

The image shows the interior of the Oklahoma State Capitol dome. The top half features a circular skylight with a red and gold geometric pattern. Below it is a balcony with a white railing and a colorful mural. The lower half shows a large arched opening with a mural of a group of people in white dresses. The walls are decorated with blue and gold patterns.

2023 Session in Review

Measures passed during the First Regular Session and First Extraordinary Session of the 59th Oklahoma Legislature

Charles McCall, Speaker | Oklahoma House of Representatives



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Introduction

The First Session of the 59th Oklahoma Legislature is notable for the focus given to education. The Legislature made historic investments in public education, which included longevity-based pay raises for all certified staff, additional funding for literacy programs, and six weeks of paid maternity leave for teachers and other state employees. Further, the Legislature enacted the Oklahoma Parental Choice Tax Credit Act to give parents more flexibility in determining their children's educational needs. Funding was also set aside for the Redbud School Grant program to benefit rural schools that have less ad valorem tax collection than other districts. While education issues were of great importance for the entirety of the session, the Legislature also spent time addressing illegal marijuana grow operations and improving the delivery of government services to Oklahomans. Other investments were made in affordable housing, health care, and home-based services for developmentally disabled individuals. The Legislature also went into special session to create a unique program to fund current and future capital needs, finalize the FY 2024 budget, and offer extensions to compacts with our tribal partners on motor vehicle registration and tobacco product sales tax. •



Agriculture & Wildlife

Agriculture

SB 212 expands the ban on foreign land ownership to include lands acquired directly or indirectly through a business entity or trust. Business entities engaged in regulated interstate commerce in accordance with federal law are exempt from the prohibition. The measure also requires all future property deeds to include an attestation that the title transfer is in compliance with this law.

HB 1006X appropriates the following amounts to the Department of Agriculture:

- \$6.95 million to rural fire departments for replacing equipment and gear burned during fires including truck chassis;
- \$2.1 million for providing grants to incorporated municipalities affected by the winter storm that took place February 2–February 21, 2021;
- \$2 million for wildland fire response resources;
- \$100,000 for rural fire coordinators to administer a wet hydrant program; and
- \$10,000 for advancing leadership in agricultural business.

HB 1456 designates the State Board of Agriculture as the official plant pest and disease control agency. The board is authorized to promulgate and enforce rules and issue emergency orders governing plants.

SB 488 removes the fixed 2-cent-per-wheat-bushel fee that producers pay when selling their product through commercial channels and instead allows the Oklahoma Wheat Association to set the fee rate.

HB 1589 defines *Oklahoma certified meat* as any bovine, swine, goat, lamb, poultry, or fish product bred, born, raised, and processed within the state.

SB 648 removes the requirement that a landowner or agricultural lessee applying for a permit to hunt nuisance wildlife at night have an agricultural tax exemption permit.

HB 1844 removes the requirement that any live deer being transported through the state must come from a state with a mutual agreement allowing live deer from Oklahoma to be transported through its borders.

HB 1847 requires any Emergency Drought Commission formed to include one member appointed by the Speaker of the House and one member appointed by the President Pro Tempore of the Senate. The Speaker's appointee must

reside west of Interstate 35 and the Pro Tempore's appointee must reside east of Interstate 35.

HB 1966 reorganizes pre-existing sections of law relating to pesticide applicator licensing and allows a person to apply pesticides to their own property without a license.

HB 2059 repeals the section of law requiring commercial pet breeders to submit an annual report to the Oklahoma Department of Agriculture detailing the number of adult intact female animals held at the breeder's facility.

Wildlife

HB 2868 creates a \$15, five-day hunting license for nonresidents hunting winged upland game, excluding wild turkey, in a commercial hunting area. •



Alcohol, Tobacco, & Controlled Substances

Marijuana Regulation

HB 2095 modifies several components of law regarding medical marijuana licensing, regulations enforcement, and business operations. The licenses of any medical marijuana business licensee found to have intentionally not paid the tax on retail medical marijuana sales are to be revoked, and the revoked party is prohibited from being able to receive any other type of medical marijuana business license issued by the Oklahoma Medical Marijuana Authority (OMMA). Additionally, the measure:

- Prohibits more than one medical marijuana commercial grower license to be issued for any one property;
- Caps the number of active medical marijuana commercial grower licenses to 1,000 in circulation;
- Authorizes OMMA to enter into agreements with other state agencies to enforce laws regulating medical marijuana, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control (OBND), and the Oklahoma State Bureau of Investigation;
- Grants full authority to the Oklahoma Attorney General to investigate and enforce any violations of law regarding medical marijuana;
- Permits OMMA and other entities that receive a complaint concerning noncompliance by

a medical marijuana research licensee or a medical marijuana education facility licensee, to conduct unannounced, on-site inspections beyond the required biannual inspections;

- Requires the authority to refer all complaints alleging criminal activity to appropriate state or local law enforcement; and
- Extends the moratorium on processing and issuing new medical marijuana business licenses to 2026.

SB 813 sets the initial, nonrefundable fee for a medical marijuana processor license, as well as all submissions of grower applications, renewal processor applications, and renewal dispensary applications at \$2,500. OMMA is authorized to operate a quality assurance laboratory for the purpose of conducting compliance testing of medical marijuana businesses, and requires the lab be used to provide recommendations for:

- All equipment and standards to be utilized by licensed medical marijuana testing laboratories;
- Standardized operating procedures when extracting and testing medical marijuana products;
- Samples taken from medical marijuana licensed business;
- The utilization of secret shoppers; and
- Analysis of any compounds that are not among the targeted ana-

lytes and are unknown, unidentified, tentatively identified, or known and injurious to human health if consumed.

SB 212 expands the ban on foreign land ownership to include lands acquired directly or indirectly through a business entity or trust. Business entities engaged in regulated interstate commerce in accordance with federal law are exempt from the prohibition. The measure also requires all future property deeds to include an attestation that the title transfer is in compliance with this law.

SB 913 requires all applicants for a medical marijuana business license to submit a bond along with their application to provide financial coverage for rehabilitation, if necessary, for the land encompassing the grow operation. The bond must be at least \$50,000 for each license and a higher bond may be required if OMMA or Department of Environmental Quality determine that additional reclamation requirements are necessary. The holder of a medical marijuana business license engaged in a commercial growing operation may operate without obtaining a bond if the authority verifies that the permitted land has been owned by the licensee for a least a five-year period prior to submission of application. The measure also authorizes the appropriate agency to recall the bond if the property is abandoned or if the authority revokes the license of the owner.

SB 18X establishes the Medical Marijuana Tax Fund with all monies accruing in the fund to be appropriated at

the discretion of the Legislature to fund substance abuse programs and common education, including but not limited to funding Redbud School Grants.

Alcohol Regulation

HB 1715 overhauls the state's alcohol laws. The measure defines *seltzer* and modifies the definition of *beer* to mean any beverage containing more than 0.5 percent alcohol by volume that is obtained by fermentation of an infusion or decoction of barley, other grain, sugar, malt, or similar products. Cider is added to the list of products that a brewer may manufacture, sell, and serve at events. The measure allows the holder of a small-brewer license to purchase from other licensed brewers within the state, and to import beer into the state for use in manufacturing. Brewer, small brewer, winemaker, distiller, or small-farm winery licensees are allowed to host off-site events approved by the Alcoholic Beverage Laws Enforcement (ABLE) Commission, and individuals under 21 years of age may be anywhere on the premises of an event, except for the serving area. Finally, licensed vendors may sell up to six bottles or cans of beer in its original packaging or a reusable container for on-premises consumption.

SB 796 requires wine shipper permit holders to submit a quarterly report to the ABLE Commission. The report must contain the name and address of the person placing the order, carrier tracking number, and quantity of wine shipped. The measure further outlines violation penalties:

- \$1,500 for a first offense up to \$5,000 for a third offense and a misdemeanor charge for persons who ship wine without a permit;
- \$500 fine for common carriers who fail to file a report;
- \$1,500 up to \$5,000 fine for a common carrier who delivers wine, beer, or distilled spirits to a person under 21 years of age without obtaining a signature from a person who is at least 21 years of age; and

- \$1,500 up to \$5,000 fine for a company that knowingly unlawfully transports alcoholic beverages in Oklahoma.

HB 2631 allows for wine and spirits wholesalers to ship and fill orders nonsequentially on products that have been designated as being in short supply. ABLE is to publish a list of products designated as being in short supply every 30 days.

HB 2843 allows the holder of a beer distributor license to store any alcoholic beverages, including wine and spirits owned by a common licensed affiliated entity, or nonalcoholic beverages and other related goods in any space, as long as it is a warehouse owned or leased by the distributor. ABLE may issue a written warning and a fine up to \$5,000 for the violation of discriminating between wholesalers or retailers. A second offense may result in a 10-day suspension of the license. The measure provides that it is not an inducement or discriminatory action for a licensee to establish individualized servicing and delivery schedules for a retailer, based on the retailer's actual needs and sales volume, or to periodically perform product resets. The measure adds that the application for registration of a brand label must be filed and paid by a winemaker, distiller, or nonresident seller of the brand. Licensees are not required to verify ABLE registration and will not be penalized for any applicant's failure to register its brand label.

SB 1035 outlines the audit parameters for tax compliance by an alcohol licensee. If the collections are within the accepted percentages, then the licensee is deemed to be in compliance. The measure authorizes a deduction not exceeding 10 percent of the gross receipts tax liability to offset properly documented losses attributed to breakage, spillage, theft, fire, or other occurrences.

SB 791 declares that it is not considered an inducement or a premium for a retail spirits licensee to have an advertised price posted higher online than the shelf price on the licensed premises.

SB 1032 authorizes holders of a caterer license to provide alcohol beverage sales at an establishment that is currently applying for an on-premises beer and wine license or a mixed beverage/caterer combination license.

HB 2251 allows a licensee of the ABLE Commission to serve mixed beverage or cocktail tasting flights.

SB 811 grants the ABLE Commission discretion over whether the holder of a license will be subject to license revocation or administrative fines for any violation of a commission rule.

HB 1596 authorizes the ABLE Commission to establish official advanced funds of up to \$5,000 to supply agents with money for enforcement actions to obtain evidence for case presentations.

SB 483 removes the requirement for seized alcohol to be delivered to the county sheriff.

Drug and Tobacco Regulation

HB 2282 clarifies and establishes a process for OBNDD to penalize registrants after the revocation of their license by OBNDD. The measure requires the OBNDD director to issue a written order to be served to the registrant before annulling, conditioning, suspending, or revoking any registration when the director believes that a violation of federal or state law, rule, or regulation has been committed. Additionally, the measure permits the director to:

- Issue an order immediately suspending a registration, without notice or a hearing, when it is found that there is imminent danger to the public health or safety that warrants this action, and may assess a penalty of up to \$10,000 per day for noncompliance with the order; and
- Assess an administrative penalty of up to \$5,000 per day for each violation of federal law related to controlled dangerous substances, agency rules, or the Uniform Controlled Dangerous Substances Act (UCDSA).

Further, if it has been determined by a judge that a registrant has possessed, transferred, or sold any controlled dangerous substance in violation of the UCDSA, the contraband is to be seized by OBNDD and the director may assess an eradication or a destruction fine of up to \$50,000 against the registrant. The measure holds that upon a revocation or denial of registration, the registrant or applicant may be barred from reapplying for registration for up to five years. All controlled dangerous substances not impounded or preserved by the director are to be maintained by the registrant.

After the signing of HB 2282 into law, a companion measure, **SB 475**, was enacted. The measure allows OBNDD attorneys to assist the Attorney General in prosecuting violations of the UCDSA.

HB 2165 requires an individual under the age of 21 who purchases, receives, or possesses a tobacco, nicotine, or vapor product using false proof of age to complete a tobacco use cessation program approved by the court. If the violator fails to complete the program

they may be fined. Violators may also be required to complete a community service program or other appropriate program or service 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.

HB 2424 allows any opioid antagonist that is approved by the United States Food and Drug Administration (FDA) to be dispensed or sold by a pharmacy without a prescription under the supervision of a licensed pharmacist.

HB 2686 requires opioid substitution treatment programs to comply with all federal requirements, including the requirement for drug testing to be observed. The measure also allows a Schedule III, IV, or V controlled dangerous substance that is approved by the FDA for medication-assisted treatment or detoxification to be prescribed via a telemedicine encounter.

SB 665 removes the requirement for providers of buprenorphine with naloxone, when used for medication-assisted treatment services, to register with OBNDD.

HB 1987 excludes drug testing strips for fentanyl or fentanyl-related compounds from being classified as drug paraphernalia.

HB 2281 prohibits the use of a “straw person” or “straw party” to purchase, or conspire to purchase any license or registration required to distribute, possess, prescribe, or manufacture any controlled dangerous substance on behalf of any other person.

SB 452 adds the synthetic opioids isotonitazene, desethyl isotonitazene, and protonitazene to the list of Schedule I substances.

SB 668 removes ephedrine, phenylpropanolamine, and pseudoephedrine from the list of substances that require a person or business to register with OBNDD. ●



American Rescue Plan Act (ARPA)

SB 40X appropriates from the State-wide Recovery Fund to the Department of Human Services (DHS):

- \$10.3 million to enhance and increase capacity for programs assisting in stabilizing justice-involved women, their children, and caregivers in the Tulsa area and surrounding rural areas; and
- \$2.5 million to allow more opportunities for working families with children, with and without special needs, to obtain high-quality child care.

HB 2884 outlines appropriations from the American Rescue Plan Act (ARPA) to DHS to implement and fund program recommendations adopted by the Joint Committee on Pandemic Relief. DHS is required to submit quarterly budget and expenditure reports to the committee and legislative leaders. Appropriations to DHS include:

- \$25 million for expanding care services;
- \$2.8 million to support domestic violence victims;
- \$700,000 to support services for child abuse and neglect;
- \$1 million for building improvements for a facility that serves domestic violence, sexual assault, and sex trafficking victims;
- \$2 million to develop a multi-purpose community facility for domestic violence and sexual abuse victims;

- \$30.1 million to promote healthy childhood environments and address educational disparities;
- \$3 million for a food program that focuses on food distribution, education, workforce development, and health assessments;
- \$342,360 to provide counseling and support services to at-risk youth and their parents; and
- \$300,000 for mental health and substance abuse services, education, job training, and placement.

SB 1186 appropriates up to \$12.8 million in ARPA funds to DHS to establish a grant program that assists with food programs that support the availability of and access to affordable and nutritious foods.

SB 1189 appropriates \$18.5 million in ARPA funds to the Department of Mental Health and Substance Abuse Services to expand capacity at the Tulsa Center for Behavioral Health.

HB 2943 appropriates \$6 million in ARPA funds to the State Department of Health; \$4 million will be used to build a family residence building aimed at providing care and housing to families with children undergoing long-term care and treatment at medical facilities and \$2 million will be used to retrofit and expand a facility that provides expanded services to children needing long-term care and treatment.

SB 1188 appropriates \$18.6 million in ARPA funds to the Health Care Workforce Training Commission to support

healthcare workforce grant programs at state colleges:

- \$1.3 million to Northeastern Oklahoma Agricultural and Mechanical College;
- \$1.25 million to Rogers State University;
- \$7 million to East Central University;
- \$5 million to Southwestern Oklahoma State University;
- \$1 million to Southeastern Oklahoma State University; and
- \$3 million to Northeastern State University.

SB 39X appropriates \$500,000 to the Health Care Workforce Training Commission to establish a grant program with Northwestern Oklahoma State University for the purpose of recruiting, educating, and stabilizing Oklahoma's health care workforce. The measure also establishes a State-wide Recovery Special Account for the Health Care Workforce Training Commission.

SB 1190 appropriates from the ARPA funds to the Military Department of Oklahoma the following allotments:

- Up to \$2.2 million for the increased costs related to the construction of a holistic health and fitness center for service members and first responders;
- Up to \$1.19 million for increased costs related to addressing educational disparities through

academic, social, and emotional services; and

- Up to \$800,000 for increased costs related to effective emergency response.

HB 1020X appropriates \$25 million in ARPA funds for the administration of the Emergency Relief and Impacts Grant Program, which is overseen by the Oklahoma Department of Emergency Management and Homeland Security.

HB 2941 appropriates \$10 million in ARPA funds to the Oklahoma Arts Council.

SB 1187 appropriates up to \$600,000 in ARPA funds to the Oklahoma Aeronautics Commission to address the negative economic and public health impacts of the pandemic experienced by the air and space museums and their ability to provide education services.

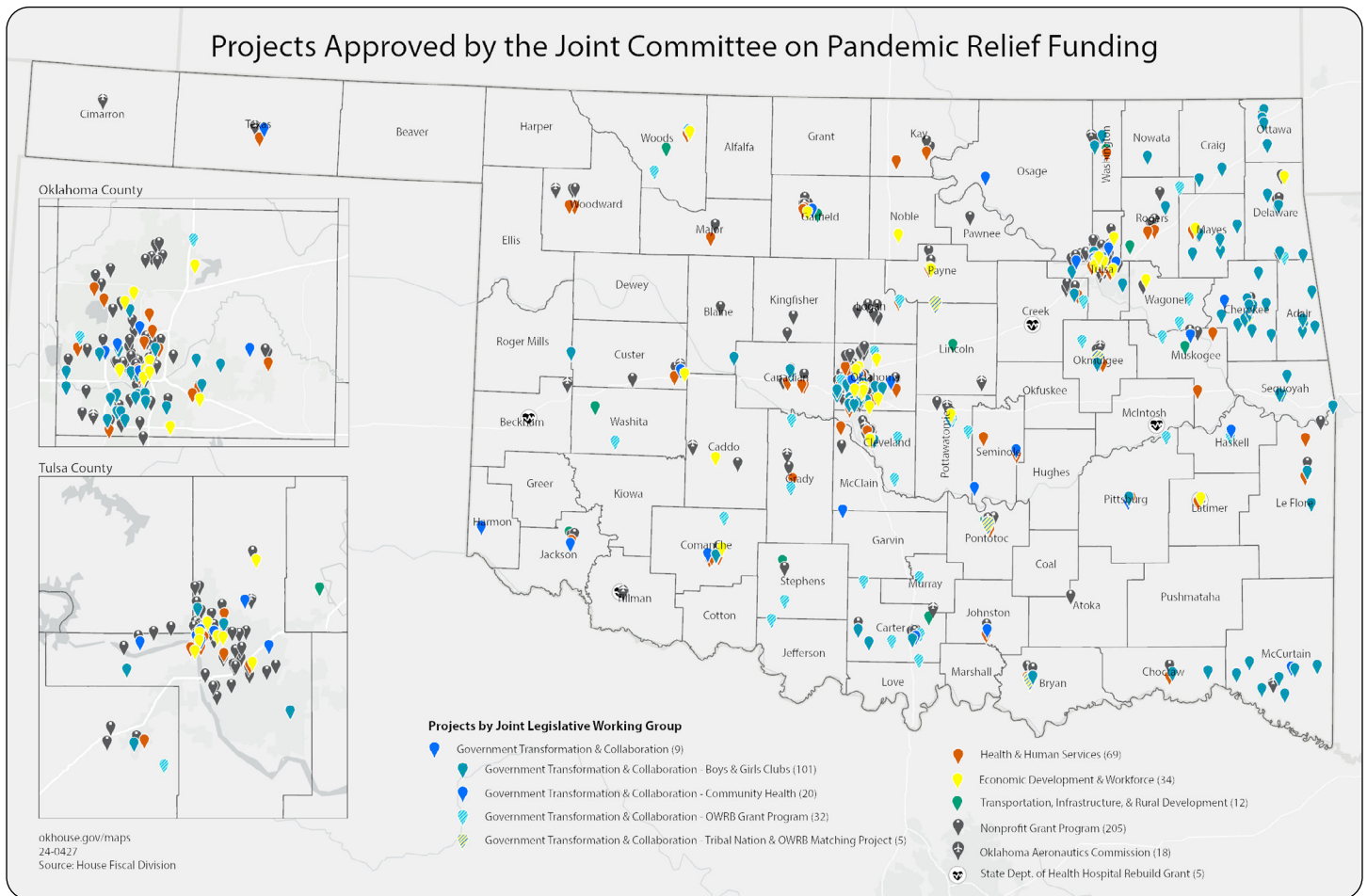
HB 2940 creates the ARPA Administrative Costs Fund consisting of monies appropriated or transferred by the Legislature.

HB 2944 appropriates \$10.5 million in ARPA funds to the Office of Management and Enterprise Services to pay for expenses relating to programs and

actions taken by the Joint Committee on Pandemic Relief Funding. Of the \$10.5 million, \$5.8 million will be housed in the ARPA Administrative Costs Fund for future administrative expenses.

HB 2945 appropriates \$496,000 in ARPA funds to the Legislative Services Bureau to pay for contract obligations related to ARPA.

The map below illustrates the distribution of ARPA projects across the state. An online interactive map can be found by visiting <https://okhouse.maps.arcgis.com>. •





Corrections

SB 844 directs the Department of Mental Health and Substance Abuse Services (ODMHSAS) to manage and oversee the County Community Safety Investment Fund. The Legislative Office of Fiscal Transparency is required to calculate the annual dollar amount of savings accrued due to the reduction of the number and length of incarcerations attributed to the enactment of State Question 780. The department is directed to issue a request for proposals by which county governments or multi-county partnerships may apply for funds to develop substance abuse rehabilitation, diversion from the criminal justice system, treatment, employment, or housing programs. The measure requires ODMHSAS to provide an annual report showing the amount awarded to each county. County governments must submit all necessary documents to meet the requirements outlined in the request for the proposal to be considered. The department will promulgate rules establishing qualifications to receive funding.

SB 12X creates the Mental Health Transport Revolving Fund and amends

the regulations for the transportation of people in need of mental health services by law enforcement officers. A sheriff or peace officer may request an assessment by ODMHSAS at the initial point of contact for a person the officer believes requires treatment. The department may conduct the assessment via telemedicine or in-person through a licensed mental health professional. ODMHSAS or a contracted entity is responsible for transporting an individual if there is not an appropriate facility within 30 miles of the peace officers 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 mental health or medical facility, or is placed into protective custody and is in need of 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 a contracted entity is responsible for any subsequent transportation needs. If a facility director determines that an individual is not medically stable, ODMHSAS is required to immediately transport the individual to the nearest hospital.

HB 1546 directs the Department of Corrections to develop an “orange alert” communication system at each correctional facility to notify any resident within a 40-mile radius when a prisoner has escaped. Information on how a resident is to register is to be posted in a newspaper of record within the county in which the correctional facility is located. It is the responsibility of a resident wishing to be notified to register to receive the notifications.

SB 121 renames the Northeast Oklahoma Correctional Center in Vinita to the Northeast Oklahoma Community Corrections Center in Vinita.

SB 247 provides a definition of *bar-rack-style* within a jail setting to mean a single designated space for the purpose of housing three or more inmates. ●



Criminal Justice

HB 2041 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 person to contact the clerk of the court to resolve the outstanding warrant. All verbal warnings must be documented by law enforcement on a department-issued warning ticket.

SB 420 extends from 1 year to 30 months the time frame in which a claim must be made to the Crime Victims Compensation Board. The measure clarifies that a self-inflicted injury is not to be attributed to the victim when the board finds the injury is a direct result of the crime committed against the victim. The compensatory amount available to a victim experiencing economic loss from injury or death is increased from \$20,000 to \$25,000. The amount that may be awarded specifically for loss of wages or loss of support for dependents due to a deceased victim is also increased from \$20,000 to \$25,000.

HB 2153 modifies the punishment for second, third or fourth offenses related to possessing, selling or purchasing controlled dangerous substances that occur within a 10 year period of the first conviction for the same crime. On the second offense, the court may order the defendant to complete a diversion program for up to one year in lieu of other punishments. On the third offense, the court can impose a fine up to \$1,000, up to one year of imprisonment, both fine and imprisonment and the completion of a substance abuse assessment and evaluation and diversion program for

up to three years. If the defendant refuses to complete the program, the court may impose punishment as provided for in current law. For the fourth offense, the court can impose a fine up to \$5,000, between one and five years of prison, or both fine and imprisonment. The court may also order the defendant to complete a diversion program and, upon completing the program, change the felony charges to a misdemeanor.

SB 1000 allows the Oklahoma State Bureau of Investigation (OSBI) to inquire as to the condition and location of a sexual assault evidence kit that has not been submitted to a forensic laboratory within 20 days after receipt by a law enforcement agency. OSBI may initiate an investigation on any previously untested or partially tested sexual assault evidence kit.

HB 1328 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.

HB 2054 modifies the crime of prostitution to include knowingly offering to pay a fee to another person for the purpose of engaging in sexual conduct. The measure makes it unlawful for any person who pays a fee for a sexual encounter to publish a review of that sexual encounter or to publish a review of the pubic area, buttocks, or breasts experienced in the sexual

encounter on a website that facilitates, encourages, offers, solicits, or promotes sexual conduct with another for a fee. The crime is a felony punishable by not more than three years or a fine of up to \$1,000 for the first offense, \$2,500 for the second offense, and \$5,000 for third and subsequent violations. The penalty increases to not more than 10 years and or \$5,000 for the first offense, \$10,000 for the second offense, and \$15,000 for third and subsequent violations if the person is under 18 years of age. Upon a third conviction, the person will be required to register as a sex offender under the Sex Offenders Registration Act and will be assigned a risk level of one. Upon a sixth conviction, the person will be assigned a risk level of two.

HB 2236 raises from \$450 to \$800, the amount that the Crime Victims Compensation Board can disburse for a sexual assault examination conducted on a victim of sexual assault. The measure also increases from \$50 to \$100, the amount that can be provided for any medications that may be prescribed by the health care professional. Additionally, a Sexual Assault Nurse Examiner (SANE) statewide coordinator position is authorized within the District Attorneys Council. The coordinator is to oversee forensic medical examination training throughout the state, and expand local SANE and sexual assault response team programs.

SB 661 creates the Victims of Human Trafficking and Prevention Revolving Fund. Monies from the fund must be used to inform the public about the recruitment, trafficking, and exploitation

of persons through human trafficking; prevent recruitment of minors; establish a survivors' resource center; and coordinate with law enforcement agencies and service providers. Additionally, monies must be used to provide information concerning a petition for expungement of a criminal record resulting from the arrest or filing of charges for an offense committed while the person was a victim of human trafficking. The fund will consist of all monies received from penalties imposed by the courts on human trafficking convictions.

HB 2490 provides that persons who receive a suspended sentence that exceeds five years may request an early evaluation hearing after five years to determine whether the length of the suspended sentence should be modified. Persons convicted of an 85 percent crime or an offense listed as a violent offense or sex offense are not eligible to request the early evaluation. Persons who receive a split sentence that exceed five years may request an early evaluation hearing after serving five years if the underlying crime was not an 85 percent crime, a domestic violence offense, an offense listed as a violent offense or sex offense. The court may modify the defendant's sentence if it determines he or she complied with the provisions of his or her probation, had no criminal violations during the term of probation, and has no pending revocation hearings. A person may request an early evaluation after serving four years if the person has received a diploma, has maintained consistent employment during probation, has completed probation, had no additional criminal violations or pending revocation hearings and the district attorney does not object to the early hearing. Written notice will be made to the appropriate district attorney within 15 days of the offender requesting a hearing.

HB 2210 allows the court to adjust the punishment of an offender when it has been determined that the offender was trafficked, sexually abused, or assaulted by the victim within 90 days of the commission of the offense. The offender must have been a minor convicted as

an adult for the offense. The court may depart from the mandatory minimum sentence, suspend any portion of the sentence, or transfer the minor to the juvenile division for further proceedings.

HB 2649 allows misdemeanor offenders to participate in the Oklahoma Community Sentencing Act.

SB 537 removes the requirement that a person committing assault by strangulation intends to cause great bodily harm. The measure provides that assault by strangulation qualifies for the punishments currently provided for in statute.

SB 1046 increases the punishment for domestic abuse committed against a pregnant woman with knowledge of the pregnancy to a felony, subject to imprisonment for up to five years.

HB 1737 establishes that a hotel guest can be ejected for nonpayment of charges, disorderly conduct, possession of controlled substances, underage alcohol consumption, or violations of federal, state or local laws or regulations after being informed by the innkeeper. A person failing to leave the establishment can be charged with trespassing and may be subject to a fine of up to \$250.

HB 1789 updates and adds definitions to the Oklahoma Self-Defense Act. The measure authorizes the carrying and transporting of firearms by a citizen or lawful permanent resident who can lawfully purchase or possess a firearm under state law. The measure also allows a valid driver license or state photo ID to be presented to law enforcement as proper identification when in possession of a firearm.

HB 1893 expands the list of officials for which enhanced penalties may be assessed against a person who commits an assault or assault and battery to include county commissioners, clerks, assessors, and treasurers.

HB 2172 makes it a crime to use an electronic communication device to threaten, intimidate, or harass a medical care provider by publishing, posting, or making available personally

identifiable information. This is commonly known as *doxxing*. The measure clarifies that these provisions do not apply when the incident is unrelated to the provider's professional duties.

HB 2537 clarifies the legal standard by which excessive force is measured by providing that it must be established as an element of any alleged violation under criminal law of Oklahoma.

SB 68 requires that any sentence remanded for resentencing be conducted by a jury if the original sentence was imposed by a jury, unless jury resentencing is waived by the defendant within 90 days of the appellate court order. The defendant cannot waive resentencing after the commencement of the resentencing hearing or trial. The measure stipulates that upon the defendant foregoing resentencing, the original sentence must be reinstated by the court. The reinstated sentence may not be appealed.

SB 798 provides that a bond will be exonerated if the defendant has been arrested on a warrant in the same jurisdiction the bondsman posted the appearance bond or if the defendant is given a pretrial release.

SB 77 makes it optional for the court to order a parent or guardian to pay the Office of Juvenile Affairs \$100 to \$1,000 for a certification study, which determines if the defendant will be tried as an adult.

SB 674 creates the Oklahoma Organized Retail Crime Task Force until December 31, 2024. 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 account for losses from retail theft. The task force must submit a report to the Governor, the Legislature, and the chairs of the House and Senate committees that oversee public safety on or before December 15, 2024.

HB 1394 renames the Office of Criminal Justice Statistics to the Statistical Analysis Center and establishes it as a unit of OSBI. •



Economic Development, Business, & Banking

SB 1177 creates the Perform Act, which provides rebate payments to a business for 10 percent of its qualified capital expenditures from April 1, 2023, through July 1, 2032. To qualify, the business must submit an application to the Oklahoma Department of Commerce (ODC) and have at least \$1 billion in planned expenditures and meet certain new jobs thresholds. Overall, an eligible company could receive up to \$180 million split between five payment periods if it meets the 1,400 cumulative jobs requirement.

A related measure, **SB 1179**, appropriates \$180 million to the Perform Fund for the investment rebate program created in the Perform Act.

HB 1038X is an economic development appropriations of \$145 million to ODC to provide site improvements and facility upgrades at an industrial park.

SB 1176 modifies the incentive criteria for any investment rebate authorized pursuant to the Large-scale Economic Activity and Development Act of 2022 (LEAD Act). The measure lowers the new job requirement from 4,000 to 3,500 by year four and five of the rebate period. The measure also provides for the transfer of unencumbered funds in the LEAD fund to the General Revenue Fund if ODC does not have a binding investment commitment from a qualified company by April 15, 2023.

SB 14X doubles the annual inducement cap for approved tourism attraction projects under the Tourism Development Act from \$15 million to \$30 million.

SB 13X amends the Quality Jobs Program to increase the number of years that a sports team may receive incentive payments from 15 years to 30 years.

SB 604 extends the contract term for sports teams that have an existing Quality Jobs contract with ODC to 30 years.

HB 1031X establishes the Oklahoma Homebuilder Program to fund urban and rural housing developments by providing loans to homebuilders with interest rates as low as zero percent. The measure also establishes the Oklahoma Increased Housing Program to create more affordable housing by allowing developers to apply for gap financing and homebuyers to apply for assistance in making down payments. The Oklahoma Housing Finance Agency will promulgate rules to administer both programs and provide yearly reports to members of the Legislature.

HB 2459 modifies program definitions and the criteria and rebate structure for incentives awarded through the Filmed in Oklahoma Act of 2021. Through the film rebate program administered by ODC, film projects can qualify for a rebate of up to 30 percent of qualified production expenditures if they meet the program criteria. Changes to the program criteria and rebates include:

- Increasing the base incentive percentage for resident crew labor from 20 to 30;

- Increasing the non-resident crew labor incentive percentage from 7.5 to 20;
- Establishing a 2 percent incentive for post-production costs related to music production, recording composition, or licensing of Oklahoma music;
- Adding color grading, digital processing, audio processing, and graphics to the list of eligible services that could qualify for the 3 percent incentive for post-production uplift; and
- Modifying the population qualifier for the small municipality uplift, which is awarded when 25 percent or more of the filming occurs in a small city with a population of 25,000 or less.

The measure also requires projects that receive incentives to display an ODC-approved logo in the credits for at least 5 seconds.

Projects Utilizing the Filmed in Oklahoma Act

Fairwood Season 2 (Television Series)

The Way I Heard It Season 5 & 6 (Television Series)

Fade Em Up (Feature Film)

The Drive-In (Feature Film)

May Your Eyes Shine (Feature Film)

Delivery Fee (Feature Film)

Cool Tenor (Feature Film)

Off the Board (Feature Film)

Forty-nine percent of the cities and towns in Oklahoma are eligible for the “small municipality uplift” in the Filmed in Oklahoma Act. These towns have 25,000 or fewer residents.

Source: 2020 Census

SB 737 requires film and television series projects that receive film incentives to display an ODC-approved logo in the end credits for at least 5 seconds. For projects without end credits, the agency will make the determination on alternatives that have equivalent value.

SB 745 modifies numerous provisions related to the Incentive Evaluation Commission. The measure:

- Extends the term of all appointed members of the Commission until December 31, 2024, or December 31, 2025;
- Designates the Chair of Select Oklahoma Economic Development Partnership Inc. as an appointee;
- Allows the commission to expedite evaluations if the incentive program has been evaluated twice before and had no material changes to the program since the last evaluation;
- Requires the commission’s evaluation contractor to provide draft reports prior to the issuance of a final evaluation report; and
- Adds additional reporting requirements for evaluations submitted to the Governor and Legislature.

Workforce Development

SB 621 creates the Oklahoma Workforce Commission consisting of nine members appointed by the Governor, President Pro Tempore of the Senate, and Speaker of the House. The commission will administer the Workforce Development Revolving Fund; cooperate with public and private entities; enter into contracts for studies, professional services, grant administration

and procurement, research projects, supplies, and data collection; and other services necessary to coordinate the development of Oklahoma’s workforce.

SB 39X appropriates \$500,000 to the Health Care Workforce Training Commission to establish a grant program with Northwestern Oklahoma State University for the purpose of recruiting, educating, and stabilizing Oklahoma’s health care workforce. The measure also establishes a Statewide Recovery Special Account for the Health Care Workforce Training Commission.

SB 1188 appropriates \$18.6 million in the American Rescue Plan Act (ARPA) funds to the Health Care Workforce Training Commission to support healthcare workforce grant programs at state colleges:

- \$1.3 million to Northeastern Oklahoma Agricultural and Mechanical College;
- \$1.25 million to Rogers State University;
- \$7 million to East Central University;
- \$5 million to Southwestern Oklahoma State University;
- \$1 million to Southeastern Oklahoma State University; and
- \$3 million to Northeastern State University.

HB 2175, creates the Behavioral Health Workforce Development Fund, which replaces the Mental Health Loan Repayment Revolving Fund. The State Department of Mental Health and Substance Abuse Services (ODMHSAS) is required to use the fund to increase the number of psychiatric residencies; expand licensure cohorts to increase the number of master’s level clinicians; and develop training, recruitment, and supervision capacity. The measure requires ODMHSAS to work with health care loan repayment programs operated by other states, tribal, and federal agencies, with the goal of maximizing and coordinating resources to fill gaps in loan repayment availability for critically needed mental health professions.

HB 2036 creates the Oklahoma State University Medical Authority Behavioral Health Workforce Development Fund to implement a pilot program for behavioral health workforce development and increasing access to behavioral health professionals. The program may include bed conversion, renovations to accommodate new treatment beds, reallocation of beds from adult acute beds to child or adolescent beds, relocation assistance for licensed staff, and creation of a behavioral health trauma fund for intensive services.

Professions and Occupations

HB 2858 modifies the powers of the Construction Industries Board by adding home inspectors to the board’s purview for regulation and authorizing the board to exercise duties necessary to implement the Roofing Contractor Registration Act. The measure also specifies that applications for Skilled Trade Education and Workforce Development Fund proposals must provide sufficient justification and information to evaluate costs, return on investment, value, and viability of the proposal.

SB 171 lowers the number of college credit hours an applicant for the certified public accountant exam must complete from 150 hours to 120 hours, with the required amount of accounting concentration course hours also being lowered from 30 hours to 24 hours. An applicant for initial issuance of a certificate must complete at least 150 semester hours or the equivalent, provided 30 of those hours are advanced accounting courses.

SB 172 classifies registered entities exempt from certain registration requirements outlined in the Oklahoma Accountancy Act as authorized audit entities.

SB 170 expands the definition of *attest* to include providing any engagements, review, or agreed upon procedures in relation to the Oklahoma Accountancy Act.

SB 804 eliminates the requirement for licensed electrolysis practitioners to register their license with the county

clerk. The measure also removes the requirement for medical facilities to report the names and addresses of all physicians connected to the facility to the county clerk.

HB 2240 lowers the minimum application age for a funeral directing or embalming license from 20 to 18 years of age.

HB 1331 authorizes the Commissioner of Labor to establish administrative fines for violating the Boiler and Pressure Vessel Safety Act, which may be in addition to or in lieu of the existing criminal penalties.

HB 1332 requires the Alarm, Locksmith, and Fire Sprinkler Industry Committee to work with the Commissioner of Labor to determine qualifications of applicants in the industry. The committee previously determined such qualifications without the purview of the commissioner.

Labor

HB 2456 renews the 5 percent technology reinvestment assessment collected by the Oklahoma Employment Security Commission (OESC) until December 31, 2027, to allow 5 percent of employer-paid unemployment taxes to be diverted to the OESC Technology Fund for technology infrastructure upgrades at the agency. The measure allows OESC to accrue up to \$25 million in the fund each year, provided the cap may increase by up to 3 percent each year. Any excess funds collected over the cap will be transferred to the Unemployment Compensation Fund. The measure also doubles the fee for failing to properly file contribution and wage reports from \$100 to \$200.

HB 1045 requires drug testing facilities to report positive single-use test results to an employer's review officer by the next working day. The final results, consisting of the single-use tests, confirmatory tests, and quality control data, will then be reviewed and certified.

HB 1408 requires first responders and volunteer first responders to verbally

report to their agency or private employer, prior to a drug test, any potential passive exposure to a controlled dangerous drug that occurred within the previous 14 days while responding to an emergency. Documentation regarding the verbal report must be provided to the medical review officer in the event of a positive drug test.

Banking and Financial Services

HB 1543 designates the 2020 Consumer Price Index (CPI) as the Reference Base Index that is used to determine when inflation merits adjustments in the loan finance charge thresholds for small loans under \$3,000. The measure also eliminates the 3 percent cap on adjustments and allows for adjustments in increments of 1 percent. Additionally, the measure eliminates the Consumer Credit Advisory Committee.

SB 794 increases the maximum loan finance rates for supervised loans by adding the federal funds rate published by the Board of Governors of the Federal Reserve System to the rate calculation.

SB 1091 modifies qualifications for one of the five members of the Oklahoma Securities Commission. The member appointed as a representative of the securities industry must be a registered agent, investment adviser, or investment adviser representative and have at least 10 immediate years of experience.

Insurance

HB 1736 requires health benefit plans to implement a clear and transparent process for a participant or beneficiary with CRF-COPD (chronic respiratory failure consequent to chronic pulmonary disease) to request an exception to step therapy protocol in certain circumstances and cover the requested treatment.

SB 557 requires health care providers reviewing claims for mental health or substance use disorder treatments and services to have appropriate, qualified,

and specialized credentials in such areas.

HB 1504 provides that health care benefits are assignable to home care agencies and any state licensed or certified health care providers or facilities in the same manner currently allowed for practitioners, hospitals, and ambulatory surgical centers. The measure also requires out-of-network care providers to give the insured and the insurance company a written good faith estimate of the cost for out-of-network care.

SB 540 allows bail bondsmen to complete a licensure exam remotely rather than in-person.

SB 539 requires Insurance Commissioner-approved continuing education programs to be reviewed every two years rather than every three years. The measure also removes certain fine minimums and details the notification requirements for adjusters doing business under a name other than their legal name.

SB 638 modifies administrative deadlines, processes, and fees for Professional Employer Organization (PEO) registration to the Insurance Department.

SB 1069 provides that no person or entity may be prohibited from exercising its contractual right to terminate or modify any netting agreement or qualified financial contract with an insurer under certain conditions. The measure defines *qualified financial contract* as a commodity contract, forward contract, repurchase agreement, securities contract, swap agreement, or other agreements that the Insurance Commissioner deems to be a qualified financial contract.

SB 553 modifies the Third-Party Administrator Act by allowing an administrator's license to be renewed electronically. A license that expired for failure to submit a renewal application may be reinstated after 90 days with a payment of a \$200 fee. The measure provides that a third-party administrator no longer needs to submit a National Association of Insurance Com-

missioner (NAIC) biographical affidavit and a comprehensive review of the background report by an independent third-party NAIC-approved vendor.

Tourism

SB 509 creates the Oklahoma Civil Rights Trail Grant Program to provide financial assistance for the preservation of the Oklahoma Civil Rights Trail. The board of directors of the Oklahoma Historical Society is authorized to develop rules and procedures for distributing the grants. The measure also creates the Oklahoma Civil Rights Trail Revolving Fund. The trail will travel through Oklahoma's historical all-black towns, which are shown on the map below.

HB 2057 authorizes the Grand River Dam Authority to promulgate rules for the issuance, renewal, revocation, denial, and suspension of licenses for commercial flotation devices on the Illinois River.

HB 2941 appropriates \$10 million in ARPA funds to the Oklahoma Arts Council.

Miscellaneous Business

HB 1597 amends the Notice of Opportunity to Repair Act by requiring a homeowner to meet certain conditions prior to filing a construction defect lawsuit against a contractor. The preconditions include written notice of the alleged construction defects and 30 days for the contractor to inspect the defects and respond with a written compensation offer.

HB 1635 modifies the definition of *hotel* by raising the minimum number of available rooms from four to five. Additionally, the Commissioner of Health is prohibited from adopting rules and regulations for hotels relating to the plumbing, ventilation, lighting, or construction of the building. The measure also increases the number of rooms, from three to four, that a

private home or a bed and breakfast is allowed to have without having to obtain a food establishment license.

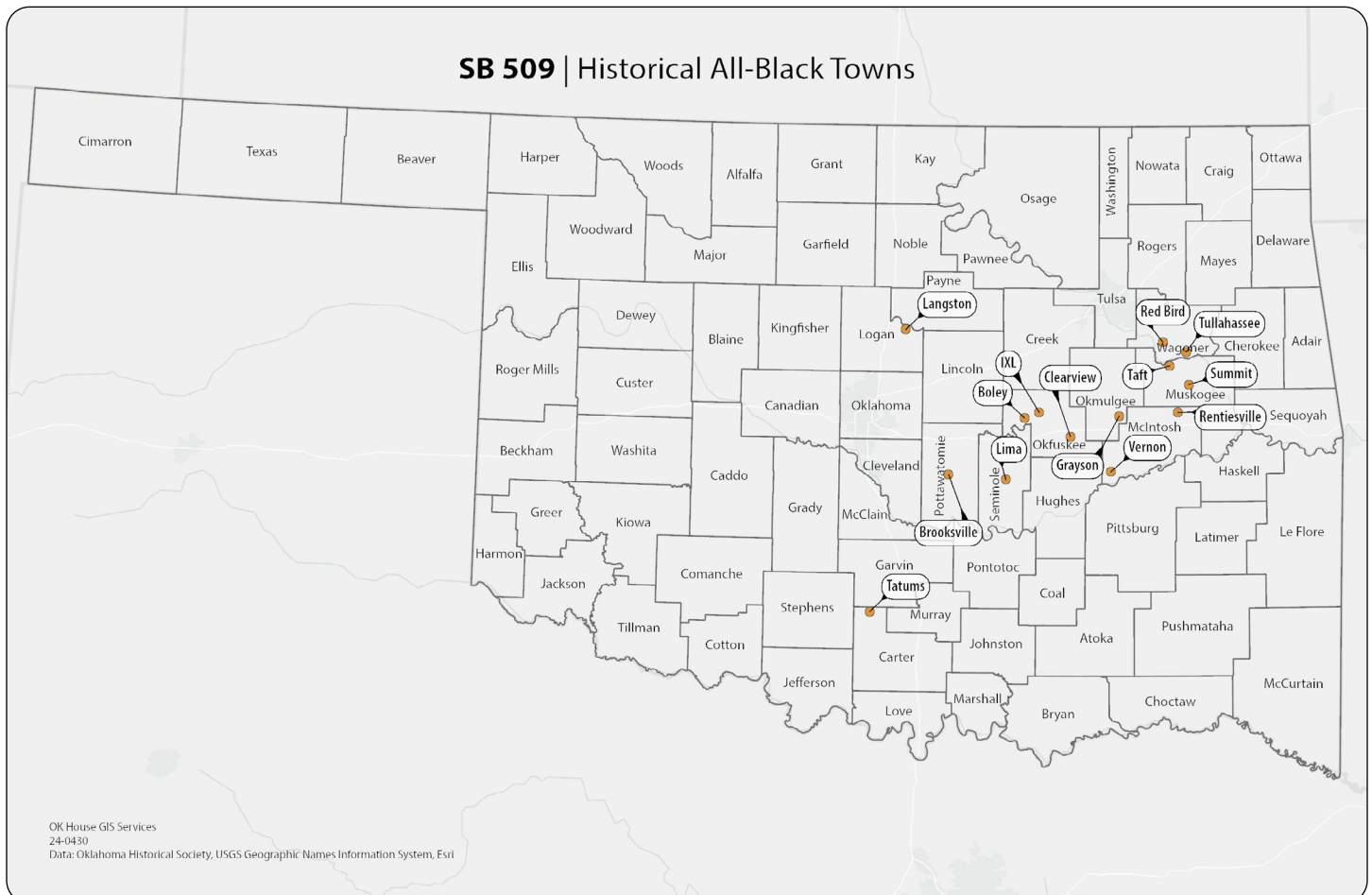
HB 1738 updates the workers' compensation benefit structure for children of a deceased worker to the following:

- One child: \$25,000 and 15 percent of the worker's weekly wage;
- Two to four children: \$25,000 for each child and a prorated share of 30 percent of the worker's weekly wage; and
- Five or more children: a prorated share of \$100,000 and a prorated share of 30 percent of the worker's weekly wage.

HB 1772 exempts farmers market vendors selling frozen meat kept refrigerated or on ice from having to purchase a food establishment license.

HB 1927 modifies the administrative process for resubmitting motor vehicle liens that were initially denied.

SB 509 | Historical All-Black Towns



The Notice of Possessory Lien and the Notice of Sale may be mailed on the same day in separate envelopes, but the Notice of Sale must be mailed after the possessory lien claimant has owned their property for at least 21 days. If the denial occurred because of a submission error, the property owner will not be charged a subsequent resubmission fee. Additionally, all foreclosure proceedings must begin 20 days after the lien is accrued.

HB 2335 excludes hotels or motels with more than 12 rooms from the definition of *product* as it relates to the sales tax collected by a marketplace facilitator required to collect sales tax.

HB 2425 requires any amendments or modifications to the currently adopted state building codes to be forwarded to the Oklahoma Uniform Building Code Commission for consideration.

HB 2561 adds natural gas to the list of goods and services exempt from the anti-price gouging restriction in the Emergency Price Stabilization Act. This allows the price of natural gas to increase during a state of emergency if the increase is attributable to a price increase in national or global commodity markets.

HB 2788 removes the State Board of Health's role in regulating bunk bed retailers.

SB 168 prohibits any law or code from limiting the use of a refrigerant deemed acceptable for use by the administrator of the U.S. Environmental Protection Agency.

SB 212 expands the ban on foreign land ownership to include lands acquired directly or indirectly through a business entity or trust. Business entities engaged in regulated interstate commerce in accordance with federal law are exempt from the prohibition. The measure also requires all future property deeds to include an attestation that the title transfer is in compliance with this law.

SB 593 updates statutes to strengthen the relationship between automobile manufacturers and their franchised dealers in Oklahoma. The measure clarifies the relationships between dealers, manufacturers, and third-parties that provide services for each entity.

SB 617 allows a plaintiff to file a lawsuit against a limited liability company in the same jurisdiction as allowed when filing an action against a corporation.

SB 650 prohibits a person from using or selling software to circumvent security measures of a ticket seller's website to purchase or resell admission tickets. Violations are considered an unlawful business practice subject to the penalties in the Oklahoma Consumer Protection Act.

SB 772 requires certain charitable organizations to give written notice to the Attorney General (AG) 45 days before the organization:

- Dissolves, terminates, or is disposed;
- Is removed from the jurisdiction of the state; or
- Consolidates, merges, or is converted.

In reviewing any such situation, the AG must consider the value of the organization's assets being moved, whether the assets are donated, and whether the organization's board approves the action, among other things. If the AG objects to the dissolution or conversion, they must notify the organization in writing. The AG or the organization can file an action in district court, prompting the court's review of the AG's objection. Lastly, certain charitable organizations are required to notify the AG no later than 20 days after receiving a notice of revocation, modification, or denial of its federal charitable income tax exemption.

SB 871 prohibits a person from falsely advertising their business as an affiliate of a state agency and adds such actions to the list of unlawful acts under the Oklahoma Consumer Protection Act. •



Education

School Funding

SB 1119 provides certified teachers with a \$3,000–\$6,000 pay raise depending on their years of experience.

HB 2901 appropriates a recurring \$500 million in to the school funding formula, which will help schools pay for teacher raises and fund other expenses of their choosing. Further, the measure appropriates \$125 million into the School Building Equalization Fund, to be distributed to schools through the Redbud School Grant program, which help school districts with low property tax values pay for capital improvements.

HB 2902 modifies various pieces of the school funding formula. The measure increases:

- The transportation factor from 1.39 to 2.0;
- The weight for economically disadvantaged students from 0.25 to 0.3; and
- The average daily membership of schools included in the small school district portion of the formula from 529 to 750.

SB 1120 modifies the distribution of funds from the Redbud School Grant program in instances when appropriations to the Common School Building Equalization Fund are above the amount needed to cover the per-student shortfall as calculated in statute. Further, in the event of a revenue failure, the measure requires the Redbud grants to be reduced proportionately

to the reduction in school state aid funding.

School Choice

HB 1934 creates the Oklahoma Parental Choice Tax Credit Act, which establishes a tiered system of refundable tax credits for parents who send their children to private schools. The tax credits range from \$7,500–\$5,000 per student, per year, depending on the income of the student's family. The measure also establishes a \$1,000-per-student tax credit for qualified expenses related to homeschooling.

HB 2314 allows school districts to provide transportation services to students living outside the boundaries of the district.

School Safety

HB 2903 establishes a three-year pilot program called the School Resource Officer Program. School resource officers participating in the program must complete active shooter emergency response training. **HB 2904** appropriates \$150 million into the School Security Revolving Fund, which will help pay for the program.

SB 100 requires every school district to undergo a risk and vulnerability assessment from the Oklahoma School Security Institute or a nationally qualified risk assessor by July 1, 2026, and every five years after. A district, university, or CareerTech must undergo a risk assessment in order to be eligible for an Oklahoma school security grant.

If a school receives a school security grant, it must spend grant money on items recommended by the risk assessor and provide de-escalation and behavioral threat assessment training to employees. The vulnerability assessment of a school district may be kept confidential.

Teachers

SB 1121 provides six weeks of paid maternity leave to teachers who have been employed for at least one year.

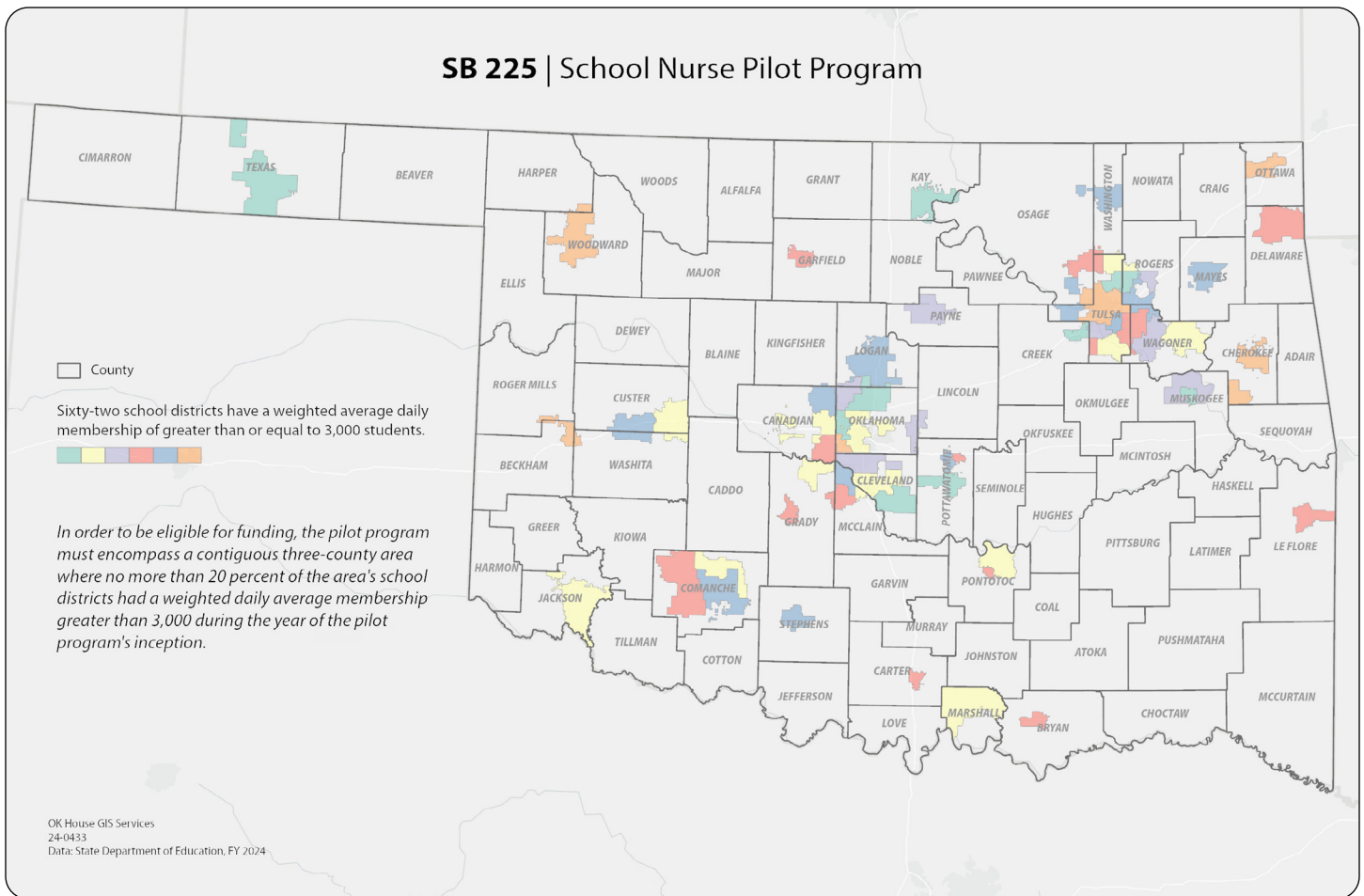
HB 1441 modifies the frequency of certain teacher professional development requirements. The measure also caps local, state, and federal professional development for teachers at 150 hours total per five-year period.

HB 2559 modifies the Oklahoma Future Teacher Scholarship and Employment Incentive Program and renames it the Inspired to Teach Program. The measure tweaks eligibility by removing the requirement that an applicant must have graduated from an Oklahoma high school and allowing applicants who were home-schooled or completed their GED requirements.

Other School-Related Legislation

SB 1118 provides the State Board of Education with \$10 million in order to establish a three-year pilot program for employing a literacy instructional team, which will help school districts improve the reading skills of students across the state.

SB 225 | School Nurse Pilot Program



SB 516 abolishes the Statewide Virtual Charter School Board and transfers its powers and duties to a newly created Statewide Charter School Board, which will have the sole authority to sponsor statewide virtual charter schools and may also sponsor brick-and-mortar charter schools. Once established, the Statewide Charter School Board will assume sponsorship of all existing virtual charter schools, and any charter school sponsored by the State Board of Education, for the remainder of their contracts.

SB 429 allows public school students, including public university students, to wear tribal regalia to graduation ceremonies, whether held at a public or private location.

385 nurses were employed across 136 districts during the 2022-2023 school year.

Source: OSDE

SB 710 allows a school nurse, or other authorized school personnel, to administer an opioid antagonist in an emergency, regardless of whether there is a prescription or standing order in place.

HB 2678 prohibits a person from serving on the State Board of Education if they are also on a board of education of a school district supervised by the State Board.

SB 26 clarifies certain provisions of the state's school bathroom bill. The measure allows a coach to enter a locker room as long as all students are fully clothed and the coach is accompanied by another adult. Any male coach must be accompanied by an adult female when entering a girls' locker room. Any female coach must be accompanied by an adult male when entering a boys' locker room.

SB 225 establishes the School Nurse Pilot Program Revolving Fund to deliver school nurse services to certain rural areas to address health, mental

health, and the social service needs of students and families. The measure includes eligibility requirements, which are shown in the map above.

HB 1029 requires the State Department of Education (SDE) Office of Federal Programs to adopt a standard form for school districts to use to identify homeless students. Parents, or students not in their parent's custody, must fill out the form annually at enrollment. School districts must report the results to the SDE by June 1 each year.

HB 1041 creates an alternate high school diploma, with alternative requirements, for severely disabled students who participate in the Oklahoma Alternate Assessment Program (OAAP). The measure clarifies that students participating in the OAAP may still attempt to meet the requirements of a standard diploma.

HB 1634 allows schools to remove a student's shoes, hat, and gloves in

order to search them for weapons, drugs, or alcohol. The measure exempts religious head coverings from being removed. Further, the measure allows a superintendent to designate personnel to transport any found items during the student search for disposal.

SB 467 creates the Interstate Teacher Mobility Compact. Member states, shown on the map below, are required to form a commission to develop a regulatory framework that allows teachers to efficiently move and work in other member states.

HB 2679 allows the provider of a teacher certification pathways pilot program to establish a partnership with a college or university. It also extends the program from July 1, 2024, to July 1, 2026.

HB 2265 allows schools to offer an elective course in law enforcement to 11th and 12th grade students. The State Board of Education may coordinate with the Council on Law Enforcement

Education and Training to develop instructional materials.

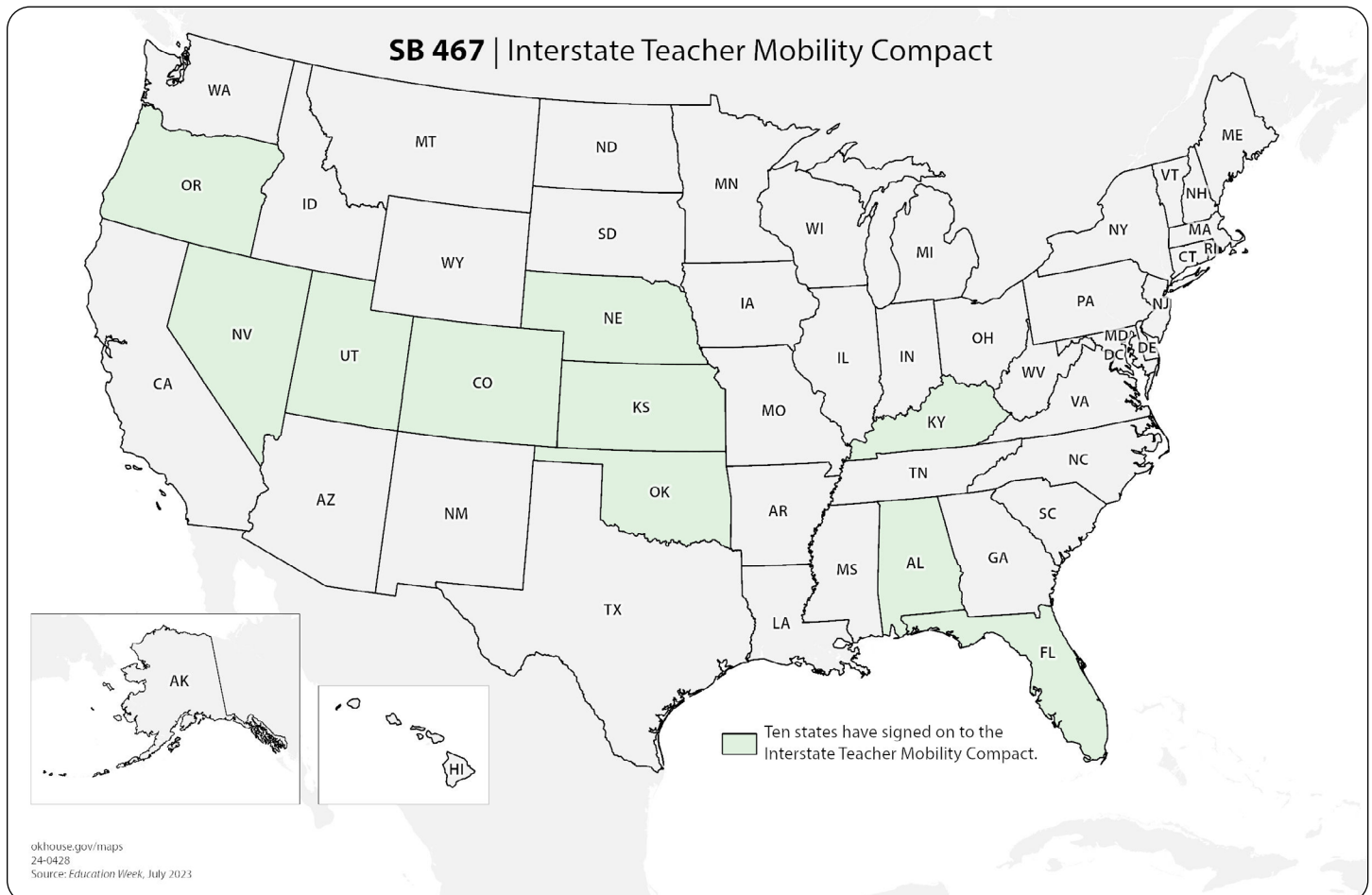
HB 2180 requires a student enrolled in a virtual charter school alternative education program who attends a full abbreviated day to be counted in full attendance for purposes of computing the average daily attendance and average daily membership. Further, if a student attending a virtual charter alternative education program is reported for truancy twice in the same year, the measure allows the school to seek a waiver from the SDE on the student's behalf allowing the student to continue attending the school. Previous law prohibited a student from re-enrolling in the same school after two truancy violations in one year.

HB 1445 requires school districts that have issued a bond proposal to post certain information about the bond to their website 30 days prior to the bond vote. The school district must keep the information posted for the duration of

any approved bond and for a year after completion. The district must update the information when there is a material change in the scope of the projects.

HB 1397 requires SDE to develop a curriculum about the civil rights movement from 1954 to 1968, which includes the principles of natural law and natural rights and the tactics of nonviolent resistance employed by Dr. Martin Luther King Jr. The course may be taught as a stand-alone unit or integrated into pre-existing course work. There must be an additional unit of instruction studying other acts of discriminatory injustice, such as genocide, committed elsewhere around the globe.

SB 147 allows school boards to adopt a policy for stocking glucagon in order to treat diabetic students in an emergency. A district must annually receive parental consent and a waiver of liability prior to administering glucagon to a student.



SB 299 extends the Oklahoma Advisory Council on Indian Education until 2026. The measure modifies appointing authority by requiring the House Speaker to appoint five members and the Senate President Pro Tempore to appoint four members. Any vacancy on the council in a seat representing a tribe or the tribal education department of a tribe may be filled by the

original appointing authority from a list of nominations submitted by the elected executive state tribal leaders in the state within three months of the vacancy.

SB 29X modifies the ratio at which private sector donors must match the State Board of Education's contributions to an early childhood program for at-risk children from 2-to-1 to 1.5-to-1.

HB 1443 corrects a mistake in the Oklahoma Student Borrower's Bill of Rights to clarify that student loan servicers must inform borrowers if their type of loan does not qualify for loan forgiveness programs. ●



Higher Education

Funding

Funding for higher education continues to rise with the total amount of money appropriated to the State Regents hovering around \$1 billion this year. With **SB 28X**, the Legislature chose to fund some specific initiatives for a total of \$129 million. These initiatives include:

- \$48.9 million for faculty pay raises;
- \$20 million to expand engineering programs;
- \$17.4 million for the incentive scholarship program and teacher employment incentive program;
- \$12.5 million to establish the National Guard Educational Assistance Fund;
- \$12.5 million to develop a critical workforce development initiative;
- \$12.5 million to ensure student success and institutional excellence;
- \$5 million for application-based health care; and
- \$200,000 to establish a food pantry.

HB 1013X authorizes the Oklahoma Capitol Improvement Authority to utilize \$79 million from the Legacy Capital Financing Fund to construct or expand animal teaching hospitals and related facilities.

HB 2863 creates a new state agency called the Oklahoma State University Veterinary Medicine Authority, to be

governed by a board of eight members, which will oversee and support the veterinary medicine education programs at the OSU College of Veterinary Medicine. The authority may acquire facilities to use to teach and train students, conduct veterinary medical and biomedical research, and establish an animal hospital or clinic.

HB 2885 appropriates \$9 million to the Oklahoma State Regents for Higher Education to cover costs for the Oklahoma National Guard Educational Assistance Program.

SB 86 authorizes the Regional University System of Oklahoma to issue bonds for capital projects at the institutions it manages.

Grants and Scholarships

SB 93 requires students to complete and submit a Free Application for Federal Student Aid (FAFSA) in order to graduate from a public high school. The measure provides opportunities to opt out of the requirement. SDE will publish an opt-out form to be used by school districts and other materials explaining the requirement.

HB 2663 removes the time restrictions that discharged military service members or their dependents must comply with in order to be eligible for in-state tuition status at an Oklahoma college or university.

Other Higher Education-Related Legislation

SB 840 updates the state's Name, Image, and Likeness (NIL) Rights Act. Some of the most important updates in the measure include:

- Allowing a college to establish agreements with a third-party entity to facilitate NIL activities on its behalf;
- Allowing colleges and universities to adopt reasonable time, place, and manner restrictions to prevent a student's NIL activities from interfering with team activities, school operations, and the use of school facilities;
- Allowing a college or university to be compensated for the use of its logo or facilities in relation to NIL activities; and
- Prohibiting a collegiate athletic association from punishing a college or university team because a team member earns compensation for NIL, or because a team member has violated the athletic association's rules for NIL.

SB 322 clarifies that prohibitions of obscene materials from university library resources and databases do not apply when the primary purpose of the resource is education or research.

HB 2094 allows a governing board member of a state college or university to audit a class free of charge without earning academic credit.

SB 110 requires the State Board of Career and Technology Education to divide career technology districts with more than 225,000 electors into board zones. Beginning July 1, 2024, the boards of education of each career technology district may pass a resolution to continue electing all board members at large or require board members to be elected from each district zone.

SB 550 requires the State Regents for Higher Education's policies for autho-

rizing out-of-state and private colleges to mirror the policies for authorizing in-state public colleges and universities. Authorization allows the college to establish a physical presence in the state. To cover the cost of authorization, the measure requires the regents to collect annual fees from applicants as submitted to the newly created Tuition Recovery Revolving Fund. The regents are authorized to deny, not renew, or revoke an institution's authorization for failing to meet certain standards.

SB 316 exempts institutions of the Oklahoma State System of Higher Education from the Oklahoma State Government Asset Reduction and Cost Saving Program, which seeks to identify the most underutilized state-owned property and assess those properties for potential sale. The Oklahoma State System of Higher Education is still required to participate in all data reporting requirements. ●



Energy & Utilities

SB 502 creates the Oklahoma Electric Vehicle Charging Act, which ensures electric vehicle charging stations are not subsidized by the rate-payers of retail electric suppliers.

SB 200 requires the Corporation Commission and Department of Environmental Quality (DEQ) to evaluate their statutory regulations and determine where modifications are needed to provide for the development of underground injection control Class VI wells, which are used to inject carbon dioxide into deep rock formations. All recommended changes must be submitted in a report to the Governor and legislative leadership by August 1, 2023.

HB 2242 requires public utilities and municipally-owned utility providers to waive the initial credit and deposit requirements for victims of domestic violence. A victim seeking a waiver must have either an existing protective order or a certification letter from a domestic violence service provider or law enforcement proving they are a victim of domestic violence. The criteria for such letter is listed in the measure. The letter expires after 90 days.

HB 2845 requires electric service providers to create rate tariffs for customers that specifically need at least 1,000 kw of power and are located outside the provider's certified territory. Such tariffs must be cost-of-service based and will not subsidize or be subsidized by other rate classes.

SB 852 authorizes the Corporation Commission to test and record methane emissions from orphaned wells

and receive carbon credits for such measurements. If the commission sells the credits, the proceeds must be deposited into the Oil and Gas Division Revolving Fund and may be used to offset the cost of testing for methane. The commission may hire a vendor to administer the testing.

SB 255 requires motor fuel pumps containing 15 percent ethanol to be labeled in accordance with federal E15 labeling requirements.

HB 2359 requires the owner of a renewable energy recycling facility to submit an annual report to the Public Utility Division of the Corporation Commission detailing a current inventory of renewable energy components waiting to be recycled and an estimated timeline and cost for recycling them. Any estimated costs of recycling wind turbine blades must be reported separately. Facility owners must also submit evidence of having 125 percent of the reported anticipated costs. Failure to submit information subjects the owner to a \$500 per day penalty. Lastly, renewable energy recycling facilities must pay a \$1,000 annual registration fee to the Corporation Commission when they submit their annual report.

SB 19 requires energies produced from biomass and bagasse biomass to be considered renewable and carbon neutral. Such energies will be considered carbon negative when the carbon dioxide byproduct resulting from the energy production is captured.

SB 497 modifies the definitions of *excavate* and *design or survey* as they

relate to the Oklahoma Underground Facilities Damage Prevention Act. *Excavate* means the moving of earth to bury communication lines in a private or public easement or right-of-way when the depth is up to 12 inches and within 12 inches of a communications provider terminal. *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. The measure requires operators to provide underground facilities information within 14 days of receiving a design or survey notice.

Water

HB 2942 appropriates \$28 million to improve water infrastructure across the state, with a focus on infrastructure in rural areas.

HB 2239 creates the Terry Peach North Canadian Watershed Restoration Act which establishes a pilot program for managing and eradicating invasive woody species in the North Canadian Watershed.

HB 2888 appropriates \$38.62 million to the Oklahoma Water Resources

Biomass is biological material derived from living or recently living organisms. Some examples include crops and agricultural waste, wood, trash, and even sewage.

Bagasse biomass means the dry, fibrous agricultural waste that remains after extracting the liquid from sugarcane stalks.

Board (OWRB) for water and wastewater system upgrades in Northeast Oklahoma.

HB 2053 establishes the standards that a court must use when considering the appeal of an approved groundwater permit. While an appeal is pending, the permit holder may continue to take groundwater unless the appellant has shown a high likelihood their appeal will be granted. Any appeals of an approved groundwater permit filed solely on the basis of the industry or entity applying will be dismissed. If such appeals are found to be frivolous, the court may impose sanctions against the appellant and their attorney, and require them to reimburse reasonable costs.

HB 2293 creates the Oklahoma Flood and Drought Management Task Force to be comprised of a management group

and an advisory group. The task force is required to:

- Develop drought and flood response and recovery initiatives for conditions determined to be detrimental to the state economy and public health;
- Provide coordination among federal, state, and local entities involved in drought and flood assistance programs; and
- Perform flood- and drought-related assessments as necessary.

HB 1982 removes obsolete language requiring OWRB to develop and submit a report to the Legislature every other year about the status of water quality monitoring in Oklahoma and to promulgate water quality standards for state waters. A bill from 2022, SB 1325, transferred these requirements to DEQ.

Technology

SB 235 exempts the Oklahoma Turnpike Authority from having to transfer assets to the Oklahoma Broadband Office if they are duplicative or complementary to the mission of the Office.

HB 1965 allows electric, telecommunications, and broadband providers to utilize existing above ground-electrical utility easements to provide or expand access to broadband services.

SB 849 requires the Office of Management and Enterprise Services to provide requested administrative assistance to the Oklahoma Broadband Office within 30 days of determination that the request is feasible or establish an alternate fulfillment timeline in a written agreement. ●



General Government

State Government

HB 2263 modifies who appoints members to the Oklahoma Turnpike Authority by establishing that the Governor, Speaker of the House of Representatives, and the President Pro Tempore of the Senate are to appoint two members each. Currently, the Governor appoints all six members. Member term limits are reduced from eight years to six years, however current members are allowed to serve out the rest of their original term. Appointed members can be removed at any time with cause by the appointing authority. Lastly, the measure prohibits members from voting on any issue in which they have a direct financial interest.

SB 16X allows any full-time state employee who has worked for the state for at least two years to take six weeks paid maternity leave for the birth or adoption of the employee's child. Employees granted maternity leave are to receive their annual salary without interruption.

HB 1027X increases the annual leave accumulation and carryover limits for state employees with 5 or more years of service from 480 hours to 640 hours.

HB 2820 extends the Oklahoma Educational Television Authority until 2026 in accordance with the provisions of the Oklahoma Sunset Law.

HB 1774 exempts the Oklahoma Tourism and Recreation Commission from the competitive bidding requirements of the Oklahoma Central Purchasing Act when soliciting, negotiating, and effectuating contracts for feasibility

studies relating to the leasing, selling, or private management and development of their properties. The measure clarifies that exemptions cannot be used for the leasing or contracting of state-owned restaurants in state parks. Additionally, the measure allows the Tourism and Recreation Department to purchase décor from entities other than state prisons and reformatories, and also allows the agency to select regional vendors, rather than enter into statewide contracts for the operation of department-owned facilities.

SB 67 subjects all state agencies that own and operate motor vehicles to the Office of Management and Enterprise Services (OMES) Fleet Management Division reporting requirements. The measure also requires the division to submit their financial and inventory report to the Governor and the Legislature.

HB 1785 removes the provision that merchandise and services purchased for resale through the canteen system and the inmate telephone and email system are exempt from the Oklahoma Central Purchasing Act.

HB 1794 allows an administrative law judge to acquire additional documentation or witnesses if existing documents or witnesses in a state employee's disciplinary file are not sufficient for reviewing complaints of disciplinary actions. Additionally, the measure requires the Human Capital Management Administrator to collaborate with human resource personnel in executive branch agencies to establish statewide standards for human

resources business processes. The administrator is also required to establish and maintain a statewide job catalog and pay structure for executive branch jobs as well as policies and procedures regarding pay systems and dispute resolution for issues not rising to the level of a disciplinary action. Lastly, state agencies are required to designate their employees as either state employees or executive management in the state human resource system.

HB 2461 updates statutory references to the Oklahoma Administrative Code that provide the rules of use for the State Capitol Park and State Capitol Complex.

HB 2026 requires OMES to provide a monthly reconciliation report to the Oklahoma Public Employees Association that lists the names of state employees who pay their membership dues through payroll deductions.

HB 2851 directs the Oklahoma State Bureau of Investigation to establish the Alaunna Raffield Revolving Fund to assist law enforcement partners with the cost of attending trainings facilitated by the bureau.

HB 1023X authorizes the Department of Environmental Quality (DEQ) to remove the parking garage connected to the department's headquarters in downtown Oklahoma City. Once the garage is removed, the site may be used as a parking lot for DEQ employees.

HB 2463 modifies the duties for the Oklahoma Center for the Advancement of Science and Technology by estab-

lishing that its duties are permissive rather than mandatory.

County and Municipal Government

The Legislature was dedicated to enacting laws this session that would help county and municipal offices run more efficiently.

SB 951 raises the monthly travel allowance for county officers. County commissioner and sheriff allowances are raised from \$700 to up to \$1,000 per month. County assessor allowances are raised from \$600 to up to \$900 per month. County clerk, court clerk, and county treasurer allowances are raised from \$500 to up to \$800 per month. The measure also provides for county officer monthly travel allowances to be increased by two percent annually beginning in FY 2028.

HB 1066 clarifies that an incumbent county commissioner who runs unopposed or wins re-election at either the primary or the general election is allowed to deem county property as surplus during an election cycle in which two county commissioners are running for election at the same time.

HB 2361 requires a reserve minimum bid to be placed on properties being sold by a county that covers any taxes, abatement costs, penalties, interests, or other costs owed to a municipality, if notice is given to the county treasurer. The measure provides for property and nuisance property to be bid off in the name of a municipality if that municipality has outstanding liens on the property and requests it in writing. Lastly, the measure amends the definition of *nuisance property*.

SB 952 requires disposed county equipment originally costing \$1,000 or more to be entered into the minutes of a county commissioner meeting within 30 days of its disposal. Any county equipment originally costing \$1,000 or more may also be used as trade-in on an equipment purchase. The previous cost threshold for such equipment listed above was \$500. The measure also increases the cost thresholds of certain

county equipment including hardware or software that must be sold according to certain procedures in the measure.

SB 776 allows a board of county commissioners to enter into intergovernmental cooperative agreements with local governmental entities.

HB 1894 allows county clerks to sign, accept, or receive documents with a digital signature. The measure also provides that photo copies, photographs, digital copies, photographic film, or optical disk versions of records can serve as the original record and therefore are admissible by the county for accounts payable and inventory.

SB 462 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 year to complete the certification program. Municipal judges must file their certifications with the county clerk and municipal court clerk. If a municipal judge fails to complete their certification, the maximum fine a municipal court can impose on all traffic and criminal cases is \$50. Additionally, the measure prohibits appointing persons who are not licensed attorneys 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 measure also allows municipal judges, regardless of the city's population, to engage in the practice of law in any other court during their tenure. Lastly, the measure clarifies that a municipal judge in a court not of record is not an officer of the municipality nor a state officer. All municipal judges, including non-attorney judges, are subject to the code of judicial conduct and legal ethics.

SB 507 clarifies that the initial six hours of training for newly appointed county board of equalization members and county excise board members is only required for the member's first term.

SB 775 allows a board of county commissioners to decide the length of service required before a full-time county employee can qualify for the continuing education program. Participants are allowed to enroll in courses from any in-state or out-of-state institution as long as courses are relevant to the employee's duties as approved by the county commissioners.

SB 78 allows the county clerk to provide certified copies of records in either paper or electronic format, subject to the county clerk's fee schedule outlined in statute. The county clerk must attach a seal to all records filed with their office except those exempted in the Uniform Real Property Electronic Recording Act.

HB 2241 exempts rural water districts, nonprofit water corporations, and all municipally-owned utilities serving a population of 10,000 people or less from paying any costs related to the removal of municipally-owned utilities located in public rights-of-way due to state highway or turnpike construction projects.

HB 2004 allows a county treasurer to forgo the issuance of a tax warrant for delinquent personal property taxes when the amount owed is less than \$25.

HB 1893 expands the list of officials for which enhanced penalties may be assessed against a person who commits an assault or assault and battery to include county commissioners, clerks, assessors, and treasurers.

SB 460 modifies the definition of *video services* by specifying that the cable service provider's facilities must be owned, controlled, constructed, or operated by the providers of such video service. The measure also exempts streaming content providers from the municipal right-of-way franchise fee.

SB 544 requires the owner of a cemetery to receive a permit from the Insurance Commissioner in order to maintain a Perpetual Care Trust Fund or a certificate of deposit in lieu of a Perpetual Care Trust Fund. Initial permits and renewals cost \$200. Permit holders must renew their permits and

submit an annual report each year by March 15th. The measure establishes procedures for permit holders who fail to renew their permits before the expiration date. Finally, the measure sets the maximum fine at \$1,000 for each violation of any provision of the Perpetual Care Fund Act.

Emergency Management

HB 1928 expands the types of hazard mitigation projects the Oklahoma Water Resources Board can fund through grants and loans to include all types of hazard mitigation projects, rather than just flood mitigation projects. The board may award grants to entities for:

- Developing a hazard mitigation document;
- Acquiring land or a conservation easement to mitigate hazards; and
- Implementing voluntary, incentive-based mitigation measures to facilitate compliance with state or federal regulations.

SB 230 requires the state emergency operations plan to include a plan of response to a catastrophic health emergency. The measure also repeals the statute creating the Oklahoma Catastrophic Health Emergency Planning Task Force.

HB 1020X appropriates \$25 million in the American Rescue Plan Act (ARPA) funds for the administration of the Emergency Relief and Impacts Grant Program, which is overseen by the Oklahoma Department of Emergency Management and Homeland Security.

Public Finance

HB 1004X is the FY 2024 general appropriations bill. The measure distributes \$11.3 billion to various state agencies. The total appropriated dollars for FY 2024, including supplements, equals \$12.9 billion.

Lawmakers got creative and established a mechanism to utilize the surplus revenue to self-finance current and future capital needs of the state with

the passage of **HB 1002X**. Through the newly created Legacy Capital Financing Fund (LCF) administered by the Oklahoma Capitol Improvement Authority, the state can self-finance approved capital projects over a 20-year period without utilizing the bond markets. To provide additional flexibility, the Legislature can suspend or restructure the terms of an LCF recapitalization payments through the adoption of a concurrent resolution. The measure also includes a moral obligation clause for the Legislature, stating that the Legislature voluntarily subjects itself to fund and make legislative appropriations to cover LCF recapitalization payments for recipient state agencies.

\$350 million worth of capital projects were approved for self-financing this session, including:

- **HB 1009X**, which authorizes \$46 million for upgrades to existing Oklahoma Historical Society facilities;
- **HB 1011X**, which authorizes \$70 million for upgrades to the Jim Thorpe Building, \$19 million for repairs to the Capitol complex tunnels and \$26.3 million to renovate the Kelly Building and Kelly Annex as a day care facility;
- **HB 1012X**, which authorizes \$20 million for the Department of Public Safety (DPS) to create a Wireless Information Network; \$59.6 million for DPS to build a training center and \$8 million for DPS to upgrade DPS facilities;
- **HB 1013X**, which authorizes \$79 million for the Oklahoma State University Veterinary Medicine Authority to construct a new veterinary teaching hospital;
- **HB 1014X**, which authorizes \$17.6 million for upgrades to Department of Libraries facilities; and
- **HB 1032X**, which authorizes \$3.9 million for construction of a new training facility for the

Council on Law Enforcement Education and Training.

SB 1131 repeals the bonding authority for the State Department of Health to build a new State Health Laboratory.

HB 2472 allows public entities to make an initial payment for a performance-based efficiency contract from any available funds. Such payments are required to be offset by savings to the public entity over the term of the agreement.

HB 2538 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 measure also allows investment purchases made by a qualified program to bypass existing investment restrictions.

SB 317 creates reporting requirements for any tax increment finance (TIF) or incentive district that is operational for more than nine months. The report is due to the Oklahoma Department of Commerce by the city, town, or county that is part of the TIF district each year and must be provided to the public upon request.

HB 2882 appropriates \$5.2 million to the Commissioners of the Land Office to settle obligations and litigation related to severe weather.

Retirement

HB 2131 requires employer and employee contributions to the Oklahoma Police Pension Retirement System (OPPRS) to be remitted online. The measure also allows benefit payments from OPPRS to be garnished for child support payments.

SB 446 establishes a combined five-year limit on purchased or earned military service credit for members of the Uniform Retirement System for Justices and Judges and Oklahoma Public Employees Retirement System.

SB 447 provides that payments to correct an error in calculating participation coverage in the Oklahoma Public Employees Retirement System (OPERS) cannot be used as a reason for reinstatement of membership to OPERS for any former employee who elected to withdraw their accumulated contributions upon termination.

SB 630 is an IRS compliance measure for the Oklahoma Firefighters Pension and Retirement System, Oklahoma Law Enforcement Retirement System, and Oklahoma Police Pension and Retirement System. The measure updates references to the required minimum distribution (RMD) age in these systems to mirror the new RMD age references in federal law.

Elections and Ethics

This session, the Legislature promoted a variety of election integrity measures designed to strengthen our elections systems. These procedures aimed at providing guardrails for joining a multistate voter list maintenance organization, clarifying allowed donations, specifying procedures for parts of the election process and protecting and raising pay for election officials.

HB 2052 requires that prior to the State of Oklahoma joining a multistate voter list maintenance organization, the organization must certify in writing to the Secretary of the State Election Board that the organization membership meets the listed requirements. The secretary must not join a multistate voter list maintenance if any requirements specified in the measure are a condition of organization membership.

HB 2682 prohibits any person from offering or providing any contribution, donation, or anything else of value for purposes of conducting or administering any election. The measure defines what will not be considered a contribution, donation, or thing of value.

SB 290 increases compensation rates for certain election officials. For any election held on or after the act's effective date, compensation for the in-

spector will be \$225 and compensation for the judges and clerks will be \$200.

SB 410 prohibits people from electioneering within 300 feet of the entrance to a polling place or in-person absentee voting site or from a person that is standing in line to vote at these locations. Only election officials, voters registered and voting at the location, or an accompanying minor or other dependent will be allowed to remain in the election enclosure or within 50 feet of the polling place or in-person absentee voting site. The measure also prohibits any printed material not provided by the election board to be publicly placed or exposed within 300 feet of the entrance to a polling place or in-person absentee voting site. The measure also provides definitions of *electioneering* and *election enclosure*. The prohibition against electioneering will also apply to pollsters. Any person who breaks any of these regulations will be guilty of a misdemeanor.

SB 377 adds being excused from jury duty for not being a United States citizen to the list of reasons to cancel a voter's registration. The measure also requires the court clerk in each county to provide the list of all persons judged incapacitated to the secretary of the county election board. The court clerk must also prepare a list of all persons excused from jury duty for not being U.S. citizens each month and provide the list to the secretary of the county election board. The secretary must cancel the registration of each registered person on the list and then report any person or persons to the district attorney and the U.S. attorney with jurisdiction in that county.

SB 481 prohibits using an electronic communication device to knowingly make personal information of an election officer public, placing that individual in reasonable fear of death or serious bodily injury. The measure provides a definition of *election official*. The Secretary of the State Election Board is authorized to keep information on individuals of certain classes confidential. Any person who, directly or indirectly, threatens or intimidates any election official with the intent to

improperly influence an election will be guilty of a misdemeanor, punishable by a fine up to \$1,000 or imprisonment in the county jail for up to six months, or both. This same punishment will also be given to any person who falsely impersonates an election official and performs any of their duties with the intent to improperly influence an election. The measure adds that any person who intentionally damages or attempts to damage any part of an election related system is guilty of a felony.

SB 375 specifies that a primary election will be held on the third Tuesday in June of each even-numbered year. 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 p.m. on the next succeeding Friday.

SB 677 requires that any candidate running for office must submit a form verifying their voter registration along with their declaration of candidacy. The candidate's home and mailing addresses will be verified by the election board secretary and must remain confidential unless there is a challenge to a candidacy or election. Before filing a declaration of candidacy, a candidate is required to acquire a voter registration verification form from the secretary they file with. This form should contain the candidate's voter details, such as their party affiliation, voter identification number, registered precinct and county, the date of original voter registration, if available, and all districts where the candidate is registered to vote. A declaration of candidacy can only be accepted by the election board's secretary if the information provided matches the voter registration verification and all other requirements are met. These rules do not apply to candidates running for federal office.

HB 1950 requires the secretary of the State Election Board to obtain official death records from the Social Security Administration and other states to compare them against the state voter registration database. Any possible match will be transmitted to the secretary of the relevant county election

board where they will certify the information and remove the match from the database. Official death records are not subject to the Open Records Act.

SB 1040 requires that when an individual applies for issuance or renewal of an Oklahoma driver license, they must be asked if they wish to register to vote or to change their address for voting purposes. If a person declines to register, they must confirm in writing or electronically. Completed electronic voter registration applications must be transmitted by the accepting agency to the State Election Board or county election board. Voter registration services will not be offered to any person who is not a U.S. citizen.

SB 376 allows a designee to mark and properly seal an absentee voting ballot on behalf of a voter. If the ballot is filled out by a designee, the name and address of the person must be printed on the affidavit. The signature of the voter or designee must be witnessed by two people who did not sign the affidavit, and their printed names, signatures, and addresses must appear on the affidavit.

SB 1154 appropriates \$850,000 to the State Election Board to conduct the special election for State Question 820. The State Election Board must deposit \$250,000 of its FY 2023 appropriated funds into the State Question Recount Revolving Fund.

SB 266 increases the designation of a subprecinct from fewer than 500 to

fewer than 1,500 registered voters. The measure also provides that separate election materials must be provided so that certification can be made for each subprecinct's election results.

Administrative Rules

The Legislature focused on creating better procedures for reviewing and monitoring agency rule-making this session.

SB 515 modifies the date by which agencies must submit proposed permanent rules to the legislature for review. For the 2024 legislative session, agencies must submit rules by March 1, 2024, in order to be considered. For each following legislative session, proposed permanent rules must be submitted on or before February 1. The measure also eliminates the Joint Committee on Administrative Rules and repeals language providing for an expedited rule repeal process.

SJR 22 approves all proposed permanent rules of the Oklahoma state agencies filed on or before April 1, 2023, except for OAC 317:30-3-35, submitted by the Oklahoma Health Care Authority, and OAC 210:10-2-1, 210:10-2-2, 210:10-2-3, 210:10-2-4, 210:35-3-121, 210:35-3-121.1, 210:35-3-126, and 210:35-3-128, submitted by the State Department of Education.

The following proposed permanent rules filed on or before April 1, 2023, are disapproved:

- State Board of Medical Licensure and Supervision, OAC 435:15-1-1.1, 435:15-3-1, 435:15-3-13, 435:15-3-17, 435:15-3-19, 435:15-5-10, 435:15-11-1, and 435:15-11-2;
- Oklahoma Used Motor Vehicle, Dismantler, and Manufactured Housing Commission, OAC 765:10-3-5;
- Department of Public Safety, partial disapproval of OAC 595:25-1-2 and OAC 595:25-5-7(b) and (c);
- Department of Wildlife Conservation, partial disapproval of OAC 800:25-24-3;
- State Board of Cosmetology and Barbering, OAC 175:10-3-47 and partial disapproval of OAC 175:10-9-55; and
- State Department of Health, OAC 310:355-1-1, 310:642-1-1, 310:642-1-2, 310:642-1-3, 310:642-3-1, 310:642-3-2, 310:642-7-1, 310:642-7-2, 310:642-9-1, 310:643-1-1, 310:643-1-2, 310:643-3-1, 310:643-3-2, 310:643-5-1, 310:643-5-2, 310:643-5-3, 310:643-7-1, 310:643-7-2, and partial disapproval of 310:642-5-1.

Sunset extensions are listed on the following page. ●

Sunset Extensions

Measure	Entity	Sunset Date
HB 1409	Oversight Committee for State Employee Charitable Contributions	7/1/2028
HB 2798	Oklahoma Abstractors Board	7/1/2026
HB 2799	Child Death Review Board	7/1/2026
HB 2800	Commission on County Government Personnel Education and Training	7/1/2026
HB 2801	State Board of Examiners of Certified Shorthand Reporters	7/1/2026
HB 2802	Water Quality Management Advisory Council	7/1/2026
	Hazardous Waste Management Advisory Council	7/1/2026
	Solid Waste Management Advisory Council	7/1/2026
	Radiation Management Advisory Council	7/1/2026
HB 2805	Board of Governors of the Licensed Architects, Landscape Architects and Registered Commercial Interior Designers of Oklahoma	7/1/2026
HB 2806	Oklahoma Energy Resources Board	7/1/2025
HB 2808	State Board of Licensure for Professional Engineers and Land Surveyors	7/1/2026
HB 2809	Board of Examiners in Optometry	7/1/2026
HB 2810	Construction Industries Board	7/1/2026
HB 2811	State Board of Licensed Social Workers	7/1/2025
HB 2812	State Board of Examiners of Psychologists	7/1/2025
HB 2813	Polygraph Examiners Board	7/1/2026
HB 2814	Oklahoma Board of Licensed Alcohol and Drug Counselors	7/1/2025
HB 2815	State Board of Behavioral Health Licensure	7/1/2025
HB 2816	State Anatomical Board	7/1/2025
HB 2818	Opioid Overdose Fatality Review Board	7/1/2025
HB 2820	Oklahoma Educational Television Authority	7/1/2026
HB 2821	Oklahoma Climatological Survey	7/1/2026
HB 2822	Board of Tests for Alcohol and Drug Influence	7/1/2026
SB 161	Oklahoma Funeral Board	7/1/2024
SB 173	Oklahoma Accountancy Board	7/1/2028
SB 571	Long-Term Care Facility Advisory Council	7/1/2025



Health & Human Services

Health Funding

SB 32X appropriates the following amounts of money to the Oklahoma Health Care Authority (OHCA) for the following purposes:

- \$30 million to provide grant funding to providers for the one-time connection to the state-designated entity for health information exchange;
- \$47.8 million to increase reimbursement to long-term care facilities by \$35 per day and reimbursement to intermediate care facilities for individuals with intellectual disabilities by \$17 per day; and
- \$200 million for one-time funding to critical access hospitals and hospitals participating in the Supplemental Hospital Off-set Payment Program.

The measure also directs the Office of Management and Enterprise Services to transfer monies between the OHCA federal and revolving funds in amounts requested by the authority.

HB 2943 appropriates \$6 million in the American Rescue Plan Act (ARPA) funds to the State Department of Health (OSDH); \$4 million will be used to build a family residence building aimed at providing care and housing to families with children undergoing long-term care and treatment at medical facilities and \$2 million will be used to retrofit and expand a facility that provides expanded services to children needing long-term care and treatment.

Mental Health

SB 1189 appropriates \$18.5 million in ARPA funds to the Department of Mental Health and Substance Abuse Services (ODMHSAS) to expand capacity at the Tulsa Center for Behavioral Health.

SB 575 enacts an interstate counseling compact with the goal of improving public access to professional counseling services. Licensed counselors are authorized to practice remotely in member states' jurisdictions. The act also creates a Counseling Compact Commission that consists of one delegate from each member state and is authorized to elect an 11-member Executive Committee to carry out certain duties of the Commission.

HB 2175, creates the Behavioral Health Workforce Development Fund, which replaces the Mental Health Loan Repayment Revolving Fund. ODMHSAS is required to use the fund to increase the number of psychiatric residencies; expand licensure cohorts to increase the number of master's level clinicians; and develop training, recruitment, and supervision capacity. The measure requires ODMHSAS to work with health care loan repayment programs operated by other states, tribal, and federal agencies, with the goal of maximizing and coordinating resources to fill gaps in loan repayment availability for critically needed mental health professions.

SB 286 requires that mechanical restraints only be used on an individual being transported by ODMHSAS or a

contractor, if the individual assaults or attempts to assault the person conducting the transportation. The measure requires that the use of mechanical restraints only continue as needed and every use of mechanical restraints, including the reasons and the length of time, be recorded.

Pharmacies

HB 1843 transfers all power to regulate, investigate, and enforce pharmacy network access for pharmacy benefits managers from the Insurance Commissioner to the Attorney General.

SB 827 authorizes pharmacists to prescribe nonprescription drugs for the purposes of extemporaneous compounding or compounding for a patient need in the practice area.

HB 2424 allows any opioid antagonist that is approved by the United States Food and Drug Administration to be dispensed or sold by a pharmacy without a prescription under the supervision of a licensed pharmacist.

Health Insurance

SB 254 provides that if the beneficiary of a health benefit plan is unable to obtain covered behavioral health services from an in-network provider in a timely manner, the plan must ensure coverage of the behavioral health services from an out-of-network provider by arranging a network exception with a negotiated rate. The measure authorizes the beneficiary to seek out-of-network coverage if it is not arranged in the ap-

plicable time and requires any health benefit plan that makes a payment to an out-of-network provider to make the details of the payment available to the Insurance Department upon request within 20 days.

SB 292 requires health benefit plans to cover the cost of medically necessary standard serological tests for syphilis. The measure authorizes physician assistants and advanced practice registered nurses to administer the test.

SB 442 requires any insurer of a health benefit plan to electronically publish a provider directory for each of its network plans and update the directory every 30 days.

SB 513 requires that each health benefit plan provide coverage for biomarker testing for the purpose of diagnosis, treatment, and management of a disease, and requires that the insured have access to a clear, readily available, and convenient process to request an exception to a coverage policy relating to biomarker testing.

HB 2748 prohibits a health benefit plan from requiring step therapy for certain prescription drugs used to treat advanced metastatic cancer and associated conditions.

HB 1504 provides that health care benefits are assignable to home care agencies and any state licensed or certified health care providers or facilities in the same manner currently allowed for practitioners, hospitals, and ambulatory surgical centers. The measure also requires out-of-network care providers to give the insured and the insurance company a written good faith estimate of the cost for out-of-network care.

Medicaid

HB 1657 requires OHCA to establish and maintain a provider enrollment and credentialing process for providers who receive fee-for-service reimbursement under the Medicaid program, and a single consolidated process for providers who enter into capitated con-

tracts with entities under the Insuring Access to Medicaid Act.

SB 444 directs the Oklahoma Medicaid Program, and all health benefit plans that provide mental health or substance abuse disorder benefits, to provide reimbursement for benefits delivered through behavioral health integration and psychiatric collaborative care models.

SB 563 requires the state Medicaid program to reimburse anesthesia at a rate equal to or greater than the anesthesia fee schedule established by OHCA as of January 1, 2021. The measure also authorizes anesthesia providers to enter into value-based payment arrangements or alternative payment arrangements for services furnished to Medicaid members.

Healthcare Workforce and Professions

SB 1188 appropriates \$18.6 million in ARPA funds to the Health Care Workforce Training Commission to support healthcare workforce grant programs at state colleges:

- \$1.3 million to Northeastern Oklahoma Agricultural and Mechanical College;
- \$1.25 million to Rogers State University;
- \$7 million to East Central University;
- \$5 million to Southwestern Oklahoma State University;
- \$1 million to Southeastern Oklahoma State University; and
- \$3 million to Northeastern State University.

HB 2036 creates the Oklahoma State University Medical Authority Behavioral Health Workforce Development Fund to implement a pilot program for behavioral health workforce development and increasing access to behavioral health professionals. The program may include bed conversion, renovations to accommodate new treatment beds, reallocation of beds from adult

acute beds to child or adolescent beds, relocation assistance for licensed staff, and creation of a behavioral health trauma fund for intensive services.

SB 754 makes numerous changes to the practice of dentistry, including expanding the types of procedures that a dental hygienist with an advanced certification or permit can perform. In addition to administering nitrous oxide and local anesthesia, a dental hygienist may also apply to become certified in neuromodulator administration, the therapeutic use of lasers, phlebotomy and venipuncture, and elder care and public health. Hygienists moving into Oklahoma from another state must have held their credentials for at least two years before becoming eligible for the advanced procedure permit. Expanded duty permits are also available for dental assistants or oral maxillofacial surgery assistants for phlebotomy and venipuncture and elder care and public health. The measure specifies that a person applying for the practice of dentistry or dental hygiene must have passed a written and clinical examination within the previous five years. Lastly, the measure authorizes the use of tele-dentistry in long-term care settings by a supervised dental hygienist and allows a dental assistant to assist a hygienist in these settings.

HB 1385 requires that applications for chiropractic continuing education seminars be submitted to and reviewed by the Board of Chiropractic Examiners. The board may authorize their executive director to temporarily approve applications or amendments to an application. The measure also removes the 90-day requirement for submitting applications to the board and the 60-day requirement for the board to issue a ruling on the application.

HB 2175, creates the Behavioral Health Workforce Development Fund, which replaces the Mental Health Loan Repayment Revolving Fund. ODM-HSAS is required to use the fund to increase the number of psychiatric residencies; expand licensure cohorts to increase the number of master's level clinicians; and develop training, recruitment, and supervision capacity.

The measure requires ODMHSAS to work with health care loan repayment programs operated by other states, tribal, and federal agencies, with the goal of maximizing and coordinating resources to fill gaps in loan repayment availability for critically needed mental health professions.

Miscellaneous Health

SB 613 prohibits any health care provider from knowingly providing gender transition procedures to any child, and finds any person violating this prohibition to be guilty of a felony. The measure establishes that the parent or legal guardian of a child provided one or more gender transition procedures may bring a civil action against the health care provider who provided the treatment, and the child who received the procedure may bring an action upon reaching the age of 18, and before reaching the age of 45.

HB 2422 authorizes Oklahoma to become a member state of the Recognition of EMS Personnel Licensure Interstate Compact.

SB 710 allows a school nurse, or other authorized school personnel, to administer emergency opioid antagonist in an emergency regardless of whether there is a prescription or standing order in place.

SB 711 directs ODMHSAS to provide emergency opioid antagonists and develop an opioid overdose education program for inmates diagnosed with opioid use disorders or confined for an opioid-related offense through the Department of Corrections and county jails subject to federal funding.

SB 712 directs ODMHSAS to provide emergency opioid antagonists to hospitals subject to federal funding. Barring certain exceptions, hospitals must provide a person presenting opioid overdose or adverse event symptoms with two doses of an opioid antagonist and information relating to its use.

HB 2154 includes any medical care provider, other employee, or independent contractor working in or for a health care facility and performing medical care duties in the list of per-

sons to which it is a felony to assault. The measure requires that medical facilities report and publish assault data annually to the OSDH.

HB 1658 requires entities that wish to enter into a contracted agreement with the OHCA to obtain the appropriate certificates of authority issued by the Oklahoma Insurance Department.

HB 2790 creates the Oklahoma Hospital Cybersecurity Protection Act of 2023, which allows hospitals to seek an affirmative defense to a data breach if certain conditions are met. A hospital seeking protections must have maintained and complied with a written cybersecurity program that contains safeguards for the protection of personal and restricted information that conforms to industry standards. The program must protect against anticipated threats and unauthorized access to information that could lead to identity theft or other fraud. Additionally, the program is to be reviewed and updated annually.

SB 330 clarifies the authority of the Contingency Review Board to review and approve agreements regarding the lease and operations of hospitals owned by the University Hospitals Authority. Any amendments to agreements that have been previously reviewed by the board are not required to be resubmitted for approval if the amendment has the effect of increasing payments due the University Hospitals Authority or University Hospitals Trust.

SB 704 expands the Oklahoma State University Medical Authority to eight members by adding a position for a member of the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges to be selected by the chair of the Board of Regents. The measure requires the authority to provide funding to other entities for purposes related to public health, teaching, research, and the purposes of the Oklahoma State University Medical Authority Act.

SB 1094 provides that a health care power of attorney be signed in the presence of a notary public in lieu of being witnessed by two impartial individuals.

HB 2182 repeals a provision of law relating to the treatment of inmates infected with HIV or AIDS, the notice to persons who have been in contact with infected inmates, and the testing of inmates.

SB 293 defines *rural emergency hospital* to mean a hospital that provides emergency treatment and stabilization services for an average length of stay for 24 hours or less.

SB 230 requires the state emergency operations plan to include a plan of response to a catastrophic health emergency. The measure also repeals the statute creating the Oklahoma Catastrophic Health Emergency Planning Task Force.

SB 1029 authorizes the trust created by the Board of Mental Health and Substance Abuse Services to sell certain property and exempts the sale from the procedures for disposal or lease of certain state-owned real property.

Children, Youth, and Family

SB 33X requires that \$10 million from the funds appropriated to the Department of Human Services (DHS) be used for providing Home- and Community-Based Waiver services for people with developmental disabilities. These funds will be used to provide additional services and programs for persons with developmental disabilities in order to eliminate the Developmental Disabilities Services Division waitlist. Additionally, the department will make permanent the supplemental daily reimbursement rate of \$5 for child care providers. DHS will also maintain the funding levels for senior nutrition programs and must have joint approval from the House and Senate before any senior nutrition sites may be closed.

SB 178 allows the court to order a trial reunification by returning the child to the care of the parent or legal guardian from whom the child was removed and setting a date to review within six months. If, at any time during the trial reunification, the reunification appears successful, the court may re-

turn legal custody to the parent or legal guardian. If the court determines trial reunification must be extended, the court will set a new date for review. A child must not spend more than 12 months in trial reunification. If the court determines supervision should continue after 12 months, the court may award legal custody of the child to the parent or guardian and order DHS to provide supervision.

HB 2462 clarifies which procedure a parent can use to vacate an order terminating parental rights.

HB 2452 prohibits local governing authorities from promulgating regulations that permit or require licensees of family child care homes to exceed or limit the statutory capacity.

SB 159 allows a parent or legal guardian to voluntarily participate in services related to the behaviors and conditions that led to a deprived petition being filed, prior to adjudication. Participation in such services will not be construed as an admission that the child is deprived and will not be used as evidence.

SB 40X appropriates from the Statewide Recovery Fund to DHS:

- \$10.3 million to enhance and increase capacity for programs assisting in stabilizing justice-involved women, their children, and caregivers in the Tulsa area and surrounding rural areas; and
- \$2.5 million to allow more opportunities for working families with children, with and without special needs, to obtain high-quality child care.

SB 19X creates the Family Representation and Advocacy Program within the Administrative Office of the Courts to ensure uniform legal representation for children, indigent parents, legal guardians, and Native American custodians in deprived child actions. The central office will work with judicial districts and attorneys by contracting with, training, compensating, and supporting legal counsel appointed by the court. The central office will not

provide direct legal representation to clients except in selected appeals. The program will have the authority to contract with a legal entity and social workers as needed. The existing public defender office will continue to provide representation for children in deprived children proceedings and may elect to contract with the program. The program will prioritize judicial districts where attorneys are unavailable for court appointments or are minimally compensated and ensure that counsel and interdisciplinary contractors are adequately compensated. The measure creates a revolving fund designated as the Family Representation and Advocacy Program Revolving Fund. The measure requires an annual report to be transmitted to Legislative leadership and the Governor no later than December 31 each year.

SB 533 modifies foster parent's rights by including that grievances made to DHS are confidential and that the foster parent has the right to be free from acts of harassment and retaliation from any other party while filing a grievance. The Office of Client Advocacy and each child-placing agency must designate one employee at the central office to receive and process foster care grievances. These entities must also maintain records and summary information on grievances filed. Records of grievances will be kept separate from the foster parent's other files.

SB 706 requires the court to issue a scheduling order within 30 days of a jury trial request for a termination of parental rights case and a jury trial must commence within six months of the order, unless the court issues a written order that an exceptional circumstance exists to delay, or that all relevant parties agree to the continuance.

HB 2746 authorizes a person with general guardianship who has obtained a court order for a ward's inpatient mental health treatment to apply for an order requiring local officials to retrieve and deliver the gravely disabled ward from an unsheltered environment to an inpatient treatment facility when

one of the specified criteria are met. This may occur if the ward is unable to:

- Utilize available means to provide for their basic personal needs;
- Voluntarily request and receive assistance for their basic personal needs; or
- Safely survive without involuntary detention and does not have other help.
- No person evaluated or treated for a mental illness, either voluntarily or involuntarily, will be presumed incompetent.

HB 1842 requires the executive director of the Office of Juvenile Affairs to be responsible for the established divisions and for appointing division directors. The measure also authorizes the executive director to establish an employee recruitment and referral incentive program and create agency policy for the program's operation.

HB 1032 requires that adjudication occurs within 30 days after detainment for any child being held in secure detention as an accused juvenile delinquent. Time may be extended to allow parties to negotiate to review discovery or for any other good cause. These provisions will not apply to matters where a child requests a jury or non-jury trial.

HB 1072 requires a court to set a hearing within 60 days of the start of each child's stay in a qualified residential treatment program to:

- Consider the assessment, determination, and documentation made by the individual who conducted and submitted the assessment;
- Determine whether the child's needs can be met in a foster home or if placement in a residential treatment program provides the most effective and appropriate care;
- Determine whether the child's placement is consistent with

goals and the child's permanency plan; and

- Approve or disprove the placement.

HB 1077 directs the Department of Public Safety to develop and implement a statewide Kasey Alert system to be activated on behalf of a critically missing adult. A *critically missing adult* is a person between the ages of 18 and 59 whose whereabouts are unknown and who is believed to have been abducted or taken against their will.

HB 1930 raises the cap for the living and transportation expenses that an entity can pay on behalf of a birth mother without prior court approval from \$1,000 to \$3,500.

HB 1931 adds substance abuse treatment and mental health counseling as job readiness training related to TANF applications. The measure eliminates benefit increments for additional children. Beginning November 1, 2023, TANF recipients will be screened as part of the required TANF employability plan. If it is determined that the recipient is engaged in the illegal use of a controlled substance, their employability plan must include substance abuse treatment and mental health counseling as a part of the assigned work activities. During the controlled substance screening, recipients who refuse to participate without good cause will have their TANF benefits ended.

HB 1932 provides that a pregnant TANF applicant or recipient who does not have children at home qualifies for the same TANF benefits as a parent with children at home.

HB 2005 authorizes a guardian to provide written permission allowing their co-guardians to act on their behalf when there are more than two guardians.

SB 837 designates October as Pregnancy, Infant, and Childhood Loss Awareness Month.

HB 2884 outlines appropriations from ARPA to DHS to implement and fund program recommendations adopted by the Joint Committee on Pandemic Relief. DHS is required to submit quarterly budget and expenditure reports to the committee and legislative leaders. Appropriations to DHS include:

- \$25 million for expanding care services;
- \$2.8 million to support domestic violence victims;
- \$700,000 to support services for child abuse and neglect;
- \$1 million for building improvements for a facility that serves domestic violence, sexual assault, and sex trafficking victims;
- \$2 million to develop a multi-purpose community facility for domestic violence and sexual abuse victims;
- \$30.1 million to promote healthy childhood environments and address educational disparities;
- \$3 million for a food program that focuses on food distribution, education, workforce development, and health assessments;
- \$342,360 to provide counseling and support services to at-risk youth and their parents; and
- \$300,000 for mental health and substance abuse services, education, job training, and placement.

Long-Term Care

HB 2753 requires the Office of the Attorney General to maintain a Vulnerable Adult Abuse, Neglect, and

Exploitation registry to be updated quarterly with names, identifiable information, and case descriptions for individuals who have been convicted of abuse, neglect, or exploitation of a vulnerable adult.

HB 2824 transfers all employees, powers, functions, and duties of the Oklahoma State Board of Examiners for Long-Term Care Administrators to OSDH. The measure authorizes the Commissioner of Health to determine the qualifications, skills, and fitness of any person to serve as a long-term care administrator. The department is required to give any administrator who has violated the Long-Term Care Administrator Licensing Act an opportunity to participate in an independent informal dispute resolution process. OSDH may contract with an impartial third party or use an impartial panel to make a final determination of a potential violation.

SB 249 defines *palliative care* and exempts a practitioner from electronic prescription requirements when ordering the administration of a controlled dangerous substance through a hospice program.

SB 571 extends the Long-Term Care Facility Advisory Council to July 1, 2025, in accordance with the provisions of the Oklahoma Sunset Law. The bill modifies the council's membership by reducing the committee from 27 members to 13 members. The measure provides that members will serve a two-year term and cannot serve more than two terms. The duties of the council are modified to include a review of quality of services, care, and treatment provided to individuals receiving services from entities that are subject to the Nursing Home Care Act, the Residential Care Act and the Adult Day Care Act. Lastly, the measure removes several duties of the council. •



Judiciary

HB 2794 requires state agencies to treat the covered information of any current or retired judge as private when the agency receives a written request by the judge or the Administrator Director of the Court. Eligible judges 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 measure also prohibits any commercial entity from knowingly selling, licensing, trading, or purchasing private information pertaining to a judge or his or her immediate family. Additionally, the Administrator 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 judges' information.

SB 19X creates the Family Representation and Advocacy Act, which creates the Family Representation and Advocacy Program within the Administrative Office of the Courts in order to ensure uniform and high-quality legal representation for children and indigent parents, legal guardians, and Indian custodians in deprived child actions. The central office will contract with, train, compensate, and support legal counsel for children, indigent parents, legal guardians, and Indian custodians appointed by the court. The program must ensure that all counsel have the training, support, and access to provide uniform and high-quality legal representation, however direct legal representation will only be provided in select appeals. The measure provides

for the hiring of an executive director for the program who will then hire all staff and can contract with a legal entity and social workers as needed. The existing Offices of Public Defender will continue to provide representation for children in deprived children proceedings and may elect to contract with the program. The program will prioritize judicial districts where attorneys are unavailable for court appointments or are minimally compensated.

HB 1024X increases the daily juror pay from \$20 per day to \$50 per day.

HB 1396 provides a \$3,000 annual equipment allowance to court reporters that are eligible for longevity payments. The measure also increases the additional pay received by a court reporter for a registered professional, diplomat, merit, or real-time reporter credential from \$1,500 to \$2,000 per credential. The maximum additional pay that a court reporter can receive for holding all four credentials is also increased from \$6,000 to \$8,000.

HB 1005 allows a prospective juror to provide information from a physician assistant or advanced practice registered nurse regarding a condition that could prevent a person from performing jury service.

SB 291 allows a petition for a protective order to be filed on behalf of a minor who is the victim of child abuse.

SB 617 allows a plaintiff to file a lawsuit against a limited liability company in the same jurisdiction as allowed when filing an action against a corporation.

SB 462 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 year to complete the certification program. Municipal judges must file their certifications with the county clerk and municipal court clerk. If a municipal judge fails to complete their certification, the maximum fine a municipal court can impose on all traffic and criminal cases is \$50. Additionally, the measure prohibits appointing persons who are not licensed attorneys 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 measure also allows municipal judges, regardless of the city's population, to engage in the practice of law in any other court during their tenure. Lastly, the measure clarifies that a municipal judge in a court not of record is not an officer of the municipality nor a state officer. All municipal judges, including non-attorney judges, are subject to the code of judicial conduct and legal ethics.

Judicial Administration

HB 2259 sets the implementation date of the court cost compliance program to November 1, 2023, and modifies the program processes by:

- Requiring court cost compliance liaisons to notify individuals of their right to a cost hearing;

- Providing that a single down payment is sufficient to recall all cost-related warrants pending in a single jurisdiction;
- Allowing the court to make determinations on the ability of a defendant to pay the court financial obligations and allows the court to grant a hardship waiver for all or part of the owed amount;
- Updating the list of factors that the court can and cannot consider to determine whether a defendant is able to pay their court obligations;
- Establishing a presumption that a defendant is unable to pay if they are disabled, low-income, or eligible for federal needs-based financial support like food stamps or subsidized housing;
- Outlining the process and timelines for issuing summons, cost hearings, referrals to the compliance program, and willfulness hearings; and
- Increasing the credit amount for time served to \$100 per day of incarceration or \$200 per day if the individual performs useful labor.

SB 907 fixes the effective date of multiple provisions related to the court cost compliance program that will take effect November 1, 2023.

SB 240 clarifies that the judge presiding over a drug court program is the person who sets the docket.

HB 2288 declares all illegal discriminatory restrictive covenants contained in any real property record to be null and void. Any person that owns real property may file a declaration with the county clerk that they wish for all illegal discriminatory restrictive

covenants included in the property records to be removed and deemed unenforceable. The measure includes the language for a template declaration form.

SB 296 allows the two parties in a court proceeding to share the cost of a freelance court reporter if no reporter is available to the assigned judge. The judge must approve the use of the freelance reporter and the transcript prepared by the freelance reporter will serve as the official transcript for all purposes.

HB 2411 adds the national interpreter certification to the list of certifications necessary to be a qualified legal interpreter. The measure allows court reporters who are able to provide real-time captioning to serve as a qualified legal interpreter, if no person meeting the outlined qualifications is available.

HB 1618 directs court clerks to electronically notify a district attorney, county sheriff, the Oklahoma State Bureau of Investigation, and the Administrative Office of the Courts of any notice of a hearing for a private process server application. Current law requires the court clerk to mail the notice.

HB 2792 directs the Oklahoma Bar Association to develop garnishment- and eviction-related legal forms, which are required to be linked to on the Oklahoma State Courts Network website for public access.

Civil Procedure

HB 1542 grants civil immunity to any restaurant that donates prepared foods at no charge. A restaurant will be immune from damages caused by the condition of the donated food, unless it is grossly negligent, intentional in

its actions, or knew or should have known about the condition of the food that resulted in the damages.

HB 1791 gives Oklahoma Health Care Authority (OHCA) liens priority against any third-party liability settlement proceeds, unless there is also a Medicare lien on file. The measure allows OHCA to further negotiate lien reductions when the injured party, the personal representative, or an attorney has made a good faith effort to do so. The measure also prohibits providers from requiring subrogation rights against any possible liable third party as a condition of care. Lastly, the measure provides a formula to compute the amount a payor can recover from third-party liability settlement proceeds.

HB 2378 amends the Oklahoma Evidence Code to classify communications between a person with limited English proficiency and a spoken language interpreter as privileged communications.

SB 619 increases, from 13 to 16, the age that hearsay statements made by a child describing physical or sexual abuse are admissible in court.

SB 97 outlines information pertaining to a mediation proceeding that is prohibited from disclosure. The mediation scheduling, attendance, participation, discussion of any proposed settlement agreement, items agreed upon or disputed, and the intent of the parties must remain confidential.

Miscellaneous Judiciary

SB 298 prohibits a designated grantee beneficiary from accepting real estate on behalf of another designated beneficiary through a transfer-on-death deed. •



Public Safety

SB 623 continues the modernization of Oklahoma's driver license delivery system by updating statutory references to reflect Service Oklahoma's responsibilities regarding driver licenses and motor vehicle registration. Commercial and driver learner permits may now be issued for a period of one year instead of 180 days. Service Oklahoma must require each driver education instructor applicant to submit to an electronic national criminal history record check, and applicants for a restricted commercial license must have held a driver license for at least one year and have a good driving record for the most recent two-year period. Persons applying to be a licensed operator must be a resident of the state for six months prior to submitting an application for a license to operate a designated Service Oklahoma location. Operators that move their primary residency outside of the state must notify Service Oklahoma and sell their license within 90 days. Any operator may sell his or her license within a five-year period beginning with January 1, 2023.

SB 37X establishes Service Oklahoma as a separate and distinct agency by removing it from under the auspices of the Office of Management and Enterprise Services (OMES). Service Oklahoma and OMES may enter into an agreement for the transfer of personnel from OMES to Service Oklahoma. No employee is to be transferred to Service Oklahoma except on the freely given written consent of the employee. All employees who are transferred to Service Oklahoma will not be required to accept a lesser grade or salary than

presently received. The measure also directs Service Oklahoma to determine the compensation to be retained by licensed operators.

HB 1390 extends the time at which a purchaser of a new or used motor vehicle, travel trailer, or commercial trailer must obtain registration and title for the vehicle or trailer, from 30 days to two months from the date of purchase. The measure allows a temporary license plate to be valid for two months.

HB 2011 directs Service Oklahoma to promulgate rules and procedures to establish an option for a biennial registration for all vehicles other than manufactured homes, vehicles with a permanent non-expiring license plate, and commercial vehicles registered pursuant to an installment plan.

HB 2750 allows Service Oklahoma to enter into agreements with third-parties to provide the written portion of the driver license test at any public or private site. The measure also clarifies that local school districts, the Oklahoma Department of Career and Technology Education, institutions of higher education, or a private entity may employ designated examiners for the Class A, B, or C driver license test.

SB 836 provides that Service Oklahoma may act as the service provider for the issuance of licenses and may authorize proprietary provider systems by Oklahoma financial institutions. The measure provides that delivery of a certificate of title may be made electronically, however paper documents will

be accepted and maintained through June 30, 2025. Such documents do not require notarization.

HB 1962 provides that any person 14, 15, and 16 years of age employed on a farm may apply for a farm permit authorizing the person to operate any Class D motor vehicle. The measure provides restrictions on operation of a motor vehicle while in possession of a farm permit.

HB 2010 requires any motorized vessel to have a carbon monoxide warning sticker in plain view to the interior of the vessel. The Department of Public Safety (DPS) is required to develop a carbon monoxide warning sticker and literature on the dangers of carbon monoxide and boating. Service Oklahoma is to provide the stickers and literature to vessel owners in annual registration materials at no cost.

HB 2684 provides that a person is guilty of endangerment of an emergency worker if a driver fails to change lanes into a lane that is not adjacent to a stationary emergency vehicle, maintenance vehicle, or licensed wrecker if the highway consists of two or more lanes. The penalty for endangerment of an emergency worker is punishable by a fine of \$1,000 for a first offense and \$2,500 for a second offense. The measure creates a penalty for aggravated endangerment of an emergency worker when the offense results in the injury or death of an emergency worker. The penalty is a fine of \$5,000 if the offense resulted in injury and \$10,000 if the offense resulted in the death of an emergency worker.

HB 1590 creates the Haiden Fleming Memorial Act. The measure raises the monthly 9-1-1 telephone fee from 75 cents to \$1.25 for all services, beginning November 1, 2023. It also raises the amount of 9-1-1 telephone fees that are deposited into the Oklahoma 9-1-1 Management Authority Revolving Fund from 5 cents to 22 cents. Proceeds from the increase in fees will be used to fund Next Generation 9-1-1 technology statewide. The distribution of revenue from 9-1-1 fees is also modified. Eligible governing bodies must be given a flat rate of \$3,000 per month per public safety answering point (PSAP). Of the remaining revenue, 10 percent will be distributed based on response area and 90 percent will be distributed based on population. The measure also creates new training requirements for 9-1-1 emergency telecommunicators, updates members of the Oklahoma 9-1-1 Management Authority, and prohibits the establishment of a new PSAP after July 1, 2024.

HB 1393 directs DPS, instead of the Department of Transportation (ODOT), to receive the payment for providing a law enforcement escort for the transport of an oversized load or hazardous shipment.

HB 1925 allows a law enforcement agency, approved by Council on Law Enforcement Education and Training (CLEET) to conduct a basic law enforcement training academy, to require any person or peace officer to execute a promissory note for academy training expenses. The term of repayment is not to exceed four years following graduation from the basic academy.

HB 2133 modifies the definitions of *autocycles*, *mopeds*, *motorcycles*, and *motor-driven cycles* to include electric motors and the power capacity for each type of conveyance. The measure also allows a person 14 years of age or older to operate an electric-powered motor-driven cycle with up to a 16.8 kilowatt electric power source.

HB 2166 creates the seven-member State Task Force on Motor Carrier Regulation and Enforcement until July 1, 2024. The task force must submit a

report outlining their recommendations to the Governor, Legislature, chairs of the House and Senate Public Safety committees, and House and Senate minority leaders on or before December 1, 2023.

The task force is required to make recommendations regarding:

- The adequacy, scope, and effect of regulatory, licensing, and permitting programs applicable to the motor carrier industry;
- The adequacy, scope, and effect of civil and criminal enforcement mechanisms of state laws governing the motor carrier industry;
- Strategies to enhance the efficiency and effectiveness of state law enforcement's regulation of public safety and enforcement of laws applicable to the motor carrier industry;
- Combining any motor carrier regulatory programs or law enforcement functions within a state agency; and
- Any other matters determined by the task force to be relevant to the purpose of this act.

HB 2243 modifies the vehicles that are exempt from the requirement to have an odometer disclosure statement upon transfer of ownership. The measure exempts vehicles that were manufactured in or before the 2010 model year. Additionally, the measure exempts vehicles manufactured in 2011 or later that are transferred at least 20 years after January 1 of the calendar year corresponding to its model year.

HB 2253 allows the Office of the Attorney General to purchase vehicles and allows employees to use a state-owned or state-leased vehicle to drive between the residence of the employee and the assigned place of employment. Such vehicles are not required to be officially marked as State of Oklahoma vehicles.

HB 2255 authorizes the creation of new license plates for persons wishing to support various entities. The

measure creates the following license plates:

- 45th Infantry Brigade Combat Team License Plate;
- Ally's House License Plate;
- Clinton Red Tornadoes License Plate;
- Hallett Motor Racing Circuit License Plate;
- University of Kansas License Plate; and
- U.S. Army Ranger License Plate.

Another measure, **SB 510** renames the Shriner's Hospitals for Burned and Crippled Children Plate to the Shriners Hospitals for Children License Plate. The measure also creates the following license plates:

- Meritorious Service Medal License Plate;
- ORA License Plate;
- ROAD License Plate; and
- Tulsa Icon License Plate.

HB 2418 modifies the requirements for the issuance of a Class D license by requiring the completion of a free course approved by ODOT on teen driver work zone and first responder safety.

HB 2464 creates the Independent Driver Classification Act. The measure provides that all Transportation Network Company (TNC) drivers must be considered independent contractors and not employees of the TNC if the TNC:

- Does not prescribe specific hours during which the driver will be logged into the TNC's digital network;
- Imposes no restrictions on the driver's ability to use digital networks from other TNCs;
- Does not restrict the driver from engaging in any other occupation; and
- Agrees with the driver in writing that the driver is an independent contractor.

SB 354 requires motor vehicle rental companies to provide good-faith estimates and disclose the total charges to customers prior to renting motor vehicles.

SB 682 removes the requirement for a person issued a nondomiciled commercial learner permit or a nondomiciled commercial driver license to have an H2A-Temporary Agricultural worker permit or be a participant in the J-1 Exchange Visitor Program.

SB 753 authorizes the use of electronic signature for documents showing the transfer of vehicle ownership to insurers that result from the settlement of a total loss claim.

SB 841 provides that the tow and storage rates established by the Corporation Commission for wreckers also apply to repair facilities. The measure specifies acceptable forms of payment and requires the operator or repair facility to allow the owner, lien holder, agent of the towed vehicle, or insurer accepting liability to inspect the towed vehicle.

SB 566 increases the amount that a licensed wrecker can charge for lien processing fees from \$20 to \$50.

SB 978 provides that it is no longer against the law to transport a firearm on a vessel. The measure also reduces the maximum penalty for unlawfully

discharging a firearm on a vessel from a term of imprisonment of six months to three months.

SB 981 clarifies 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 and criminal proceedings.

HB 2869 authorizes CLEET to purchase a passenger automobile or bus with public funds. Additionally, the executive director of CLEET is authorized to hire an assistant director.

SB 297 authorizes the director of the Oklahoma State Bureau of Investigation to subpoena witnesses, compel the attendance and testimony of witnesses, and require the production of any records and other tangible items that constitute or contain evidence if recommended by an agent with the rank of captain or above and the general counsel or assistant general counsel of the bureau. Attendance and the production of records may be required from any place in the state to a designated location in the county seat of the county in which the subpoenaed person lives, does business, or may be found. Subpoenaed individuals may notify the bureau of their refusal to attend within 10 days of the date of service. In the case of a refusal to obey a subpoena

issued to any person, the director may invoke the aid of any district court of the state within the jurisdiction of which the investigation is carried on or in which the subpoenaed person lives, does business, or may be found to compel compliance with the subpoena.

HB 1897 recodifies provisions of the Nine-One-One Emergency Number Act into the Oklahoma Management Authority Act and repeals previous references to the Nine-One-One Emergency Number Act.

HB 1144 allows the commissioner of DPS to commission one member of the security teams for the Senate and of the House of Representatives as peace officers. The measure gives the commissioned officers certain powers and authority including the power of arrest, enforcement of the criminal laws of this state, search and seizure, and the authority for serving or execution of civil process within the jurisdiction of the Capitol. Commissioned officers are also given all the powers of arrest granted to the sergeant-at-arms.

HB 2265 allows schools to offer an elective course in law enforcement to 11th and 12th grade students. The State Board of Education may coordinate with CLEET to develop instructional materials. ●



Revenue & Taxation

HB 1039X eliminates the franchise tax and any associated franchise tax reporting requirements, effective tax year 2024.

HB 1040X modifies the income amount subject to the 3.75 percent personal income tax bracket for joint filers from \$2,400 to \$4,600. The bill addresses what is commonly referred to as the “income tax marriage penalty.”

HB 1008X increases the income qualifier to qualify for an additional homestead exemption from \$25,000 to \$30,000.

HB 1029X creates an income tax credit for 50 percent of eligible expenditures incurred by a family caregiver for the support of an eligible family member ages 62 or older. The tax credit may be claimed beginning tax year 2024 and is subject to a \$1.5 million annual cap. Taxpayers are limited to a \$2,000 credit per family member, or \$3,000 if the family member is a veteran or is diagnosed with dementia.

SB 984 changes the formula for the levy of the 1.25 percent sales tax on motor vehicles when the purchase transaction includes a trade-in vehicle. Sales and use tax for such sales will only be levied on the purchase price of the new vehicle minus the value of the trade-in vehicle.

HB 2542 expands a tax credit for investments in clean-burning motor vehicles to include hydrogen powered vehicles and hydrogen car conversion equipment.

SB 463 extends the sales tax exemption for rolling stock from July 1, 2024, to July 1, 2029.

HB 2062 extends the motor fuel tax remittance discount for eligible purchasers until July 1, 2029.

SB 747 increases the volunteer firefighter tax credit to \$300 for those with basic firefighter training certification or \$600 for those with an intermediate or advanced firefighter training certification beginning tax year 2024.

HB 2339 expands a property tax exemption for any single-family residential property used exclusively for religious or fraternal purposes. Current law exempts such property up to a fair cash value of \$250,000. The measure doubles the fair cash value cap to \$500,000.

HB 2312 allows the surviving spouse of a 100-percent disabled veteran to claim the surviving spouse sales tax exemption even if the disability determination is not finalized until after the veteran’s death.

Tax Administration

HB 1956 removes the ability for state occupational licensing entities to deny renewal applications of delinquent taxpayers when notified by the Oklahoma Tax Commission (OTC). Instead, the measure directs OTC to use wage garnishment to collect delinquent income taxes.

SB 601 modifies numerous provisions related to tobacco tax and license administration. The measure:

- Prohibits the issuance of a tobacco wholesaler and retailer license to a place of business with a physical residential address;
- Outlines the composition of an industry advisory committee of licensed tobacco wholesalers and retailers. The committee will be comprised of five members and meet quarterly; and
- Modifies the penalty for failure to have a current wholesaler license to include the forfeiture of any tobacco products in addition to the existing fine imposed.

SB 602 prohibits taxpayers from claiming a depreciation deduction on a state income tax return when the deduction would duplicate a claim already made on a federal return.

HB 2289 updates numerous provisions in the tax code by:

- Providing that the response deadline for taxpayers responding to certain notices from the OTC is based on the date indicated on the notice rather than the mailing date of the notice;
- Providing that all proceedings and confidential information submitted for a tax appeal will be held in closed court and will not be subject to public disclosure;
- Requiring the OTC to file tax warrants with county clerks electronically;
- Replacing references to the Oklahoma State Department

of Health with the Oklahoma Medical Marijuana Authority with regards to the collection of marijuana taxes;

- Requiring applicants for sales tax permits to be at least 18 years old, provided a guardian may apply for the permit on behalf of a minor;
- Requiring special event organizers to submit information on event vendors;
- Modifying the procedures for and clarifying the statutes of limitations for refund claims;
- Establishing a \$1,000 fee for employers that file a late annual reconciliation for withholding taxes; and
- Requiring county treasurers to notify the OTC when a tax lien sale property sells for more than the ad valorem taxes owed in order to determine if the property has other outstanding tax liabilities.

SB 600 establishes a timeline and process for an OTC license or permit holder to protest a revocation notice. The applicant has 60 days to submit a written protest and request an administrative hearing. The measure also establishes procedures for designating materials as confidential in a tax proceeding.

HB 1759 establishes a procedure allowing the owner of a vehicle to submit a written notice to Service Oklahoma to transfer ownership of the vehicle to a designated person upon death.

HB 2315 transfers the responsibility to determine rates and rules relating to the levy of the electric vehicle (EV) charging station tax from OTC to the Oklahoma Corporation Commission. The measure also changes the monthly tax remittance and reporting deadline for the EV tax from the 20th day of each month to the 27th day of each month.

SB 605 increases the percentage, from 5 percent to 12 percent, of the qualified clean-burning motor vehicle fuel

property tax credit that gets calculated annually and transferred to the Compressed Natural Gas Conversion Safety and Regulation Fund.

SB 607 authorizes the OTC to pay association membership fees, professional organization membership dues, and continuing education costs for accountants and attorneys employed by the commission and commission members.

SB 612 requires the Oklahoma Lottery Commission to conduct a background check on every employee every year. Further, the measure requires anyone winning a lottery prize of more than \$5,000 to provide OTC with their name, proof of social security number or tax identification number, and valid ID before receiving their money. All information will be kept confidential except for the person's first name, city of residence, and prize amount. The measure requires anyone receiving a lottery prize as a trust to provide proof of social security number or tax identification number and trust certifications prior to payment. •



State Powers

SB 404 deems any exclusion of a person or entity from participation in or receipt of governmental funds, benefits, programs, or exemption based solely on religious character or affiliation as a substantial burden.

HJR 1017 authorizes a delegation of commissioners to attend and participate in a gathering of states proposed by any state legislature and to serve

at an Article V Convention. The delegation is to be composed of seven commissioners, made up of current and former members, appointed by the Speaker of the House of Representatives and the President Pro Temp of the Senate. The measure also creates the Article V Convention Committee to advise the delegation of commissioners on the Legislature's position

on issues, to monitor, and to discipline any commissioner in violation of their oath of office.

HJR 1032 submits an application to Congress to call a Constitutional Convention to amend the U.S. Constitution for the purpose of establishing congressional term limits. •



Transportation

SB 930 establishes the Aero Student Pathways for Aerospace Careers and Education (AeroSPACE) program. The program is required to address the workforce needs of the aviation and aerospace industry by implementing a statewide aerospace educational curriculum initiative. The program is also tasked with partnering with primary and secondary schools, career technology centers, and higher education providers to promote and organize curriculum, enhanced classroom instruction, and research based educational programs.

SB 1187 appropriates up to \$600,000 in the American Rescue Plan Act (ARPA) funds to the Oklahoma Aeronautics Commission to address the negative economic and public health impacts of the pandemic experienced by the air and space museums and their ability to provide education services.

SB 939 extends the term limit for the Board of Directors for the Oklahoma Space Industry Development Authority from two four-year terms to three four-year terms. It also clarifies that an appointment to complete an unexpired term does not count toward that member's three four-year term limit.

SB 773 adds to the purpose of the Oklahoma Advanced Mobility Pilot Program by requiring it to enhance the interaction between modes of transportation to ensure adequate preparation for the advancement of future technologies. The measure allows for the Department of Transportation to select cities, counties, and tribal governments to receive two matching grant awards

of up to \$500,000 each to aid in the adoption of advanced mobility technologies. The measure also creates the Oklahoma Advanced Air Mobility Revolving Fund to be used by the Oklahoma Department of Aerospace and Aeronautics to invest in advanced air mobility and unmanned aircraft systems and associated infrastructure. Lastly, the measure transfers the authority to provide aircraft licenses and registrations from the Oklahoma Tax Commission to Service Oklahoma effective July 1, 2024.

SB 782 changes the name of the Oklahoma Aeronautics Commission to the Oklahoma Department of Aerospace and Aeronautics and updates all statutory references. Additionally, the measure cleans up duplicate language regarding the Downed Biker Association and Stillwater Public Schools special license plate designations.

SB 724 adds county roads to the types of roads in which obstruction of the right-of-way is prohibited and regarded as a public nuisance. Facilities operated by a public utility or companies engaged in oil and gas operations are exempt from this prohibition.

This year several bills including **HB 2416**, **SB 96**, **SB 300**, and **SB 762** all designated the following memorial bridges, highways, interchanges, intersections, or trails:

- Army SPC Ryan J. Grady Memorial Highway;
- Bataan Death March Survivor Elmer "Red" Vanover Memorial Highway;

- Bobbi White Memorial Bridge;
- Bronze Star Recipient Marine Sgt. Justin Lee Noyes, KIA Iraq, Memorial Highway;
- Captain William 'Willy' Hargraves Memorial Intersection;
- C.D. Scribner WWII Veteran Memorial Highway;
- CDR Ernest Evans, First Tribal Recipient of the Medal of Honor, Memorial Trail;
- Cecil O. Peters Memorial Bridge;
- Chuck Stotts Way;
- Col. George H. Massad Memorial Bridge;
- Colonel George Henry Normand Memorial Highway;
- CW4 Wendell Carroll LaFevers Memorial Highway;
- Dr. James R. McFarland Memorial Bridge;
- Emily Gaines Memorial Intersection;
- First MCPON Delbert D. Black, U.S. Navy, Memorial Highway;
- Gold Star Families Memorial Highway;
- Guy L. Berry III Memorial Interchange;
- LCpl Nelson Matlock Memorial Highway;
- Marshal George Wilson Reddick Memorial Highway;

- MSgt. JW Easterling Memorial Highway;
- PO2 Casey Alan Lewis Memorial Highway;
- Seminole Warrior John Horse Memorial Highway;
- Senator J. Berry Harrison Memorial Bridge;
- SGT Christopher James “CJ” Nelson Memorial Intersection;
- Shawn Skelly and Michael Shane Gilmore Memorial Bridge;
- Specialist Robert Allan Pierce Memorial Bridge;
- Steven J. Ronio Memorial Bridge;

- The Honorable Leonard Earl Sullivan Memorial Bridge;
- The Honorable Secretary Gary M. Ridley Memorial Interchange;
- Trooper Don Henley Memorial Highway;
- Trooper John R. Barter Memorial Highway;
- Trooper Larry L. Hillyard Memorial Bridge; and
- William A. Ahrberg Memorial Highway.

The measures also modify the location descriptions of the William Mark Miller Memorial Highway and the Thelma “Chincie” Ross WWII Chickasaw Code

Talker Memorial Highway and the name descriptions of the Purple Heart Recipient SGT Ronald M. Crews Vietnam Veteran Bridge, Cecil A. Davis Sr. Memorial Bridge, Captain Mark E. Barker Memorial Highway, and the Thelma “Chincie” Ross WWII Chickasaw Code Talker Memorial Highway.

HB 2241 exempts rural water districts, nonprofit water corporations, and all municipally-owned utilities serving a population of 10,000 people or less from paying any costs related to the removal of municipally-owned utilities located in public rights-of-way due to state highway or turnpike construction projects. •



Veterans & Military Affairs

HB 1036 creates the Veteran Suicide Prevention Task Force, a nine-person task force that will study and make recommendations regarding causes and prevention of suicide among Oklahoma veterans. Appointments will be made 60 days after the act's effective date and the appointing authorities must coordinate appointments to reflect the best interests of veterans. The

task force is to sunset November 30, 2024, the date by which they must also submit a report of their findings and recommendations.

HB 2887 appropriates \$10.9 million to the Oklahoma Department of Veterans Affairs for construction costs at the pending Sallisaw long-term care facility.

HB 2312 allows the surviving spouse of a 100-percent disabled veteran to claim the surviving spouse sales tax exemption even if the disability determination is not finalized until after the veteran's death.

SB 234 designates September 22 of each year as Veteran Suicide Awareness Day. •



Special Session

Lawmakers got creative and established a mechanism to utilize the surplus revenue to self-finance current and future capital needs of the state with the passage of **HB 1002X**. Through the newly created Legacy Capital Financing Fund (LCF) administered by the Oklahoma Capitol Improvement Authority, the state can self-finance approved capital projects over a 20-year period without utilizing the bond markets. To provide additional flexibility, the Legislature can suspend or restructure the terms of an LCF recapitalization payments through the adoption of a concurrent resolution. The measure also includes a moral obligation clause for the Legislature, stating that the Legislature voluntarily subjects itself to fund and make legislative appropriations to cover LCF recapitalization payments for recipient state agencies.

HB 1004X is the FY 2024 general appropriations bill. The measure distributes \$11.3 billion to various state agencies. The total appropriated dollars for FY 2024, including supplements, equals \$12.9 billion.

HB 1005X offers any tribe with an existing motor vehicle licensing or registration agreement with the state the option to affirm and extend the term of the agreement until December 31, 2024. A tribe may accept the supplemental terms by delivering a letter to the Oklahoma Tax Commission (OTC).

HB 1006X appropriates the following amounts to the Department of Agriculture:

- \$2 million for wildland fire response resources;
- \$10,000 for advancing leadership in agricultural business;
- \$6.95 million to rural fire departments for replacing equipment and gear burned during fires including truck chassis;
- \$100,000 for rural fire coordinators to administer a wet hydrant program; and
- \$2.1 million for providing grants to incorporated municipalities affected by the winter storm that took place February 2–February 21, 2021.

HB 1007X provides the following appropriations to the Oklahoma Department of Commerce:

- \$148,650 to support the International Protocol Office;
- \$300,000 to support geographic information and other technology needs;
- \$200,000 for the Agriculture Initiative;
- \$150,000 to support the Small Business Development Centers;
- \$200,000 to support Oklahoma Community Expansion of Nutrition Assistance;
- \$400,000 to Seminole State College's Rural Business and Resources Center;
- \$10 million to help support Murray State College's Gunsmithing Technology degree program; and

- \$250,000 to the Northeastern Oklahoma A&M Agriculture Rodeo program.

HB 1008X increases the income qualifier to qualify for an additional homestead exemption from \$25,000 to \$30,000.

\$350 million worth of capital projects were approved for self-financing this session, including:

- **HB 1009X**, which authorizes \$46 million for upgrades to existing Oklahoma Historical Society (OHS) facilities;
- **HB 1011X**, which authorizes \$70 million for upgrades to the Jim Thorpe Building, \$19 million for repairs to the Capitol complex tunnels and \$26.3 million to renovate the Kelly Building and Kelly Annex as a day care facility;
- **HB 1012X**, which authorizes \$20 million for the Department of Public Safety (DPS) to create a Wireless Information Network; \$59.6 million for DPS to build a training center and \$8 million for DPS to upgrade DPS facilities;
- **HB 1013X**, which authorizes \$79 million for the Oklahoma State University Veterinary Medicine Authority to construct a new veterinary teaching hospital;
- **HB 1014X**, which authorizes \$17.6 million for upgrades to Department of Libraries facilities; and

- **HB 1032X**, which authorizes \$3.9 million for construction of a new training facility for the Council on Law Enforcement Education and Training.

HB 1017X creates the Emergency Relief and Impact Grant Program, which must be used for the effective service delivery or administrative needs to increase public sector capacity or to provide emergency relief from natural disasters or any negative economic impacts as a result of the natural disaster. The Oklahoma Department of Emergency Management and Homeland Security is authorized to administer and promulgate rules for the grant program. The measure also creates the Emergency Relief and Impacts Revolving Fund.

HB 1018X appropriates the following amounts from the Statewide Recovery Fund to the Oklahoma Center for the Advancement of Science and Technology (OCAST) for the following purposes:

- \$5 million for adding physical space and increasing program capacity of a nonprofit that helps small business development;
- \$1 million to leverage other funds to provide technical assistance, training, and other business assistance to entrepreneurs in counties with a population of less than 669,279;
- \$500,000 for the operational needs of a nonprofit that focuses on helping small business development.

HB 1019X appropriates \$1,368,029 from the Statewide Recovery Fund to the Workforce Coordination Revolving Fund.

HB 1020X appropriates \$25 million in the American Rescue Plan Act funds for the administration of the Emergency Relief and Impacts Grant Program, which is overseen by the Oklahoma Department of Emergency Management and Homeland Security.

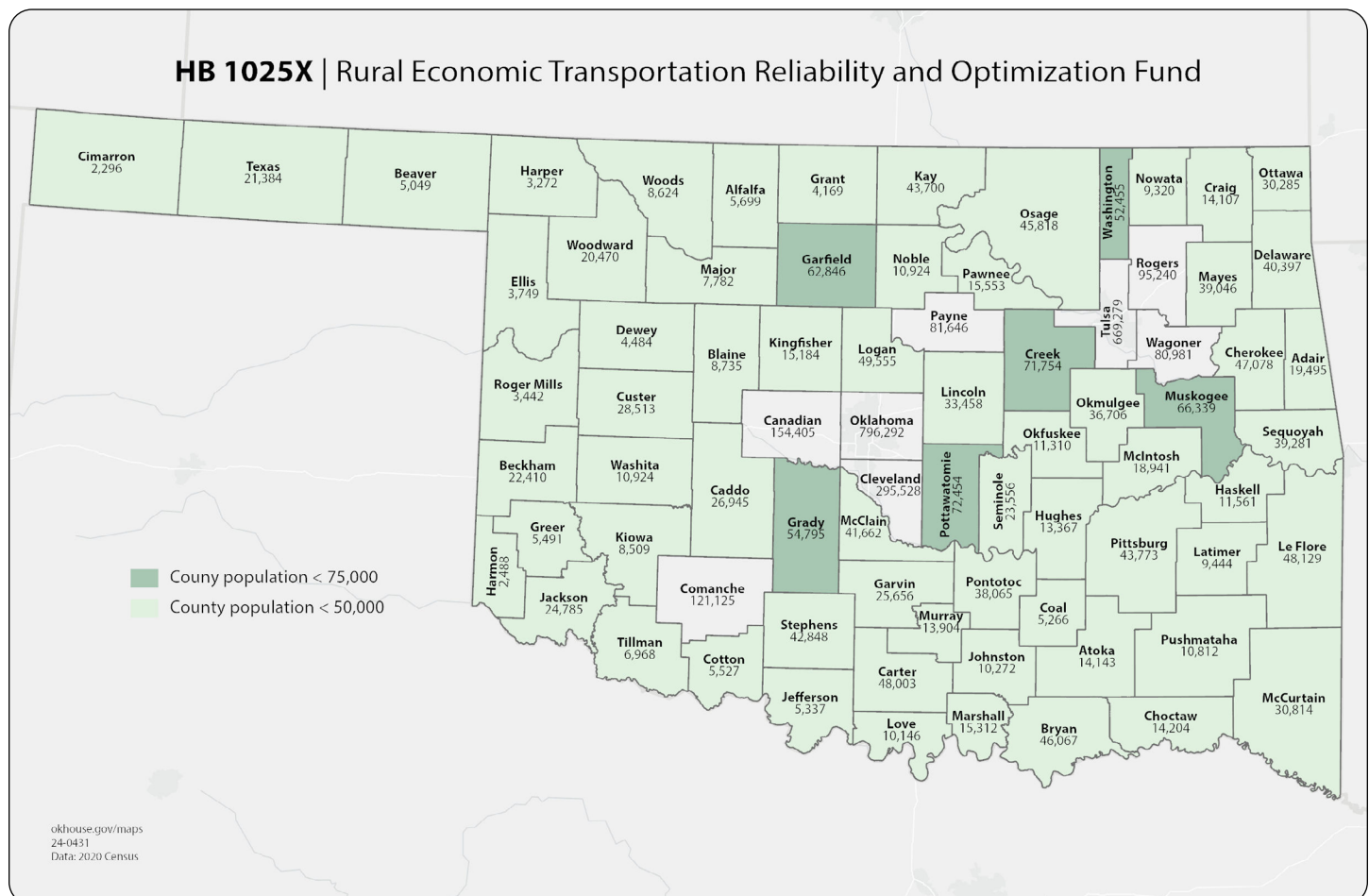
HB 1023X authorizes the Department of Environmental Quality (DEQ) to remove the parking garage connected to the department's headquarters in downtown Oklahoma City. Once the garage is removed, the site may be used as a parking lot for DEQ employees.

HB 1024X increases the daily juror pay from \$20 per day to \$50 per day.

HB 1025X increases the population of counties that are eligible to receive money from the Rural Economic Transportation Reliability and Optimization Fund from 50,000 to 75,000. The map below shows the affected counties.

HB 1027X increases the annual leave accumulation and carryover limits for state employees with five or more years of service from 480 hours to 640 hours.

HB 1028X appropriates \$5,500,000 to the Workers' Compensation Commission Revolving Fund and \$250,000 to the Workers' Compensation Administrative Fund.



HB 1029X creates an income tax credit for 50 percent of eligible expenditures incurred by a family caregiver for the support of an eligible family member ages 62 or older. The tax credit may be claimed beginning tax year 2024 and is subject to a \$1.5 million annual cap. Taxpayers are limited to a \$2,000 credit per family member, or \$3,000 if the family member is a veteran or is diagnosed with dementia.

HB 1030X transfers the Oklahoma Accelerator Program and Revolving Fund from the Department of Commerce (ODC) to the Oklahoma Center for the Advancement of Science and Technology (OCAST). The program uses appropriated funds to leverage private capital for start-up companies in this state.

HB 1031X establishes the Oklahoma Homebuilder Program to fund urban and rural housing developments by providing loans to homebuilders with interest rates as low as zero percent. The measure also establishes the Oklahoma Increased Housing Program to create more affordable housing by allowing developers to apply for gap financing and homebuyers to apply for assistance in making down payments. The Oklahoma Housing Finance Agency will promulgate rules to administer both programs and provide yearly reports to members of the Legislature.

HB 1033X renews the Jim Thorpe Repair Expenditure Oversight Committee. The nine-member committee must submit a final plan for the repairs of the Jim Thorpe Building to the director of Office of Management and Enterprise Services (OMES) by June 30, 2023. The final plan must include the final scope and project phasing developed by the vendor.

HB 1038X is an economic development appropriations of \$145 million to ODC to provide site improvements and facility upgrades at an industrial park.

HB 1039X eliminates the franchise tax and any associated franchise tax reporting requirements, effective tax year 2024.

HB 1040X modifies the income amount subject to the 3.75 percent personal income tax bracket for joint filers from \$2,400 to \$4,600. The bill addresses what is commonly referred to as the “income tax marriage penalty.”

SB 12X creates the Mental Health Transport Revolving Fund and amends the regulations for the transportation of people in need of mental health services by law enforcement officers. A sheriff or peace officer may request an assessment by the State Department of Mental Health and Substance Abuse Services (ODMHSAS) at the initial point of contact for a person the officer believes requires treatment. The department may conduct the assessment via telemedicine or in-person through a licensed mental health professional. ODMHSAS or a contracted entity is responsible for transporting an individual if there is not an appropriate facility within 30 miles of the peace officers 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 mental health or medical facility, or is placed into protective custody and is in need of 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 a contracted entity is responsible for any subsequent transportation needs. If a facility director determines that an individual is not medically stable, ODMHSAS is required to immediately transport the individual to the nearest hospital.

SB 13X amends the Quality Jobs Program to increase the number of years that a sports team may receive incentive payments from 15 years to 30 years.

SB 14X doubles the annual inducement cap for approved tourism attraction projects under the Tourism Development Act from \$15 million to \$30 million.

SB 15X increases the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control annual registration permit for manufacturers of controlled dangerous substances from \$500 to \$2,500.

SB 16X allows any full-time state employee who has worked for the state for at least two years to take six weeks paid maternity leave for the birth or adoption of the employee’s child. Employees granted maternity leave are to receive their annual salary without interruption.

SB 17X extends the tax credit for railroad reconstruction or replacement expenditures from January 1, 2025, to January 1, 2030.

SB 18X establishes the Medical Marijuana Tax Fund with all monies accruing in the fund to be appropriated at the discretion of the Legislature to fund substance abuse programs and common education, including but not limited to funding Redbud School Grants.

SB 19X creates the Family Representation and Advocacy Program within the Administrative Office of the Courts to ensure uniform legal representation for children, indigent parents, legal guardians, and Native American custodians in deprived child actions. The central office will work with judicial districts and attorneys by contracting with, training, compensating, and supporting legal counsel appointed by the court. The central office will not provide direct legal representation to clients except in selected appeals. The program will have the authority to contract with a legal entity and social workers as needed. The existing public defender office will continue to provide representation for children in deprived children proceedings and may elect to contract with the program. The program will prioritize judicial districts where attorneys are unavailable for court appointments or are minimally compensated and ensure that counsel and interdisciplinary contractors are adequately compensated. The measure creates a revolving fund designated as the Family Representation and Advocacy Program Revolving Fund. The

measure requires an annual report to be transmitted to Legislative leadership and the Governor no later than December 31 each year.

SB 21X creates the Oklahoma Employment Security Commission Information Technology Innovation Revolving Fund for OMES.

SB 23X changes the way that a supplemental Medicaid reimbursement for ground emergency medical transportation services is calculated and paid to ambulance service providers. The measure requires the payment to be based on whether the services are reimbursed through a fee-for-service contract or a capitated contract. The measure also allows a governmental entity seeking a supplemental reimbursement on behalf of an eligible provider to enter into an intergovernmental agreement with the Oklahoma Health Care Authority (OHCA).

SB 24X creates the Oklahoma State Bureau of Investigation Centennial Revolving Fund for the purpose of celebrating the centennial of the Oklahoma State Bureau of Investigation.

SB 26X offers any tribe with an existing tobacco products sales tax compact the ability to accept supplement terms to the compact agreement. The supplemental terms affirm the existing compact agreement, extends the agreement date until December 31, 2024, and states that any action to unilaterally terminate the compact prior to December 31, 2024, will be null and void.

Tribes with a tobacco compact agreement that was in effect as of January 1, 2019, but expired prior to the effective date of the act may also restore their compact agreement and accept the supplemental terms to extend the compact agreement until December 31, 2024.

A tribe that accepts the supplemental terms or restoration terms must submit a letter to the OTC.

With **SB 28X**, the Legislature chose to fund some specific initiatives for a total of \$129 million. These initiatives include:

- \$17.4 million for the incentive scholarship program and teacher employment incentive program;
- \$12.5 million to establish the National Guard Educational Assistance Fund;
- \$48.9 million for faculty pay raises;
- \$20 million to expand engineering programs;
- \$5 million for application-based health care;
- \$12.5 million to develop a critical workforce development initiative;
- \$12.5 million to ensure student success and institutional excellence; and
- \$200,000 to establish a food pantry.

SB 29X modifies the ratio at which private sector donors must match the State Board of Education's contributions to an early childhood program for at-risk children from 2-to-1 to 1.5-to-1.

SB 31X authorizes the OHS to spend \$204,000 for increased aid to affiliate sites across the state and \$5 million for operations of the Native American Cultural and Educational Authority for FY 2024 and FY 2025. The measure also authorizes OHS to transfer \$18 million to the Oklahoma Museum of Popular Culture.

SB 32X appropriates the following amounts of money to OHCA for the following purposes:

- \$30 million to provide grant funding to providers for the one-time connection to the state-designated entity for health information exchange;
- \$47.8 million to increase reimbursement to long-term care facilities by \$35 per day and reimbursement to intermediate care facilities for individuals with intellectual disabilities by \$17 per day; and
- \$200 million for one-time funding to critical access hospitals

and hospitals participating in the Supplemental Hospital Off-set Payment Program.

The measure also directs OMES to transfer monies between the OHCA federal and revolving funds in amounts requested by the authority.

SB 33X requires that \$10 million from the funds appropriated to the Department of Human Services (DHS) be used for providing Home- and Community-Based Waiver services for people with developmental disabilities. These funds will be used to provide additional services and programs for persons with developmental disabilities in order to eliminate the Developmental Disabilities Services Division waitlist. Additionally, the department will make permanent the supplemental daily reimbursement rate of \$5 for child care providers. DHS will also maintain the funding levels for senior nutrition programs and must have joint approval from the House and Senate before any senior nutrition sites may be closed.

SB 34X extends the sales tax exemption for the sale, lease, rental, storage, use, or other consumption of qualifying broadband equipment by internet providers.

SB 35X requires the Oklahoma Tourism and Recreation Department to provide matching funds to nonprofit multicounty organizations to be used for the promotion of tourism throughout the state. The map of the counties in each organization is on the following page. The funds must be equal to the funds made available for FY 2023, which has a year-to-date total of \$632,910.

SB 36X is the budget limits bill for common education and appropriates \$3,176,770,780 in support of common education.

SB 37X establishes Service Oklahoma as a separate and distinct agency by removing it from under the auspices of OMES. Service Oklahoma and OMES may enter into an agreement for the transfer of personnel from OMES to Service Oklahoma. No employee is to be transferred to Service Oklahoma ex-

cept on the freely given written consent of the employee. All employees who are transferred to Service Oklahoma will not be required to accept a lesser grade or salary than presently received. The measure also directs Service Oklahoma to determine the compensation to be retained by licensed operators.

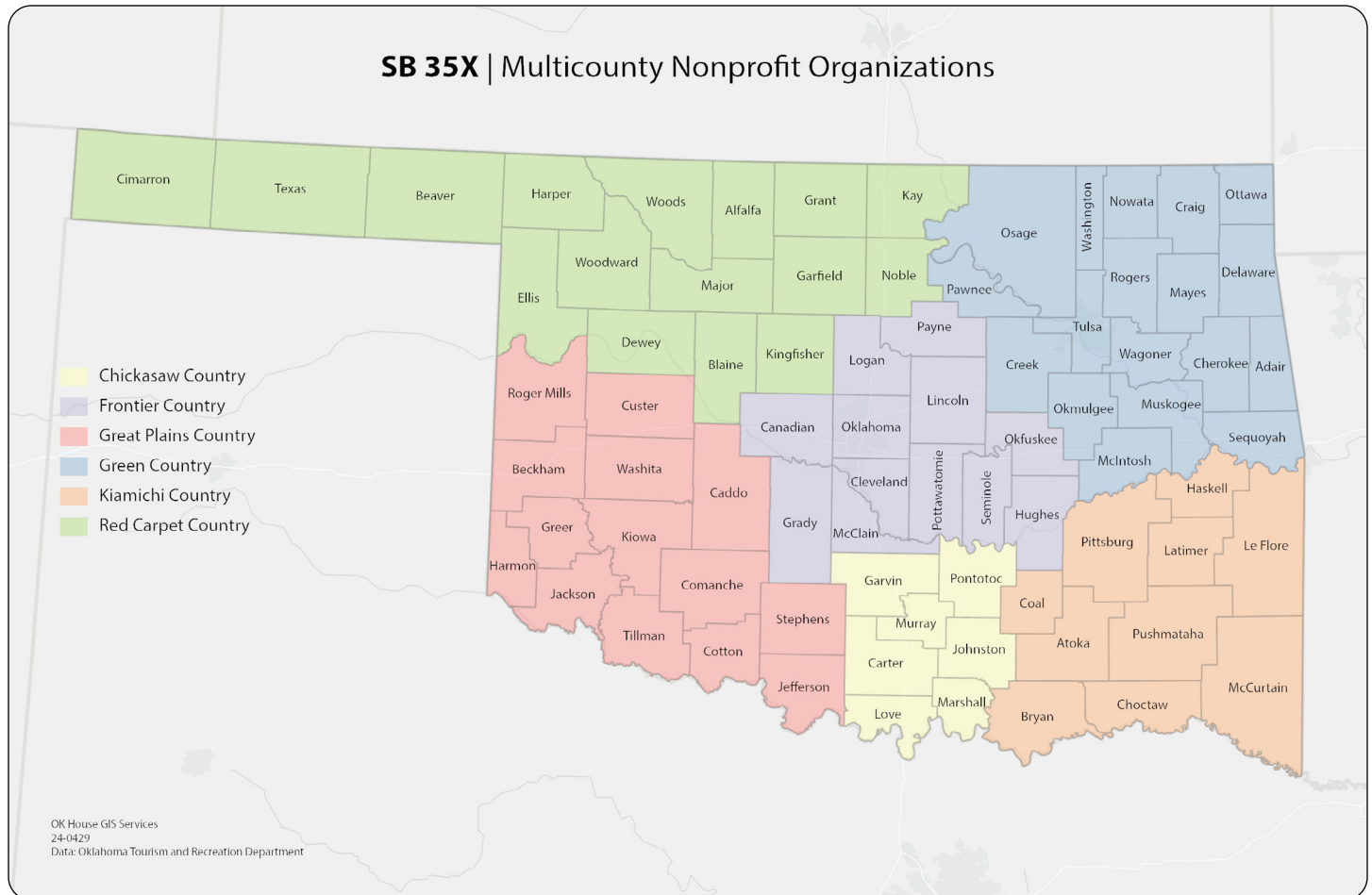
SB 38X appropriates \$5 million from the Statewide Recovery Fund to the State Regents for Higher Education for the purpose of implementing teacher acceleration programs.

SB 39X appropriates \$500,000 to the Health Care Workforce Training Commission to establish a grant program with Northwestern Oklahoma State University for the purpose of recruiting, educating, and stabilizing Oklahoma's health care workforce. The measure also establishes a Statewide Recovery Special Account for the Health Care Workforce Training Commission.

SB 40X appropriates from the Statewide Recovery Fund to DHS:

- \$10.3 million to enhance and increase capacity for programs assisting in stabilizing justice-involved women, their children, and caregivers in the Tulsa area and surrounding rural areas; and
- \$2.5 million to allow more opportunities for working families with children, with and without special needs, to obtain high-quality child care. •

SB 35X | Multicounty Nonprofit Organizations





Appendix I

Summary of Vetoes

HB 1079 would have required every courier application service to have an agreement with a restaurant in order to transport for delivery.

Governor's Veto Message:

"Enrolled House Bill 1079 would require courier application services to have an agreement with restaurants for the service to transport restaurants' product to consumers. Said another way, the government would have been given the ability to further regulate private industry, thereby growing bureaucracy and interfering with the free market."

HB 1236 would have given the court discretion in awarding court costs and expenses for legal actions commenced under the Oklahoma Citizen Participation Act.

Governor's Veto Message:

"Enrolled House Bill 1236 would amend the Oklahoma Citizens Participation Act, which is designed to deter lawsuits intended to chill Oklahomans' right of free speech, right to petition and right of association. Currently, defendants who secure dismissal of lawsuits under the Act are entitled to mandatory costs, attorney fees, other expenses, and potential sanctions. The Bill would make discretionary what is now mandatory."

HB 1460 would have removed the fixed 2-cent-per-wheat-bushel fee that producers pay when they sell their product through commercial channels. Instead the measure would have allowed the Oklahoma Wheat Association to set the fee rate.

Governor's Veto Message:

"Enrolled House Bill 1460 included improper language that has been corrected in the Engrossed Senate Bill 488, which I plan to sign once it is enrolled and presented to me."

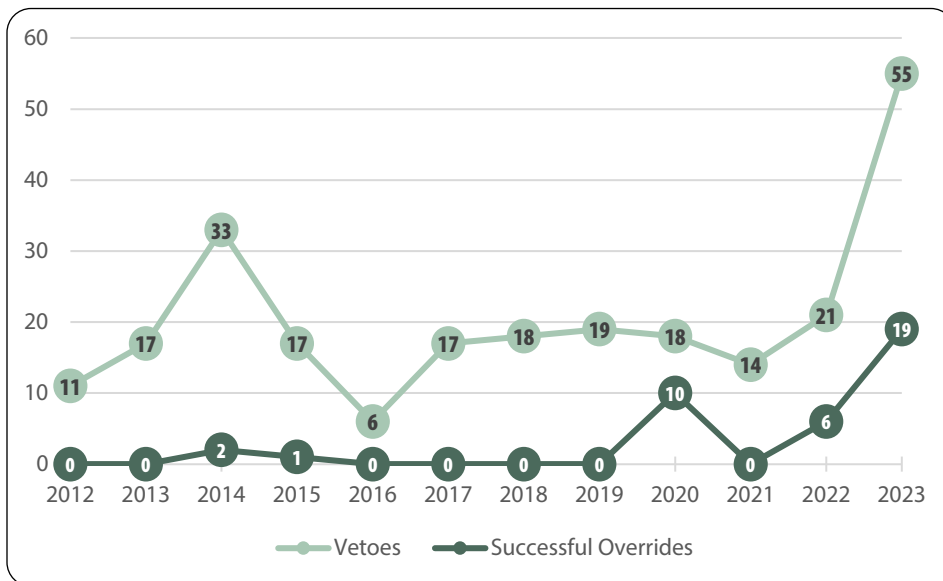
HB 1612 would have added the crime of shooting into a dwelling or building used for public or business purposes to the list of crimes for which the convicted person is required to serve 85 percent of the sentence imposed.

Governor's Veto Message:

"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 the best interest of our state or its citizens."

HB 1796 would have allowed the Oklahoma Department of Mental Health and Substance Abuse Services to enter into agreements to serve as a vendor with public sector employers wanting to offer employment assistance pro-



grams, such as those that help alleviate or correct mental and medical health problems, to its employees.

Governor's Veto Message:

"Enrolled House Bill 1796 made it my desk despite a consequential drafting error."

HB 2608 would have 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 require 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.

Governor's Veto Message:

"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 also register with all other local law enforcement authority enumerated in 57 O.S. § 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 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."

HB 2661 would have extended the moratorium on annual leave accrual limits for state employees until FY 2024.

Governor's Veto Message:

"Two sessions ago, legislation was enacted that temporarily increased accumulation limits for annual leave and allowed state employees to carry over certain unused annual leave due to the Covid-19 pandemic until the end of fiscal year 2022. Enrolled House Bill 2661 would extend this benefit through the end of fiscal year 2024, more than three years after the Covid-19 state of emergency was lifted. Continuing to permit the carry-over of pandemic related leave would negatively impact taxpayers and create a continuing fiscal burden on state agencies."

HB 2747 would have created the Office of Alzheimer's Disease and Related Dementia Resource Coordination within the State Department of Health and established two revolving funds in the State Treasury.

Governor's Veto Message:

"Like most Oklahomans, I've watched family members and loved ones suffer the effects of Alzheimer's Disease and related dementia, so I take this degenerative disease—and society's response to it—seriously.

That said, I don't believe this Bill, which among other things creates revolving funds in the State Treasury for the purpose of awarding grants to certain nonprofits, and mandates that the Department of Health hire or maintain dementia-trained workers and compile and publish a State Alz-

heimer's plan, will move the needle on disease knowledge, reducing risk, or developing potential treatments. Plus, the Department of Health's Chronic Disease Prevention Services is already engaged in this space and oversees several programs through a cooperative agreement with the Centers for Disease Control."

HB 2819 would have extended the Oklahoma Advisory council on Indian Education until 2025 in accordance with the Oklahoma Sunset Law.

Governor's Veto Message:

"Enrolled House Bill 2819 would extend the sunset date for an advisory council for which the Office has historically had significant difficulty securing nominations for prospective council members. When at all prudent, I aim to decrease government by, in part, sunseting boards, commissions, and council that are no longer necessary or duplicative. The areas addressed by the Oklahoma Advisory Council on Indian Education are adequately addressed by the State Department of Education, which will continue its effort to promote educational opportunities and improvement of the quality of education for all Oklahoma students. The sunseting of this council is an appropriate opportunity to shrink government."

SB 437 would have directed the Oklahoma Medical Marijuana Authority to create and maintain a registry of recommending physicians as it relates to medical marijuana. As well as other modifications to the marijuana industry.

Governor's Veto Message:

"Senate Bill 437 is an omnibus piece of legislation related to Oklahoma's medical marijuana program ("program"). Contained within the Bill are a variety of policy changes to the program that, on their own, would have my full support. Unfortunately, the Bill would also roll back progress we have made as a state to address illegal marijuana grow operations and bad actors within the industry. As illegal grow operations and bad actors continue to be the pri-

mary issue facing the industry, it is unwise to repeal changes designed to curb their participation in the market in exchange for improvements to other areas of the state's program.

I have been and remain committed to supporting a properly regulated industry to ensure our patients, our communities and our rural neighbors are protected from criminal enterprises that have forced their way into our state."

SB 535 would have established the Oklahoma Community Health Worker Act, which would have directed the State Department of Health to establish a voluntary certificate for community health workers.

Governor's Veto Message:

"Enrolled Senate Bill 535 mandates that the State Department of Health establish a certificate program for community health workers (CHWs). While Department CHWs provide valuable services funded through federal grants, we should let private employers decide whether to employ CHWs rather than expand government."

SB 552 would have provided that the reasonable period of time during which a person may receive treatment for the purpose of restoring competency for trial may not exceed 2 years or the maximum length of the sentence if the sentence is less than 2 years. The measure would have required the court to notify the Department of Mental Health and Substance Abuse Services within 72 hours of filing an order of commitment. The measure also would have provided that treatment to restore competency may be administered in the jail or detention facility where the person is being held if the defendant is charged with a violent misdemeanor. Nonviolent offenders deemed to be incompetent and in need of treatment would have charges dismissed without prejudice and instead be subject to civil commitment proceedings.

Governor's Veto Message:

"Enrolled Senate Bill 552 would, in many instances, require county jails to hold and provide restorative treatment,

therapy, or training for individuals deemed incompetent prior to conviction. Currently, the Department of Mental Health and Substance Abuse Services is, by statute, generally expected to take custody of those individuals and provide necessary competency restoration services. This, of course, does not prohibit jails from providing treatment options while individuals wait for space to become available through the Department; many jails do, in fact, provide some level of restorative services.

Nonetheless, we must do a better job addressing rampant mental health issues plaguing our society. This includes taking a hard look at the methods and structures being used to restore to competency those criminal defendants who may be afflicted by mental health disorders. Although this Bill is well intended, it is not the right solution at this time. For instance, many county jails do not yet have necessary treatment staff, environments, and frameworks in place to handle the responsibilities this Bill would create.

I urge stakeholders such as district attorneys, law enforcement officials (e.g. sheriffs), the Department of Mental Health and Substance Abuse Services, and other mental health professionals to collaborate well before the next legislative session to identify creative solutions available to address the overarching issues—where (e.g. outpatient-type treatment) and how we meaningfully treat and restore individuals temporarily deemed incompetent to stand trial. Many solutions are surely available without the need for legislative changes. If we are to implement legislative mandates, we must first ensure the requisite structures are in place."

SB 580 would have provided that the definition of *area of operation* as defined in the Oklahoma Housing Authorities Act means anywhere within the geographical boundaries of this state in the case of a city or county authority and only from the effective date until December 31, 2026.

Governor's Veto Message:

"Enrolled Senate Bill 580 would empower local Oklahoma Public Housing Authorities ("PHAs") now assisting 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 of their municipal or county limits for good reason: because the Oklahoma Housing Finance Agency ("OHFA") already has statewide jurisdiction and adequately addresses affordable housing concerns in all 77 counties.

Simply put, the existing regime maximizes government efficiencies and facilitates the speedy resolution of constituent issues. The new scheme would interfere with the OHFA's statewide efforts and impede the resolution of constituent matters."

SB 715 would have required any public body determining that a requested record is confidential to notify the requestor. The requestor would have been authorized by the measure to file a civil action.

Governor's Veto Message:

"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.”

SB 748 would have directed the Commissioner of Mental Health and Substance Abuse Services to designate a physician to issue a statewide standing order for emergency opioid antagonist.

Governor’s Veto Message:

“As I understand it, the U.S. Food and Drug Administration (‘FDA’) recently approved Narcan, 4 milligram (mg) naloxone hydrochloride nasal spray for over-the-counter (‘OTC’), nonprescription use—the first opioid antagonist product approved for use without a prescription. Since the standing order this bill would have authorized was statutorily set to expire upon FDA approval of at least one opioid antagonist as an OTC drug, this bill is unnecessary.”

SB 922 would have provided that during hunting seasons in which the number of tags are limited, the Wildlife Commission must issue 90 percent of all tags to Oklahoma residents.

Governor’s Veto Message:

“Enrolled Senate Bill 922 would empower the Oklahoma Wildlife Conservation Commission to cap the percentage of tags issued for certain species to out-of-state hunters at ten percent (10%). As I understand it, the Commission rarely, if ever, issues more than ten percent (10%) of its tags for controlled hunts to out-of-staters, so this bill is really a solution in search of a problem.

Moreover, this bill is imprudent because it would likely put a damper on tourism, an important sector of our state economy, even if only unintentionally.

Simply put, this bill don’t hunt.”

SB 942 would have created the Oklahoma Aircraft Engine Testing Development Grant Program for the purpose of giving grant assistance to public or private entities to help increase aircraft engine testing capabilities and to develop aircraft engine testing infrastructure in Oklahoma.

Governor’s Veto Message:

“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.”

SB 976 would have created a 10-member Invasive Species Task Force to study and make recommendations on how to combat the spread of invasive species in the state.

Governor’s Veto Message:

“Enrolled Senate Bill 976 would create the Invasive Species Task Force—another government-backed task force whose stated mission can be accomplished without the necessity of legislation and likely without additional government involvement. Put simply, Senate Bill 976 is unnecessary.”

SB 1130 would have appropriated \$600 million to the Oklahoma Health Care Authority for FY 2024.

Governor’s Veto Message:

“Enrolled Senate Bill 1130 would sweep \$600,000,000.00 in enhanced FMAP funds from the Oklahoma Health Care Authority’s Disbursing Fund and appropriate it to the Oklahoma Health Care Authority, purportedly to cover a portion of the agency’s FY-24 appropriation.

The bill is imprudent. Right now, the Health Care Authority is disenrolling more than 300,000 Oklahomans who were added to Medicaid during the COVID-19 pandemic, but who no longer qualify. At the very least, then, decisions to pull this surplus from the Health Care Authority should be delayed until 2024, or after the unwinding period.

Additionally, this bill would punish the Health Care Authority for its fiscal conservatism and wise stewardship of taxpayer dollars. That’s simply wrong.

Finally, enhanced FMAP funds should be used to finance strategic health care initiatives and to make investments that will yield better health outcomes for generations of Oklahomans, not to do the ordinary work of the Health Care Authority.

Because the bill is imprudent, would punish the Health Care Authority for wise stewardship of taxpayer dollars, and because the long-term, strategic value of this appropriation has not been clearly established, I have vetoed Enrolled Senate Bill 1130.”

The following measures all contain the same veto message: SB 34, SB 58, SB 60, SB 123, SB 125, SB 162, SB 267, SB 369, SB 395, SB 479, SB 534 and SB 889.

Governor’s Veto Message:

“Oklahomans elected me to advocate on their behalf and fight for the taxpayer. I take this responsibility seriously and so I 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 ev-

ery 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.”

SB 34 would have updated statutory references to prevention of youth access to tobacco.

SB 58 would have extended the Board of Governors of the Licensed Architects, Landscape Architects and Registered Commercial Interior Designers of Oklahoma until 2026 in accordance with the provisions of the Oklahoma Sunset Law.

SB 60 would have extended the Board of Chiropractic Examiners until 2026 in accordance with the provisions of the Oklahoma Sunset Law.

SB 123 would have removed the requirement for a person not to have committed a class X infraction within 2 years of the parole eligibility date in order to be eligible for administrative parole.

SB 125 would have decreased the frequency of meetings required to be held by the Board of Trustees of the Law Library from once every month to once every quarter.

SB 162 would have extended the State Board of Examiners of Psychologists until 2025 in accordance with the Oklahoma Sunset Law.

SB 267 would have increased the membership of the Advancement of Wellness Advisory Council from 7 to 10 members.

SB 369 would have required an employer to provide for a criminal background check to be made before a nurse aide begins employment or a contract.

SB 395 would have created an income tax check-off to benefit the Recovering Oklahomans After Disaster organization beginning tax year 2024.

SB 479 would have expanded definitions of *uniformed service* and *uniformed-service voter* in the Uniform Military and Overseas Voters Act to include active and reserve members of Space Force.

SB 534 would have amended the gross adjusted income required to be eligible for the Family Support Program to a gross adjusted income that did not exceed 300 percent of the federal poverty level guidelines.

SB 889 would have modified the “Oklahoma Milk and Milk Products Act” to expand the definition of *dairy farm* to include operators who produce milk from any hoofed mammal, not just cows and goats. The measure also would have increased certain production fees and required the Oklahoma Department of Agriculture to cooperate with the United States Department of Health and Human Services and Food and Drug Administration for dairy inspection and grading.

The following bills were not signed by the Governor within 15 days of adjournment, resulting in a pocket veto. These measures all contain the same message: HB 1929, HB 2513, SB 27, SB 486 and SB 703.

Governor’s Veto Message:

“This is to advise you that on this date, pursuant to the authority vested in me by Article VI Section 11 of the Oklahoma Constitution to approve or object legislation presented to me, I did not act on House Bill 1929 within fifteen days of Final Adjournment of the Legislature. Therefore, Enrolled House Bill 1929 shall not become law.”

HB 1929 would have increased the age limit to receive successful adulthood services from 21 to 25.

HB 2513 would have created the Handle With Care (HWC) program, which would have enabled a law enforcement officer to notify the program when a child is exposed to a traumatic event.

SB 27 would have provided an SAT cut score of 1110, as an alternative to the required ACT cut score of 22, that a homeschooled student, or student graduating from a nonaccredited school must achieve in order to be eligible for an OHLAP scholarship. The measure would have also allowed a student who has completed the core curriculum graduation requirements to be eligible for an OHLAP scholarship to a CareerTech school.

SB 486 would have authorized the Oklahoma Historical Society to purchase passenger automobiles or buses with public funds.

SB 703 would have authorized the Oklahoma Tax Commission to apportion certain funds from the Multiple Injury Trust Fund to the Workers’ Compensation Commission Administrative and Revolving Funds. •



Appendix II

Legislative Production

Regular Session

	House Bills	House Joint Resolutions	Senate Bills	Senate Joint Resolutions
Requested	2,143	50	1,729	42
Introduced	1,945	45	1,251	22
Sent to Opposite Chamber	487	3	416	3
Conference Granted*	35	-	61	-
Sent to Governor	211	2	202	1
Approved by Governor	184	-	159	1
Filed with Secretary of State	5	2	14	-
Vetoed	16	-	39	-
Line Item Vetoed	-	-	-	-
Veto Override Attempts**	6	-	29	-
Law without Signature	11	-	4	-

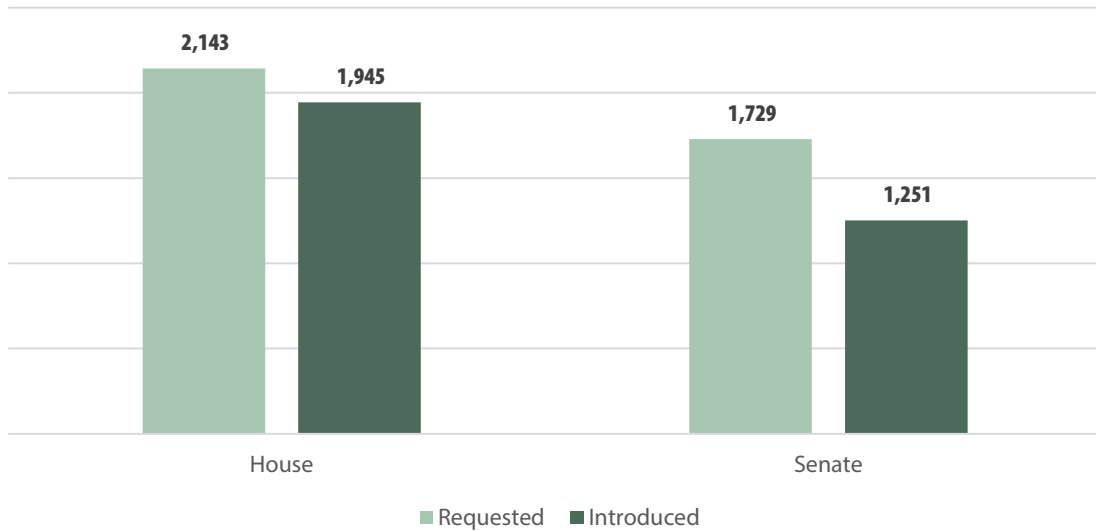
First Special Session

	House Bills	House Joint Resolutions	Senate Bills	Senate Joint Resolutions
Requested	54	2	44	-
Introduced	50	1	40	-
Sent to Opposite Chamber	30	3	27	-
Conference Granted*	NA	NA	NA	NA
Sent to Governor	28	-	24	-
Approved by Governor	-	-	-	-
Filed with Secretary of State	1	-	1	-
Vetoed	1	-	1	-
Line Item Vetoed	-	-	-	-
Veto Override Attempts**	1	-	1	-
Law without Signature	27	-	23	-

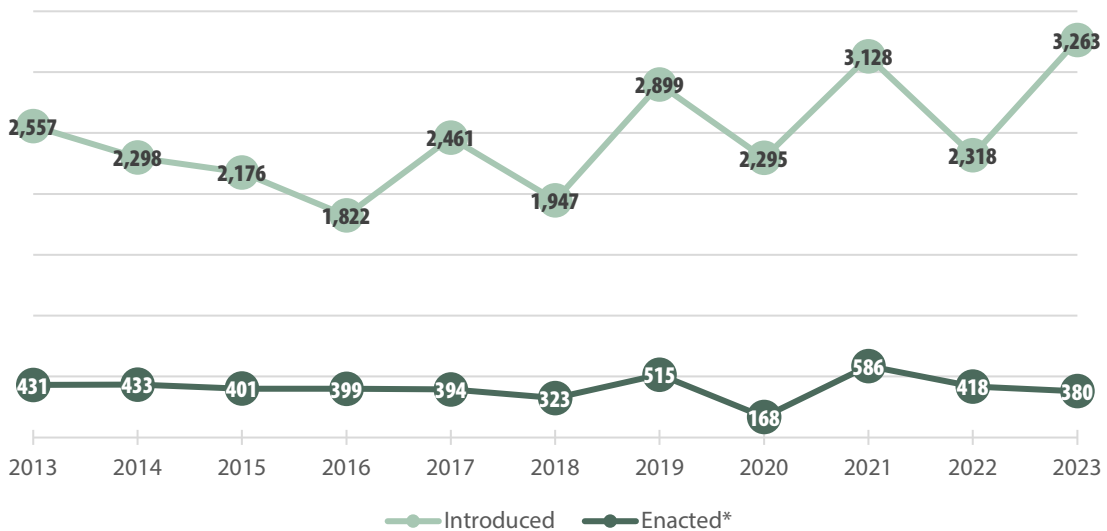
*Measures that were approved by both the House and Senate.

**Override count includes bills that were successfully overridden in one chamber, but not the opposite chamber.

Measures Requested and Introduced During the 2023 Regular Legislative Session



House and Senate Measures and Joint Resolutions During the 2023 Regular Legislative Session



*The number of enacted measures are calculated by adding Governor-approved measures to those filed with the Secretary of State, and those that became law without the Governor's signature.



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