Okemah) creates the Oklahoma Housing Stability Program to provide loans to incentivize the construction of low-income housing, granting preference to federally declared disaster areas.

The bill takes effect on July 1, 2023.

CLEET Building: [HB 1032X](#) by Kevin Wallace (R-Wellston) and Sen. Roger Thompson (R-Okemah) directs the Capitol Improvement Authority to use the Legacy Capital Fund for training facility construction and expansion for the Council on Law Enforcement Education and Training.

The bill takes effect 90 days after Sine Die of Special Session.

Juveniles/Adjudication: [HB 1032](#) by Rep. Mark Lawson (R-Sapulpa) and Sen. Julie Daniels (R-Bartlesville) requires that a child being held in secure detention on charges as an accused juvenile delinquent, adjudication must occur within thirty (30) days after the detainment for that charge. This time may be extended to allow parties to negotiate in good faith to review discovery or for any good cause shown. The provisions of this subsection shall not apply to matters in which a non-injury or jury trial are requested by the child.

The bill goes into effect on November 1, 2023.

Labor/Drug Testing: [HB 1045](#) by Rep. Mark Lawson (R-Sapulpa) and Sen. Todd Gollihare (R-Kellyville) requires a drug screen testing facility to report single-use test results that meet the standard to be sent to the laboratory for confirmation testing to an employer's review officer or a designee of the employers review officer, as soon as the results for the single-use test become available or the next working day. The final conclusion of the testing shall be reviewed, and the test certified as an accurate report by the responsible individual. The report shall identify the drugs and metabolites tested for, whether positive or negative and the cutoff for each specimen number assigned by the employer and the testing facility specimen identification number. The

certified laboratory shall send the review officer the positive drug test results for attesting to the validity of the test reports.

The bill takes effect on November 1, 2023.

Law Enforcement/Kasey Alert Act: [HB 1077](#) by Rep. Ken Luttrell (R-Ponca City) and Sen. Cody Rogers (R-Tulsa) creates the Kasey Alert Act. The Department of Public Safety (DPS) shall develop and implement a statewide Kasey Alert system to be activated on behalf of a critically missing adult. The alert system shall be in cooperation with DOT, DHS, ODEMHS, tribal governments, the Oklahoma Association of Broadcasters, and any other state or local agency that DPS deems appropriate. DPS shall promulgate rules necessary to implement this act, provided the rules shall include: 1) the procedure to be used by law enforcement agencies to verify whether an adult is believed to be at risk of abduction or being taken against his or her will; 2) the criteria law enforcement agencies must consider in circumstances in which a missing person does not meet the definition of a critically missing adult but whose safety would be best protected by the issuance of a Kasey Alert; 3) the procedure for law enforcement agencies to follow in initiating such alerts; 4) the method whereby information is distributed statewide; the procedure for the receipt and evaluation of information received from the public; and the procedure for the termination of a Kasey Alert.

When a law enforcement agency receives notice of a critically missing adult, the agency shall: 1) enter the missing individual in the NCIC database immediately; 2) investigate the disappearance of the critically missing adult; and 3) collect identifying information and any other information that might be useful to the general public for the safe recovery of the person.

A Kasey Alert shall include all appropriate information provided by a law enforcement agency for a safe recovery and a statement instructing any person with information to a missing Native American or Indigenous person to contact law enforcement or tribal authorities. The bill sets up procedures for what to do when a Kasey Alert is terminated.

The bill takes effect on November 1, 2023.

Law Enforcement/Catalytic Converter Theft: [HB 1328](#) by Rep. Suzanne Schreiber (R-Tulsa) and Sen. Dave Rader (R-Tulsa) provides that any equipment used or intended to be used to commit any act of catalytic converter theft, copper theft, and any violation of the Oklahoma Scrap Metal Dealers Act, including any monies derived from proceeds due to catalytic converter theft, copper theft, or violations of the Oklahoma Scrap Metal Dealers Act are subject to forfeiture.

The bill takes effect on November 1, 2023.

Boiler & Pressure Vessel Safety Act: [HB 1331](#) by Rep. Judd Strom (R-Copan) and Sen. Lonnie Paxton (R-Tuttle) authorizes the Commissioner of Labor to promulgate rules establishing a schedule of administrative penalties and fines for violations of the Boiler and Pressure Vessel Safety Act and/or the Boiler and Pressure Vessel Rules which may be in addition to or in lieu of the criminal penalties provided in this section. The promulgation of an administrative fine schedule shall grant the Commissioner authority to impose those administrative fines for any violation of the Boiler and Pressure Vessel Safety Act and/or the Boiler and Pressure Vessel Rules.

Funds collected as payment from a violator for administrative fines imposed for a violation of the Boiler and Pressure Vessel Safety Act and/or the Boiler and Pressure Vessel Rules shall be deposited to the Department of Labor Administrative Penalty Revolving Fund.

The bill takes effect on November 1, 2023.

Law Enforcement Escorts: [HB 1393](#) by Rep. Steve Bashore (R-Miami) and Sen. Paul Rosino (R-OKC) changes the entity that is to be paid a fee for providing a law enforcement escort for the transport of an oversized load or hazardous shipment from the Department of Transportation to the Department of Public Safety.

The bill takes effect on November 1, 2023.

First Responders Job Protection Act/Drug Tests/Exposure: [HB 1408](#) by Rep. Bob Ed Culver (R-Tahlequah) and Sen. Todd Gollihare (R-Kellyville) creates the First Responders Job Protection Act. It requires the first responder or volunteer first responder subject to drug testing to verbally report to the first responder's agency or private employer prior to testing, any specific known potential passive exposure to any controlled dangerous drug that has occurred in the previous fourteen (14) days while responding to an emergency. In the event of a positive test, the medical review officer shall provide documentation of the verbal report and a subsequent written report provided by the responding agency in order to rule out passive exposure.

The bill takes effect on November 1, 2023.

Oklahoma 9-1-1 Management Authority/Haiden Fleming Memorial Act: [HB 1590](#) by Rep. Jim Grego (R-Wilburton) and Sen. Casey Murdock (R-Felt) creates the Haiden Fleming Memorial Act. The bill requires the Oklahoma 9-1-1 Management Authority to maintain an online training platform for 9-1-1 Emergency Telecommunicators in Oklahoma. The Authority shall create, maintain, and certify a list of qualified online and in-person training programs that include the basic requirement for a 9-1-1 Emergency Telecommunicator as well as coordinate and collaborate with local and regional 9-1-1 training authorities. Classes must be forty (40) hours in length and include instruction for basic call handling and dispatch services. The Authority shall establish hourly training requirements on a yearly basis. On or before July 1, 2024, all Emergency Telecommunicators must complete, either in person or virtually, a forty-eight (48) hour state recognized training course for basic call handling and dispatch. Any new Emergency Telecommunicator hired after January 1, 2024, must complete the training six (6) months after they are hired. On or before July 1, 2024, all Emergency Telecommunicators must complete, either in person or virtually, a state or nationally recognized telecommunicator CPR training course. If the state or an area of the state is utilizing Next Generation 9-1-1 system that uses the NENA i3 standard for call delivery, then the service company must provide the required data elements required by said standard. The bill amends the members of 9-1-1 Management Authority and names those members removed as nonvoting members. The fees are increased from seventy-five cents (\$.75) to One Dollar and twenty-five cents (\$1.25). The distribution of revenue from 9-1-1 fees has also been modified. Eligible governing bodies are to be given a flat rate of Three Thousand Dollars (\$3,000.00) per month per Public Safety Answering Point (PSAP). Of the remaining revenue, ten percent (10%) will be distributed based on response area and ninety percent (90%) will be distributed based on population. A new public safety answering point

(PSAP) shall not be established after July 1, 2024, unless the new PSAP is established as a result of: 1) a consolidation with an existing PSAP; or 2) a replacement of an existing PSAP.

The bill takes effect on November 1, 2023.

Law Enforcement/Trespassing: [HB 1737](#) by Rep. Tammy Townley (R-Ardmore) and Sen. John Montgomery (R-Lawton) considers a person to be a trespasser and not a guest of a lodging establishment if the innkeeper informs a person that he or she is being ejected for a stated reason. If the person fails to vacate the lodging establishment after being told of his or her ejection, the person shall be removed from the lodging establishment by law enforcement for trespassing.

The bill takes effect on November 1, 2023.

Workers' Compensation/Increase in Death Benefits: [HB 1738](#) by Rep. Tammy Townley (R-Ardmore) and Sen. Jerry Alvord (R-Lone Grove) increases the death benefits for a surviving spouse if there is more than one (1) child but less than five (5) children, each child shall receive a lump-sum payment of Twenty-five Thousand Dollars (\$25,000.00) and a pro rata share of thirty percent (30%) of the deceased employee's average weekly wage for claims with a date of accident occurring on or after the effective date of this act. If there are more than five (5) or more children, each child shall receive a pro rata share of One Hundred Thousand Dollars (\$100,000.00) up from Fifty Thousand Dollars (\$50,000.00).

The bill takes effect on January 1, 2024.

Firearms/Oklahoma Self-Defense Act: [HB 1789](#) by Rep. Danny Williams (R-Seminole) and Sen. Nathan Dahm (R-Broken Arrow) authorizes a citizen or lawful permanent resident who can lawfully purchase or possess a firearm, to carry or transport a concealed or unconcealed firearm. The bill removes the requirement for a person to receive a handgun license from OSBI as well as the age limit and military identification. An individual is authorized to carry as long as they are in possession of a state photo identification card, driver license, or valid handgun license. The firearm must be concealed or unconcealed in compliance with the laws of this state. When coming into contact with a law enforcement officer and upon instruction from the law enforcement officer, the person must disclose the fact that he or she is in possession of a firearm. The bill also clarifies the immunity provided to the state, political subdivisions, officers, agents and employees relating to the issuance of licensure under the Oklahoma Self-Defense Act.

The bill takes effect on November 1, 2023.

Emergency Drought Commission: [HB 1847](#) by Rep. John Kane (R-Bartlesville) and Sen. Grant Green (R-Wellston) expands the membership of the Emergency Drought Commission by adding one member appointed by the Speaker of the House who resides west of Interstate 35 (I-35) and one member appointed by the President Pro Tempore of the Senate who resides east of Interstate 35 (I-35).

The bill went into effect on April 21, 2023.

Oklahoma 9-1-1 Management Authority: [HB 1897](#) by Rep. Josh Cantrell (R-Kingston) and Sen. Chris Kidd (R-Waurika) amends Section 2862 of Title 63 by adding definitions used by the Oklahoma 9-1-1 Management Authority. The bill repeals Sections 2811, 2812 and 2813 of Title 63. The language removes the frequency of the 9-1-1 governing body meetings and who can be on the governing body. Specifically, this bill takes away the guaranteed municipal seat from the governing body definition. This language is removed. *“A governing body made up of two or more governmental entities shall have a board consisting of not less than three members and shall consist of at least one member representing each governmental entity, appointed by the governing body of each participating governmental entity, as set forth in the agreement forming the board. The members of the board shall serve for terms of not more than three (3) years as set forth in the agreement. Members may be appointed to serve more than one term. The names of the members of the governing body board and the appointing authority of each member shall be maintained in the office of the county clerk in the county or counties in which the system operates, along with copies of the agreement forming the board and any amendments to that agreement.”* The only language left is *“Governing body means the board of county commissioners of a county, the city council, tribal authority or other governing body of a municipality, or a combination of such boards, councils or other municipal governing bodies including county or municipal beneficiary public trusts, or other public trusts which shall have an administering board.”*

The bill takes effect on November 1, 2023.

Law Enforcement/CLEET/Promissory Note: [HB 1925](#) by Rep. Lonnie Sims (R-Jenks) and Sen. John Haste (R-Broken Arrow) authorizes a law enforcement agency previously approved by CLEET to conduct a basic law enforcement academy to require any person or peace officer to execute a promissory note for academy training expenses payable to the law enforcement agency conducting the training, whereby the person or peace officer promises to repay the note by remaining with the law enforcement agency in a position approved by the law enforcement agency for a period of time agreed upon and under terms and conditions agreeable to both parties, not to extend longer than four (4) years following graduation from the basic law enforcement academy.

The bill takes effect on November 1, 2023.

Hazard Mitigation Financial Assistance: [HB 1928](#) by Rep. Lonnie Sims (R-Jenks) and Sen. Dave Rader (R-Tulsa) creates the Hazard Mitigation Financial Assistance Fund within the Oklahoma Water Resources Board for the purpose of providing grants for hazard mitigation. In addition to other lawful purposes, monies placed in the Fund, exclusive of such amounts of interest derived from investment deposits necessary to maintain the grant account, may be used by OWRB to implement hazard mitigation planning and projects. Eligible entities are able to use the grants to develop an approved local/regional hazard mitigation planning document, acquire land or conservation easements to mitigate hazards, and implement voluntary incentive-based hazard mitigation measures to facilitate compliance with state or national regulations. The bill also clarifies language and broadens the applicability of this measure from flood hazard mitigation projects to include other hazard mitigation projects.

The bill takes effect on November 1, 2023.

Broadband/Easements: [HB 1965](#) by Rep. Carl Newton (R-Cherokee) and Sen. Brent Howard (R-Altus) authorizes electric, telecommunications, and broadband providers to utilize existing electrical utility easements to provide or expand access to broadband services. The bill prohibits class action lawsuits alleging trespass, nuisance or inverse condemnation based on a claim of expanded easement use when the broadband facilities are located on above ground property owned or utilized by an electric provider. Such claims must be brought individually by the property owner. Upon a successful claim by the property owner and payment of damages to the property owner, an electric or broadband provider will be granted a permanent easement for the use of the facilities installed.

The bill takes effect on November 1, 2023.

Water Quality Standards: [HB 1982](#) by Rep. Brad Boles (R-Marlow) and Sen. Lonnie Paxton (R-Tuttle) removes the requirement that the Oklahoma Water Resources Board develop and submit a report to the Legislature every other year about the status of water quality monitoring in Oklahoma. The bill also removes OWRB's ability to promulgate water quality standards for state waters and classify such waters according to their best use.

The bill takes effect on November 1, 2023.

Law Enforcement/Fentanyl/Drug Paraphernalia: [HB 1987](#) by Rep. Mickey Dollens (D-OKC) and Sen. Dave Rader (R-Tulsa) excludes drug testing strips possessed by a person for purposes of determining the presence of fentanyl or fentanyl-related compound from being classified as drug paraphernalia.

The bill takes effect on November 1, 2023.

Law Enforcement/Verbal Warnings: [HB 2041](#) by Rep. Monroe Nichols (D-Tulsa) and Pro Tempore Greg Treat (R-OKC) allows a law enforcement officer who comes into contact with a person who has a misdemeanor warrant to issue a verbal warning about the existence of the warrant and advise the defendant to contact the clerk of the court to resolve the outstanding warrant. All verbal warnings shall be documented by law enforcement on a department-issued warning ticket or arrest the defendant and take the defendant before a magistrate in that county.

The bill takes effect on November 1, 2023.

OWRB/Groundwater Permits: [HB 2053](#) by Rep. David Hardin (R-Stilwell) and Sen. Brent Howard (R-Altus) allows a groundwater permit applicant whose application has been appealed to take and use groundwater while any appeal is pending with OWRB, in district court or in the appellate courts. For a court to enjoin the approved use of groundwater pending appeal, appellants must show a high likelihood of success on the merits, that there is clear and convincing evidence that they will suffer irreparable harm, that the balance of the equity's tips significantly in their favor, or that the order is clearly in the public interest. If all statutory requirements for groundwater permits are fulfilled and OWRB approves the application, appeals seeking to prohibit the use of water based solely on the industry or entity applying to use the water are considered to have no genuine issue as to any material fact and shall be dismissed pursuant to Section 2056 of Title 12 of the Oklahoma Statutes. Further, if such claims are found to be frivolous,

the court may impose sanctions against the appellant, the appellant's attorney, or both including requiring the appellant or the appellant's attorney, or both including requiring the appellant or the appellant's attorney to reimburse the appellee for the reasonable costs and expenses such as reasonable attorney fees and other expenses incurred as a result of the appeal.

The bill went into effect on June 7, 2023.

Police Pension & Retirement System: [HB 2131](#) by Rep. John George (R-Newalla) and Sen. Shane Jett (R-Shawnee) requires the employer and employee contributions to the Oklahoma Police Pension Retirement System (OPPRS) to be remitted online. The bill prohibits any of the funds of the System to be applied to a Child Support Enforcement Division order for a support arrearage pursuant to Section 240.23 of Title 56 of the Oklahoma Statutes and current child support payments made pursuant to a valid court order.

The bill takes effect on November 1, 2023.

Transportation/Mopeds: [HB 2133](#) by Rep. John George (R-Newalla) and Sen. Darrell Weaver (R-Moore) modifies the definitions of autocycles, mopeds, motorcycles, and motor-driven cycles by including electric motors for each type of conveyance. The bill also allows a person fourteen (14) years of age or older to operate an electric powered motor-driven cycle with not to exceed three hundred cubic centimeters (300 cc) or a sixteen and eight-tenths (16.8) kilowatt electric power source. If the power source is an electric motor, the motor shall not exceed seven hundred fifty (750) watts.

The bill takes effect on November 1, 2023.

Healthcare Facility Violence: [HB 2154](#) by Rep. Cynthia Roe (R-Lindsay) and Sen. Kristen Thompson (R-Edmond) amends the definition of medical care provider to include any other employees or independent contractors working in or for a health care facility. The bill prohibits assault on any medical care providers, other employees or independent contractors working in or for a health care facility and performing medical care duties. The medical facilities are required to report assault data to the Department of Health by January 31st of the following year. Reports are to withhold the identities of both the victim and assailant. The Department of Health is authorized to publish the data on its website on an annual basis.

The bill takes effect on November 1, 2023.

Medical Care Providers/Personal Information: [HB 2172](#) by Rep. Cynthia Roe (R-Lindsay) and Sen. Kristen Thompson (R-Edmond) adds medical care provider to the list of persons it is a crime to threaten, intimidate, or harass by the use of electronic communication device by knowingly publishing, posting or making available personally identifiable information. However, it shall not apply when the incident is unrelated to the provider's professional duties. "Medical care provider" means a doctor, resident, intern, nurse, nurse practitioner, nurses' aide, ambulance attendant or operator, paramedic, emergency medical technician, laboratory technician, radiologic technologist, physical therapist, physician assistant, chaplain of a health care facility, volunteer of a health care facility, pharmacist, nursing student, medical student, member of a

hospital security force, and any other employee or contractor working in or for a health care facility.

The bill takes effect on November 1, 2023.

Terry Peach North Canadian Watershed Restoration Act: [HB 2239](#) by Rep. Mike Dobrinski (R-Okeene) and Sen. Darcy Jech (R-Kingfisher) creates the North Canadian Watershed Restoration Act. There is a pilot program created to remove or eradicate harmful woody species in the North Canadian Watershed to be administered by the Oklahoma Conservation Commission. The purpose of the program is to manage and eradicate, where possible, harmful woody species that damage grazing lands, create significant wildfire risk, reduce wildlife habitat, and reduce water flow in the North Canadian River. The Commission shall cooperate with landowners, state agencies and other political subdivisions for removal of invasive woody species. The Commission is authorized to promulgate any rules and procedures to effectuate the provisions of this section. The creation of a revolving fund in the State Treasury is designated the "North Canadian Watershed Revolving Fund" and consists of all monies received by the Conservation Commission from appropriations, federal grants or funds, municipal contributions, private contributions, and any other sources, including interest earned for duties associated with invasive woody species removal.

The bill went into effect on June 12, 2023.

Public Utilities/Road & Highway Construction/Natural Gas: [HB 2241](#) by Rep. Mike Dobrinski (R-Kingfisher) and Sen. Casey Murdock (R-Felt) Exempts rural water districts, nonprofit water corporations, and all municipally owned utilities serving municipalities with a population of ten thousand (10,000) or less from having to pay for costs in public rights-of-way due to state highway or turnpike construction projects.

The bill takes effect on November 1, 2023.

Utilities/Exemption for Victims of Certain Crimes: [HB 2242](#) by Sen. Mike Dobrinski (R-Kingfisher) and Sen. Adam Pugh (R-Edmond) allows a customer or applicant who has been determined to be a victim of domestic violence, stalking, or harassment by any of the following: 1) an existing protective order; 2) law enforcement personnel; or 3) a designated representative of a certified domestic violence shelter or certified domestic violence program to be exempt from the public utility's initial credit and deposit requirements as established by the public utility.

The bill went into effect on May 2, 2023.

Court Cost Compliance Program: [HB 2259](#) by Rep. Danny Sterling (R-Tecumseh) and Sen. Brent Howard (R-Altus) establishes a court cost compliance program beginning November 1, 2023. The program shall assist county sheriffs and the courts with the collection of fines, costs, fees, and assessments associated with any case in which a warrant has been issued and the case has been referred to the court cost compliance program. Individuals may make payments for such items to the court or to the program. The court shall report any payments received from any individual referred to the program within four (4) days of the payment. compliance liaison within four (4) days of receipt of the payment. The bill adds returned checks and fraudulent use of credit card fees. Monthly payments shall be no less than One Hundred Dollars (\$100.00). The court may also determine the financial ability of a defendant to pay associated fines and fees. If the court determines the defendant is unable to pay, the court may waive associated fines and fees. A defendant may request a cost hearing after the court informs him or her of the total court financial obligations owed or if life circumstances for the defendant have changed. Court clerks are directed to review cases of delinquency once every six (6) months.

The bill takes effect on November 1, 2023.

Law Enforcement/High School Courses: [HB 2265](#) by Rep. Ronny Johns (R-Ada) and Sen. Darrell Weaver (R-Moore) authorizes a school district to offer to students in grades eleven and twelve an elective course in law enforcement. The law enforcement elective course shall include, at a minimum: a general introduction into law enforcement training; critical skills and entry requirements for law enforcement professionals; and career opportunities in law enforcement. The State Board of Education may coordinate with CLEET to develop the curricula and materials for this elective course.

The bill takes effect on November 1, 2023.

Tax Administration: [HB 2289](#) by Rep. John Pfeiffer (R-Mulhall) and Sen. Dave Rader (R-Tulsa) requires an individual or sole proprietor who obtains a sales tax permit to be at least eighteen (18) years of age. A parent or legal guardian may apply for a permit on behalf of an individual or sole proprietor who is not at least eighteen (18) years of age, provided the parent or legal guardian will be considered the authorized user responsible for remitting state tax. The bill specifies that at least ten (10) days prior to the start of a special event, the organizer or promoter must submit a list of all vendors registered to attend the event. Each list must contain the vendor's name, address, telephone number, email address, and taxpayer identification number. If a vendor holds an Oklahoma sales tax permit, the permit numbers must also be included.

The bill takes effect on July 1, 2023.

Oklahoma Flood and Drought Management Task Force: [HB 2293](#) by Rep. John Pfeiffer (R-Mulhall) and Sen. Darcy Jech (R-Kingfisher) creates the Oklahoma Flood and Drought Management Task Force and is comprised of two groups, the management group, and the advisory group. The management group consists of state agencies. The advisory group is comprised of designees of the following state associations and entities: OML, ACCO, and ORWA. The advisory group shall include the resources of all remaining state agencies and departments available to provide advice and assistance to the Oklahoma Flood and Drought Management Task Force, including the Oklahoma State Regents for Higher Education. The Task Force shall

have the following duties: 1) develop and recommend state drought and flood response, recovery, and mitigation initiatives; 2) identify drought and flood management areas in the state; 3) provide coordination and communication among federal, state, and local entities as deemed appropriate for drought and flood assistance programs, education, and information; and perform such drought- and flood-related assessments and response functions as deemed necessary. Beginning in 2025, and every ten (10) years after, in conjunction with the update of the Oklahoma Comprehensive Water Plan and the State Flood Plan, OWRB shall coordinate with the Task Force to update the Oklahoma Drought Management Plan.

The bill takes effect on November 1, 2023.

Sales Tax Exemption/Disabled Veterans/Surviving Spouse: [HB 2312](#) by Speaker Pro Tempore Kyle Hilbert (R-Bristow) and Sen. Todd Gollihare (R-Kellyville) amends 68 O.S. Section 1357(34) for purposes of the exemption, if the disability determination that would have been made while the disabled veteran was still living is not made final until after the death of the disabled veteran, the exemption may still be claimed by the surviving spouse.

The bill takes effect on July 1, 2023.

Sales Tax/Hotels: [HB 2335](#) by Rep. Nick Archer (R-Elk City) and Sen. Kristen Thompson (R-Edmond) removes tax reporting requirements, permit and remitting requirements under 68 O.S. 1392 from hotel products. Products include personnel property, services, or other transactions. This exception only applies to hotels with more than twelve (12) rooms for occupancy in the regular course of business by the hotel or motel.

The bill takes effect on November 1, 2023.

EMS Personnel Licensure Interstate Compact: [HB 2422](#) by Rep. Arturo Alonso (D-OKC) and Sen. Bill Coleman (R-Ponca City) creates the Recognition of EMS Personnel Licensure Interstate Compact to protect the public through verification of competency and ensure accountability for patient care-related activities all state-licensed EMS personnel.

The bill takes effect on November 1, 2023.

Oklahoma Uniform Building Code Commission (OUBCC): [HB 2425](#) by Rep. Stan May (R-Broken Arrow) and Sen. Blake Stephens (R-Tahlequah) requires amendments or modifications to the currently adopted state codes shall be forwarded to OUBCC.

The bill takes effect on November 1, 2023.

Preemption/Child Care Facilities: [HB 2452](#) by Rep. Suzanne Schreiber (D-Tulsa) and Sen. Jessica Garvin (R-Duncan) prohibits local governing authorities from promulgating local regulations that permit or require licensees of family childcare homes to exceed or limit the capacity provided by the license granted to the family child care home licensee by DHS.

The bill takes effect on November 1, 2023.

Performance Based Efficiency Contracts: [HB 2472](#) by Rep. Nick Archer (R-Elk City) and Sen. Lonnie Paxton (R-Tuttle) allows the public entity to make an initial payment for a performance-based efficiency contract from any funds available at its disposal. Any initial payment from funds other than an installment agreement must also be offset by savings to the public entity over the term of the agreement.

The bill takes effect April 26, 2023.

Law Enforcement/Excessive Force [HB 2537](#) by Rep. John George (R-Newalla) and Sen. Todd Gollihare (R-Kellyville) clarifies the standard by which excessive force is used in the line of duty, the officer is subject to the criminal laws of this state to the same degree as any other citizen, if excessive force is established as an element of any alleged violation under the criminal laws of this state. "Law enforcement duties" means duties carried out while acting as a peace officer pursuant to Section 99a of Title 21 of the Oklahoma Statutes. Each law enforcement entity which employs any peace officer shall adopt policies or guidelines concerning the use of force by peace officers employed by the entity.

The bill takes effect on November 1, 2023.

Public Finance/Local Government Investment Pools: [HB 2538](#) by Rep. Mark Lawson (R-Sapulpa) and Sen. Chris Kidd (R-Waurika) requires any pooled investment program for a county, city, or town to be governed through an interlocal cooperative agreement. The governing body of the local government must amend their written investment policies prior to participating in a qualified program. The bill allows investment purchases by a qualified program to bypass existing investment restrictions.

The bill takes effect on November 1, 2023.

Emergency Price Stabilization Act: [HB 2561](#) by Rep. Mark McBride (R-Moore) and Sen. John Montgomery (R-Lawton) adds natural gas to the list of commodities to price increase limitations during the declaration of emergency by the Governor.

The bill went into effect on May 2, 2023.

Prohibit the Private Funding of Elections Act: [HB 2682](#) by Rep. Mark Lepak (R-Claremore) and Sen. Julie Daniels (R-Bartlesville) prohibits any person from offering or providing any contribution, donation, or anything else of value for purposes of conducting or administering any election. The following will not be considered a contribution, donation, or thing of value: providing space or property for use as a polling place or for in-person absentee voting for free or at below-market price; persons who volunteer as precinct officials, absentee voting board members, or as election workers; persons who volunteer to assist the county election board or the State Election Board; food or beverage items provided to precinct officials, absentee voting board members, or election officials; items of nominal value including pens, sanitizer, and cleaning supplies; and airing or publication of public service announcements or press releases issued by the State Election Board or a county election board. Those donations that are not directly related to election administration may be accepted only upon written approval by the Governor and

written notification sent to Legislature leadership. A willful and intentional violation of this act will be punishable by law.

The bill takes effect on November 1, 2023.

Opioid Substitution Treatment Program: [HB 2686](#) by Rep. Rick West (R-Heavner) and Sen. George Burns (R-Pollard) creates the Hannah McKenzie Act of 2023. The bill requires an opioid substitution treatment program to comply with all federal requirements for opioid treatment programs provided by 42 C.F.R., Subpart C including but not limited to the requirement to provide drug abuse testing services provided by 42 C.F.R., Section 8.12(f)(6). Drug abuse testing shall be directly observed by an employee or contractor of the opioid substitution treatment program. Failure to comply with the rules and standards of ODMHSAS or failure to comply with the requirements of 42 C.F.R., Subpart C is grounds for reprimand, suspension, revocation or nonrenewal of certification.

The bill went into effect on May 15, 2023.

Oklahoma Hospital Cybersecurity Protection Act of 2023: [HB 2790](#) by Rep. Preston Stinson (R-Edmond) and Sen. Brent Howard (R-Altus) creates the Oklahoma Hospital Cybersecurity Protection Act of 2023. A covered entity shall create, maintain, and comply with a written cybersecurity program that protects both personal information and restricted information and that reasonably conforms to an industry recognized cybersecurity framework.

The bill takes effect on November 1, 2023.

Judicial Security and Privacy Act of 2023: [HB 2794](#) by Rep. Preston Stinson (R-Edmond) and Sen. Adam Pugh (R-Edmond) creates the Oklahoma Judicial Security and Privacy Act of 2023. The bill defines "at-risk individual" as any active or retired member of the State Judiciary, and shall also include municipal, county, and federal judges. Each at-risk individual may file a written notice as an at-risk individual, for themselves and immediate family, with each state agency that includes information necessary to ensure compliance, as determined by the Administrator Director of the Courts. Eligible at-risk individuals may also make the same request to any private entity that has publicly posted the covered information on the Internet and may ask that the information of their immediate family members also be protected. The bill prohibits data brokers from knowingly selling, licensing, trading, or purchasing private information pertaining to a judge or his or her immediate family. Additionally, the Administrative Director of the Courts is required to submit an annual report to the Legislature detailing the amount spent by the state and local governments to protect the judge's information.

The bill takes effect on November 1, 2023.

Sunset/DEQ Councils: [HB 2802](#) by Rep. Gerrid Kendrix (R-Altus) and Sen. Micheal Bergstrom (R-Adair) recreates the following Councils until July 1, 2026: Water Quality Management Advisory Council, Hazardous Waste Management Advisory Council, Solid Waste Management Advisory Council, and Radiation Management Advisory Council.

The bill takes effect on August 24, 2023.

Sunset/Construction Industries Board: [HB 2810](#) by Rep. Gerrid Kendrix (R-Altus) and Sen. Julie Daniels (R-Bartlesville) recreates Construction Industries Board until July 1, 2026.

The bill takes effect on August 24, 2023.

OSBI/Alaunna Raffield Fund: [HB 2851](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Grant Green (R-Wellston) requires the OSBI to establish the Alaunna Raffield Fund to assist in training other law enforcement officers. The Fund shall be administered and utilized by the OSBI in amounts as directed by the Legislature for such purpose. Monies allocated shall be utilized to assist law enforcement partners with the cost of attending training facilitated by the OSBI. Scholarship opportunities shall be afforded each year to county and municipal law enforcement agencies to attend accredited training conducted by the OSBI. The OSBI is authorized to promulgate agency rules for the administration of the Fund and determination of scholarship awards.

The bill takes effect on November 1, 2023.

OWRB/Upgrades to the Port of Inola: [HB 2888](#) by Rep. Kevin Wallace (R-Wellston) and Rep. Ryan Martinez (R-Edmond) and Sen. Roger Thompson (R-Okemah) and Sen. Chuck Hall (R-Perry) appropriates to the Oklahoma Water Resources Board (OWRB) the sum of Thirty-Eight Million, Six Hundred Twenty Thousand Dollars (\$38,620,000.00) or so much therefore as may be necessary for upgrades to the water and wastewater systems, located in Northeast Oklahoma along an inland waterway that supplies water and wastewater to major supply chain locations.

The bill went into effect on May 17, 2023.

Law Enforcement/School Resource Officer Program: [HB 2903](#) by Rep. Kevin Wallace (Wellston) and Sen. Roger Thompson (R-Okemah) requires the State Department of Education (Department) to establish a three-year pilot program called the School Resource Officer Program. The School Resource Officers (SROs) participating in the program must complete active shooter emergency response training provided by CLEET. An SRO is defined as a law enforcement officer with training in school-based law enforcement and crisis response. The measure establishes a School Security Revolving Fund. The Department may use money in the Fund to establish the School Resource Officer Program and provide physical security enhancements for schools. Expenditures from the fund may not exceed Fifty Million Dollars (\$50,000,000.00) per year.

The bill takes effect on July 1, 2023.

Law Enforcement/School Resource Officer/Appropriation: [HB 2904](#) by Rep. Kevin Wallace (R-Wellston) and Sen. Roger Thompson (R-Okemah) appropriates One Hundred Fifty Million Dollars (\$150,000,000.00) for the School Security Revolving Fund to cover the costs associated with the implementation of HB 2903 creating the School Resource Officer Program.

The bill takes effect on July 1, 2023.

SENATE BILLS OF MUNICIPAL INTEREST SIGNED INTO LAW

Law Enforcement/Mental Health Transport Revolving Fund: [SB 12X](#) by Sen. Roger Thompson (R-Okemah) and Rep. Kevin Wallace (R-Wellston) creates a Mental Health Transport Revolving Fund. As an alternative to transport under subsection B of this section for the sole purpose of initial assessment of a person who the officer reasonably believes is a person requiring treatment, as defined in Section 1-103 of this title, sheriffs and peace officers may request an assessment at the point of initial contact by the Department of Mental Health and Substance Abuse Services. To conduct the assessment, the Department may use telemedicine or an in-person assessment by a licensed mental health professional on a mobile crisis response team or who is employed by or under contract with a facility operated by, certified by or contracted with the Department. The Department or an entity contracted by the Department is responsible for transporting an individual if there is not an appropriate facility within 30 miles of the peace officer's headquarters or if the officer has already transported the individual to an appropriate facility for initial assessment. The officer is required to provide transport to the nearest appropriate facility if an individual self-presents at a facility, is placed into protective custody and needs an initial assessment or treatment. If the individual self-presents at a facility and is not placed under protective custody the facility is responsible for transportation. Once an individual has been received by the appropriate facility, the Department or an entity contracted by the Department is responsible for any subsequent transportation needs. If a facility director determines that an individual is not medically stable, the Department is required to immediately transport the individual to the nearest facility.

The bill takes effect on November 1, 2023.

Youthful Offender Act: [SB 77](#) by Sen. Brent Howard (R-Altus) and Rep. Anthony Moore (R-Clinton) modifies the issuance of a court order to pay certain fees permissive for a certification study upon a motion for imposition of an adult sentence.

The bill went into effect on April 26, 2023.

Juveniles/Voluntary Participation: [SB 159](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Mark Lawson (R-Sapulpa) allows prior to adjudication, a parent or legal guardian to voluntarily participate in services related to the behaviors and conditions that led to the filing of a deprived petition. Participation in such services is not to be construed as an admission of guilt and is not to be used as evidence for the purpose of adjudication or disposition.

The bill goes into effect on November 1, 2023.

OUBCC/Refrigerant: [SB 168](#) by Sen. Bill Coleman (R-Ponca City) and Rep. Kevin McDugle (R-Broken Arrow) prohibits any building code, law, regulation, or other requirement in Oklahoma from prohibiting or otherwise limiting the use of a refrigerant designated as acceptable in accordance with 42 U.S.C. 7671K, provided, any equipment containing such refrigerant is listed and installed according to safety standards and use conditions.

The bill goes into effect on November 1, 2023.

Emergency Operations Plans: [SB 230](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Cynthia Roe (R-Lindsay) requires emergency operations plans to include a response to a catastrophic health emergency as defined in 63 O.S. 2021, Section 6104. The bill repeals 63 O.S. 2021, Section 6105, which is the Oklahoma Catastrophic Health Emergency Planning Task Force.

The bill takes effect on November 1, 2023.

Oklahoma Broadband Expansion Act: [SB 235](#) by Sen. Dave Rader (R-Tulsa) and Rep. Ronny Johns (R-Ada) adds the Oklahoma Turnpike Authority to the list of exempt entities from having to transfer assets to the Oklahoma Broadband Office if they are duplicative or complementary to the mission of the Office.

The bill went into effect on May 5, 2023.

Judges/Drug Courts: [SB 240](#) by Sen. Brent Howard (R-Altus) and Rep. Preston Stinson (R-Edmond) clarifies that when a district court establishes a drug court program, the judge presiding over the program shall cause to be established a drug court docket.

The bill takes effect on November 1, 2023.

City/County Jails: [SB 247](#) by Sen. Dave Rader (R-Tulsa) and Sen. John Haste (R-Broken Arrow) provides a definition of "barrack-style" to mean a single designated space within a city or county jail facility for the purpose of housing three or more inmates.

The bill goes into effect on November 1, 2023.

Law Enforcement/Mental Health Transports: [SB 286](#) by Sen. Brent Howard (R-Altus) and Rep. Cynthia Roe (R-Lindsay) for purposes of transportation completed by the Department of Mental Health and Substance Abuse Services (DMHSAS) or an entity contracted by DMHSAS, the use of mechanical restraints shall not be applied to an individual being transported unless: the individual being transported physically assaults or attempts to physically assault the person lawfully conducting the transportation of the individual and the person lawfully conducting the transportation believes such restraints are necessary for the safety of himself or herself or the protection of others, or the individual being transported attempts or causes serious physical injury to self and the person lawfully conducting the transportation believes such restraints are necessary for the safety of the individual being transported or the individual being transported has a propensity toward violence as indicated by past transports, criminal charges, or mental health history and as identified in the transport request form, and the person lawfully conducting the transportation believes such restraints are necessary for the safety of himself or herself, for the safety of the individual being transported, or for the protection of others. The mechanical restraint shall be continued for no longer than is necessary. Every use of a mechanical restraint, the reasons, and the length of time, shall be made a part of the clinical record of the consumer under the signature of the individual responsible for the transportation as required by this section.

The bill went into effect on April 28, 2023.

Rural Hospitals: [SB 293](#) by Sen. Chuck Hall (R-Perry) and Rep. Ty Burns (R-Pawnee) defines "rural emergency hospital" to include a hospital that provides emergency treatment and stabilization services for an average length of stay of twenty-four (24) hours or less.

The bill takes effect on October 1, 2023.

OK Local Development & Enterprise Zone Incentive Leverage Act: [SB 317](#) by Sen. Dewayne Pemberton (R-Muskogee) and Rep. Chris Sneed (R-Fort Gibson) establishes reporting requirements for local governmental entities that approve a project plan pursuant to the provisions of the Local Development Act within an enterprise zone or in support of a major tourism destination project to include: the name of the increment or incentive district, whether the increment or incentive district was created by a municipality or county government, a map with a defined boundary, the length of the project and its date of expiration, the base assessed value, the total annual value of the increment, and a list of the taxing jurisdictions affected and their respective total millage levies. The report developed shall be provided to each taxing jurisdiction affected by the increment or incentive district.

The bill takes effect on November 1, 2023.

Election/Dates: [SB 375](#) by Sen. Brent Howard (R-Altus) and Rep. Carl Newton (R-Cherokee) modifies the primary election dates from the last Tuesday in June to the third Tuesday in June. The bill also provides one of the dates in which a political subdivision is authorized to call elections is the third Tuesday in June instead of the last one. Declarations of Candidacy must be filed no earlier than 8 a.m. on the first Wednesday of April of any even-numbered year and no later than 5:00 p.m. on the next succeeding Friday.

The bill went into effect on June 6, 2023.

Elections/Voter Registration: [SB 377](#) by Sen. Brent Howard (R-Altus) and Rep. Carl Newton (R-Cherokee) adds cause for cancellation of voter registration from being excused from jury duty for not being a citizen of the US. The court clerk in each county is required to prepare each month a list of all persons who were excused from jury duty for not being a citizen of the US and provide the list to the secretary of the county election board. The secretary shall cancel the registration of each registered voter included on the list and shall report the person or persons to the district attorney and the US attorney for the county. Any voter who voluntarily cancels their voter registration will be eligible to submit a new voter registration application in the same county when sixty (60) or more calendar days have passed since the request for cancellation was submitted. The bill also provides that a voter identification card be transmitted to a mailing address if one of the following exceptions are met: 1) the voter's physical address is not a valid address to receive mail delivery; 2) the voter cannot receive mail at a physical address due to "no mail receptacle" according to the USPS; or 3) the mailing of the voter identification card is the result of an action initiated by the election board which may include notification to the voter of changes to a polling place, district lines, or precincts listed on the voter registration card. If the voter registration card is mailed to the voter's physical address and is returned to the election board by the postal service due to "no mail receptacle," the voter registration card may be resent to the mailing address provided on the voter registration application. A person whose voter identification card was returned pursuant to this subsection may appear in person to request and

be provided with the returned voter registration card at the county election board by presenting proof of identity. Upon determination that a person's physical address cannot receive mail the secretary of the county election board may make a notation of such information in the election management system, and any future mailings may be mailed to the voter's mailing address. The Secretary of the State Election Board may promulgate rules to implement the requirements of this section.

The bill takes effect on November 1, 2023.

Oklahoma Religious Freedom Act/Substantial Burden: [SB 404](#) by Sen. Julie Daniels (R-Bartlesville) and Rep. Jon Echols (R-OKC) makes it a substantial burden to exclude any person or entity from participation in or receipt of governmental funds, benefits, programs, or exemptions based solely on the religious character or affiliation of the person or entity. A civil action brought under Section 1-745.55 of Title 63 of the Oklahoma Statutes shall not be subject to any provision of the Oklahoma Religious Freedom Act.

The bill takes effect on November 1, 2023.

Law Enforcement/Crime Victims Compensation Act: [SB 420](#) by Sen. Bill Coleman (R-Ponca City) and Rep. Clay Staires (R-Skiatook) increases the window to file certain claims with the Crime Victims Compensation Board from one (1) to five (5) years, establishes the Board shall not find an injury attributable to the victim where a self-inflicted injury is a result of the crime committed against the victim, and increases compensation.

The bill takes effect on November 1, 2023.

Video Services/Municipal Agreements: [SB 460](#) by Sen. Roger Thompson (R-Okemah) and Rep. Ryan Martinez (R-Edmond) modifies the definition of "video services" to include wireline facilities that are owned, controlled, constructed, or operated by the provider of such video service and located at least in part in the public rights-of-way. Video services does not include video programming provided by a commercial mobile service provider as defined in 47 U.S.C., Section 332(d)(1); direct-to-home satellite services as defined in 47 U.S.C., Section 303(v) that are transmitted from a satellite directly to a customer's premises without using or accessing any portion of the public right-of-way; or video programming accessed over the internet, including streaming content.

The bill takes effect on November 1, 2023.

Sunset Sales Tax Exemption/Rolling Stocks: [SB 463](#) by Sen. Roger Thompson (R-Okmulgee) and Speaker Pro Tempore Kyle Hilbert (R-Bristow) extends the sunset on the sales tax exemption for the sales or leases of rolling stocks to July 1, 2029.

The bill takes effect on November 1, 2023.

Threats to Election Officials: [SB 481](#) by Sen. Dave Rader (R-Tulsa) and Rep. Jeff Boatman (R-Tulsa) makes it a crime to threaten, intimidate or harass an election official. The bill defines "election official" as a member or employee of the State Election Board or the county election

board, the Secretary of the State Election Board or a county election board, or a person serving as a precinct official or absentee voting board member as appointed by law. Any person who, directly or indirectly, utters or addresses any threat or intimidation to any election official, shall be deemed guilty of a felony. Any person who, directly or indirectly, utters or addresses any threat or intimidation to any election official with intent to improperly influence an election shall be deemed guilty of a misdemeanor punishable by a fine not to exceed One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for a term not to exceed six (6) months, or by both such fine and imprisonment. Any person who falsely impersonates an election official or who, without authority, performs any act reserved to election officials by law with intent to improperly influence an election shall be deemed guilty of a misdemeanor punishable by a fine not to exceed One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for a term not to exceed six (6) months, or by both such fine and imprisonment.

The bill takes effect on July 1, 2023.

Underground Facilities Damage Prevention Act: [SB 497](#) by Sen. Lonnie Paxton (R-Tuttle) and Rep. Trey Caldwell (R-Lawton) expands the term “excavate” as it relates to the Oklahoma Underground Facilities Damage Prevention Act to include the moving of earth by tools manipulated only by human power for burying communication lines of a communications provider in a private or public easement or right-of-way when depth is not greater than twelve (12) inches and within twelve (12) inches of a communications provider terminal. The bill also adds that the design or survey means a notice to facility operators to provide underground facility information during the design or engineering phase of a project to mitigate potential impact to existing underground facilities. When a design or survey notice is received, operators or their designee must provide underground facilities information with fourteen (14) calendar days from the time of the request which may include physical markings at the project site, facility mapping, or both. No excavation may take place on a design or survey notice. Operators shall provide the one-call notification center with the necessary information for notices to be sent to the appropriate person within their company or organization.

The bill takes effect on November 1, 2023.

Oklahoma Electric Vehicle Charging Act: [SB 502](#) by Sen. Chuck Hall (R-Perry) and Speaker Pro Tempore Kyle Hilbert (R-Bristow) creates the Oklahoma Electric Vehicle Charging Act. The bill requires a retail electric supplier or a subsidiary or affiliate thereof to use a separate, unregulated entity and must do so on the same fees, terms, charges, and conditions offered by private providers of electric vehicle charging stations. Retail electric suppliers are prohibited from subsidizing the operations of their electric vehicle charging stations by charging a fee through their other regulated service offerings. The bill clarifies that a retail electric supplier may subsidize the cost of make-ready infrastructure by charging fees for services provided by its regulated services so long as the subsidies are offered to electric vehicle charging providers equally. A municipality that owns an electric charging station is prohibited from using revenue derived from the sale of its municipally owned power station to construct or maintain the electric charging station. The Corporation Commission is authorized to enforce any violations of electric suppliers that are rate-regulated. The district court may enforce violations of any electric suppliers that are not rate-regulated by the Commission or municipal corporations.

The bill takes effect on November 1, 2023.

Police, Fire, and Law Enforcement Retirement Systems/IRS Compliance: [SB 630](#) by Sen. John Montgomery (R-Lawton) and Rep. Mark Lepak (R-Claremore) updates the statutory compliance for the Oklahoma Police Pension and Retirement System, the Oklahoma Firefighter Pension and Retirement System, and the Oklahoma Law Enforcement System with the federal regulations by the IRS.

The bill went into effect on May 1, 2023.

Law Enforcement/Human Trafficking: [SB 661](#) by Sen. Cody Rogers (R-Tulsa) and Rep. Jeff Boatman (R-Tulsa) creates in the State Treasury a revolving fund for the Office of the Attorney General to be designated the “Victims of Human Trafficking and Prevention Revolving Fund.” The fund shall consist of all monies received from penalties imposed by the courts on convictions of human trafficking violations and funds received from any other source, including legislative appropriations. The purposes of the fund, include, but are not limited to: 1) educating the public about the recruitment, trafficking, and exploitation of persons through human trafficking; 2) assisting in the prevention of recruitment in schools of minors for exploitation; 3) establishing a survivors' resource center to make information available to survivors about services and resources, including legal services, social services, safe harbors, safe houses, and language services; 4) assisting in coordination between law enforcement agencies and service providers; and 5) providing information concerning a petition for expungement of a criminal history record resulting from the arrest or filing of charges for an offense committed or reported to have been committed while the person was a victim of human trafficking.

The bill takes effect on November 1, 2023.

Oklahoma Organized Retail Crime Task Force: [SB 674](#) by Pro Tempore Greg Treat (R-OKC) and Speaker Charles McCall (R-Atoka) creates a fifteen (15) member Oklahoma Organized Retail Crime Task Force until December 31, 2024. One of the members is appointed by the Oklahoma Association of Chiefs of Police. The purpose of the task force is to provide the Legislature and the Governor with information on organized retail crime and the advantages and drawbacks of instituting various countermeasures to counter losses from retail theft in the state.

The task force shall submit a report containing, but not limited to, the following information based on available data: 1) a review of laws and regulations on organized retail crime used by other states, the federal government, and foreign countries to regulate the marketplace; 2) the use of organized retail theft's impact on state and local tax receipts; 3) need for interagency coordination of public education and prevention programs for business owners; and 4) legislative and regulatory recommendations, if any, to increase transparency and security, enhance consumer protections, prevent organized retail theft, and to address the long-term economic impact related to the prevalence of organized retail crime.

The bill went into effect on June 6, 2023.

Elections/Candidate Filing Records: [SB 677](#) by Pro Tempore Greg Treat (R-OKC) and Rep. Nicole Miller (R-Edmond) declares the candidates place of residence and mailing address are not to be a public record. However, such address information shall be provided to a candidate, candidate representative, or other lawful authority in anticipation of or as part of a contest of candidacy or contest of an election or as part of a petition challenge as provided by law. The verification form must include the candidate's voter information including party affiliation, voter identification number, precinct, and county where the voter is registered and the original date of voter registration, if available, as well as all districts where the candidate is registered to vote. The secretary of the election board must only accept a Declaration of Candidacy if the information in the voter registration verification matches the Declaration of Candidacy, and all other requirements are met. The Secretary of the State Election Board will prescribe the voter registration verification form. These provisions will not apply to candidates for federal office.

The bill went into effect on June 7, 2023.

Hospitals/Opioid Antagonists: [SB 712](#) by Sen. Paul Rosino (R-OKC) requires the Department of Mental Health and Substance Abuse Services (DMHSAS), contingent on federal funds, to provide opioid antagonists to hospitals for patients not covered by the state Medicaid plan or a health benefit plan. The State Department of Health will provide technical assistance for the implementation of the bill.

The bill takes effect on November 1, 2023.

Interlocal Cooperative Agreements/Counties: [SB 776](#) by Sen. Jack Stewart (R-Yukon) and Rep. Josh Cantrell (R-Kingston) authorizes the board of county commissioners to enter into intergovernmental cooperative agreements which shall include shared services, with local governmental units within this state of pursuant to the provisions of the Interlocal Cooperation Act, Section 1002 et seq. of Title 74 of the Oklahoma Statutes.

The bill goes into effect on November 1, 2023.

Court Financial Obligations/Repealers: [SB 907](#) by Sen. Brent Howard (R-Altus) and Rep. Mark Lawson (R-Sapulpa) repeals Sections 2, 3, 4, 5, and 6, Chapter 350, O.S.L. 2022, relating to the court financial obligations.

The bill went into effect on June 7, 2023.

Law Enforcement/Security of Communications Act: [SB 981](#) by Sen. Darrell Weaver (R-Moore) and Rep. Anthony Moore (R-Clinton) provides that information obtained by a law enforcement officer from a wire, oral or electronic communication authorized by the Security of Communications Act may be provided as testimony or evidence in administrative, civil or criminal proceedings.

The bill takes effect on November 1, 2023.

Economic Incentives/Solar: [SB 1177](#) by Sen. Roger Thompson (R-Okemah) and Rep. Kevin Wallace (R-Wellston) creates the Perform Act. The bill creates an investment rebate program for the cost of qualified capital expenditures by an establishment that creates a certain number of jobs based on the number of investment rebate payments. The number scales from one hundred (100) jobs after the first payment to one thousand four hundred (1,400) jobs after the fifth payment. The amount of the rebate shall equal ten percent (10%) of the cost of the qualified capital expenditures. Caps are established on each claim based on the number of investment rebate payments. Rebates shall be disbursed using the newly created Perform Fund. The program shall be administered by the Oklahoma Department of Commerce and Oklahoma Tax Commission. The Department shall be required to submit an annual report every October 1st detailing the program and investment rebate payments to the President Pro Tempore of the Senate, Speaker of the House, the Chair of both the Senate and House Appropriations Committees, and the Executive Director of the Legislative Office of Fiscal Transparency. The Department shall approve applications meeting the requirements outlined in the bill and direct the Commission to disburse the funds to the qualifying entity. The Department shall disapprove all or any portion of applications and claims for rebates that would exceed the balance of available funds in the Perform Fund.

The bill went into effect on May 17, 2023.

Economic Development/Perform Fund: [SB 1179](#) by Sen. Roger Thompson (R-Okemah) and Rep. Kevin Wallace (R-Wellston) appropriates One Hundred Eighty Million Dollars (\$180,000,000.00) to the Perform Fund.

The bill went into effect on May 17, 2023.

LEGISLATION VETOED BY GOVERNOR STITT

Law Enforcement/Shooting into Buildings: [HB 1612](#) by Rep. Rande Worthen (R-Lawton) and Sen. Lonnie Paxton (R-Tuttle) added shooting into a dwelling, or a building used for public or business purposes, as provided for in Section 1289.17A of this title or any attempt, conspiracy, or solicitation thereof to serve not less than eighty-five percent of any sentence of imprisonment.

The [veto message](#) is as follows: Pursuant to the authority vested in me by Section 11 of Articles VI of the Constitution, I have vetoed Enrolled House Bill 1612. Enrolled House Bill 1612 would significantly expand the types of crimes that would qualify as an “85% crime” under Oklahoma law. The Oklahoma legislature, beginning in 2018, has prioritized the establishment of a felony classification system in Oklahoma, which most states already have. Since taking office in 2019, I have repeatedly advocated for system-wide reform, including a felony classification system that provides certainty, accountability, and fairness. There is currently legislation being negotiated between all interested parties that would do just that.

While we must prioritize public safety and protecting Oklahomans, simply continuing to piecemeal together Oklahoma’s criminal code is not in the best interest of our state or its citizens.

For these reasons, I have vetoed Enrolled House Bill 1612.

Law Enforcement/Sex Offenders: [HB 2608](#) by Rep. JJ Humphrey (R-Lane) and Sen. David Bullard (R-Durant) modified the definition of "local law enforcement authority" within the Oklahoma Sex Offender Registration Act to include the police or law enforcement officers of any federally recognized Indian nation or tribe in Oklahoma. This would have required persons subject to registration to report to such law enforcement if they reside or stay within the jurisdictional boundaries of the Indian nation or tribe.

The [veto message](#) is as follows: Pursuant to the authority vested in me by Section 11 of Articles VI of the Constitution, I have vetoed Enrolled House Bill 2608.

Oklahoma law already requires sex offenders to register with the Department of Corrections and several local law enforcement authorities having jurisdiction in the area where the person resides or intends to reside, including the municipal police department and county sheriff, as well the police or security department of an institution of higher learning at which sex offenders are enrolled.

While the intent behind Enrolled House Bill 2608 – that Indian sex offenders who register with a federally recognized Indian nation or tribe in Oklahoma *must* register with all other local law enforcement authority enumerated in 57 O.S. Section 583–is well meaning, the actual effect and assuredly unintended consequences are significant. The plain, amendatory language would have all sex offenders–Indian and non-Indian alike–additionally register, in person, with tribal law enforcement if the person resides or intends to reside or stay within “the

jurisdictional boundaries of the federally recognized Indian nation or tribe[.]” The problems are at least two-fold. First, Oklahoma citizens should not be required to register with and/or effectively submit to the jurisdiction of law enforcement that has no jurisdiction over them. Second, given the continued uncertainty and disagreements associated with what is meant by “jurisdictional boundaries of the federally recognized Indian nation or tribe,” the amendatory language would create additional confusion and likely cause more unnecessary disagreements.

To be clear, I stand ready to engage in good faith discussions about any real need for additional sex offender registration requirements. Enrolled House Bill 2608 simply goes too far and creates ambiguities.

For these reasons, I have vetoed Enrolled House Bill 2608.

Prevention of Youth Access to Tobacco: [SB 34](#) by Sen. Chuck Hall (R-Perry) and Sen. Collin Duel (R-Guthrie) updated the statutes relating to the Prevention of Youth Access to Tobacco.

The [veto message](#) is as follows: Pursuant to the authority vested in me by Section 11 of Articles VI of the Constitution, I have vetoed Enrolled Senate Bill 34.

Oklahomans elected me to advocate on their behalf and fight for the taxpayer. I take this responsibility very seriously and cannot, in good faith, allow another year to go by without cutting taxes and reforming education, both of which we can absolutely afford with our \$1.2 billion surplus and over \$6 billion in savings. Therefore, until the people of Oklahoma have a tax cut, until every teacher in the state gets the pay raise they deserve, until parents get a tax credit to send their child to the school of their choice, I am vetoing this unrelated policy and will continue to veto any and all legislation authored by Senators who have not stood with the people of Oklahoma and supported this plan.

For these reasons, I have vetoed Enrolled Senate Bill 34.

Public Health/Advancement of Wellness Advisory Council: [SB 267](#) by Sen. Jessica Garvin (R-Duncan) created the Advancement of Wellness Advisory Council to consist of ten (10) members: three (3) are appointed by the Governor; three (3) are appointed by the President Pro Tempore of the Senate; three (3) are appointed by the Speaker of the House; and one (1) member shall be appointed by the Commissioner. Five (5) members shall constitute a quorum. Of these members, one member must be knowledgeable about cardiometabolic disease including obesity, dyslipidemia, hypertension, and diabetes; one member who represents an Urban Indian Health Center in this state or a nonprofit organization with a major focus on improving public health for citizens of federally recognized tribes; and one member who represents a federally recognized tribe based in this state which maintains a tribally operated health system.

The [veto message](#) is as follows: Pursuant to the authority vested in me by Section 11 of Articles VI of the Constitution, I have vetoed Enrolled Senate Bill 267.

Oklahomans elected me to advocate on their behalf and fight for the taxpayer. I take this responsibility very seriously and cannot, in good faith, allow another year to go by without cutting taxes and reforming education, both of which we can absolutely afford with our \$1.2 billion surplus and over \$6 billion in savings. Therefore, until the people of Oklahoma have a tax cut, until every teacher in the state gets the pay raise they deserve, until parents get a tax credit to send their child to the school of their choice, I am vetoing this unrelated policy and will continue to veto any and all legislation authored by Senators who have not stood with the people of Oklahoma and supported this plan.

For these reasons, I have vetoed Enrolled Senate Bill 267.

Oklahoma Housing Authorities: [SB 580](#) by Sen. Chuck Hall (R-Perry) and Rep. Kevin Wallace (R-Wellston) modifies the term “area of operation” as it relates to the Oklahoma Housing Authorities Act adding in the case of an authority of a city or of a county, and only for a period of time beginning on the effective date of this act and ending on December 31, 2026.

The [veto message](#) is as follows: Pursuant to the authority vested in me by Section 11 of Articles VI of the Constitution, I have vetoed Enrolled Senate Bill 580.

Enrolled Senate Bill 580 would empower local Oklahoma Public Housing Authorities (“PHAs”) now assisting Oklahoma Oklahomans with affordable housing concerns to operate anywhere in the State of Oklahoma. This may sound good, but PHAs are currently prohibited from operating outside the municipal or county limits for good reason: because the Oklahoma Housing Finance Agency (OHFA) already has statewide jurisdiction and adequately affordable addresses housing concerns in all 77 counties.

(OML Priority) Open Records Act/Confidential Records: [SB 715](#) by Sen. Kay Floyd (D-OKC) and Rep. Mark Lawson (R-Sapulpa) provides that if a public body determines to keep a requested record confidential pursuant to subsection A of this section, the public body shall notify the requestor of such decision. A person denied access to records may file an action pursuant to subsection B of Section 24A.17 of this title. Upon hearing, the court may order the release of the records if the court finds that the public interest in the records outweighs the privacy interest and shall order any redactions necessary to protect innocent parties including but not limited to personal identifying information. The court may award a requesting party court costs and reasonable attorney fees if it finds that the denial of access to the records by the public body was unreasonable.

The [veto message](#) is as follows: Pursuant to the authority vested in me by Section 11 of Articles VI of the Constitution, I have vetoed Enrolled Senate Bill 715.

Enrolled Senate Bill 715 would create ambiguities and allow courts to engage in arbitrary balancing related to highly sensitive information sought pursuant to the Open Records Act. As written, the bill authorizes an open court hearing to address confidential records and would not – as would be appropriate – allow for a court to conduct an in camera (private) review of records designated as confidential.

Even if a court were able to privately review records withheld as confidential, the amendatory language would simply have courts balance public and private interests to determine whether to release sensitive personnel records to a third party.

Then, although the amendment applies by explicit reference subsection B of Section 24A.17 - a subsection that provides for mandatory attorney fees to successful plaintiffs - the amendatory language would provide courts discretion in awarding attorney fees against public bodies and would leave open the question of whether a public body would have any right to secure an award of reasonable attorney fees if forced to defend against a frivolous suit, as permitted by subsection C of Section 24A.17.

Simply put, Enrolled Senate Bill 715 is rife with issues and should not become law. To be clear, I stand for transparency backed by responsible processes and welcome dialogue about reforms to the Open Records Act, including, but not limited, to expanding it in a manner that would allow public access to records in other branches of government.

For these reasons, I have vetoed Enrolled Senate Bill 715.

Oklahoma Aircraft Engine Testing Development Grant Program: [SB 942](#) by Sen. John Haste (R-Broken Arrow) and Rep. Kevin Wallace (R-Wellston) created within the Oklahoma Aeronautics Commission, the Oklahoma Aircraft Engine Testing Development Grant Program to offer financial assistance by grant to private or public entities for the purpose of augmenting the aircraft engine testing capabilities of this state and developing aircraft engine testing infrastructure. Grant funding would be administered based on merit and the potential for a specific project to enhance the aviation and aerospace industry of this state. A grant under this program shall be a one-time award.

The [veto message](#) is as follows: Pursuant to the authority vested in me by Section 11 of Articles VI of the Constitution, I have vetoed Enrolled Senate Bill 942.

Oklahomans don't need reminding that I care about growing our economy and securing a prosperous future for all Oklahomans. And I have no doubt aerospace and defense investment and innovation will be part and parcel of that future.

That said, this Bill simply creates another unfunded and duplicitous grant program. Of course, I hope entities that would have been eligible for this aircraft engine testing program will explore other grant programs administered by our Department of Commerce. I'm confident other incentives are already available for those dedicated to enhancing the State's burgeoning aerospace and defense industries.

For these reasons, I have vetoed Enrolled Senate Bill 942.