



# Oklahoma State Senate: Session Overview

## Contents

Overview .....	2
Appropriations Overview .....	3
General and Miscellaneous Appropriations Measures .....	3
Medical Marijuana, Hemp, and Associated Products .....	5
Agriculture & Rural Measures .....	8
Agriculture Funding .....	9
Business & Labor .....	9
Corrections Funding .....	13
Office of Juvenile Affairs Funding .....	13
Economic Development & Commerce Measures .....	14
Commerce Funding .....	16
Historical Society Funding .....	17
Common Education .....	17
Career & Technology Education Funding .....	24
Common Education (K-12) Funding .....	25
Higher Education .....	27
Higher Education Funding .....	29
Hospital Authority Funding .....	29
Energy, Environment, & Utilities .....	30
Conservation Commission Funding .....	34
Corporation Commission Funding .....	34
Election Measures .....	34
County and Municipal Government .....	37
Public Finance .....	40

State Government .....	42
OMES Funding .....	47
Health Measures .....	47
Health Funding .....	57
Health Care Authority Funding .....	60
Mental Health & Substance Abuse Funding .....	60
Human Services .....	60
Human Services Funding .....	65
Insurance Measures .....	66
Liquor, Smoking, & Tobacco .....	71
Judiciary/Court Measures .....	73
Judiciary Funding .....	77
Professions & Occupations .....	78
Public Safety .....	82
Public Safety and Law Enforcement Funding ..	91
Public Employees- Retirement/Insurance/Pay/Benefits .....	92
Taxation and Tax Exemptions .....	94
Tax Commission Funding .....	99
Transportation, Vehicle, and License Measures .....	99
Transportation Funding .....	105
Veteran Measures .....	107
Veterans Funding .....	110
Senate & House Joint Resolutions .....	110
Vetoed Measures .....	110

## Overview

The Oklahoma State Senate convened the 1<sup>st</sup> Session of the 58<sup>th</sup> Legislature on February 1, 2020, to tackle a host of issues ranging from extending regulatory oversight related to marijuana, encouraging economic growth in the aftermath of COVID-19, adjusting Senate and House Districts to match the state's population, and to continue reforming the criminal justice system. The 58<sup>th</sup> Legislature also tackled the issue of rising utility bills following the prolonged North American winter storms of 2021.

The Oklahoma State Senate welcomed 7 new members to the body following the 2020 election, including Senators George Burns, Jo Ana Dossett, Jessica Garvin, Warren Hamilton, Jake Merrick, Cody Rogers, and Blake Stephens.

At the beginning of the 1<sup>st</sup> Session of the 58<sup>th</sup> Legislature, the Senate remained cautious as COVID-19 continued to infect Oklahomans. Retaining the option for its members to vote and appear for Senate business remotely, the Senate cautiously returned to normal business to maintain the safety of the public, its members, and its staff. Following the release of the vaccine in March to members of the public, the Senate began to phase out many of the COVID era restrictions it imposed in the 2020 Session.

With the successful expansion of medical marijuana growers and retailers throughout the state, the Legislature grew concerned with the emerging black market. To combat these issues, the Senate voted to tighten financial and license regulations.

The Senate also addressed matters relating to criminal justice reform and public safety. The passage of the Sarah Stitt Act and various measures relating to “restorative

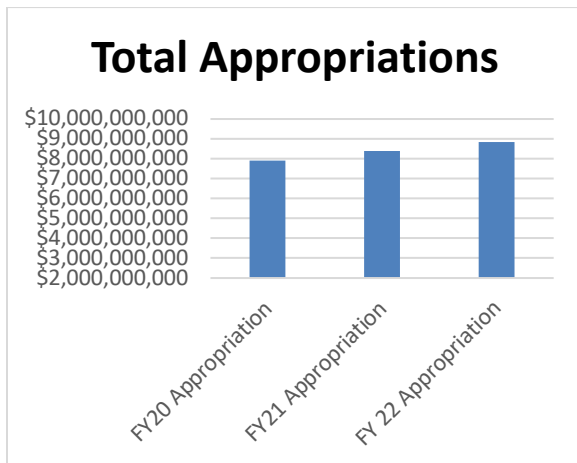
justice” as well as bail reform for medically frail patients helps to alleviate crowded prisons and provides prisoners with a viable path to reintegration. The newly created Unified State Law Enforcement Commission will examine the question of unifying state law enforcement entities to both reduce the administrative costs of public safety as well as increase coordination.

Mask mandates and the specter of “vaccine passports” also drove the Senate to action with the passage of SB 658. The measure prohibits any school district from implementing a mask mandate without consulting the county or state health department as well as prohibits the use of documents relating to proof of vaccination for entry.

## Appropriations Overview

**HB 2900** (Wallace/Thompson) became law on May 24, 2021, with the approval of the Governor. The measure provided \$9.1 billion in total appropriations, which included a \$212 million increase for common education. Additionally, the Health Care Authority a \$28 million budget increase to incorporate newly eligible Oklahomans that qualify for Medicaid services.

Subcommittee Budget	FY21 Total	FY22 GA Bill	Changes from Original
Education	\$3,953,211,053	\$4,165,614,219	5.37%
General Government and Transportation	\$1,019,645,842	\$1,005,808,701	-1.36%
Health	\$1,543,540,021	\$1,761,300,769	14.11%
HHS	\$844,317,829	\$849,821,728	0.65%
NRR	\$172,828,417	\$157,248,036	-9.01%
Public Safety and Justice	\$859,247,741	\$891,232,291	3.72%
Total FY'21 Appropriation vs. Total FY'22 Appropriation	\$3,953,211,053	\$4,165,614,219	5.37%



Additionally, the Legislature needed to encourage economic recovery in the pandemic's aftermath. The Senate chose to lower individual and corporate income taxes in HB's 2962 and 2960 respectively to encourage investment and job growth.

## General and Miscellaneous Appropriations Measures

**SB 1076** (Thompson/Wallace) directs the Oklahoma Tourism and Recreation Department to make available matching funds to multicounty organizations using funds appropriated to it in HB 2900.

**SB 1077** (Thompson/Wallace) extends the maximum 7% workers' compensation premium assessment for the Multiple Injury Trust Fund for a five-year period until fiscal year 2027.

**SB 1083** (Thompson/Wallace) sunsets provisions of law relating to the Oklahoma Capitol Improvement Authority issuing notes, bonds, or other evidences of obligation for the construction of the State Health Laboratory on July 1, 2025, if the Authority has failed to issue such evidences of obligation by the sunset date.

**HB 2780** (Pfeiffer/Rader) adds unpaid mixed beverage gross receipts tax to taxes for which corporations, limited liability corporations and other legal entities are personally liable. The measure provides that a claim for refund of erroneously paid sales taxes may only be made if a vendor refuses to honor proof of eligibility for sales tax exemptions. Additionally, the measure authorizes the Oklahoma Tax Commission (OTC) to enter into a contract with a state agency to assist in the collection of any state tax, penalty, or interest in which that agency has authority to collect and control. The Commission must charge a collection assistance fee to the agency equal to 10% of the total amount collected. OTC may also enter into the same type of contract with the Oklahoma Employment Security Commission and have the authority to collect and enforce unemployment tax, penalties, and interest. The OTC may

garnish the accrued earnings of a delinquent taxpayer by sending notice and specific procedures to the taxpayer's employer and places liability on the employer for the total amount of delinquent taxes if they willfully disregard or refuse a notice from OTC regarding the delinquency of an employee. The measure also increases the time period from 5 days to 15 days, in which delinquent taxes must be remitted when OTC contracts with a debt collections agency. Additionally, the measure removes the name of the County Government Education Technical Revolving Fund and alters it to an agency special account to be used for the collection and distribution of documentary stamp revenues, the apportionment of which shall start in the fiscal year ending June 30, 2022. Any funds remaining in the revolving fund's reserve account on November 1, 2021, shall be transferred to the special agency account. The measure also allows OTC to distribute funds from the agency special account to the Oklahoma State University Center for Local Government Technology or the Oklahoma Cooperative Extension Service County Training Program. The measure also limits the liability of incentive payments made for film production rebates to the balance of the Oklahoma Film Enhancement Rebate Program Revolving Fund.

**HB 2870** (Wallace/Thompson) authorizes the Commissioners of the Land Office to pay fees to multiple custodial banks as well as investment consultants from certain funds. The measure also directs the CLO to require written competitive bids for custodial banks every 10 years rather than every 5 years.

**HB 2893** (Wallace/Thompson) modifies the apportionment of taxes and fees collected from the insurance premium tax to the Oklahoma Firefighters Pension and Retirement Fund, the Oklahoma Police

Pension and Retirement System, the Law Enforcement Retirement Fund, and the Education Reform Revolving Fund.

**HB 2894** (Wallace/Thompson) eliminates the second year of an insurance premium tax apportionment change provided in HB 2741 (2020).

**HB 2897** (Wallace/Thompson) creates a revolving fund in the state treasury for the Ethics Commission to be known as the "Ethics Commission Online Filing Revolving Fund." The fund shall be a continuing fund and the deposits to the fund shall consist of the first \$200,000.00 designated for deposit to the fund. Monies in the fund may be used by the Commission to develop, maintain, and administer the Commission's online filing system and for payment of fees and charges to other state agencies for information technology services.

**HB 2898** (Wallace/Thompson) provides that all monies submitted by sheriffs to the Oklahoma State Bureau of Investigation as processing fees for applications for a handgun license are to be deposited in the General Revenue Fund beginning July 1, 2022.

**HB 2907** (Wallace/Thompson) directs the Oklahoma Conservation Commission's Master Irrigator Program to utilize appropriated dollars as follows:

- 1) \$90,000.00 for training and
- 2) \$50,000.00 for research on the Ogallala Aquifer

**HB 2910** (Wallace/Thompson) authorizes certain state agencies to establish a Capital Account Fund consisting of funds from the agencies' standard appropriations for the

purpose of maintaining, repairing and improving agency property.

**HB 2911** (Wallace/Thompson) exempts the Department of Tourism and Recreation from the requirement that state agencies allocate 1.5% of expenditures for capital projects to the Oklahoma Arts Council to fund the Art in Public Places Act.

**HB 2951** (Wallace/Thompson) creates the State-Tribal Litigation Revolving Fund for the purpose of hiring legal counsel and paying expenses related to legal controversies between the State and tribal governments. The measure provides that if these provisions are found unconstitutional, the balance of the Fund shall be reverted to the General Revenue Fund.

### **Medical Marijuana, Hemp, and Associated Products**

**SB 460** (Paxton/Fetgatter) authorizes industrial hemp growers to remediate any industrial hemp so long as all THC is removed and it is processed as Cannabidiol.

**SB 862** (Paxton/Bush) provides that buildings owned by a county or municipal government as well as trusts or authorities with a county or municipal government as the beneficiary to be designated as smoke free locations. Such locations prohibit the use of tobacco, nicotine, marijuana, or other lawful products consumed in a smoked or vaporized manner.

**SB 1033** (Leewright/Fetgatter) caps the number of patients a caregiver may cultivate medical marijuana plants for at no more than 5 licensed patients. The measure provides for medical marijuana establishments to maintain a building within 1000 feet of a new school building provided the license for such an establishment was granted prior to the establishment of the building or there

was an error of measurement as it relates to the distance of the dispensary from the school. The measurement shall be based on the distance in a straight line from the school door nearest the front door of the retail marijuana establishment to the front door of the retail marijuana establishment. The measure also clarifies that any original medical marijuana business license issued on or after June 26, 2018, by the Authority, for a medical marijuana commercial grower, a medical marijuana processor, or a medical marijuana dispensary shall be deemed to have been grandfathered into the location on the date the original license was first issued and provides for the grandfathered status to be transferred is a change in ownership occurs. The Medical Marijuana Authority shall not deny any issuance or renewal of licensure, deny any transfer of licensure due to a change in ownership, or revoke any license due to mistake in measurement by the Authority. The measure authorizes municipalities to object to the continued licensure of the grandfathered medical marijuana dispensary when it is operating contrary to the required setback distance from a public or private school. Upon the municipal government providing the required documentation outlined in the measure, the Authority shall not renew or transfer the medical marijuana dispensary license and shall cause the license to be revoked. The measure also clarifies that “marijuana” shall not include any plant or material containing delta-8 or delta-10 tetrahydrocannabinol which is grown, processed or sold pursuant to the provisions of the Oklahoma Industrial Hemp Program. The State Department of Health is authorized by the measure to enter into and negotiate the terms of a Memorandum of Understanding between the Department and other state agencies concerning the enforcement of laws regulating medical marijuana by the measure. Additionally, the

measure requires each medical marijuana research facility, medical marijuana education facility, and medical marijuana waste disposal facility develop written standard operating procedures outlining the way it operates its seed-to-sale tracking system. Additionally, the measure authorizes a publicly traded company as defined in the measure may purchase up to 40% of the equity in an existing Oklahoma business that holds a valid Oklahoma medical marijuana grower, processor or transporter license. Such a business must hold a valid medical marijuana grower, processor or transporter license for at least 18 months prior to the investment. A licensed medical marijuana dispensary shall not be qualified for investment or equity purchase. The measure also expands medical marijuana waste to include any products deemed to have failed laboratory testing and cannot be remediated or decontaminated. Medical marijuana waste shall also include products from a medical marijuana business facility deemed to have gone out of business or products that are unable to be lawfully transferred or sold to another commercial licensee. After November 1, 2021, the measure eliminates the cap on medical marijuana waste licenses that may be issued. The State Department of Health is authorized by the measure to enter into a contract with the Oklahoma Tax Commission to collect and enforce the 7% tax on retail medical marijuana sales. The assessment, collection, and enforcement authority shall apply to any tax and any penalty or interest liability on retail medical marijuana sales existing at the time of contracting. The Commission may charge the Department a 1.5% fee on the gross collection proceeds.

**HB 2272** (Josh West/Murdock) requires current medical marijuana business licensees and applicants seeking licensure as a medical marijuana business to respectively

submit an attestation confirming or denying the existence of any foreign financial interests in the medical marijuana business operation and to disclose such ownership within 60 days to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control or the Medical Marijuana Authority. Failure to submit the attestation or accompanying information to the Bureau within the specified 60-day period shall result in the immediate revocation of the medical marijuana business license.

**HB 2279** (Josh West/Kidd) creates the Oklahoma Industrial Hemp Remediation Program and provides definitions for terms used in the act, including Hemp Program, which is defined as the Oklahoma Hemp Industrial Reform Program and any final ruling from the USDA. The measure allows a person licensed by the Oklahoma Department of Agriculture, Food, and Forestry whose hemp is deemed noncompliant with the Hemp Program to request approval from the Department to remediate the hemp. The licensee must promptly have the hemp extracted by a licensed processor into concentrated form and sampled by a certified laboratory for THC levels if approved. If the samples are below USDA levels for THC, the hemp is compliant and can be sold commercially. If the samples are noncompliant, the Department must be notified and the samples must be destroyed.

**HB 2646** (Echols/Taylor) changes several provisions of law relating to medical marijuana usage, production, and disposal. The measure provides that patient licenses must be signed by an Oklahoma physician licensed by and in good standing with the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners. Patients are authorized by the measure to request the

withdrawal of their caregiver's license at any time. The measure extends the time for the Department of Health to review dispensary licenses from 2 weeks to 90 days. Additionally, the measure authorizes dispensaries to package and sell prerolled marijuana to licensed medical marijuana patients and licensed caregivers. Such products shall contain only the ground parts of the marijuana plant and shall not include marijuana concentrates or derivatives and may not exceed 1 gram. Dispensaries are also prohibited from displaying or offering for sale products not contained in a sealed or separate package. Commercial growers are authorized by the measure to sell pre-rolled marijuana to dispensaries. Such products shall be subject to the same limitations placed on dispensaries as it relates to prerolled marijuana. Additionally, the measure provides that the State Department of Health may issue 2 types of processor licenses for hazardous and non-hazardous materials. Licensed commercial growers may transfer medical marijuana that has failed testing to a licensed processor only for the purposes of decontamination or remediation. The measure clarifies that the Department may also inspect a processing facility up to 2 times a year. The Department is also directed to establish regulations which require a medical marijuana business to submit information to the Oklahoma Medical Marijuana Authority deemed reasonably necessary to assist the Authority in the prevention of diversion of medical marijuana by a licensed medical marijuana business. Business licensees are required to submit a sample or unit of medical marijuana or medical marijuana product to the quality assurance laboratory when the Department has reason to believe the medical marijuana or medical marijuana product may be unsafe for patient consumption. The measure establishes fines for fraudulently reporting within a 2-year

period information as well. The fine is set at \$5,000.00 for the first violation and \$10,000.00 for second and subsequent violations. Licensees whose license was suspended or revoked during the 5 years preceding an application shall be denied a license. The Department is authorized by the measure to issue a written order to any licensee the Department has reason to believe has committed a violation. The written order shall state with specificity the nature of the violation and shall become a final order not more than 30 days after the order is served to the licensee. The licensee may request an administrative hearing. The Department is authorized by the measure to issue an emergency order in certain circumstances. Entities failing to comply with the emergency order shall be subject to a \$10,000.00 fine per day of noncompliance. Additionally, unless the Department determines otherwise, an application that has been resubmitted but is still incomplete or contains errors that are not clerical or typographical in nature shall be denied. The measure directs the Department to issue medical marijuana transporter licenses to licensed medical marijuana research facilities, medical marijuana education facilities and medical marijuana testing laboratories upon issuance of such license and upon renewal. Laboratories may not be owned by any person with a business interest in a licensed medical marijuana business or any person who is related to a person with an interest in the commercial aspects of the industry. The measure specifies that distance from schools is to be measured from the nearest property line of the school to the nearest perimeter wall of the dispensary. Properties that are not used for classroom instruction on core curriculum and are not on the same campus as a building used for such do not constitute a school. The establishment of a school within 1,000 feet of an already existing dispensary

shall not be cause for revocation or nonrenewal of the license. The measure also authorizes the Department to appoint 8 additional members to the Medical Marijuana Advisory Council. The measure requires the makeup of the council to include members of the medical marijuana industry. Any person who manufactures, distributes, dispenses, prescribes, administers or uses for scientific purposes any controlled dangerous substances within or into this state without first obtaining a registration issued by the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall be subject to the same statutory and administrative jurisdiction of the Director as if that person were an applicant or registrant.

### **Agriculture & Rural Measures**

**SB 775** (Murdock/Dempsey) authorizes the Oklahoma Department of Agriculture, Food, and Forestry to create a Livestock Offender Registry and to provide access to this registry to the public on the Department's website. Counties in which the offender is convicted shall submit a certified copy of the judgment and sentence confirming the conviction for entry in the Livestock Offender Registry to the Oklahoma Department of Agriculture, Food, and Forestry or to a statewide livestock organization designated by the Department.

**SB 812** (Murdock/Fetgatter) provides for the court to order a person to surrender his or her hunting or fishing license to an officer from the Department of Wildlife Conservation present at the hearing upon conviction of a violation relating to certain violations. The measure also authorizes the court clerk to transmit the conviction information by using an electronic method authorized by the Department of Wildlife Conservation.

**SB 839** (Dahm/Sean Roberts) specifies that a game warden shall not have the authority to use or place a game or wildlife camera on private property without the permission of the owner or controller of the property.

**SB 844** (Dahm/Gann) repeals the provision of law entering Oklahoma into the Southern Dairy Compact.

**HB 1001** (Bush/Hall) clarifies the data required to be maintained by a scrap metal dealer. The measure provides that any federally recognized identification card can be used and requires a vehicle identification number to be recorded if no license plate is affixed. Items purchased by a buyer or sold by a dealer must be captured digitally and records of the transaction must be maintained for at least 2 years after the date of sale. The measure removes separate requirements for recording data about purchases of scrap metal under 35 pounds and of purchases 35 pounds and over. The person selling the scrap must provide either a certificate of title, a notarized power of attorney from the individual on the title authorizing the seller to dispose of the vehicle on their behalf, or a statement of ownership from the seller accompanied by a bill of sale from the lawful owner. The measure places any copper wire that is 4 gauge or larger and any copper wire from which the insulation or coating has been burned or melted, as well as remote storage batteries, under the provisions of the Scrap Metal Dealers Act.

**HB 1032** (Mize/Pugh) changes the name of the Home Bakery Act of 2013 to the Homemade Food Freedom Act. The measure provides that the production and sale of homemade food products that meet the certain conditions outlined in the measure shall be exempt from licensing requirements. Such conditions shall regulate



the sale and delivery of non-time- or -temperature-controlled-for-safety homemade food products and requires such products to be sold directly to the consumer from the producer. Producers are also required to complete at least 8 hours of training approved by the Oklahoma Department of Agriculture, Food, and Forestry. Homemade food products must also have a label affixed to its packaging.

**HB 1620** (Mize/Montgomery) prevents any political subdivision or the state government from prohibiting agritourism activities, which is defined as using livestock or other animals for entertainment or educational purposes.

**HB 1631** (David Hardin/Murdock) requires nutrient management plans for new or expanding poultry feeding operations to be prepared by the operator or designee of the operator. The plan must be submitted to the Oklahoma Department of Agriculture, Food and Forestry for review and approval. Every nutrient plan must be updated and submitted to the Department every 6 years. The measure also allows a current operator to submit a 1-page amendment to the most recently submitted plan in lieu of a renewal plan.

**HB 2214** (McDugle/Murdock) provides that every annual license issued by the Oklahoma Wildlife Conservation Commission shall be valid for a full 365 days after issuance notwithstanding any provision of law or rule to the contrary.

**HB 2325** (Frix/Bergstrom) provides that escort vehicle requirements shall not apply to retail implement dealers transporting farm implements from a retail distribution point to a farm or other location within a 150 air-mile radius from the distribution point.

**HB 2364** (Burns/Murdock) prohibits anyone from labelling a bovine product as “Oklahoma Certified Beef” unless the product was bred, born, raised, and slaughtered in the state.

**HB 2467** (Kerbs/Murdock) repeals the Fuel Alcohol Act.

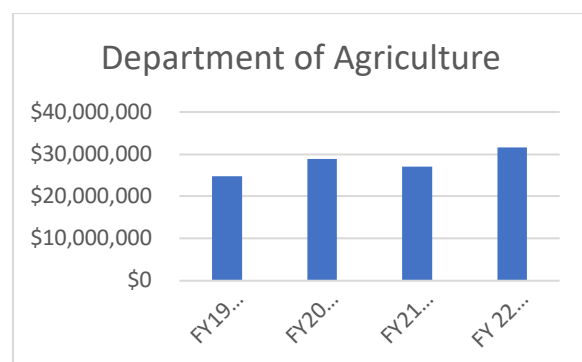
**HB 2471** (Dick Lowe/Kidd) allows the Department of Agriculture to establish expiration dates and renewal due dates for pesticide applicator licenses.

### Agriculture Funding

**HB 2906** (Wallace/Thompson) directs the Department of Agriculture to utilize appropriated dollars as follows:

- 1) \$3 million for the Oklahoma State University College of Veterinary Medicine;
- 2) \$2 million for the Oklahoma State University Agriculture Extension Service;
- 3) \$1 million for the Oklahoma State University Agriculture Experiment Stations;
- 4) \$150,000.00 for facility improvements for cattle stock shows; and
- 5) \$300,000.00 to hire additional meat inspectors.

Agency	FY21 Appropriation	FY22 Appropriation	Change From Original
Department of Agriculture	\$26,989,607	\$31,527,896	16.81%



### Business & Labor

**SB 200** (Montgomery/Pae) authorizes a victim of domestic violence, sexual violence, or stalking to terminate a lease without penalty by providing written notice and a protective order within 30 days of the incident to his or her landlord. The landlord may waive the 30-day deadline.

Additionally, the measure prohibits any landlord from denying renewal of or terminating a lease because the applicant or tenant is a victim or alleged victim of domestic violence, sexual violence, or stalking regardless of whether there exists a current protective order. The measure also prohibits any landlord from denying an applicant tenancy or retaliate against a tenant because the applicant or tenant has previously terminated a rental agreement using the provisions outlined in this measure.

**SB 228** (Montgomery/O'Donnell) modifies certain provisions of the Oklahoma General Corporation Act. The measure authorizes written notice to be provided in an electronic format as it applies to organization meetings of a corporate board and notification applying to the transfer of stock. The measure additionally authorizes members of a board to consent to an action that will be effective at a future time, provided the action occurs within 60 days. The measure also creates a new section of law governing the document form, signature requirements, and delivery requirements of electronic documents. The measure provides for the issuance of capitol stock to be issued in one or more transactions in a manner outlined in a resolution passed by the board. The resolution must fix a maximum number of shares that may be issued and a schedule of issuance. Stock may be issued in a manner dependent upon facts ascertainable outside the formula adopted by the board, provided the manner in which such facts shall operate upon the formula is clearly and expressly set

forth in the formula or in the resolution approving the formula. The measure states that a corporation may not send defective corporate act to its shareholders for ratification provided there are no shares of valid stock outstanding and entitled to vote. The measure also defines a stock ledger to mean records administered by or on behalf of the corporation in which the names of all the corporation's shareholders of record, the address and number of shares registered in the name of each such shareholder, and all issuances and transfers of stock of the corporation are recorded. The measure removes outdated language relating to telegrams and replaces it with electronic transmissions as it relates to granting consent for certain actions. The measure requires corporation merger agreements to clearly show any changes made to the certificate of incorporation of the surviving corporation or a statement showing that the merger shall not amend the certificate if the merger includes a domestic corporation. In cases of consolidation, the certificate must be as set forth in the consolidation agreement.

**SB 273** (Quinn/Miller) requires any person preparing or persons charging a fee for the preparation or assistance in preparation of lien notices on personal property to register with the Oklahoma Tax Commission and submit a \$50.00 annual registration fee. Any person found to prepare or assist in the preparation of a lien notice without registration shall be assessed a \$100.00 penalty. The provisions of this measure do not apply to a lawful possessor or employee of a lawful possessor of the property for which such notices are issued.

**SB 335** (Pederson/Newton) provides a mechanism to revert burial sites to public or private cemeteries. The measure requires the site to be unused for 75 years and a

reasonable search to find the owner is to be conducted by the entity responsible for the site. A reasonable search, as defined by the measure, includes sending a certified letter to the last known address associated with the site on record and publishing a description of the site in a newspaper qualified to publish public notices. If no address is on file, no letter will be required. If no person proves their claim on the site within one year of publication in the paper, the site will be deemed abandoned. Any person with a legitimate claim on a site deemed abandoned shall be compensated with a plot equal in value to the site deemed abandoned.

**SB 549** (Standridge/Frix) provides that neither a relocation permit nor any outdoor advertising sign permit shall be issued in those areas in which a municipality or county has lawfully enacted a prohibition on the erection of an outdoor advertising sign.

**SB 552** (Murdock/Martinez) increases the maximum bracket amounts a pawn shop may levy on finance charges by the following amounts:

- 1) \$250.00 from \$100.00 for 20%,
- 2) \$500.00 from \$250.00 for 15%,
- 3) \$1,000.00 from \$500.00 for 10% and,
- 4) \$5,000.00 from \$1,000.00 for 5%

**SB 568** (Montgomery/Hilbert) exempts sales of securities offered by corporations that meet the requirements of the federal exemption for intrastate offerings sold to persons residing in the state from the provisions of the Oklahoma Uniform Securities Act of 2004. Such sales shall be limited to \$5 million transactions and shall not exceed \$5,000.00 per individual. The issuer shall be required to hold the funds in an escrow account and shall be required to make certain notifications. Certain entities are prohibited from offering securities using the provisions of the measure.

**SB 792** (Leewright/Manger) provides for the Insurance Commissioner to authorize a bondsman exceeding the maximum amount of Federal Deposit Insurance Corporation basic deposit coverage when a state of emergency or disaster is declared. The measure also requires bondsmen to deposit cash or other forms of compensation within 2 business days after receiving such compensation in an established, separate non-interest-bearing trust account. Additionally, the measure provides for bonds posted for a petition for revocation of a suspended sentence, a petition for acceleration of a deferred sentence or any violation of a probationary term to be exonerated by operation of law in certain circumstances. Premiums for a bail bond shall be considered earned when the defendant on the bond is released from custody and is not incarcerated in any capacity or if the bondsman and the payor of the bond premium have agreed in writing that the purpose of the bond is to secure the transfer of the defendant to another jurisdiction. The payor of the premium or the depositor of any collateral may request the return of any unearned bond premiums.

**SB 794** (Leewright/Wallace) requires the Oklahoma Employment Security Commission (OESC) to shift its filing methods to prefer electronic e-filing and provides for the Commission to complete the process during its OESC 2020-21 business process transformation. All claimants and employers tendering documents to the Commission will be expected to tender the documents electronically. The measure also exempts employees of private for-profit entities that provide to or on behalf of an educational institution from the requirement to pay unemployment benefits in on the same terms and subject to the same conditions as

benefits payable on the basis of other service subject to the Employment Security Act of 1980. Additionally, the measure specifies that an individual, seasonal employee shall only be eligible for payments based on the wages of the nonseasonal employment. The OESC is required by the measure to send notice of overpayment to any individual receiving more compensation than he or she is entitled to. If the individual disagrees with this determination, the individual may file an appeal of the determination with the Appeal Tribunal within 10 days of receipt. The OESC is also authorized to enter into an agreement with the Department of Human Services for information required to identify persons that owe child support obligations. The measure also requires the OESC to return overpayments received in the Employer's Unemployment Tax Account. The measure directs the OESC to return the remaining balance of the employer's unemployment tax account to the employer upon terminating the employer's account, unless the balance has remained the same for over 180 days and the employer has not requested a refund.

**SB 796** (Leewright/McEntire) increases the cap on loan finance charges for supervised lenders from 27% to 32% per year on that part of the unpaid balances of the principal which is \$7,000.00 or less and adjusts the other tiers accordingly. The measure also provides for lenders to assess a up to a \$28.85 closing fee.

**SB 1013** (Daniels/Kannady) provides for litigation files and investigatory reports of the Workers' Compensation Commission to be considered confidential. The measure also allows an attorney of the Compliance Division of the Commission or an investigator of the Division to provide testimony on matters the employee has

received through the performance of the employee's duties.

**HB 1034** (Mize/Pugh) requires banks and credit unions to transfer the money to the known heirs of the deceased without requiring the heirs to open an additional account if the owner of a bank or credit union account with \$50,000.00 or less dies and has no payable-on-death beneficiary if no probate proceedings are pending. The affidavit sworn to and signed by the known heirs establishing jurisdiction, heirship and intestacy may contain a clause indemnifying the bank from any damages relating to the release of the funds. The measure provides that in the event of pending probate proceedings, the release of the deposits in the account shall be determined by the court.

**HB 1112** (Talley/Allen) eliminates statutory hunting seasons and authorizes the Wildlife Conservation Commission to establish hunting season timeframes.

**HB 1772** (Sims/Pugh) requires the State Board of Health to provide a multi-seasonal license for snow cone stands that sell hot beverages in addition to snow cones. Snow cone stands that do not sell hot beverages will be classified as a seasonal food establishment.

**HB 2026** (O'Donnell/Daniels) amends the definition of employee as it relates to the Administrative Workers' Compensation Act to no longer exclude persons who provide services in a medical care or social services program or participants in a work or training program administered by the Department of Human Services.

**HB 2238** (May/Rader) provides that persons are not prohibited from soliciting rides, donations, employment, or business from occupants of vehicles on roadways

maintained by a city or town if they are in compliance with a permit and regulations adopted by ordinance.

**HB 2397** (Russ/Howard) includes judgement liens and their holders as it relates to current law regulating title insurers.

**HB 2398** (Russ/Howard) includes judgement liens in certain requirements regarding debt payments on real estate. The measure also allows an agent representing a mortgagor or debtor to request the release of a mortgage or lien if the holder has failed to do so within 30 days after payment of the debt.

**HB 2501** (Culver/Bullard) defines “authorized agent or representative” within the Oklahoma Abstractors Act. The measure authorizes the release of an abstract to an authorized agent or representative of the owner.

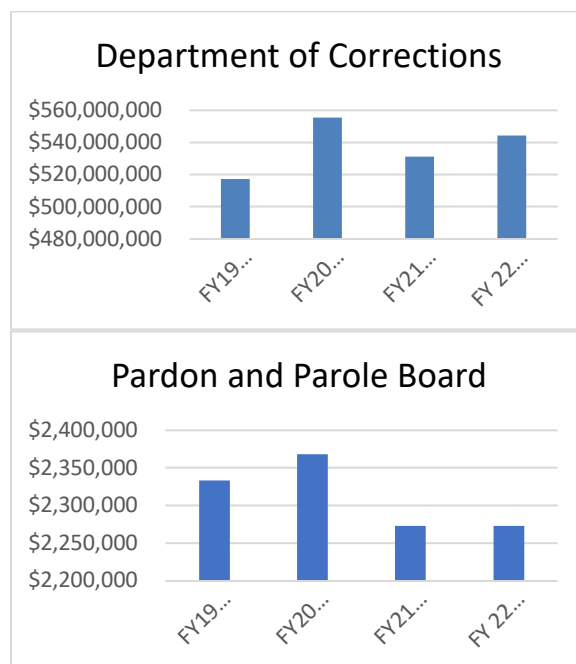
**HB 2568** (Chad Caldwell/Murdock) authorizes Oklahoma banks and credit unions to offer savings promotion raffles as defined in the measure and provides that such raffles shall not constitute a violation of the provisions of Oklahoma lottery and gambling laws.

**HB 2677** (Marti/McCortney) modifies several provisions of the Pharmacy Audit Integrity Act. The measure strikes language relating to appeal procedures to be specifically described in a contract between a pharmacy and the entity conducting the audit and requires the auditing entity to give the required written notice by certified letter. A 30-day notice is required to be given prior to a wholesale purchase audit as well. Audits are reduced from 75 prescriptions per year per pharmacist to 50 per year per pharmacist and must be delivered within 10 days.

Pharmacists may reverse and resubmit claims within 30 days of receipt of the final audit report. Auditors are required to conduct each pharmacy audit under identical standards, regularity, and parameters as similarly situated pharmacies. Additionally, pharmacists are not required to open for single-patient-use only packaging nor are they required to submit a full dispensing report in a wholesale purchase review.

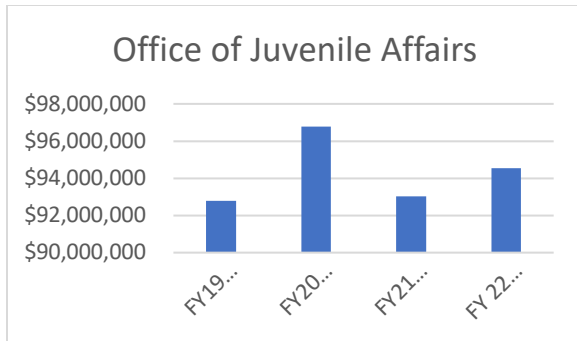
### Corrections Funding

Agency	FY21 Appropriation	FY22 Appropriation	Change From Original
Department of Corrections	\$531,112,247	\$544,278,904	2.48%
Pardon and Parole	\$2,273,400	\$2,273,400	0.00%



### Office of Juvenile Affairs Funding Law Enforcement Funding

Agency	FY21 Appropriation	FY22 Appropriation	Change From Original
Office of Juvenile Affairs	\$96,795,111	\$93,033,434	-3.89%



## Economic Development & Commerce Measures

**SB 71** (Bergstrom/McDugle) requires the Oklahoma Department of Commerce to, in addition to the other rulemaking requirements relating to the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act, establish reporting requirements for the purpose of collecting data.

**SB 587** (Howard/Boles) adds entities subject to the jurisdiction of the State Board of Career and Technology Education or the Oklahoma State Regents for Higher Education to the list of eligible local government entities as it relates to the Oklahoma Community Economic Development Pooled Finance Act.

**SB 608** (Hall/Fetgatter) creates the Filmed in Oklahoma Act of 2021. The measure provides for the establishment of an incentive rebate program for certain film projects and eligible television series projects filmed or produced in Oklahoma that meet the requirements outlined in the measure. Such projects must provide evidence that all Oklahoma crew and local vendors have been paid and that there are no pending liens against the production company, file appropriate tax returns, provide evidence of financing for production prior to the commencement of principal photography, provide evidence of a certificate of general liability insurance with

a minimum coverage of \$1 million and a workers' compensation policy, and provide evidence that the projects are completed. Companies cannot simultaneously claim the rebate and the sales tax exemption provided for in current law or the rebate provided in the Compete with Canada Film Act. If a production company has received the exemption from sales taxes and submits a claim for rebate pursuant to the provisions of this act, the company shall be required to fully repay the amount of the exemption to the Tax Commission. The program shall be administered by the Oklahoma Department of Commerce and the Oklahoma Tax Commission. The Department shall be required to submit an annual report to the President Pro Tempore of the Seante, Speaker of the House, the Chair of the Appropriations and Budget Committee of the House of Representatives, the Chair of the Appropriations Committee of the Senate, and the Director of the Legislative Office of Fiscal Transparency detailing the program and incentive rebate payments on October 1 of each year. The total amount of rebate payments conditionally pre-qualified by the Department of Commerce each fiscal year shall not exceed \$30 million. The measure also caps the amount of rebates awarded to projects based on the expenditure of the individual project. The base incentive amount for a project filmed in this state shall be a maximum of 20% of the qualified production expenditure amount. An incentive for a project filmed in this state for wages paid to nonresident crew, not including above-the-line personnel, before July 1, 2023, shall be provided in the amount of 7.5%. The measure provides additional incentives to projects that film or locate in certain areas outlined in the measure. The measure also requires projects to utilize apprentices and display a Department-approved logo in the end credits to qualify for the rebate. Additionally, the

measure creates the Filmed in Oklahoma Program Revolving Fund and provides for \$30 million to be transferred to the Fund using monies derived from the income tax.

**SB 609** (Coleman/Hilbert) provides that the minimum investment into real property must be valued at a minimum of \$500,000.00 to qualify for the investment income tax exemption during calendar year 2022. The amount shall increase annually based on the previous year's increase in the Consumer Price Index-All Urban Consumers. To qualify for the exemption using newly created jobs, the measure requires corporations to maintain an average annualized wage which equals or exceeds the average wage requirement in the Oklahoma Quality Jobs Program Act for the year in which the real or personal property was placed into service, depending on location. Additionally, the measure expands eligibility for the program to include facilities engaged in the manufacturing, compounding, processing or fabrication of materials into articles of tangible personal property. The measure also modifies the definition of facility and facilities to specify that the land, buildings, structures, and improvements must be used directly and exclusively in the manufacturing process. Effective January 1, 2022, and for each calendar year thereafter, for establishments with a manufacturer exemption permit and facilities engaged in manufacturing activities classified in the NAICS Manual under Industry numbers 311111 through 339999, facility and facilities also includes machinery, fixtures, equipment, and other personal property used directly and exclusively in the manufacturing process. The measure specifies that districts that are wholly or partially comprised or become comprised of industries operating under NAICS code 518210 shall not be subject to certain findings requirements.

**SB 659** (Rosino/Hilbert) creates the Unmanned Aircraft Systems Development Act of 2021. The measure establishes the Oklahoma Aeronautics Commission as the Clearinghouse for Unmanned Aircraft Systems (UAS). The Clearinghouse shall create a partnership between those persons and entities that currently operate UAS, those that desire to use this technology in the future, and any other entity that supports the research and development of UAS. The measure also directs the Clearinghouse to coordinate with other government entities to develop UAS in the state. Additionally, the measure updates several terms within the Oklahoma Aeronautics Commission Act.

**SB 739** (Leewright/Bashore) transfers the regulatory authority relating to the Oklahoma Tourism Development Act from the Tourism and Recreation Department to the Oklahoma Department of Commerce. The measure also provides for the Department of Commerce to prepare the report required to determine the company's qualifications. The fee for utilizing the Department in this manner is set at no less than \$5,000.00.

**SB 893** (Pugh/Fetgatter) clarifies that "qualified program" as it relates to the income tax credit for aerospace employees shall include graduate and undergraduate programs. The undergraduate and graduate programs of the same discipline of engineering at an institution shall be part of the qualified program if either program is ABET accredited. The measure modifies "qualified employee" to require such persons to possess either an undergraduate or graduate degree from a qualified program by an institution or be a licensed Professional Engineer.

**SB 922** (Howard/Kendrix) creates the Invest In Oklahoma Act. The measure directs the Oklahoma Department of Commerce to create the Invest In Oklahoma Fund to provide entities funds with opportunities to invest in Oklahoma-based private equity funds, venture capital funds, and growth funds. The Department is directed to select venture capital funds to qualify for investments within the Invest In Oklahoma Fund based on factors outlined in the measure. Qualified public entities may invest up to 5% of their principal into the Fund. The Department is directed to maintain a list of entities participating in the program.

**SB 949** (Hall/Hill) transfers all administrative rules and responsibilities relating to the Oklahoma Film and Music Office to be transferred from the Oklahoma Tourism and Recreation Department to the Oklahoma Department of Commerce.

**HB 1124** (Phillips/Leewright) directs the Department of Commerce to promulgate rules and procedures for the establishment of the State Broadband Deployment Grant Program with the participation and advice of the Rural Broadband Expansion Council. The State Broadband Deployment Grant Program shall include development of a competitive grant program to award funding to applicants seeking to expand access to broadband Internet service. The measure also creates the State Broadband Deployment Grant Program Fund.

**HB 2040** (McCall/Leewright) provides definitions for certain telecommunications and broadband related terms, including “Broadband”, “Eligible entity”, “Served area”, “Underserved area”, “Unserved area”, and “Wireless Internet service provider”. The measure also directs the Rural Broadband Expansion Council to develop a

set of broadband incentive award guidelines to recommend to the Legislature.

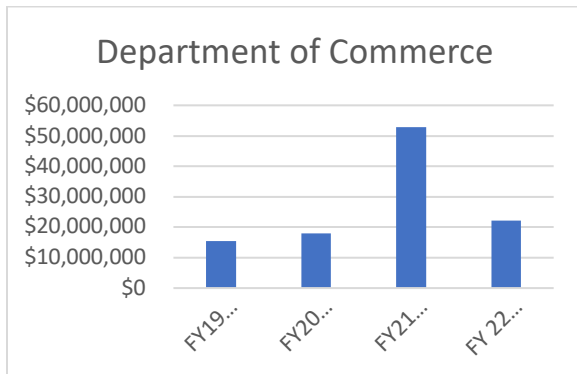
**HB 2860** (Wallace/Thompson) creates the Oklahoma Remote Quality Jobs Incentive Act. The measure provides for quarterly incentive payments for a 10-quarter period for qualifying proxy establishments as defined in the measure. Proxy establishments must meet certain qualifications to receive payments. Such qualifications shall include roof of basic health benefits plans for its remote workers and meeting a certain threshold of employees and wages. Establishments that receive these incentive payments are not eligible to receive credits or exemptions provided by the Oklahoma Quality Jobs Program Act, the Small Employer Quality Jobs Incentive Act or the 21st Century Quality Jobs Incentive Act. The measure also directs the Department of Commerce and the Tax Commission to prepare a triennial report and to submit the report to the President Pro Tempore of the Senate, Speaker of the House, and Governor no later than March 1, 2023 and every 3 years thereafter.

**HB 2928** (McCall/Leewright) directs broadband service providers in the state to submit a report containing their network area coverage map to the Department of Commerce and the Rural Broadband Expansion Council by October 31, 2021. The providers would be required to update this map and report annually. OneNet must provide mapping of all assets and network coverage. Internet service providers are also directed by the measure to disclose the properties they serve, and average minimum upload and download speeds at which they provide services to those properties.

### **Commerce Funding**



Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Department of Commerce	\$52,739,680	\$22,077,680	-58.14%

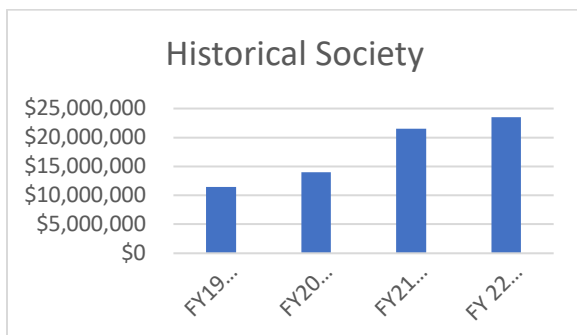


### Historical Society Funding

**SB 1081** (Thompson/Wallace) apportions the appropriations made to the Oklahoma Historical Society in HB 2900 in the following manner:

- 1) \$150,000.00 shall be used to hire a grant writer for Black Towns in Oklahoma
- 2) Not less than \$150,000.00 shall be used to provide grants for schools to provide transportation to The Freedom Center & Clara Luper Civil Rights Center, The Greenwood Historic District, and The Oklahoma City National Memorial & Museum

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Historical Society	\$21,524,457	\$23,461,601	9.00%



### Common Education

**SB 13** (Stanley/Baker) requires a teacher whose certificate was suspended by the State Board of Education to be placed on suspension while proceedings for revocation or other action are pending before the Board. These actions do not preclude the initiation of due process procedures under the Teacher Due Process Act.

**SB 21** (Floyd/McEntire) requires rather than allows each school district to adopt a policy related to suicide awareness and training. The measure requires a board of education to provide districtwide training to all staff on a biennial basis addressing suicide awareness and prevention. It requires rather than allows school districts beginning in the 2021-22 school year to provide a suicide prevention training program, provide curriculum made available by the Department of Mental Health and Substance Abuse Services or provide a suicide prevention training program selected from a list maintained by the Department of Mental Health and Substance Abuse Services. Additionally, the measure provides for suicide awareness and prevention training for students in grades 7-12 beginning in the 2022-23 school year.

**SB 22** (Floyd/Tammy West) modifies the powers and duties of school district boards of education. The measure gives a right of first refusal to purchase real or personal property to a nonprofit organization that is leasing the real or personal property from a board of education when the decision is made to dispose of the property, whether such disposal is by public sale, public bid or private sale. The measure states that if a board of education receives a bid or offer for the real or personal property, the board is to provide notice to the nonprofit organization leasing the property. The measure gives the

nonprofit organization 30 days after receipt of such notice to inform the board whether it elects to purchase the property on the same terms and conditions provided in the notice. The measure states that if any portion of the consideration in the purchase price is not in cash, the nonprofit organization can pay fair market value in cash of such non-cash consideration.

**SB 54** (Montgomery/Pae) directs the State Department of Education beginning in the 2022-23 school year to designate a school campus as a Purple Star School campus if the school meets certain qualifications related to availability of services for military-connected students.

**SB 68** (Simpson/Wolfley) directs a student to be considered in compliance with the residency requirements for school attendance if the parent or legal guardian of the student is transferred or is pending transfer to a military installation within the state while on active military duty. It directs school districts to accept enrollment applications for such students by electronic means and directs the parent or legal guardian of such a student to provide proof of residence to the school district within 10 days after the published date of arrival. It defines what shall constitute proof of residence.

**SB 69** (Simpson/Wolfley) allows a student to enroll in a statewide virtual charter school if the parent or legal guardian of the student is transferred or is pending transfer to a military installation within the state while on active military duty. It directs statewide virtual charter schools to accept enrollment applications for such students by electronic means and directs the parent or legal guardian of such a student to provide proof of residence to the statewide virtual charter school within 10 days after the published

date of arrival. It defines what shall constitute proof of residence.

**SB 89** (Haste/Baker) creates the Health Education Act. The measure directs the State Department of Education to develop a micro-credential for teachers teaching health education and professional development programs no later than the 2022-2023 school year. It directs school districts by the 2023-2024 school year to provide instruction addressing all health education subject matter standards adopted by the State Board of Education. It allows health education to be integrated into one or more existing subjects. The measure requires teachers assigned to teach health education as a stand-alone course to be certified in physical and health education. The measure also directs the State Textbook Committee to include a review of health and physical education instructional materials as part of its textbook review and adoption cycle. The bill creates the Health Education Revolving Fund to carry out the act and directs the Healthy and Fit School Advisory Committee within schools to study and make recommendations regarding implementation of the Health Education Act.

**SB 121** (Hicks/Hasenbeck) requires each school district board of education to adopt a policy allowing school employees who are lactating to take paid break time to maintain their milk supply. The measure allows the break time to run concurrently with any break time and requires school district boards of education to make reasonable effort to provide a private, sanitary room for employees to express milk or breastfeed a child.

**SB 128** (Rader/Dick Lowe) creates the Seizure-Safe Schools Act. The Act requires each school district with a student who has a seizure disorder beginning Jan. 1, 2022, to

have at least 1 employee who has training to administer or assist with self-administration of seizure medication and recognize symptoms of seizures and take steps to respond. The measure states that before seizure medication can be administered, the parent or legal guardian of the student is to provide written authorization to the school, provide a statement from the student's health care provider, provide medication to the school and collaborate on a seizure action plan. It requires such authorization to be renewed annually. The measure exempts from disciplinary proceedings school employees who take action in compliance with the act. It provides immunity from civil liability to a school employee who takes action in compliance with the act, unless the actions rise to the level of reckless or intentional misconduct. It states that a school nurse shall not be responsible for and shall not be subject to disciplinary actions for actions taken by a volunteer.

**SB 211** (Dugger/Luttrell) modifies the powers and duties of the Oklahoma Board of Private Vocational Schools. The measure authorizes the Board to develop applications for sustained licenses, develop and present optional training, conduct announced and unannounced site visits, invoice a travel fee for site visits, and collect data required to be reported to the U.S. Department of Education or any state or federal agency. The measure allows for schools accredited by a U.S. Department of Education-approved accrediting organization for multiple years to obtain a sustained license. Additionally, the measure modifies fees for reviewing a revised or replacement catalog and provides fees for review of documentation to be forwarded to the U.S. Department of Education or another state or federal agency, for optional training, for review of enrollment agreements and for in-state site visits. The measure also directs that

the Board's base fees will increase by 7% in fiscal year 2022.

**SB 252** (Stanley/Baker) requires all public and charter high schools to offer a minimum of one computer science course beginning in the 2024-25 school year. It also requires all public and charter elementary and middle schools to offer instruction in computer science beginning in the 2024-25 school year. It allows the courses to be offered in an in-person setting or as a virtual or distance course when a traditional classroom setting is not feasible.

**SB 302** (Coleman/Kannady) grants visiting teams in all regular high school athletic competitions the same rights to radio broadcast, video stream and provide telegraphic play-by-play accounts as the home team in all seasonal high school athletic competitions beginning in the 2021-22 school year. To utilize these rights, the visiting team must have either a valid agreement between a media organization and the school's board of education or a curricular program for students that provides streaming for home games. The bill applies to contracts for rights to radio broadcast, video stream and provide telegraphic play-by-play accounts entered into or renewed on or after July 1, 2021.

**SB 619** (Bullard/Kevin West) requires the Oklahoma Tax Commission to pay interest on tax refunds not paid within 45 days for returns filed electronically and 90 days for all other returns after the return is filed or due, whichever is later. The measure also allows the Commission to provide a later due date for the returns of individuals and certain entities if a state of emergency is declared by the Governor or upon declaration by the Internal Revenue Service to postpone deadlines in disaster areas. Lastly, the measure modifies the period of

underpayment for corporations to be 30 days after the due date for returns established under the Internal Revenue Code. The measure authorizes the State Board of Education to determine if apprenticeships, internships, and mentorships are eligible for academic credit toward meeting the graduation requirements.

**SB 642** (Pugh/Dustin Roberts) requires each public school district and public charter school in the state to offer students in grades 10 through 12 the opportunity to take the Armed Services Vocational Aptitude Battery (ASVAB) test and consult with a military recruiter beginning in the 2021-22 school year. It directs the ASVAB test to be administered during normal school day hours at a time that doesn't conflict with extracurricular activities. It requires the district or charter school to provide notice of the date, time and location of the test to students in grades 10 through 12 and their parents or legal guardians. The bill allows a district or charter school to provide an alternative test that is free and assesses a student's aptitude for success in a career field that does not require postsecondary education.

**SB 658** (Standridge/Kevin West) requires the State Department of Education and school districts to provide in any notice or publication provided to parents regarding immunization requests the immunization requirements of the school, including the requirement to either provide current, up-to-date immunization records or a signed and completed exemption form. The measure also prohibits any school district, institution of Higher Education, the State Board of Education, or the State Board of Career and Technology Education from requiring a vaccination against COVID-19 as a condition of admittance to or attendance of the school or institution. Such entities are

also prohibited from requiring a vaccine passport as a condition of admittance or implementing a mask mandate for students that are not vaccinated against COVID-19. Additionally, the measure also provides that a board of education for a school district or technology school district may only implement a mandate to wear mask or any other medical device after consultation with the local county health department or city-county health department. Such a mandate must explicitly list the reasons for the mandate and shall reference the specific masks or medical devices that would meet the requirements of the mandate. Any mandate to implement wearing a mask or any other medical device shall be reconsidered at each regularly scheduled board meeting.

**SB 705** (Dahm/Gann) repeals sections of law creating the Oklahoma Center for Rural Development Act, which was established to improve the effectiveness of citizens, enterprises, and communities in rural Oklahoma to better meet the quality of life challenges in the new century.

**SB 783** (Pugh/Boles) modifies the Education Open Transfer Act. It states that beginning Jan. 1, 2022, the transfer of any student from one district to another shall be approved at any time during the year unless the number of transfers exceeds the capacity of a grade level for a school site within a district. If the number of transfer applications exceeds the capacity of a school site, the school district is to select transfer students in the order in which they were received. It allows a student to be granted a one-year transfer, with the school district retaining the ability to deny the continued transfer if the student has a history of absences or has committed certain acts that are subject to out-of-school suspension. The bill prohibits a student from transferring

more than twice per school year to one or more districts. The measure directs each school district board of education by Jan. 1, 2022, to adopt a policy to determine the number of students a district has the capacity to accept in each grade level for each school site. It directs such capacity to be established by the first day of January, April, July and October, and it directs school districts to post the capacity information on their websites and report it to the State Department of Education. It allows a denied transfer request to be appealed within 10 days to the receiving school district board of education. If the receiving school district board of education denies the appeal, the bill allows an appeal to be filed within 10 days to the State Board of Education. It directs each school district board of education to submit to the State Department of Education the number of student transfers approved and denied and the reason for denial, and it requires the Department to publish the data on its website and share it with the Office of Educational Quality and Accountability. The measure directs the Office of Educational Quality and Accountability to randomly select 10% of the districts in the state to conduct an audit of approved and denied transfers. If the Office finds inaccurate reporting of capacity levels, the bill directs the Office to set the capacity levels. The bill removes language regarding the transfer application timeline. It clarifies that students who are the dependent children of a member of the active uniformed military services of the United States on full-time active duty status and students who are the dependent children of a member of the military reserve on active duty orders are to be eligible to enroll in any school district regardless of the district's capacity. It removes language allowing a receiving school district to approve the transfer of a student whose parent or legal guardian is employed as a

teacher. It also repeals statutory language regarding emergency transfers.

**SB 807** (Kidd/Baker) directs that school support employees be entitled to pay for any time lost when a school district is closed because of an epidemic or when a closing order is issued by an authorized health officer.

**HB 1018** (Sterling/Quinn) removes language requiring the State Superintendent of Public Instruction to compile and publish the school law book.

**HB 1046** (Kerbs/Montgomery) requires school districts to provide a copy or a hyperlink to a copy of the school district's most recent audit on the school district's website.

**HB 1103** (Vancuren/Haste) requires schools beginning in the 2022-23 school year to administer biennially the Oklahoma Prevention Needs Assessment Survey, a mental health prevention survey, for 6th, 8th, 10th and 12th grade students, or an alternative survey. It directs the Department of Mental Health to maintain the survey and provide technical assistance. If a school chooses to administer an alternative survey, it must apply for a waiver from the Department of Mental Health. The bill states that the requirement for the survey is subject to availability of federal funding, and if funding is insufficient, administration of the survey is not required.

**HB 1104** (Vancuren/Montgomery) amends the Student Data Accessibility, Transparency and Accountability Act of 2013. It modifies the definition of "student data" to include tribal affiliation and other data associated with students who have been identified with American Indian heritage.

**HB 1568** (Boatman/Haste) creates Maria's Law. The measure directs the State Board of Education beginning with the 2022-23 school year to require that all schools include instruction in mental health as part of any health education curriculum with an emphasis on the interrelation of physical and mental well being. It directs the Board, in consultation with the Department of Mental Health and Substance Abuse Services, to revise the Oklahoma Academic Standards for Health and Physical Education to include a focus on mental health and develop a list of age-appropriate resources for students in grades K-12. It also allows school districts to enter into agreements with nonprofit entities or other community partners to assist in providing mental health education if such entities or partners are approved by the Department of Education and the Department of Mental Health.

**HB 1569** (Rosecrants/Pugh) creates the Oklahoma Play to Learn Act. It allows educators to create a learning environment that facilitates child-directed experiences. It allows school districts to provide ongoing early childhood professional development for early childhood educators and administrators. It also states that a school district shall not prohibit a teacher from using play-based learning in early childhood education.

**HB 1593** (Provenzano/St Stanley) directs school district boards of education to require a professional development program for teachers that emphasizes the importance of digital teaching and learning standards. It requires the program to be completed the first year a certified teacher is employed by a school district and then at a frequency determined by the board. The bill also directs boards of education to require a training program for teachers that emphasizes the importance of recognizing

and addressing the mental health needs for students. It requires the program to be completed the first year a certified teacher is employed by a district and once every third academic year. It directs boards of education to require a program for 7th through 12th grade teachers that emphasizes the importance of incorporating workplace safety training into curriculum. It requires the program be completed the first year a certified teacher is employed by a district and then at a frequency determined by the board. The measure also requires training or a workshop on alcohol and drug abuse to be completed the first year a certified teacher is employed by a district and then once every third academic year.

**HB 1773** (Conley/Garvin) requires the State Board of Health to provide a multi-seasonal license for snow cone stands that sell hot beverages in addition to snow cones. Snow cone stands that do not sell hot beverages will be classified as a seasonal food establishment.

**HB 1796** (Miller/Pugh) allows the State Board of Education, in consultation with the Commission for Educational Quality and Accountability, to grant an exception to the subject-area examination for initial certification in a field that does not require an advanced degree if the candidate has an advanced degree in a subject that is substantially comparable to the content assessed on the subject-area exam. It requires the degree to be from an institution accredited by a national or regional accrediting agency recognized by the Secretary of the U.S. Department of Education.

**HB 1801** (Conley/St Stanley) requires school boards, beginning 2021-2022, to coordinate with local emergency medical service (EMS) providers to develop an Emergency

Action Plan for each school facility. The Emergency Action Plan must be rehearsed annually with school officials and local EMS providers. Prior to any athletic event with visiting teams, the Plan shall be digitally transmitted to the school's administrator or coach.

**HB 1875** (Tammy West/Stanley) prohibits an educational agency or institution, if it is not the primary custodian of student directory information of students attending the institution, from releasing or selling any or all student directory information unless such disclosure is authorized by federal law. If this prohibition does not apply, the educational institution is authorized to designate specific information to be classified as directory information for students attending the institution.

**HB 1882** (Stark/Rader) creates the Out-of-Schooltime Task Force. The Task Force is directed to identify, evaluate and recommend a set of best practices for children, youth and families which will improve and increase the number of quality, affordable out-of-school programs in the state. The Task Force shall be comprised of 19 members. The measure requires appointments to the Task Force be made no later than December 1, 2021. Members of the Task Force shall not receive compensation or travel reimbursements. The State Superintendent shall call the first meeting no later than February 1, 2022, and must meet at least 6 times prior to the sunset date of December 31, 2022. Administrative support for the task force shall be provided by the House of Representatives. The task force shall issue a report of its findings to the President Pro Tempore of the Senate, Speaker of the House, and Governor no later than December 1, 2022.

**HB 1968** (Nollan/Stanley) modifies language regarding specific information to be included in a school district's report on gifted child educational program expenditures. It requires all districts to report expenditures in the Oklahoma Cost Accounting System. It removes language that required districts receiving above \$1 million or 6% or more of their total State Aid for gifted and talented programs to report such expenditures by major object codes and program classifications and other districts to report by major object codes.

**HB 2030** (O'Donnell/Pugh) directs the subject matter standards for history, social studies and U.S. government include the study of historical documents including the Declaration of Independence, the U.S. Constitution, the Federalist Papers and the Emancipation Proclamation. The bill also requires rather than allows that the U.S. naturalization test be administered to students beginning in the 2022-23 school year. It requires the subject matter standards for U.S. government to include the structure and relationship between national, state, county and local governments and simulations of the democratic process. The bill requires students to pass the U.S. naturalization test in order to graduate from a public high school beginning with 9th graders in the 2021-22 school year. It requires districts to offer the naturalization test to students at least once per school year beginning as early as eighth grade, and it allows a student to retake the exam as often as desired until earning a passing score of 60 out of 100. It provides an exemption for students whose individualized education program indicates alternative achievement standards.

**HB 2223** (Randleman/Pemberton) directs the State Department of Education to maintain the dyslexia handbook created by

the Dyslexia and Education Task Force and review and make revisions to it a minimum of every three years. It requires revisions to the handbook to include information regarding screening students in kindergarten through third grades.

**HB 2329** (Lawson/Simpson) allows the State Board of Education to grant an exception to the requirements for certification examinations for teacher candidates who are deaf. It allows the Board to grant such an exception upon certain criteria being met. It allows those granted such exceptions to teach in American Sign Language immersion programs, the Oklahoma School for the Deaf, programs for the deaf or other classroom settings where American Sign Language is used as the language of instruction.

**HB 2691** (Hasenbeck/Bergstrom) directs the Commission for Educational Quality and Accountability to issue a report by Oct. 31, 2021, to the President Pro Tempore of the Senate, Speaker of the House, and Governor detailing factors in the education system that contribute to improvements, including improvements in graduation rates, assessment scores, timely postsecondary graduation and career readiness. It allows the Commission to contract with a private consultant to assist with the report and to use state, federal, private funds or grants.

**HB 2748** (Baker/Stanley) directs the State Board of Education to issue a 1-year alternative teacher certificate renewable for up to 3 years to teach early childhood education or elementary education. It establishes qualifications, including a declaration of intent to earn standard certification within 3 years and completing certain credit hours in classroom management, reading instruction child development and math instruction.

**HB 2749** (Baker/Pugh) amends the Reading Sufficiency Act to require districts that receive more than \$2,500 in RSA funding to spend no less than 10% on professional development for pre-K through 5th grade teachers beginning in the 2022-23 school year. It directs the professional development to include training in the science of how students learn to read. The bill directs the State Department of Education to approve and publish a list by June 30, 2022, of professional development programs that can be used.

**HB 2750** (Baker/Pugh) states legislative intent that institutions of higher education not require an Advanced Placement exam score of more than 3 for course credit. It allows a score of 3 or more to be required for granting additional course credit. The bill directs all AP exam credit policies be posted on campus websites for the 2021-22 fall term and each academic term thereafter. It directs institutions to conduct biennial reviews of their AP credit policies. It directs noncompliance to be reported to the chairs of the House and Senate education committees by Dec. 1 each year.

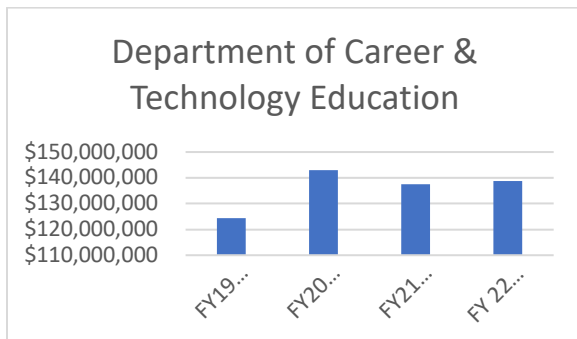
**HB 2752** (Baker/Stanley) directs the State Department of Education to establish a micro-credential program within 120 days of the effective date of the act to allow a teacher candidate or teacher to earn micro-credentials in science, technology, engineering and mathematics (STEM) endorsement areas, including computer science. It directs SDE and the Commission for Educational Quality and Accountability to convene a working group to determine how a micro-credential will be used.

### Career & Technology Education Funding

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
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Department of Career & Technology Education	\$137,471,871	\$138,852,412	1.00%
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### Common Education (K-12) Funding

**SB 229** (Montgomery/Hilbert) creates the Redbud School Funding Act. The measure provides that, in fiscal year 2022, the first \$65 million raised from the 7% gross tax on medical marijuana sales shall be apportioned to the State Public Common School Building Equalization Fund (59.23%), the Oklahoma Medical Marijuana Authority (34.62%), and the Oklahoma State Department of Health for drug and alcohol rehabilitation programs (6.15%). Surplus collections raised from the tax shall be apportioned to the General Revenue Fund of the State Treasury. Additionally, the measure provides that sales taxes apportioned to the State Public Common School Building Equalization Fund shall not exceed the state sales tax generated by medical marijuana sales in the preceding fiscal year beginning in fiscal year 2023 and each year thereafter. Additionally, the measure clarifies that except as explicitly authorized by state law, a charter school shall not be eligible to receive state-dedicated, local, or county revenue. The measure directs the State Board of Education to disburse redbud school grants annually from the State Public Common School Building Equalization Fund to public schools and eligible charter schools in a manner outlined in the measure. The State

Department of Education shall consider each eligible charter school as separate from the school district that sponsors it when making these calculations. Eligible charter schools shall not include a charter school sponsored by the Statewide Virtual Charter School Board. The SDE is authorized to reserve not more than 0.5% of the funds for the purpose of administrating the fund. The Department is directed to create a dedicated page on its website listing annual redbud school grant recipients and to provide the Chair of the House Appropriations and Budget Committee and the Chair of the Senate Appropriations Committee an estimate of the upcoming year's redbud school grant allocation.

**SB 1037** (Thompson/Wallace) allows school district building funds to consist of federal monies allocated by the Coronavirus Response and Relief Supplemental Appropriation Act of 2021 (CRRSA) and the federal American Rescue Plan Act of 2021 (ARP).

**SB 1038** (Thompson/Wallace) modifies the definition of "student teacher" to allow such an individual to receive compensation for up to 1 full school year as part of an internship. It clarifies that such compensation is not to be considered compensation for purposes of teacher retirement or the minimum salary schedule. The bill also removes language allowing only students who have completed minimum teacher internship requirements to be eligible to participate in a paid internship program.

**SB 1067** (Thompson/Wallace) apportions monies appropriated to the State Department of Education from HB 2900 in the following manner:

1) \$2,437,246,699.00 for Local and State-supported Financial Support of Public Schools

- 2) \$704,456,047.00 for benefits, training, textbooks, and childhood initiative programs
- 3) \$15,027,640.00 Administrative and Support Functions of the State Department of Education
- 4) \$3,827,899.00 shall be transferred to the School Consolidation Assistance Fund
- 5) \$3,827,899.00 shall be transferred to the Teachers' Retirement System Dedicated Revenue Revolving Fund
- 6) \$1,500,000.00 shall be transferred to the Oklahoma National Board Certification Revolving Fund
- 7) \$3,300,000.00 shall be transferred to the Oklahoma School Psychologist, Speech-language Pathologist, and Audiologist National Certification Revolving Fund

Additionally, the measure directs the Department to budget all funds in the following categories and amounts:

- 1) Payroll, Salaries or Wages Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes- \$18,227,387.00
- 2) Professional and Personal Services- \$28,696,456.00
- 3) Contracts Other Operating Funds- \$3,126,828,823.00
- 4) Expenditure of Federal Funds \$2,644,741,337.00

The measure also provides that if the funds allocated to the Teachers' Retirement Credit are insufficient to fully fund the employee contribution credits, the Department may reduce in equal proportions funds allocated to the Education Leadership Oklahoma, Advanced Placement Incentives, Reading Sufficiency, Teacher and Leader Effectiveness Programs, Alternative and High Challenge Education, Required Assessments, Ag in the Classroom and Imagine Math to fund the program.

**SB 1080** (Thompson/McCall) modifies the total credit allocation cap on the Oklahoma

Equal Opportunity Education Scholarship, the method for awarding credits, and eligible entities for the program. The measure provides that any taxpayer who makes a contribution to an eligible public school foundation or public school district shall be entitled to a credit equal to 50% of the contribution made and those who make a written commitment to contribute the same amount for an additional year shall be entitled to a credit equal to 75% of the contribution made. Such taxpayers shall provide evidence of the written commitment to the Oklahoma Tax Commission at the time of filing the refund claim. The measure also defines "eligible public school foundations". The measure caps the total annual amount of credits awarded at \$25 million for contributions to public school foundations and public school districts for tax year 2022 and each year thereafter. If the Tax Commission determines the total amount to be awarded shall exceed the cap, the Commission shall reduce the credits awarded on a proportional basis. Additionally, the measure limits the amount awarded to each public school district at \$200,000.00 annually. Each school or foundation receiving funding from the program shall be required to annually report to the Tax Commission by September 1 of each year the information outlined in the measure relating to the educational scholarships funded by the organization in the previous academic year.

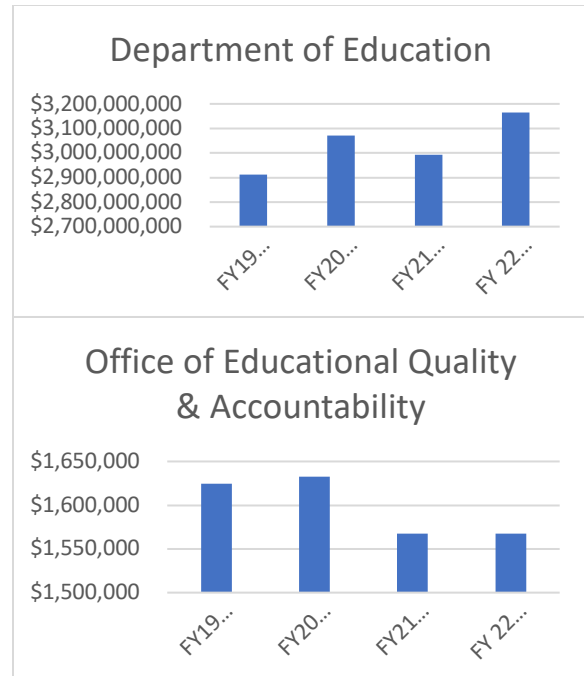
**HB 2078** (Hilbert/Taylor) amends the State Aid Funding Formula beginning with the 2022-23 school year. It removes language allowing the initial and midyear State Aid allocation calculations to be based on the weighted average daily membership (WADM) of a district's second preceding school year. Instead, it requires each district to use its WADM from the preceding school year to calculate its initial State Aid

allocation instead of the higher WADM of the preceding 2 school years. And, it directs the midyear adjustment to be based on the higher WADM of the preceding school year or the first nine weeks of the current school year. It increases the allowed general fund carryover between 3 and 8 percentage points depending on the total general fund collections for each district. It also prohibits a general fund balance penalty from being imposed on school districts that exceed prescribed limits during fiscal years 2022 and 2023.

**HB 2871** (Wallace/Thompson) directs the Commissioners of the Land Office when calculating the 5% cap on investments in real property to not include the value of real property under long-term lease to the state, agencies of the state, or subdivisions thereof.

**HB 2890** (Wallace/Thompson) permits school district to carryover a general balance fund in excess of limits previously established by law without a general fund penalty being assessed. The measure allows districts to continue this practice through FY 2023. Additionally, the measure provides that the July calculation of per pupil revenue be determined by the district's second preceding year's total average daily membership (ADM).

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Department of Education	\$2,992,729,814	\$3,164,386,184	5.74%
Office of Educational Quality	\$1,567,209	\$1,567,209	0.00%



### Higher Education

**SB 48** (Daniels/Kannady) creates the Revised Uniform Athlete Agents Act. The measure updates the Uniform Athlete Act. It expands the definition of “athlete agent” and “student athlete” within the Act as well as adds new requirements to the signing of an agency contract. Additionally, the Act provides greater flexibility to students when choosing between a professional draft or the continuation of their college education. Finally, the measure repeals the current Uniform Athlete Agents Act. Additionally, the measure creates the Student Athlete Name, Image and Likeness Rights Act. The measure specifies that a student athlete may earn compensation commensurate with market value for the use of the name, image or likeness of the student athlete while enrolled at a postsecondary institution without penalty or resulting limitation on participation. A student athlete shall not earn compensation in exchange for his or her athletic performance or participation in intercollegiate athletics or sports competition.

**SB 132** (Bullard/Baker) amends the Oklahoma Higher Learning Access Program to allow juniors in public or private high schools and 16-year-old students who are educated by other means to enter into student agreements for the program.

**SB 261** (Montgomery/Provenzano) creates the Oklahoma Student Borrower's Bill of Rights Act. The measure directs the Attorney General to prepare a written statement that includes an "Oklahoma Student Borrower's Bill of Rights" for a student loan borrower who takes out a student education loan that is serviced by a student loan servicer. The statement must include plain and clear language prohibiting any student loan servicer from engaging in any act that misleads, deceives, or defrauds student borrowers. Loan servicers are also prohibited from making false statements or omitting material facts when submitting reports to a governmental agency.

**SB 292** (Haste/Nollan) creates until November 30, 2022, a 14-member task force to study and make recommendations regarding current and future concurrent enrollment needs of the state and pathways for awarding degrees and certificates through concurrent enrollment. It requires the task force to have an organizational meeting by September 1, 2021. It prohibits task force members from receiving compensation or travel reimbursement. It subjects the task force to the Oklahoma Open Meeting Act. The bill also requires the task force to submit a report of its finding to the Governor, the President Pro Tempore of the Senate and the Speaker of the House by November 30, 2022.

**SB 639** (Pugh/Baker) directs the Oklahoma State Regents for Higher Education to administer a survey to students who receive an Oklahoma Higher Learning Access

Program award and who withdraw from an institution within The Oklahoma State System of Higher Education, a private institution of higher learning, or a technology center school before completing a degree or certificate program. Additionally, the measure directs the State Regents to submit to the President Pro Tempore of the Senate and the Speaker of the House of Representatives an annual report on the impact of the Oklahoma Higher Learning Access Program beginning December 31, 2022, and each December 31 thereafter.

**HB 1775** (Kevin West/Bullard) prohibits an enrolled student in an institution within The Oklahoma State System of Higher Education from being required to engage in any form of mandatory gender or sexual diversity training or counseling, but it allows voluntary counseling. It also prohibits any orientation or requirement that presents any form of race or sex stereotyping or bias on the basis of race or sex. It directs the Oklahoma State Regents for Higher Education to promulgate rules to implement these provisions, pursuant to the Administrative Procedures Act and subject to approval by the Legislature. Additionally, the bill prohibits a teacher, administrator or other employee of a school district, charter school or virtual charter school from requiring or making part of a course certain concepts, including one race or sex is inherently superior to another race or sex. It clarifies that the language does not prohibit the teaching of concepts that align to the Oklahoma Academic Standards. It directs the State Board of Education to promulgate rules to implement these provisions, pursuant to the Administrative Procedures Act and subject to approval by the Legislature.

**HB 1821** (McBride/Pemberton) modifies language relating to the awarding of tuition aid grants. It allows rather than requires a tuition aid grant to be awarded annually to each qualified student. It removes language regarding the maximum award amount. The bill directs the State Regents to determine award priorities based on enrollment status, unmet financial need, continuous enrollment, nearness to completion, state employment needs, eligibility for other financial aid and availability of funding.

**HB 1962** (Nolian/Quinn) modifies the definition of “qualified higher education expense” under the Oklahoma College Savings Plan Act to remove specific references to tuition, fees, books, etc. and leaves in place reference to definition under IRS code.

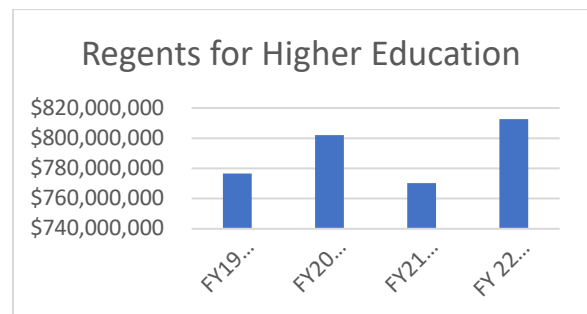
**HB 2396** (Russ/Stanley) directs the Oklahoma State Regents for Higher Education to allow a series of in-depth prevention and education programs regarding sex trafficking and exploitation to all freshman students enrolled in institutions within The Oklahoma State System of Higher Education. It directs institutions to provide all freshmen the opportunity to attend one of three on-campus, voluntary sex trafficking and exploitation prevention and education programs. It directs program materials relating to the programs to be provided at no cost, with the program provider being solely responsible for incurring all costs associated with implementing the programs and related materials.

**HB 2943** (McCall/Treat) transfers the University Center of Southern Oklahoma in Ardmore, Oklahoma to the Murray State College and redesignates the Center as the Murray State College at Ardmore. The transfer shall include all real property,

buildings, furniture, equipment, supplies, records, assets, current and future liabilities, fund balances, encumbrances, obligations, indebtedness, legal agreements, powers, duties, and responsibilities associated with the University Center of Southern Oklahoma.

### Higher Education Funding

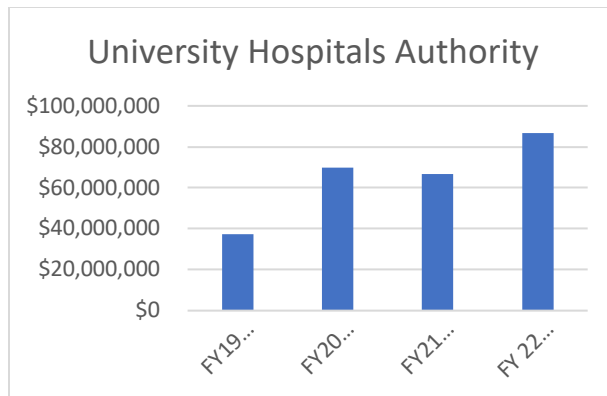
Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Regents for Higher Education	\$802,070,058	\$770,414,742	-3.95%



### Hospital Authority Funding

**HB 2874** (Wallace/Thompson) provides a sales tax exemption for sales of tangible personal property or services to the University Hospitals Trust. The measure also provides an exemption for the transfer of tangible personal property or services made by or to the University Hospitals Trust or nonprofit entities that are exempt from taxation that have entered into a joint operating agreement with the University Hospitals Trust.

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
University Hospitals Authority	\$66,691,554	\$86,591,554	29.84%



## Energy, Environment, & Utilities

**SB 246** (Allen/Sean Roberts) lowers the population requirement for counties where people or entities located in certain areas are required to use air curtain incinerators for land clearing operations and air curtain incinerators for the burning of clean wood waste or yard brush. Additionally, the counties required to use air curtain incinerators shall also include areas where the Department-certified ambient air quality monitoring data documents a violation of primary National Ambient Air Quality Standards.

**SB 448** (Taylor/Boles) defines various terms associated with recycling procedures in the Oklahoma Solid Waste Management Act. The measure defines the parameters of what constitutes an advanced recycling facility and the various procedures used to depolymerize, gasify, use, and recover recycled products.

**SB 632** (Taylor/McEntire) adds the proceeds owed for oil and gas drilling and development, proceeds from the acquisition of oil and gas rights, and proceeds from an unfulfilled contract or agreement for the purchase of mineral rights to the list of illustrated rights as it relates to oil and gas. The FS modifies the Nature, Extent, and Duration of Oil and Gas Lien to include the provision to secure the obligation of any

person to pay any proceeds for the acquisition of oil and gas rights.

**SB 1006** (David/Sims) modifies the duties of the Tri-State Commission by directing the Commission to coordinate with any relevant federal or state agency or any other entity to identify ways to improve the navigability of the McClellan-Kerr Arkansas River Navigation System.

**SB 1021** (David/McBride) creates the Hydrogen Production, Transportation and Infrastructure Task Force. The Task Force shall be comprised of 10 members and shall disband on December 31, 2021. The measure requires the Task Force to meet at least once per month and to hold at least two separate meetings focusing on the distribution and production of hydrogen respectively. The FS additionally provides a list of representatives the Task Force shall consult as it investigates the issue. The Task Force shall be subject to the provisions of the Open Records Act and its members shall receive no compensation or travel reimbursement. The Task Force shall submit a report of its findings to the Governor, President Pro Tempore of the Senate, and Speaker of the House no later than December 1, 2021.

**SB 1022** (David/Boles) authorizes the Executive Director of the Oklahoma Water Resources Board to issue temporary and regular water permits that have not been subject to a protest from an interested party.

**SB 1049** (Thompson/Wallace) creates the February 2021 Unregulated Utility Consumer Protection Act. The measure shall provide financial assistance in the form of a pooled loan program provided for unregulated utility entities for the purpose of reducing the impact of costs related to the extreme weather event that occurred

between February 7, 2021, and February 21, 2021. The Oklahoma Development Finance Authority shall issue and administer the bonds, notes or other forms of evidence of indebtedness to fund the loans to unregulated utility entities under this program. The Public Utility Division of the Oklahoma Corporation Commission is directed by the measure to assist the Authority in determining the costs an unregulated utility actually and lawfully incurred by the weather event through administrative review before a loan is approved. Unregulated utilities may apply for a loan from the Authority through an application process and must provide the amount of extreme purchase costs and extraordinary costs requested for recovery, whether the unregulated utility is requesting a loan for all or a portion of the extreme purchase costs and extraordinary costs, estimated amount of cost savings from or demonstration of how utility bill impact to customers would be mitigated by receiving a loan for the eligible extreme purchase costs and extraordinary costs, and any other information deemed necessary by the Authority. The Authority shall send the application to the Corporation Commission for an audit of the amounts requested for recovery and then the Commission shall send the application back to the Authority for approval or rejection. If the Authority rejects the application, it must provide the reasoning for its rejection to the utility and provide for the utility to resubmit its amended application. The Authority is authorized to issue credit with loan terms of and up to 30 years, which shall be at their discretion. The measure authorizes the Authority to take a security interest in any property or revenues of the unregulated utility. The loans shall be financed from revenue by the newly created Unregulated Utility Consumer Protection Fund. The Fund shall receive monies derived from the bonds,

notes, or any other form of evidence of indebtedness issued by the Authority and any other contributions from unregulated utilities permitted by law. Upon receiving the loan provided by the Authority, the utility must base customer charges mitigated pursuant to this act on the then-current monthly billing of the customer and shall lineitem such charges on the monthly bill of the unregulated utility customer. The Authority is also directed by the measure to notify in writing the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives when an application for a loan is approved or disapproved and on the date the loan is issued and prepare an annual report. The utility revenue bonds or any other obligations issued shall not at any time be deemed to constitute a debt of the state or of any political subdivision thereof or a pledge of the full faith and credit of the state or any political subdivision. The measure provides that the jurisdiction of the Corporation Commission shall not extend beyond the audit required for the application process in this measure. It also authorizes the Authority to file an application with the Oklahoma Supreme Court for the approval of bonds issued and confers exclusive jurisdiction upon the Court to hear and determine each application. The measure also provides that any bonds issued under this act shall be reviewed by the Council of Bond Oversight and also amends the duties of the Authority to include actions required by this act.

**SB 1050** (Thompson/Wallace) creates the February 2021 Regulated Utility Consumer Protection Act. The measure shall provide financial assistance in the form of securitization and issuance of rate-payer backed bonds provided to regulated utility entities for the purpose of reducing costs to customers related to the extreme weather event that occurred in February 2021. The



Oklahoma Corporation Commission is authorized by the measure to mitigate costs relating to the weather event for customers by using securitization. The Commission shall consider revenue requirement savings that may be incurred to the benefit of customers by relying on lower carrying charges, customer utility bill impact that may be mitigated by mandating a longer amortization period for recovery, and whether issuance of ratepayer-backed bonds that may be completed at a sufficiently low cost such that customer savings are not exhausted or offset. The Commission is authorized to utilize financial advisors to evaluate applications. Expenses incurred for those purposes shall be recoverable as administrative expenses of the Oklahoma Development Finance Authority through the issuance of ratepayer-backed bonds. The Commission shall issue a financing order that determines the rate of maturity for the bonds, the quantified amount of extreme purchase costs and extraordinary costs to be recovered, the frequency of true-up and reconciliation of the customer repayment revenues collected, the method by which the customer repayment charges will be allocated among the various customer classes, and the requirement that all funds received under the irrevocable and nonbypassable mechanism be provided immediately to the holder of securitization property. The bond's maturity shall not exceed 30 years. The Commission shall issue an order no later than 180 days from the date the Commission receives all necessary information and documentation. On the same date a financing order is issued, a copy of the order shall be delivered to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Oklahoma Development Finance Authority. Regulated utilities are prohibited from recovering the extreme purchase costs and extraordinary

costs identified and quantified in the financing order from customers except through the transfer of securitization property and prohibits such utilities from removing the periodic determination of factors for customer collection with true-up and reconciliation. The rights and interests to receive revenues collected by a regulated utility through the irrevocable and nonbypassable mechanism created pursuant to a financing order shall become a securitization property right at the time the ratepayer-backed bond is issued pursuant to a financing order. The rights of the securitization property owner are not subject to setoff, counterclaim, surcharge or defense by the regulated utility or any other person, creditor or otherwise, in any bankruptcy or debt collection proceeding of the regulated utility. The measure authorizes the creation of a valid and enforceable lien and security interest in securitization property via an agreement with the Oklahoma Development Finance Authority. The measure authorizes the Authority to borrow money on the credit of the revenues to be derived from securitization property received. The measure specifies that such ratepayer-backed bonds shall not be an indebtedness of the state or of the Authority. Additionally, the State Treasurer is authorized by the measure to purchase from the Authority at private sale all or any part of the bonds issued in this manner. The measure provides that the Commission may require an audit of all amounts received from customers under an irrevocable and nonbypassable mechanism and paid to a utility, the amounts paid by the utility to the Oklahoma Development Finance Authority, or other holder of securitization property. Such audits shall be provided to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Authority. The measure provides that the Authority shall file an application



with the Oklahoma Supreme Court for the approval of bonds issued and confers exclusive jurisdiction upon the Court to hear and determine each application. The Court shall give such an application precedence over the other business of the Court and consider and pass upon the application and any protests which may be filed against such application as speedily as possible. Notice of the hearing must be published in a newspaper of general circulation in the state at least 10 days prior to the hearing. The decision of the Court shall be a judicial determination of the validity of the bonds, shall be conclusive as to the Authority, this state, its officers, agents and instrumentalities and all other persons, and thereafter the bonds so approved and the revenues pledged to their payment shall be incontestable in any court in this state.

**HB 1093** (Kerbs/Murdock) directs the Oklahoma Water Resources Board to update its water quality standards to allow for development of watershed trading programs by November 1, 2026.

**HB 1705** (Newton/Murdock) eliminates the requirement that persons generating or shipping hazardous waste must create a disposal plan and submit it to the Department of Environmental Quality (DEQ) for approval. The also measure eliminates the fee for the generator disposal plan and modifies the fees for monitoring and small quantity generators.

**HB 1815** (McBride/David) directs the Oklahoma Corporation Commission to issue a report and recommendations regarding availability and appropriateness of natural gas utilities to procure, transport, and deliver renewable natural gas to consumers no later than December 1, 2021. Renewable natural gas is defined to include biogas-derived methane gas, hydrogen gas or carbon oxide

from renewable sources, or methane gas derived from any combination of hydrogen gas or carbon oxide from renewable sources. The report shall also address production of educational materials regarding renewable natural gas, and discuss future reporting requirements for producers.

**HB 2028** (O'Donnell/Allen) prohibits excavators from commencing excavation or demolition if they have knowledge that an operator has unmarked underground facilities. Work may begin after notice has been given and such facilities have been marked. Excavators are required to maintain and preserve all marks for the duration of the excavation or demolition. They are also required to notify the notification center if marks are no longer visible or removed and check for positive response at the notification center prior to excavation or demolition. The measure provides time limits for certain notice and potential liability for excavators in certain circumstances. During any state of emergency, time limitations are inapplicable. Operators are required to provide a positive response to the notification center prior to the expiration of the required notice period. The measure provides requirements for the response. The measure requires all operators to be members in good standing of the notification center and requires certain documentation to be maintained by the notification center.

**HB 2029** (O'Donnell/Taylor) clarifies a requirement that a division order include the name, address, and tax ID number of each interest owner.

**HB 2049** (McCall/Simpson) modifies the cost at which a conservancy district contract requires an advertisement for bids in a newspaper. The measure requires district

contracts valued more than \$100,000.00 to be advertised.

**HB 2330** (Steagall/Rosino) allows drilling of municipal water wells inside and outside of the municipal limits.

**HB 2402** (Russ/Jech) authorizes counties, public trusts, and other political subdivisions operating a public water supply system or wastewater treatment system to utilize design-build as a project delivery method for those water systems. The measure requires the Department of Environmental Quality to incorporate a flexible permitting process to allow this design-build authorization into its rules and to authorize up to 5 pilot projects in the interim before those rules are adopted.

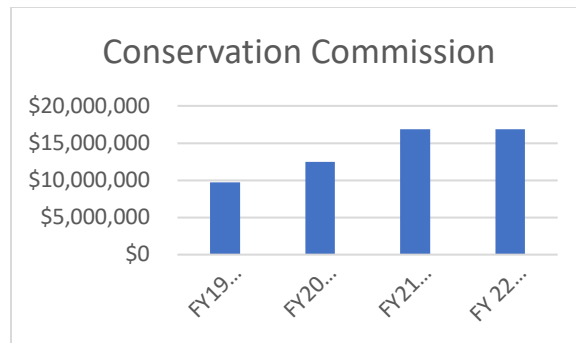
#### Conservation Commission Funding

**SB 535** (Bergstrom/Lepak) increases the maximum civil liability for violating pipeline safety rules promulgated by the Corporation Commission from \$100,000.00 to \$200,000.00 and from \$1 million to \$2 million for any related series of violations.

**SB 536** (Bergstrom/Lepak) 6 increases the maximum civil liability for violating the Hazardous Liquid Transportation System Safety Act from \$100,000.00 to \$200,000.00 and from \$1 million to \$2 million for any related series of violations.

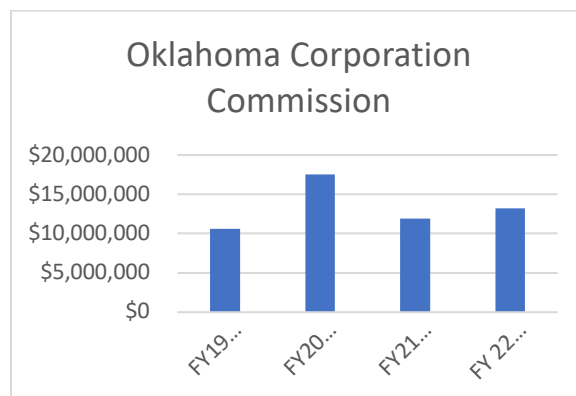
**SB 1059** (Thompson/Wallace) extends the sunset date for the Corporation Commission Plugging Fund and its associated fees from July 1, 2021, to July 1, 2026.

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Conservation Commission	\$16,865,856	\$16,876,719	0.06%



#### Corporation Commission Funding

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Oklahoma Corporation Commission	\$11,871,018	\$13,192,324	11.13%



#### Election Measures

**SB 347** (Paxton/Martinez) prohibits municipalities and political subdivisions from holding an election on the second Tuesday of December 2021 or the second Tuesday of January 2022 for the offices of United States Representative, State Senator, State Representative and County Commission districts following the reapportionment of such districts in order for the State Election Board to properly implement new precincts associated with new district boundaries. Additionally, the measure adds the second Tuesday of June of an odd-numbered year for a special election to fill a vacancy to the list of exceptions to the rule that no regular or special election to fill an elective office shall be held by any

county, school district, technology center school district, municipality, fire protection district or other political subdivision authorized to call elections.

**SB 710** (Jech/Newton) authorizes the Secretary of the State Election Board to join the State of Oklahoma as a member in 1 or more multistate voter list maintenance organizations and to provide voter registration data to such organizations upon joining. The measure provides for the Secretary to expend such funds as needed for membership dues. Additionally, if such organizations identify eligible, but not registered, citizens or citizens who changed their address, the Secretary may notify such citizens about the procedure for becoming a registered voter or changing the registered address.

**SB 712** (Jech/Dick Lowe) provides for the Secretary of the State Election Board to authorize the use of electronic precinct registries by county election boards. The Secretary may also purchase any equipment and software necessary to implement an electronic precinct registry system, subject to available funding.

**SB 947** (Rosino/Tammy West) requires the parties responsible for circulating an initiative petition to indicate whether the proposal will have a fiscal impact on the state and if so, the potential source of funding.

**SB 959** (Paxton/Hilbert) modifies procedures relating to filling a vacancy or irrevocable resignation in the United States Senate. The measure provides that an irrevocable resignation shall occur when a member of the United States Senate from Oklahoma provides a written letter of resignation to the Secretary of State. The measure requires a special election to be

held for the seat at the next regularly scheduled statewide Primary, Runoff Primary, and General Election. If the vacancy occurs in an even-numbered year on or before March 1, the special election, if necessary, shall be held that same year. If the vacancy is already scheduled to be filled for a full term at the next available regularly scheduled election, then no special election shall be called. The Governor is directed to appoint a person eligible to hold such office, who has been a registered voter of the party of the predecessor in Oklahoma for at least 5 years within 30 days of the vacancy occurring. The potential appointee shall submit an oath to the Secretary of State an oath affirming that the person will not file as a candidate for the office when it next appears on the ballot. The Secretary of State is directed by the measure to publish that oath.

**SB 1066** (Treat/McCall) creates the State Senate Redistricting Act of 2021. The measure states that the legislature determined the United States Census Bureau failed to meet the deadline to transmit the tabulations of population of the state, which necessitates the use of the best alternative population data. The measure also finds that the best available population data is United States Census Bureau's American Community Survey for 2015-2019. The outlined Senate districts shall become operative on the 15th day following the General Election in November 2022. The State Election Board shall conduct the elections for the Senate in 2022 in accordance with the provisions of the State Senate Redistricting Act of 2021. The measure repeals the provisions of the State Senate Redistricting Act of 2011. The measure provides that Senators elected from even-numbered districts in 2022 shall hold office until the 15th day succeeding the General Election in November 2026.

Senators elected from odd-numbered districts in 2020 shall hold office until the 15th day succeeding the General Election in November 2024. Each Senate district is based on the following geography as defined by the U.S. Census Bureau: counties, tracts, blockgroups, and blocks. The measure provides that if the State Senate Redistricting Act of 2021 and the State House of Representatives Redistricting Act of 2021 require any county election board to create precincts with no residents, the President Pro Tempore of the Senate and Speaker of the House shall adjust Senate or House district lines to prevent the creation of zero population precincts. In no case shall such an adjustment affect the total population of a Senate or House district.

**HB 1198** (McCall/Treat) creates the State House of Representatives Redistricting Act of 2021. The measure designates the Census Bureau's American Community Survey (ACS) Five-Year Estimates for 2015-2019 as the best alternative population data available for legislative redistricting and directs the Legislature to use ACS data to draft redistricting legislation. The new district boundaries will take effect on the 15th days following the General Election in November 2022. The State Election Board will conduct elections for state House districts in 2022 in accordance with the act under the new district lines.

**HB 1752** (CrosswhiteHader/Rader) sets a deadline of 30 days from the date the list is received for the secretary of a county election board to remove the names of the deceased from the voter registration database. A funeral director will be required to fill out a form from the Secretary of the State Election Board to notify the secretary of the county election board of a county resident's death. The measure also provides that an order appointing a guardian shall set

forth findings of fact as to whether the ward retains sufficient capacity to vote.

**HB 1963** (Nollan/Stanley) provides that the Governor shall appoint the members of a school board of education of a school district or technology center school district that fails to reach a majority due to vacancies. The Governor shall only appoint enough members for the school board to reach a quorum. The appointment or appointments will be consistent with existing requirements and only for the remainder of the term of office.

**HB 2087** (McCall/Rader) provides that officeholder expenses may be expended for contributions or dues for a political caucus fund or the costs associated with signage for naming highways and bridges.

**HB 2193** (Stinson/Bergstrom) clarifies that municipal office as it relates to the Municipal Campaign Finance and Financial Disclosure Act shall mean any elective office established under state or municipal law.

**HB 2564** (Chad Caldwell/Quinn) provides that a candidate for political office petitioning for a recount of the vote may request the vote be counted manually or electronically. If the candidate or individual requests that the ballots be recounted by electronic device, the petition must be accompanied by a cashier's check or certified check in the amount of \$600.00 for the first 3,000 ballots and \$300.00 for each 5,000 ballots thereafter. The measure also provides that the Governor or Attorney General may request a recount of any state question. The request shall be in the form of a petition prescribed by the Secretary of the State Election Board. The measure also directs the Secretary of the State Election Board to order an automatic recount of the

state question's vote if the margin of votes required for approval is less than 0.5% or less of the total number of votes cast for and against a state question involving a statutory issue or question. The recount shall also be order if the margin of votes required for approval is 1% or less of the total number of votes cast for and against a state question involving a constitutional issue or question. The recount will not occur if there is less than \$250,000.00 in the State Question Recount Revolving Fund. The Fund shall never exceed \$500,000.00.

**HB 2663** (Echols/David) modifies the deadline for absentee ballot requests. The measure extends the period from the Tuesday preceding an election to the third Monday preceding an election. Such requests must be submitted to the appropriate election official. Additionally, the measure modifies the period a person may request an in-person absentee ballot for county elections as well as General, Primary, Runoff Primary Election, or Presidential Preferential Primary Elections. For county elections, the deadline for such requests remains 8 a.m. to 6 p.m. on the Thursday and Friday immediately preceding the county election. For Primary, Runoff Primary Election, or Presidential Preferential Primary Elections, the measure provides that ballot requests may be made on the Saturday preceding the election from 8 a.m. to 2 p.m. General Election absentee ballots may be requested starting on the Wednesday immediately preceding the election from 8 a.m. To 6 p.m.

**HB 2939** (Newton/Murdock) directs the secretary of the county election board to record a voter's method of voting. The voter's method shall not be disclosed to the public except for during a regularly scheduled federal or state election or a

statewide special election for a state question.

## **County and Municipal Government**

**SB 143** (Rader/Boatman) authorizes county employee recognition awards to be presented at a formal or informal ceremony, banquet, reception, or luncheon. Monies may be expended from the county department's or division's operating fund to pay for the ceremony, banquet, reception, or luncheon.

**SB 277** (Montgomery/Pae) authorizes municipalities to requires the owner of a dilapidated property to provide his or her contact information and provides for such information to be kept confidential.

**SB 280** (Quinn/Humphrey) authorizes any county with an excise board to establish a rainy-day fund and capital reserve fund. Deposits may be made into the rainy-day fund by resolution of the county. The fund may contain 50% of the previous year's approved budget. Once deposited in the fund, the monies are not transferrable. The measure provides for half of the fund to be utilized for naturalized disasters, 1/8 of the fund to be used for supplementing the budget, and 1/8 of the fund to be used to supplement the current year's revenue when collections come in shorter than estimated and a revenue failure is declared by the board of county commissioners. Deposits into the capital reserve fund are also nontransferable but may be expended in a manner determined by the board of authority on county facilities.

**SB 483** (Hall/Burns) requires members of the county board of equalization to attend and complete a course of instruction consisting of at least 6 hours for purposes of instructing the members about the duties imposed on the board by law. Additionally,

the measure reduces the time members are afforded to complete the course from 18 months to 12 months. The measure also establishes an annual 3 hour continuing education requirement for members. The Program Director of the Center for Local Government Technology at Oklahoma State University is directed to send written notification of failure to comply with the educational requirements to the State Auditor. The State Auditor shall inform the noncompliant member of their failure to comply within 30 days of receiving notice. Members who do not comply with the provisions of this measure shall not receive travel reimbursements. Any member that misses 3 or more meetings shall forfeit their office. The measure also increases the maximum compensation a board member may receive from \$50.00 to \$100.00.

**SB 728** (Paxton/Martinez) provides that the counties shall be reapportioned by their respective county board of commissioners on or before November 30, 2021, following the final official publication of the Federal Decennial Census.

**SB 736** (Kidd/McEntire) provides for health districts to also be comprised of multiple county health departments operating under agreement to share resources. The measure also provides for the county board of commissioner to be able to contract with a neighboring board of health or board of county commissioners of any county to provide the county any or all public health services. Counties may combine county millage and designate 1 county as the operational hub.

**SB 828** (Murdock/Newton) provides that any employee employed to perform duties that are not in assistance to a county officer in the performance of the official duties of the county officer, including, but not limited

to, specialized or technical duties, may receive a salary in excess of a county officer. The measure also authorizes a county to utilize the appropriate State of Oklahoma pay structure in lieu of the salary code specified in statute.

**SB 838** (Weaver/Nollan) creates the Oklahoma Public Safety Protection District Act. The measure authorizes the governing body of a municipality to create a public safety protection district by the adoption of a resolution and placing the question to voters of the municipality in the next general election. If a 60% of voters approve the creation of the district, the municipality shall exercise oversight and management of the district. The district will be considered a political subdivision of the state and will encompass the borders of the municipality. An assessment of up to 5 mills may be levied by the district for the purposes of paying for police, fire, and jail operations. The assessment shall not apply to real property zoned for agricultural or industrial land use, implements of husbandry, livestock employed in support of the family, and personal property owned by for-profit business entities.

**SB 939** (Taylor/Pfeiffer) provides that any critical infrastructure company or entity that acts in compliance with or acts consistently with government rules, guidelines, or laws applicable to its sector shall not constitute a nuisance.

**SB 958** (Coleman/Burns) provides the board of directors for each fire protection district with the power to acquire a certification to operate an emergency medical services agency from the Oklahoma State Department of Health or contract for services with a certified or licensed emergency medical service agency. The district's emergency medical service agency

may respond outside of the district boundaries if the political subdivisions having jurisdiction over the area provided the Department proper documentation of their support.

**HB 1036** (Strom/Daniels) authorizes the board of county commissioner to purchase or sell materials, tools, and equipment with a political subdivision which is not subject to the Oklahoma Central Purchasing Act at a price agreed upon by both governing bodies.

**HB 1063** (Boles/Kidd) 3 authorizes the board of county commissioners to employ information technology (IT) staff and strikes language requiring that the data processing technician's term may not extend beyond the term of office of the board appointing them.

**HB 1064** (Boles/Kidd) applies a single method of calculating base salary for county officers to all counties, and strikes other methods. The definition of serviceability is modified to include gross assessed valuation of all tangible taxable property, rather than net valuation. The upper limit of the county officer base salary is increased from \$44,500.00 to \$49,500.00. Calculation of additions to base salary are modified to be based upon gross assessed valuation rather than net valuation.

**HB 1749** (CrosswhiteHader/Paxton) authorizes the county treasurer to not bid off the property in the name of the county and instead allow the property to remain under its current ownership. The treasurer is directed to consider certain factors outlined in the measure when determining property to be nuisance property. Determination of a property as common area nuisance property could be made at any time. The measure also provides that all common area nuisance property bid off in the name of the city or

town shall be for the amount of any municipal liens due.

**HB 1789** (Pae/Howard) authorizes s local governmental units to create or contract with a purchasing cooperative to achieve best value or best terms in contracts. The measure allows any purchasing cooperative or interlocal cooperative to utilize a single legal newspaper of the state to meet its bid notice requirements of competitive bidding or bid solicitation. If the project is exclusive to a county or group of counties, the bid notice must be published in a legal newspaper within that county or those counties.

**HB 2225** (Moore/Weaver) authorizes designees of the chief of police to dispose of personal property or money seized by the chief. In the event the property or money was seized by the police department in connection with a criminal investigation or arrest, this determination shall be made by the court which has jurisdiction over the criminal offense. If the property has an actual or apparent value over \$250, written notice must be given to the person last in possession of the property 3 days prior to the hearing. A description of the property shall be included in the notice. If authorized by ordinance, the municipality may transfer any currency received into a depository account for the benefit of its known or unknown owners prior to any court order for disposition of the money or legal tender. No forfeiture proceeding shall be necessary to authorize the destruction of property that cannot be returned lawfully to its owner. The measure also allows a municipality to provide written notice at the time of arrest that certain property would be available for return within 90 days, if it was not seized as evidence. If the property is worth less than \$250, no further notice is required prior to obtaining a court order for disposition of the

property. If an affidavit of ownership or affidavit of right of possession is used to establish ownership or right of possession, the claimant may also be required to sign an agreement to indemnify and defend the custodians of the property in the event of an adverse claim to the property.

**HB 2506** (Kannady/Allen) modifies the definition of dilapidated building as it relates to condemnation procedures. The time a building must have been boarded and secured in order to be considered dilapidated is reduced from 18 months to 6 months.

**HB 2747** (Ford/Haste) requires municipal employers to recognize a bargaining agent selected by a majority of the firefighters of the fire department or police officers of the police department of that municipality as the exclusive bargaining agent for the firefighters or police officers of that municipality until a majority of the firefighters or police officers withdraw the recognition. Such agents must be recognized by a majority of the firefighters or police officers of that department. Any vote or ballot authorized by the agreed procedures shall be accompanied by a copy of the voter's driver license or other state authorized identification card. If no parties can agree on election procedures, either party may request the American Arbitration Association to conduct the election and certify the results. Elections for bargaining agents may only be held once per 12- month period.

**HB 2778** (Pfeiffer/Coleman) authorizes a district attorney to destroy records and files pertaining to felony, misdemeanor, traffic, wildlife, or juvenile cases if they have been digitized.

## **Public Finance**

**SB 75** (Simpson/Townley) exempts the Social Security Disability Determination Services Division of the Department of Rehabilitation Services from the requirement to obtain an information security risk assessment identifying vulnerabilities associated with the information system.

**SB 88** (Howard/Worthen) modifies voting requirements for public trusts to waive public bidding requirements. The measure authorizes public trusts with fewer than 4 trustees to waive bidding requirements with 2/3's of the vote instead of 3/4's of the vote. Additionally, the measure exempts public trusts from auditing requirements provided the trust does not possess any debt obligations and has assets totaling less than \$50,000.00.

**SB 91** (Hall/Boles) modifies the maximum length of performance-based efficiency contracts by specifying that the term shall be the greater of 20 years or the useful life of the project. Additionally, the measure provides that a public entity may consider capital cost avoidance and include additional revenue that is directly attributed to the performance-based efficiency contract when calculating cost-savings.

**SB 147** (Thompson/Wallace) directs the Commissioners of the Land Office when calculating the 5% cap on investments in real property to not include the value of real property under long-term lease to the state, agencies of the state, or subdivisions thereof.

**SB 281** (Quinn/O'Donnell) requires county investments into bonds issued by the United States to only be invested in bonds with a rating of A+ or better by Standard and Poor's Corporation or A1 or better by Moody's Investor Service or an equivalent investment grade by a securities ratings



organization accepted by the National Association of Insurance Commissioners including investment grade obligations of state agencies.

**SB 345** (Garvin/McEntire) clarifies that awards made pursuant to the provisions of the Oklahoma Dental Loan Repayment Program shall be deposited into an appropriate loan agency.

**SB 382** (Standridge/Conley) exempts the J.D. McCarty Center from the certain provisions of the Oklahoma Central Purchasing Act.

**SB 606** (Rader/Pfeiffer) strikes the designation for the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act Incentive Payment Fund and changes it from a special fund to an Oklahoma Tax Commission special account. The measure also removes language limiting the liability of the state to the balance contained in the fund.

**SB 789** (Leewright/Wallace) authorizes the Oklahoma Employment Security Commission to claim 25% of the federal relief funds made available to the state, decrease the surcharge to be charged to each employer to a percentage rate that is sufficient to bring the balance of the fund to \$25 million, borrow federal funds, and allow the balance of the fund to drop to \$10 million if needed during a state of emergency declared by the Governor, the Oklahoma Legislature, the United States President, or the United States Congress.

**SB 840** (Kidd/Boles) increases the cap for county agents making purchases or lease agreements without following bidding procedures from \$15,000.00 to \$25,000.00. The measure also provides for county purchasing agents to purchase goods and

services from the next lowest bidder or the best quote if the lowest bidder refuses to provide such goods and services provided the purchase amount is below \$25,000.00.

**SB 853** (J.J. Dossett/Burns) exempts the Oklahoma Military Department from the provisions of the Oklahoma Central Purchasing Act as it applies to purchasing heraldry items.

**SB 867** (Pugh/Tommy Hardin) authorize the Military Department to purchase products which are available through a General Services Administration contract. The products do not need to be on a current state contract before a purchase can be made.

**SB 868** (Pugh/Tommy Hardin) provides for federal programs administered by the Military Department with a Certified Procurement Officer making purchases on behalf of the program to be regarded as an individual purchasing entity.

**SB 1051** (Thompson/Wallace) repeals the authority for the Department of Mental Health and Substance Abuse Services to issue notes and bonds in an amount not to exceed \$6 million.

**HB 1061** (Boles/Paxton) directs funds to the Crime Victims Compensation Fund that would otherwise be deposited to the credit of the General Revenue Fund; for this reason the measure will have a negative revenue impact on the General Revenue Fund.

**HB 1376** (McCall/Pugh) subjects the Oklahoma Aeronautics Commission to the provisions of the Public Competitive Bidding Act of 1974 as it relates to contracts for airport and air navigation facility construction and repair. The Department of Transportation may administer the process.

**HB 1990** (Trey Caldwell/Montgomery) provides that monies from the Ad Valorem Fund may be used to reimburse counties for homestead exemptions granted to 100 percent disabled veterans and surviving spouses if the number of exemptions granted to veterans and surviving spouses for the most recently concluded calendar year 0.8% of the total county population according to the latest Federal Decennial Census or most recent annual population estimate. The reimbursement provided in this paragraph shall amount to 25% of the loss of revenue claimed by the qualified county.

**HB 2331** (Steagall/Newhouse) exempts the Oklahoma Military Department from the requirement to obtain an information security risk assessment by the Information Services Division of the Office of Management and Enterprise Services.

**HB 2365** (Burns/Coleman) creates the Oklahoma Supplier Diversity Initiative. The program shall provide convenience for qualified and certified small business enterprises and minority business enterprises in contracting projects in underserved areas. Qualified businesses, as defined in the measure, shall register with the Office of Management and Enterprise Services (OMES). OMES is directed by the measure to allow registered vendors to be automatically notified of opportunities to do business with the state for specific commodities. The measure directs the State Purchasing Director to submit an annual report to the President Pro Tempore of the Senate, Speaker of the House, and Governor on or before September 1. The report shall detail the status of the percentile of state funds expended on contracts awarded to a certified Oklahoma Department of Transportation Disadvantaged Business Enterprise and all of the entities certified by

the United States Small Business Administration in the preceding fiscal year.

**HB 2861** (Wallace/Rosino) provides that only persons having a direct contractual relationship with the party furnishing the payment bond would have a right of action upon a bond as it relates to at-risk construction management contracts.

**HB 2862** (Wallace/Pemberton) raises the thresholds for complete bidding requirements. For public construction contracts, the amount is raised from \$50,000.00 to \$100,000.00. The limit that may be negotiated with a qualified contractor is raised from \$5,000.00 to \$10,000.00. The limit on contracts for right-of-way clearance to not be considered construction contracts and required to be open for bidding is raised from \$50,000.00 to \$100,000.00. The limit on contracts for projects of the Oklahoma Department of Wildlife conservation relating to fish and wildlife conservation is raised from \$25,000.00 to \$50,000.00. The limit on contracts under an emergency authority declared by the governing body of a public agency is raised from \$75,000.00 to \$150,000.00.

## **State Government**

**SB 28** (Bergstrom/Josh West) broadens the classification of “political subdivision” within the Governmental Tort Claims Act to include substate planning districts and regional councils of government.

**SB 62** (Montgomery/Luttrell) extends the sunset date for the Oklahoma Strategic Military Planning Commission from December 31, 2020, to December 31, 2025.

**SB 63** (Montgomery/Frix) removes the requirement for a state employee who departed an agency under a separation

agreement to repay the state agency if he or she is employed within 1 year of the execution of the separation agreement.

**SB 76** (Simpson/Tommy Hardin) strikes the requirement for the Military Department to annually report to the President Pro Tempore of the Senate, the Speaker of the House, and the Secretary of Finance the amount of savings realized from its authority to purchase motor vehicles.

**SB 118** (Hall/Osburn) authorizes the Oklahoma Municipal Power Authority to hold executive sessions closed to the public when discussing security plans and procedures including, but not limited to, cybersecurity matters. Records pertaining to security plans and cybersecurity may be kept confidential.

**SB 123** (Hall/Osburn) exempts the Oklahoma Municipal Power Authority from the provisions of the Information Technology Consolidation and Coordination Act.

**SB 148** (Rader/Dills) increases the number of members on the Oklahoma Uniform Building Code Commission within the Construction Industries Board from 11 to 13. The additional members must be a licensed electrical engineer from a state-recognized professional engineering firm and a licensed mechanical engineer from a state-recognized professional engineering firm respectively. The measure requires these members to be appointed within 90 days of the effective date.

**SB 282** (Simpson/Tommy Hardin) provides for annual leave cap placed on state employees to temporarily increase and carryover to the new fiscal year following an emergency declaration.

**SB 364** (David/Josh West) moves the domicile of the district for the Grand River Dam Authority from Craig County to Mayes County.

**SB 428** (Thompson/Hilbert) requires the Director of the Office of Management and Enterprise Services initiate a request for proposal for the rationalization and determination of which state applications and databases can be immediately transferred to a cloud-based data storage platform.

**SB 487** (Pugh/Nollan) modifies the membership of the Oklahoma Science and Technology Research and Development Board. The measure provides for the President Pro Tempore of the Senate, Speaker of the House, and Governor to appoint members to the Board for a term of 4 years. The Secretary of Science and Innovation shall serve as Chair.

**SB 492** (Taylor/Newton) authorizes the Corporation Commission and its members to utilize an electronic signature to satisfy requirements in law requiring the signature of a member, the Chair, or the Vice-Chair. Additionally, the Corporation Commission is authorized to utilize an electronic image of the Commission's seal.

**SB 585** (Dahm/Sean Roberts) specifies that constitutional neglect of duty shall include giving false testimony to a committee of either house of the Legislature, engaging in operations beyond the constitutional or statutory authority delegated to the agency that the officer is employed by or serves, or repeatedly refusing to provide information to a committee or member in a timely manner.

**SB 758** (Pugh/Osburn) authorizes the Real Estate Appraiser Board to employ a Director

to oversee the organization and activities of the Board. Additionally, the measure removes the Board's authority to develop guidelines relating to appraiser examinations and the requirement to study the number of appraisers licensed in the state. The measure also provides for employees of the Board to be considered unclassified employees of the Oklahoma Insurance Department. The Director may employ temporary employees. The Insurance Department is also required to provide administrative support for the Board.

**SB 802** (Leewright/Phillips) modifies the membership of the Rural Broadband Expansion Council. The measure clarifies that a current or past mayor may serve on the Council and increases the maximum population of the municipality a mayor serves to remain eligible to serve on the Council from 25,000 to 35,000. The measure also increases the membership of the Council by 2, adding a resident of this state who is a Wireless Internet Service Provider as well as a Tribal Leader of a tribe recognized in this state.

**SB 870** (Rader/Pfeiffer) removes the requirement for the Oklahoma Tax Commission (OTC) to prepare its audit according to the standards established by the Governmental Accounting Standards Board and to submit the results of its audit to the State Auditor and Inspector. The measure also modifies the OTC's audit by providing for such audit to be an annual, operational audit instead of a continuous audit. Language requiring the OTC to furnish necessary office space for employee of the State Auditor is stricken by the measure.

**SB 910** (Murdock/Newton) requires the auction for the sale of land owned by the Commissioners of the Land Office to be

held in the county in which the land is situated.

**SB 913** (Daniels/O'Donnell) provides for the Legislature to repeal an agency rule by joint resolution and removes the Governor's authority to repeal agency rules by declaration. Agencies exempted from the procedures of the Administrative Procedures Act or pursuing a preemptive rule are directed by the measure to publish exempt rules on any website associated with the agency. Every agency is also directed to publish agency rules on the website associated with the agency. Additionally, the measure requires agencies to respond to small businesses requesting a review of their rules no later than 90 business days and to the Legislature or Governor within 30 days instead of the 90 days currently provided for in law. The measure also directs the President Pro Tempore of the Senate and Speaker of the House to establish a Joint Committee on Administrative Rules. Membership shall be comprised of current members. The chairs of the Joint Committee shall be appointed by both the President and Speaker. The Joint Committee shall consider proposed rules, amending rules, and repeal requests submitted by an agency. Those rules approved by the Committee shall be presented to the Legislature for final approval for repeal. All Committee actions on items for consideration require a majority vote of both the Senate members and the House members of the Committee. Emergency rules must be sent to the chairs of the Joint Committee in addition to the other recipients outlined in current law. The measure requires agencies providing notice of a new rule to provide 1 electronic copy to of the complete text of the proposed rule, amendment, or revocation and a copy of the notice to the Governor and to the appropriate cabinet secretary. The Governor or relevant cabinet secretary may disapprove

the rule within 30 days. If the Governor or the cabinet secretary disapproves a rule, the affected agency shall be notified in writing of the reasons for disapproval. Agencies may proceed with the rulemaking process if the Governor or secretary does not expressly disapprove the rule within 30 days of receiving notice. The measure also creates a new section of law in the Act by providing for the expedited repeal of rules beginning September 1, 2021. An agency may submit a request for expedited repeal to the President Pro Tempore of the Senate and the Speaker of the House, whereupon they will assign the request to the Joint Committee to conduct the repeal process. Such a request shall be accompanied by a statement of the purpose for the repeal. Upon completion of the comment period, the Joint Committee may schedule a hearing on the agency repeal request. If the Committee approves the repeal, it shall be presented to the Legislature for final approval.

**SB 961** (Daniels/Lepak) prohibits any state agency or official from imposing any filing or reporting requirement on an organization regulated or specifically exempted from regulation under the Oklahoma Solicitation of Charitable Contributions Act more stringently than is otherwise required by federal and state law. The provisions of this measure shall only apply to private foundations or charitable trusts, excluding nonprofit hospitals.

**SB 1015** (Daniels/Rick West) provides that records received from risk pool participants that can otherwise be obtained from risk pool participants shall be considered confidential.

**SB 1031** (Treat/Echols) extends the sunset date as it relates to authorizing public bodies to meet via teleconference or videoconference as modified for the

emergency conditions from November 15, 2020, to February 15, 2022 or until 30 days after the Governor ends the declared state of emergency relating to the threat of COVID-19. The measure also requires public bodies giving notice of meetings to be conducted via videoconference to not modify the method of meeting described in the notice prior to the meeting and to include the code or password to access the meeting in the public notice when applicable.

**SB 1064** (Daniels/Kannady) is the annual Duplicates Section bill that conforms multiple versions of statutes.

**HB 1140** (Fetgatter/Taylor) transfers the Oklahoma Chief International Protocol Office from the Office of the Secretary of State to the Department of Commerce.

**HB 1146** (Osburn/Treat) places all state employee positions under the administration of the Human Capital Management Division of the Office of Management and Enterprise Services beginning January 1, 2022. Persons employed by the Governor, Lt. Governor, Speaker of the House, or President Pro Tempore of the Senate, as well as elected officials, political appointees, and up to 5% of an agency's executive management shall not be placed under the Division's administration. The measure directs the Division to establish and maintain a dispute resolution system for state agencies and employees, to promulgate rules necessary to perform duties required by the measure, receive and act on complaints arising from disciplinary actions by state employees, use administrative law judges as independent contractors, submit quarterly reports on workload statistics to the Legislature, and create and administer a confidential whistleblower program. The measure sunsets the Oklahoma Merit Protection Commission on December 31, 2022.

**HB 1236** (McCall/Treat) expands the duties of the Attorney General to include monitoring and evaluating any action by the federal government including executive orders by the President of the United States, rules or regulations promulgated by an agency of the federal government or acts of Congress. The Attorney General is directed to determine whether any such action violates the Tenth Amendment to the Constitution of the United States. The measure creates the State Reserved Powers Protection Unit within the Office of the Attorney General to carry out these duties. If the Attorney General determines the action constitutes a violation of the Tenth Amendment, the Attorney General shall determine whether the state should seek an exemption from the application of the action or seek to have the action declared unconstitutional. The measure also creates the State Reserved Powers Protection Unit Revolving Fund, which shall consist of the first \$10 million of funds derived from the corporate income tax beginning July 1, 2021, and ending July 1, 2025.

**HB 1783** (Luttrell/Weaver) expands the regulatory of the Oklahoma State Athletic Commission to include amateur kickboxers and amateur kickboxing events. This measure also eliminates the exemption from the provisions of the Oklahoma State Athletic Commission Act for amateur combative sports events conducted or sponsored by amateur sanctioning bodies. USA Boxing events and events sponsored or conducted by the International Olympic Committee are exempted from the provisions of the Oklahoma State Athletic Commission Act by the measure.

**HB 1816** (McBride/Weaver) creates “Cali’s Law.” The measure designates the rescue animal as the state pet of Oklahoma.

**HB 1876** (Tammy West/Stanley) extends an exception to the Oklahoma Open Records Act relating to public employee personal information. The home addresses, home telephone numbers, Social Security numbers, private email addresses, and private mobile phone numbers of current and former public employees shall not be open to public inspection or disclosure. Public records created using a private email address or private mobile phone are not to be included within this exception.

**HB 2296** (Dustin Roberts/Bullard) re-creates the Red River Boundary Commission. The Commission is directed to confer and act in conjunction with representatives from Texas to evaluate the methods and other information used to establish the Texas boundary in the Texoma area as well as determine the location of the south bank of the Red River as located and marked by the US Army Corps of Engineers. Additionally, the Commission is charged with redrawing the boundary with Texas on any real property for which the Army Corps of Engineers was granted an easement for construction and operation of a water pipeline in the Texoma area. The commission is required to report findings and recommendations no later than January 15, 2022, and issue a final report no later than January 30, 2025.

**HB 2326** (Frix/Pemberton) provides that a member of the Oklahoma Abstractors Board that has served 2 consecutive terms may be reappointed after the expiration of at least 1 full term. The measure provides that a felony conviction that could result in the loss of an abstract license must substantially relate to the practice of abstracting and pose a reasonable threat to public safety.

**HB 2338** (Kendrix/Pugh) provides that the Director, department heads, emergency responders, and other essential employees of the Department of Corrections may be permitted to use a state-owned or state-leased vehicle to provide transportation between the residence of the employee and the assigned place of employment and between the residence and any location other than the assigned place of employment to which the employee travels in the performance of the official duty of the employee. Department heads, emergency responders, and other essential employees must obtain permission from the Director to receive such transportation.

**HB 2462** (Dick Lowe/Howard) authorizes the State Department of Education to enter into contracts and agreements for the payment of food, lodging and other expenses to host, conduct, sponsor or participate in conferences, meetings or training sessions.

**HB 2648** (Hill/Bullard) deems any order or rule issued by any governmental entity pursuant to an emergency that requires closure of any place of worship as a substantial burden even if the order or rule is one of general applicability.

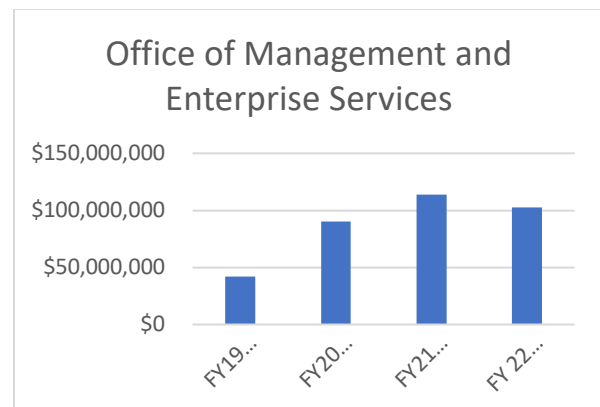
**HB 2863** (Wallace/Thompson) requires state agencies to present to the Commissioners of the Land Office a complete appraisal of real property including the present fair value, the value of improvements, and the actual condition of the improvements on the property before the property can be sold, leased, disposed of, or exchanged. Additionally, the agency must provide a 20-day period to the CLO to provide a proposal for acquisition or disposal of the property. The CLO may decline the proposal.

**HB 2965** (McCall/Treat) extends the sunset date of the entities outlined in the measure to 2024.

### OMES Funding

**HB 2902** (Wallace/Thompson) directs \$1,920,000 of FY-2022 appropriations to the Office of Management and Enterprise Services for the Pay for Success program. The measure requires the Office to expend this amount according to certain population criteria.

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Office of Management and Enterprise Services	\$113,886,169	\$102,781,593	-9.75%



### Health Measures

**SB 4** (Garvin/Marti) authorizes pharmacists to substitute an interchangeable biological product for a prescribed biological product under certain conditions. The product must be approved by the U.S. Federal Drug Administration as an interchangeable product and the patient must be informed of the change. Pharmacists must make an entry into their records showing the name of the product and the manufacturer after dispensing the product. An entry into the

electronic records system is presumed to provide notice to the prescriber. The measure directs the State Board of Pharmacy to maintain a link on its Internet website to the current list of all biological products determined by the FDA to be interchangeable with a specific biological product. If no electronic records system is in use by the pharmacy, the pharmacist is authorized to communicate the biological product dispensed to the prescriber using facsimile, telephone, electronic transmission, or other prevailing means when required.

**SB 42** (Rader/Dills) exempts individuals providing personal care services in the home from the licensing provisions of the Home Care Act. The measure also updates statutory language relating to the regulation of care homes by replacing the State Board of Health with the State Commissioner of Health as the oversight entity.

**SB 57** (Rader/Echols) authorizes members of the Opioid Overdose Fatality Review Board to access information collected at the central repository under the Anti-Drug Diversion Act. The measure also adds a reference to a definition for the term “opioid use disorder” as used in the opioid prescription limit law. The measure also clarifies exemptions for hospice care and palliative care, and removes the requirement that a patient be in active treatment for cancer to be exempted. The measure removes language allowing the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control to provide unsolicited notification to the licensing board if a pharmacist or practitioner has exhibited prescriptive behavior consistent with generally recognized standards indicating potentially problematic prescribing patterns. Additionally, the measure specifies that opioid use disorder is to be defined by the

American Psychiatric Association and clarifies exemptions for patients receiving cancer or aftercare cancer treatment or palliative care in conjunction with a serious illness.

**SB 58** (Rader/Echols) exempts practitioners ordering a controlled dangerous substance to be administered through a hospice program from electronic prescription requirements.

**SB 95** (Stanley/Miller) requires the medical examiner to conduct a sudden unexplained infant death investigation (SUIDI) when the death of an infant occurs in this state and the cause of death is considered undetermined. Medical examiner is defined as the Chief Medical Examiner, Deputy Medical Examiner, or a designee of the Chief Medical Examiner. The examiner must interview the parent, legal guardian or caregiver of, or person who last had contact with, the deceased infant. The measure directs the State Department of Health to retain a copy of each completed SUIDI reporting form as well as provide a copy of each completed SUIDI reporting form to the Child Death Review Board.

**SB 96** (Hall/McEntire) requires the medical examiner to conduct a sudden unexplained infant death investigation (SUIDI) when the death of an infant occurs in this state and the cause of death is considered undetermined. Medical examiner is defined as the Chief Medical Examiner, Deputy Medical Examiner, or a designee of the Chief Medical Examiner. The examiner must interview the parent, legal guardian or caregiver of, or person who last had contact with, the deceased infant. The measure directs the State Department of Health to retain a copy of each completed SUIDI reporting form as well as provide a copy of each completed SUIDI reporting form to the Child Death Review Board.



**SB 104** (Haste/McEntire) authorizes physical therapy sessions to be provided remotely via telehealth to individuals or groups. The measure defines telehealth and telecommunication.

**SB 136** (Simpson/Roe) modifies the time period of the annual report compiled by the State Department of Health pursuant to the Oklahoma Breast and Cervical Cancer Act. The measure requires the Department to submit the report once every 5 years instead of annually.

**SB 164** (Stanley/Roe) authorizes participation in an experimental treatment program in life-threatening emergencies without informed consent, provided the treatment is approved by an accredited institutional review board as well as approval and continuing review of the research activity has approved both the research activity and a waiver of informed consent. In no case shall an experimental treatment regimen be approved on a pregnant patient.

**SB 187** (Rosino/Josh West) removes the Bill Willis Community Mental Health and Substance Abuse Services Center Tahlequah and the Norman Alcohol and Drug Treatment Center from, and adds the Oklahoma Crisis Recovery Unit in Oklahoma City to, the list of maintained facilities within the Department of Mental Health and Substance Abuse Services. The measure also removes references to the Tahlequah and Norman facilities.

**SB 207** (Garvin/McEntire) provides for administrative judges to consider appeals by any applicant or recipient of benefits provided by the Oklahoma Health Care Authority. The measure requires the Administrator of the Authority to only

appoint administrative judges from another state agency as established in the State Medicaid Plan and approved by the Centers for Medicare and Medicaid Services.

**SB 208** (Garvin/Moore) modifies birth certificates as it relates to naming the father of the child. The measure removes the requirement for the husband to be married to the mother at the time of conception and adds language providing for the husband to be placed on the certificate as the father if the mother and husband were married any time during the 300 calendar days preceding the birth. The measure also directs the State Commissioner of Health to authorize the secure electronic transmission of any birth, death, paternity or adoption data and other documents or information necessary to comply with the Uniform Parentage Act or for the purpose of assisting with programs administered by the Department of Human Services. The measure also directs the Commissioner to amend birth certificates involving a child born out of wedlock to reflect the paternity of the child upon receiving such documentation and an acknowledgement of paternity from both parents. The measure prohibits the Department of Human Services from releasing such documents and directs the Department of Health and Department of Human Services to enter into a data sharing agreement.

**SB 344** (Garvin/McEntire) exempts ambulatory surgical centers that are not certified by the Centers for Medicare and Medicaid Services from the requirement to submit data and information relating to tumors to the Commissioner of Health.

**SB 368** (Bullard/Hill) prohibits any governmental entity from declaring or deeming a religious institution and any activity directly related to the institution's

discharge of its mission and purpose to be nonessential. Additionally, the measure prohibits the closure of such institutions for the purposes of health or security that is greater than that imposed upon any private entity facing the same or similar health or security conditions.

**SB 378** (Rosino/Bush) creates Everett's Law. The measure prohibits any covered entity from considering any individual ineligible to receive an anatomical gift solely due to an individual's disability, deny any medical services relating to organ transplants, refuse to refer an individual for the purpose of being evaluated for or receiving an organ transplant, refuse to place an individual on the waiting list, place an individual lower on the priority list due to his or her disability, and refuse to accept health insurance coverage. Covered entities must also provide for reasonable modifications to its policies, practices or procedures to allow individuals with disabilities access to transplantation-related services. Covered entities violating the provisions of this measure may be held liable by affected individuals. The measure also prohibits a health carrier from denying coverage or limiting provider reimbursement solely due to a disability.

**SB 388** (Rosino/Josh West) provides for the eligibility of a patient for home care services to be certified by a healthcare provider and care of the patient shall be overseen by the healthcare provider. Healthcare provider, as defined in the measure, includes physicians, physician assistants, or Advanced Practice Registered Nurses. Current law provides physicians with the sole authority to determine eligibility.

**SB 398** (Rosino/Baker) authorizes pharmacists to administer immunizations that have been approved or authorized by

the Food and Drug Administration without a patient-specific prescription or similar arrangement.

**SB 405** (Stanley/Roe) clarifies the expiration term for each class of member on the Advisory Committee on Midwifery. The first class's term shall expire on January 31, 2023, the second's shall expire on January 31, 2025, and the third's shall expire on January 31, 2027. The measure authorizes the Advisory Committee on Midwifery to investigate all reported violations of Shepherd's Law and requires all information obtained during investigations to be kept confidential. Such record can be introduced by the State Department of Health in proceedings before the Committee. The measure also prohibits confidential investigative records to be subject to discovery or subpoena in any civil or criminal proceeding unless the Committee decides to give such information to law enforcement or other state agencies as necessary and appropriate. Additionally, the measure prohibits any data required to be submitted to the Department of Health pursuant to Shepherd's Law to contain any personally identifying information of the client by the midwife and it considers the records to be confidential and collected for statistical information purposes only.

**SB 406** (Garvin/Boles) authorizes the Oklahoma Children's Hospital to extend services to persons over the age of 21. Additionally, the measure authorizes the University Hospitals Authority to designate other names under which the Oklahoma Medical Center may operate. The measure allows the University Hospitals Authority to assign its inpatient and outpatient hospital and clinical facilities and office and research buildings, facilities, or property under its control to the Oklahoma Children's Hospital, University Hospital or another

division of University Hospitals. It also updates the name of the “Children’s Hospital of Oklahoma” to “Oklahoma Children’s Hospital” and prohibits the use of either term without permission. The measure also modifies, deletes, and repeals obsolete language and updates names of facilities under the University Hospitals Authority.

**SB 511** (Montgomery/Bush) defines harm-reduction services in the Uniform Controlled Dangerous Substances Act. Harm-reduction services are programs established to reduce the spread of infectious disease, reduce drug dependency, and increase safe recovery and disposal of used syringes and sharp waste. Government entities or their partners, religious institutions, nonprofits, tribal governments, and for-profit companies may establish a harm-reduction service. Such services are authorized to possess certain drug paraphernalia items to further the goals of the service, refer patients to mental health services, offer referrals for drug treatment programs, and employ rapid testing for sexually transmitted infections. Entities seeking to establish a harm-reduction service shall register with the State Department of Health.

**SB 574** (McCortney/McEntire) directs the Oklahoma Health Care Authority to establish a health information exchange certification with input from stakeholders. Certification shall be required for a health information exchange organization to qualify as an Oklahoma Statewide Health Information Exchange (OKHIE). Until such time as the health information exchange certification is established by OHCA, an OKHIE shall mean either Oklahoma State Health Information Network and Exchange (OKSHINE) or a health information exchange organization that was previously certified by the Oklahoma Health Information Exchange Trust. OKSHINE is a

unit of the Oklahoma Health Care Authority charged with facilitating the exchange of health information to and from authorized individuals and healthcare organizations. Individuals and entities using the system shall not be held liable in any action for damages or costs of any nature that result solely from the person’s use or failure to use OKSHINE information or data. The measure also specifies that users providing data to the network shall retain the ownership rights of such information. Additionally, the measure repeals provisions of law relating to the study of creating such a network.

**SB 584** (Dahm/Olsen) extends the prohibition on providers receiving funding from the state to include political subdivision funding if such providers are found to have transferred any human fetal tissue for valuable consideration if the transfer affects interstate commerce.

**SB 647** (Pugh/Stark) creates Lily’s Law and defines fetal death and stillbirth. Additionally, the measure subjects birthing centers and medical facilities to the same requirement to maintain a written policy for the disposition of the remains of a child from a stillbirth or fetal death event as licensed hospitals.

**SB 673** (McCortney/Newton) modifies the definition of the term telemedicine throughout statute to be uniform. The measure defines telemedicine to include synchronous mechanisms such as videoconference, asynchronous mechanisms such as exchanging health information, patient monitoring, mHealth, and other electronic means that support clinical health care.

**SB 674** (McCortney/McEntire) requires every health benefit plan offered in the state to provide coverage of telemedicine. No

insurer may exclude a service for coverage solely because the service is provided through telemedicine and is not provided through in-person consultation or contact between a health care professional and a patient for services. Reimbursements for telemedicine services may not exceed the copayment or coinsurance applied. Additionally, any benefit restrictions imposed on telemedicine treatments must be equally applied to in-person treatments. Additionally, no insurer may prohibit the prescription of medicine through telemedicine that are more restrictive than applicable state and federal law. Additionally, the State Department of Health is directed to request a report from the Statewide Health Information Exchange that will provide the data outlined in the measure.

**SB 689** (Pugh/Miller) modifies the membership requirements for the Advisory Committee on Medical Care for Public Assistance Recipients. The measure caps the total membership to 15 members and requires the board to include a member representing individuals with developmental disabilities, a member representing nursing homes, and a member representing 1 or more behavioral health professions. Additionally, the Committee must include the Commissioner of Mental Health and Substance Abuse Services or a designee as well as a member of a federally recognized American Indian tribe. Appointments shall be for a term of 4 consecutive years after January 1, 2022. The chair shall serve for a term of 1 year.

**SB 718** (McCortney/McEntire) authorizes facilities without a pharmacy license to distribute or dispense dialysate or peritoneal dialysis devices necessary to perform home peritoneal dialysis to patients with end stage

renal disease (ESRD) provided certain conditions are met.

**SB 778** (Daniels/Lepak) requires physicians to, prior to administering an abortion-inducing drug, to follow procedures outlined in the measure. The physicians must determine the woman's blood type and administer RhoGAM at the time of the abortion if the woman is Rh negative. Additionally, the physician must inform the woman that she may see the remains of her unborn child after the procedure. The physician must also document the gestational age and intrauterine location of the pregnancy and whether the patient received treatment for Rh negativity. The physician must then schedule a follow-up exam 7-14 days after the procedure. Informed consent must be obtained 72 hours prior to administering the drug. The consent form shall be published by the State Board of Medical Licensure and Supervision and must be filled in the manner prescribed by the measure. Additionally, the State Department of Health shall receive a report from each facility providing abortions using the consent forms to promote maternal health. Using these reports, the Department shall compile a comprehensive annual statistical report for the Legislature. The measure provides for the confidentiality of each patient to be maintained. Physicians shall report any adverse health event relating to the administration of an abortion-inducing drug to the Department. No abortion-inducing drug may be provided on state grounds. Any person found to have violated the provisions of this measure shall be guilty of a misdemeanor or a felony if the person fraudulently used an abortion-inducing drug. Persons found to have violated the provisions of this measure shall be subject to professional and civil penalties. The Legislature may also appoint 1 or more members who sponsored or cosponsored this

measure to intervene as a matter of right in any case in which the constitutionality of this act is challenged. The measure provides for severability of its provisions.

**SB 779** (Daniels/Lepak) directs the State Board of Pharmacy, State Board of Medical Licensure, and Supervision, and the State Board of Osteopathic Examiners to promulgate rules to create a certification program to oversee and regulate the provision of abortion-inducing drugs, which shall be known as the Oklahoma Abortion-Inducing Drug Certification Program. The State Board of Pharmacy shall promulgate rules to create a certification program to oversee and regulate the manufacture and distribution of abortion-inducing drugs by manufacturers and distributors licensed by the State Board of Pharmacy. The State Board of Medical Licensure and Supervision and the State Board of Osteopathic Examiners shall promulgate rules to create a certification program to oversee and regulate the provision of abortion-inducing drugs by physicians licensed by the respective state licensing board. Such drugs shall only be distributed and provided in this state only by manufacturers or distributors certified to do so under this program. The measure outlines the process for certification, and states that any physician found to be in violation of these provisions shall be suspended from practice until such time that the physician demonstrates full compliance. Individuals in another state shall be required to follow certification procedures outlined in this measure. The State Board of Pharmacy is required to adopt an electronically based reporting system for certified physicians to annually report the demographics, medication used, complicating events, unresolved cases, and number of patients served. Physicians shall be prohibited from administering abortion-inducing drugs to women with certain risk factors and any

woman with a pregnancy 10 weeks into their pregnancy. Physicians shall also be required to report certain information relating to complications, deaths, and other health events to the State Department of Health as it relates to the administration of abortion inducing drugs. Any physician administering abortion-inducing drugs shall be required to maintain hospital admitting privileges or enter into a written agreement with an associated physician in the county or contiguous county where the abortion-inducing drug was provided. Any person found to have distributed an abortion-inducing drug to persons not qualified to administer such drugs shall be guilty of a misdemeanor or a felony if a drug is provided to a pregnant woman without her knowledge. Persons found to have violated the provisions of this measure shall be subject to professional and civil penalties. Additionally, the State Board of Pharmacy shall levy a fine of not less than \$5 million on manufacturers and \$250,000.00 for physicians who violate the provisions of this measure. The Board must also create a website a complaint portal for patients, pharmacy, nursing, and medical professionals and the public to submit information about potential violations. The Board must review each complaint and determine a disposition including referral to another appropriate state agency, within 30 days. The Legislature may also appoint 1 or more members who sponsored or cosponsored this measure to intervene as a matter of right in any case in which the constitutionality of this act is challenged. The measure provides for severability of its provisions.

**SB 782** (Garvin/McEntire) directs any pharmacy maintaining an emergency medication kit to establish a policy and procedures governing the maintenance and dispensation of emergency medication. The

measure also authorizes pharmacies to designate a person who shall be responsible for transmitting required information for dispensation of controlled dangerous substances to the central repository of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control. Pharmacies are required to register emergency medication kits as a pharmacy location with the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control. The total volume of controlled dangerous substances in each kit shall be limited to 3 doses per licensed bed or sixty individual doses.

**HB 1006** (Bush/Pugh) creates the Transparency in Health Care Prices Act. The measure requires each health care provider and facility to publicize the most common health care services electronically or via their website. Health care facilities are also required to make common diagnosis and outpatient CPT codes public. The price list must be updated annually.

**HB 1014** (Roe/Simpson) provides that all information created, received, investigated, held, or maintained by the State Department of Health concerning any person who has participated in a public health investigation are exempt from the provisions of the Oklahoma Open Records Act. The measure also prohibits the attendance of students having or suspected of having a communicable disease in public or private schools. The responsibility of removing such students is transferred from teachers to schools.

**HB 1071** (Boatman/Stanley) expands the list of entities exempted from the provisions of the Oklahoma Alcohol and Drug Abuse Services Act by including services provided by a health center as defined in the Public Health Service Act.

**HB 1638** (Lepak/Bergstrom) requires the funeral director or person acting in such capacity to give notification to the person providing personal data for a death certificate that knowingly providing false information or misrepresentation is a felony. The measure prohibits knowingly providing false personal data to a certifier of a death certificate or misrepresenting any person's relationship to the decedent.

**HB 1690** (Newton/Jech) removes the requirement that the board of directors of a Federally Qualified Health Center be considered a public body and subject to the provisions of the Oklahoma Meeting Act. The measure removes penalties and reporting requirements for non-compliance with the Oklahoma Open Meeting Act. The measure modifies the definition of “public body,” and further requires the Oklahoma Health Care Authority to ensure that Federally Qualified Health Centers receive at minimum, payment for services in accordance with U.S. law.

**HB 1784** (Pae/Paxton) requires food vendors utilizing kratom as an ingredient to disclose on the product label, or a quick response (QR) code on the product label linked to a website, the factual basis on which that representation is made. Vendors must provide test results to confirm items listed on the product label upon request by the State Department of Health. Any failure to disclose this information shall proscribe any effort by the vendor to sell the item based on containing kratom. Vendors are prohibited from adulterating kratom products and may not sell kratom products containing at least 2% of the alkaloid composition of the product. No kratom product may be sold if it contains any synthetic alkaloid including synthetic mitragynine, synthetic 7-hydroxymitragynine or any other

synthetically derived compounds. Persons convicted of violating the provisions of this measure shall be guilty of a misdemeanor and subject to a \$500.00 fine for a first offense and a fine of not more than \$1,000.00 fine for second and subsequent offenses. Such persons shall also be prohibited from selling kratom products for 3 years.

**HB 1794** (Miller/Pugh) defines dementia as it relates to the renamed Alzheimer's Dementia and Other Forms of Dementia Special Care Disclosure Act. The measure requires the State Department of Health to develop the disclosure form for certain recipients. Additionally, the measure requires the facility to submit the disclosure form to the Department prior to entering into any agreement to provide care or services. The State Department of Health must examine and review each disclosure at the time the disclosure is submitted to the Department. The measure requires certain information to be included in the disclosures. Additionally, the measure creates the Alzheimer-Dementia Disclosure Act Advisory Council. The Council is directed to make recommendations State Commissioner of Health regarding the disclosure form and rules promulgated in the measure. The Council shall be comprised of 9 members. Members on the Council shall serve without compensation and shall receive staff assistance from the State Department of Health. The Department shall also establish a website with a list of those facilities that have filed a disclosure form.

**HB 1877** (Tammy West/Coleman) creates new procedure for an assisted living center when a resident is prescribed an antipsychotic drug. The center will ensure a resident is assessed at least quarterly for effectiveness and possible side effects and the results shall be documented and

provided to the resident or their representative. The center will also ensure the resident care staff understand potential benefits and side effects of the medication. Additionally, the assisted living center will document the rationale for use and describe the condition that indicates administration, monitor the use of the drugs for potential harm to the resident, and document the results of the monitoring when prescribed on an as-needed basis.

**HB 1904** (Roe/Garvin) requires persons performing abortions in the state to be board certified in obstetrics and gynecology.

**HB 2006** (Townley/Stanley) requires the Board of Mental Health and Substance Abuse Services to promulgate rules and standards for certification of Problem Gambling Treatment Counselors. The measure requires the rules to include criteria for certification and renewal outlines the criteria for application of certification as a Problem Gambling Treatment Counselor. The Board may also establish an application and renewal fee. The measure allows limited use of the title of Problem Gambling Treatment Counselor and prohibits practicing other professions unless licensed to do so. Failure to comply with the rules and standards declared by the Board are grounds for revocation, suspension, or nonrenewal of certification.

**HB 2009** (Townley/Coleman) authorizes an advanced practice registered nurse to sign a death certificate. The measure clarifies how "suicide" is recorded as the manner of death on a death certificate.

**HB 2120** (McEntire/Montgomery) provides that if there is substantial evidence that an insurer is insolvent and the condition of that insurer renders the continuance of its business hazardous to the public or to

holders of its policies or certificates of insurance or if an insurer has exceeded its powers or fails to comply with the laws of this state, the Insurance Commissioner must require said insurers to file a written plan of action within 30 days of notification of insolvency. Additionally, the Commissioner may require the insurer to take additional action within 90 days of notification. The Commissioner may determine at any time during or after the 90-day period that judicial or administrative proceedings should be initiated to place the insurer in conservation, rehabilitation, or liquidation proceedings. The Commissioner may also assess a \$500.00 fine per day for failure to timely file a written plan of action.

**HB 2441** (Russ/Daniels) requires persons performing or inducing an abortion to first attempt to determine whether her unborn child has a heartbeat. Upon detecting a heartbeat, an abortion may not be performed unless the mother has a condition that so complicates her medical condition that it necessitates the abortion of her pregnancy to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function. No such condition may be determined to exist if it is based on a claim or diagnosis that the woman will engage in conduct which she intends to result in her death or in substantial and irreversible physical impairment of a major bodily function. Persons found to have violated the provisions of this measure shall be guilty of homicide.

**HB 2566** (Chad Caldwell/McCortney) requires every long-term care facility in the state to provide reasonable access to a resident through family, compassionate caregivers, or the Oklahoma Long Term Care Ombudsman to withdraw consent at any time. Such facilities must also provide reasonable access to a resident by health

care providers who are contracted with the facility to withdraw such consent. The measure directs long-term care facilities to include and submit to the State Department of Health in their emergency-preparedness plan procedures for visitation during an emergency. The visitation plan shall be made available by the facility to contracted health care providers, family members, essential support persons, and compassionate caregivers upon request. Long-term care facilities are prohibited from unilaterally eliminating visitation for any reason. The measure provides that visitation may be suspended for a period not to exceed 72 hours based upon the emergency-preparedness plan provided to the State Department of Health.

**HB 2676** (Marti/Weaver) allows controlled dangerous substances issued by a practitioner to be dispensed with an electronic prescription if certain conditions apply. The measure also allows electronic prescriptions to be utilized for compounded prescriptions, compounded infusion prescriptions, and prescriptions issued under approved research protocols.

**HB 2687** (Hasenbeck/Bergstrom) creates the “No Patient Left Alone Act. The measure provides that each minor or adult admitted to a hospital has the right to have a parent, guardian or person standing in loco parentis who shall have the ability to be present while the minor patient is receiving hospital care. The measure authorizes hospitals to establish visitation policies that limit or restrict visitation under certain circumstances outlined in the measure. Hospitals may require visitors to wear personal protective equipment, provided that any such required equipment shall be provided by the hospital. The measure also prohibits the termination of visitation rights by the hospital, the State Department of



Health or any governmental entity, notwithstanding declarations of emergency declared by the Governor or the Legislature.

### **Health Funding**

**SB 131** (McCortney/McEntire) creates the Ensuring Access to Medicaid Act. The measure specifies which Medicaid populations may be required to enroll in managed care plans by the Oklahoma Health Care Authority, which populations may voluntarily enroll in managed care plans, and which populations the Authority is prohibited from requiring managed care enrollment for or offering enrollment to. The measure directs the Authority to develop network adequacy standards for all managed care organizations and dental benefit managers. Managed care organizations and dental benefits managers are required by the measure to contract to the extent possible and practicable with all essential community providers, all providers who receive directed payments, and other providers the Authority may specify. Additionally, managed care organizations and dental benefits managers are required to notify the Authority of all changes materially affecting the delivery of care or the administration of its program and must meet certain medical loss ratios. Such organizations are prohibited from requiring providers to contract for all products that are currently offered or that may be offered in the future by the managed care organization or dental benefit manager or subcontractor. Managed care organizations are required by the measure to make a determination on a request for an authorization of the transfer of a hospital inpatient to a post-acute care or long-term acute care facility within 24 hours of receipt of the request. The measure also establishes deadlines for managed care organizations and dental benefit managers to determine prior authorization for care ordered by primary care or specialist providers. Denials of prior authorization

requests shall be subject to peer-to-peer review unless such requests are for services not covered by the state Medicaid program. Managed care organizations and dental benefit managers are required to comply with certain requirements outlined in the measure as it relates to processing and adjudication of claims for payment submitted in good faith by providers for health care items and services furnished by such providers to enrollees. Such requirements include processing clean claims within 14 days, establishing a process a provider may provide such additional information as may be necessary to substantiate a claim, conducting postpayment audits in accordance with the requirements of the measure, and applying readmission penalties in compliance with rules and regulations promulgated by the Authority. The Authority is directed by the measure to establish procedures for enrollees or providers to seek review by the managed care organization or dental benefit manager of any adverse determination made by the managed care organization or dental benefit manager. Providers shall have 6 months from the receipt of a claim denial to file an appeal. Additionally, the Authority shall require managed care organizations and dental benefit managers to participate in readiness reviews. Such reviews shall assess the criteria outlined in the measure. A managed care organization or dental benefit manager found to be in violation of the provisions of this measure shall be subject to 1 or more non-compliance remedies of the Authority. The Oklahoma Health Care Authority may only execute the transition of the delivery system of the state Medicaid program to the capitated managed care delivery model 90 days after the Centers for Medicare and Medicaid Services has approved all contracts entered into between the Authority and all managed care organizations and dental benefit managers

following submission of the readiness reviews to the Centers for Medicare and Medicaid Services. The Authority is also directed to create a scorecard that compares managed care organizations and dental benefit managers within 1 year of transitioning to the delivery model. Additionally, the Authority is directed to establish minimum rates of reimbursement from managed care organizations and dental benefit managers to providers who elect not to enter into value-based payment arrangements and fixes the rates until July 1, 2026 at percentages of the fee schedule of the Authority. Managed care organizations are required to offer value-based payment arrangements to providers, but may not require such arrangements. The measure also creates the MC Quality Advisory Committee to make recommendations to the Administrator of the Oklahoma Health Care Authority and the Oklahoma Health Care Authority Board on quality measures used by managed care organizations and dental benefit managers in the capitated managed care delivery model of the state Medicaid program. A majority of the members shall be providers participating in the capitated managed care delivery model of the state Medicaid program.

**SB 434** (McCortney/McEntire) creates the I/T/U Shared Savings Program. The Program provides for non-I/T/U services to receive 100% of the federal matching rate if such services are rendered to an American Indian or Alaska Native (AI/AN) Medicaid beneficiary as a result of a referral from an I/T/U facility provider. The Health Care Authority is also directed by the measure to distribute 50% of any savings that result from the I/T/U Shared Savings Program. Any savings not distributed to I/T/U facilities or spent on administrative costs shall be deposited in the I/T/U Shared Savings Revolving Fund. The Authority is

directed to provide an annual report on the Revolving Fund to the Governor, President Pro Tempore of the Senate, and Speaker of the House.

**SB 918** (Treat/Echols) repeals regulations relating to the performance of abortions in the state. The measure does not repeal 21 O.S. Section 861, which states that a person convicted of inducing a woman to take any medicine, drug, or substance with the intent of inducing a miscarriage is guilty of a felony unless such measures were taken to preserve the life of the woman. A person may be imprisoned for no less than two years and no more than five years if convicted. The measure also does not repeal the Choosing Childbirth Act, which provides grants to non-profit organizations that help women carry their children to term. The measure will only take effect if the Attorney General certifies that the United States Supreme Court overruled the central holding of *Roe v. Wade* or an amendment to the United States Constitution is adopted that restores to the State of Oklahoma the authority to prohibit abortion.

**SB 1045** (Thompson/Wallace) modifies the Supplemental Hospital Offset Payment Program (SHOPP). The measure defines “directed payments” as specific payments made by managed care plans to providers under certain circumstances that assist states in furthering the goals and priorities of their Medicaid programs. The measure provides that funds from SHOPP may be used to fund supplemental or directed payments. Additionally, the measure modifies the assessment calculation methodology from a rate needed to generate an amount up to the sum of certain expenses to a fixed rate. The measure fixes the assessment rate at 3% for the calendar year ending December 31, 2022, and 3.5% for the calendar year ending December 31, 2023. The rate will be fixed at

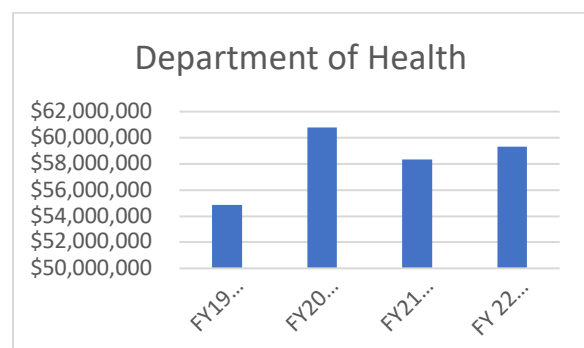
4% for the calendar year ending December 31, 2024, and each year thereafter. The measure provides that the base year for assessment shall be determined annually by the Oklahoma Health Care Authority Board. Additionally, the measure renders the portion of the SHOPP fee attributable to certain expenses null and void if federal matching funds for the program become unavailable. The measure also eliminates the termination date of the program and removes a cap on quarterly transfers of funds. The measure extends the time period the Authority has to make quarterly hospital access payments from 10 days to 14 days.

**SB 1046** (Thompson/Wallace) provides that of the funds appropriated to the Oklahoma Health Care Authority, \$28,844,877.00 shall be used for program growth. Additionally, the measure provides that \$16,733,682.00 shall be used to expand the dental benefit of the state's Medicaid enrollees and \$7,555,287.00 shall be used for alternative treatments for pain management of the state's Medicaid enrollees. The measure also authorizes the Administrator of the Authority to make a request for exemption to the Office of Management and Enterprise Services in writing and file a revised budget program unless both the Chair and Vice Chair of the Joint Legislative Committee on Budget and Program Oversight provide written notification to the Office of Management and Enterprise Services within 12 calendar days of the Committee's receipt of the exemption request that the exemption subverts the intention and objectives of the Legislature in establishing the original limit. Additionally, the Administrator may request the Director of the Office of Management and Enterprise Services an early transfer of tax collections to the General Revenue Fund for the purpose of early allocation to the agency's disbursing funds to alleviate cash-flow problems.

**HB 2904** (Wallace/Thompson) increases the funding for the Oklahoma Athletic Commission by \$100,000 as well as the continuation of the Choosing Childbirth Act, both within the Oklahoma State Department Health. The PCS also maintains funding for sickle cell outreach (\$50,000) and Uncompensated Care fund at \$1.9 million. The measure requires the State Department of Health to utilize an amount necessary to hire and employ, in addition to current staffing, certain positions at the Oklahoma Medical Marijuana Authority. The Medical Marijuana Authority is required to establish the qualifications and salary for each position and hire such persons no later than December 1, 2021.

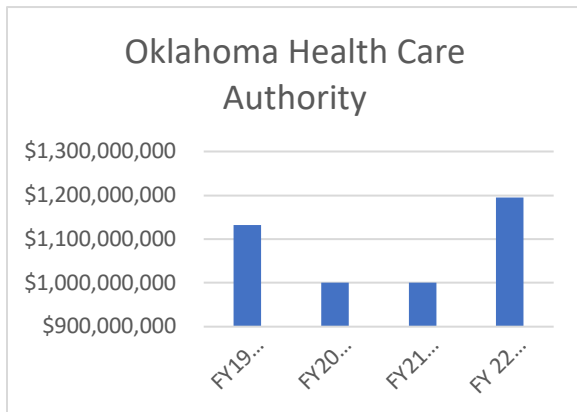
**HB 2950** (Wallace/Thompson) creates the Ambulance Service Provider Access Payment Program Act, which directs the Oklahoma Health Care Authority to, upon recommendation of the Oklahoma Ambulance Alliance, to assess Oklahoma-licensed ambulance service providers a fee. Monies received pursuant to this fee shall be deposited in the newly created Ambulance Service Provider Access Payment Fund. The measure specifies how the monies in the fund are to be used, provides for implementation, and lists exempt entities.

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Department of Health	\$58,337,964	\$59,337,964	1.71%



## Health Care Authority Funding

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Health Care Authority	\$1,000,039,368	\$1,194,337,303	19.43%



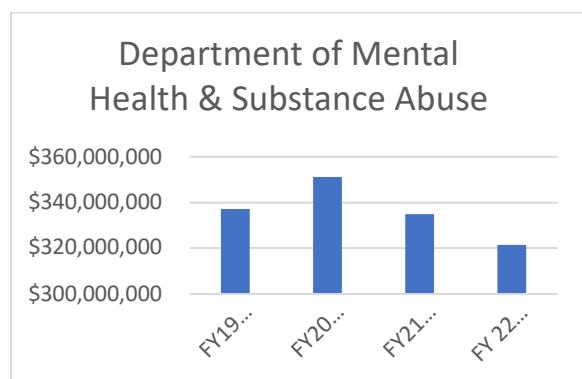
## Mental Health & Substance Abuse Funding

**SB 1047** (Thompson/Wallace) provides that \$1,541,252.00 appropriated to the Department of Mental Health and Substance Abuse Services in HB 2900 shall be used to supplement program growth. Additionally, the measure apportions the appropriations made to the Department in HB 2900 in the following manner:

- 1) \$500,000.00 shall be used to carry out the provisions of SB 848
- 2) \$2,000,000.00 shall be used to carry out the provisions of HB 2877
- 3) An increase in funding shall be provided for crisis intervention training sessions
- 4) \$2,034,000.00 shall be used to expand connectivity programs between law enforcement officers, mental health providers and Oklahomans in a mental health crisis
- 5) \$7,500,000.00 shall be used to expand the number of mental health crisis centers and urgent care centers
- 6) \$2,966,000.00 shall be used for additional mobile crisis teams to respond and diffuse crisis situations in communities

7) \$500,000.00 shall be used to maintain 5 pilot programs to provide offenders incarcerated in county jails in the State of Oklahoma access to United States Food and Drug Administration-approved, evidence-based, medication assisted treatment for opioid and alcohol dependence.

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Department of Health & Substance Abuse	\$334,915,240	\$321,489,597	-4.01%



## Human Services

**SB 27** (Stanley/Moore) directs the Department of Human Services to forward fingerprints to the Federal Bureau of Investigation Interstate Identification Index as it relates to conducting fingerprint-based criminal records of placement homes. In the event a person in the placement home does not submit to the check within 5 business days immediately after emergency placement of the child, the child shall be immediately removed from the emergency placement home.

**SB 45** (Stanley/Talley) requires the Department of Human Services to include in the background check for applicants a fingerprint-based national criminal history record check. The measure authorizes the Department to directly request a national criminal history record check from the Oklahoma State Bureau of Investigation.

**SB 65** (Montgomery/Dustin Roberts) modifies the term “deployment” as it relates to the Deployed Parents Custody and Visitation Act by adding any transfer pursuant to military orders requiring presence in a foreign country.

**SB 93** (Hicks/McBride) replaces the term “retarded person” with “an individual with intellectual disability” as it relates to funeral expenses for children in the custody of the Department of Human Services.

**SB 134** (Daniels/Kannady) adds the requirement for the Judiciary Committees of the Senate and House to review the schedule of basic child support obligations every 4 years. The review must include economic data from the Title IV-D Child Support Program in the Department of Human Services and provide opportunity for public input. Information relating to the report, as well as the current membership of the Committees, must be published on both the Senate and House websites. Current law only requires the Committees to review child support guidelines.

**SB 198** (Rosino/Lawson) modifies “least restrictive alternative” in the Oklahoma Guardianship and Conservatorship Act to mean an approach to meeting the needs of an individual that restricts fewer rights of the individual than would the appointment of a guardian or conservator. The measure also adds “supported decision making” to the Act and defines it as assistance from 1 or more persons chosen by an individual in understanding the nature and consequences of potential personal and financial decisions. Additionally, the measure requires court orders appointing a guardian for a person to include a specific finding that it was established by clear and convincing evidence that the identified needs of the

subject of the proceeding cannot be met by a protective arrangement instead of guardianship or other less restrictive alternatives. The FS provides for the court to dismiss the action if the court finds that less restrictive alternatives to guardianship are feasible and adequate to meet the needs of the child. The measure also requires such guardianships to be used only as is necessary to promote and protect the wellbeing of the person and to promote the self-reliance of the person.

**SB 199** (Rosino/Lawson) prohibits the disclosure of agency records to Department of Human Services employees whose official duties include the audit or investigation of programs, services, administrative, or employment matters involving the Department or the Medicaid program unless such access is limited to the purposes for which the disclosure is authorized.

**SB 300** (Rosino/Kannady) requires the court that issued a temporary guardianship for vulnerable adults as it relates to involuntary protective orders to dismiss the temporary guardianship when the underlying conditions that created the emergency have been removed. The measure also requires the Department of Human Services limit provided services in temporary guardianships to protective services or the establishment of eligibility for protective services for the person and estate. The measure also directs the Department to request dismissal of a temporary guardianship when certain conditions are met.

**SB 340** (Paxton/Boatman) removes the requirement for prospective adoptive parents to sign a release of information allowing the release of the results of any search to the agency or person conducting the home study

or home study update. The measure also strikes language requiring such the Oklahoma State Bureau of Investigation and the Department of Human Services to conduct a home study investigation on such parents.

**SB 421** (Rosino/Echols) provides for the calculation of gross income as it relates to child support to be calculated on the basis of current income if a parent is incarcerated for more than 180 days, provided, the incarceration is a result of indirect contempt of court for failure to pay child support or crime of omission to provide child support or for any offense for which the obligee's dependent child or the obligee was a victim. Upon release, child support obligations shall revert to the preincarceration order amount beginning the first day of the month 90 days after release. The measure also modifies the calculation used to determine income if evidence of current income is not available or equitable by adding the average wages and hours worked in the parent's particular industry and geographic area and the parent's education, training, work experience, and ability to work. Such calculation shall also include wages the parent could earn consistent with the minimum wage rate of not less than 25 hours a week. Veteran benefits received by a child are also treated in a manner similar to Social Security Title II benefits by the measure.

**SB 433** (Rosino/Lawson) requires any investigation of a community-based service provider conducted by the Department of Human Services to notify the provider of areas of concern and administrative information. Areas of concern and administrative information are not considered to be final investigative findings and will not be included in the final investigative report.

**SB 960** (Treat/McCall) extends the age at which a child may be relinquished to medical services providers or child rescuers from 7 days to 30 days of age. Such relinquishments are to be considered an affirmative defense in child abandonment cases. The measure provides for such relinquishments to be effectuated by an in-person transfer of the child to the medical services provider or child rescuer or by leaving the child in a newborn safety device that meets certain criteria. Providers or rescuers that install such a device shall be responsible for the cost of installation and maintenance. directs the State Department of Health to award grants to organizations that provide healthcare services to mothers and infants for the purpose of reducing the rates of maternal mortality and infant mortality by 3% within the 5 years of the measure's effective date.

**SB 987** (Weaver/Bush) authorizes the court to order a child to be transported to a location approved by the court for an interview or examination as it relates to child abuse investigations. The court may also designate a person to transport the child. The measure directs the court to consider safety protocols based on the gender of the child when determining who shall transport the child.

**HB 1085** (Boatman/Daniels) authorizes the court to waive e requirement for a child abuse and neglect information system (CANIS) search if it cannot be obtained in a reasonable time and the court determines that it is in the minor's best interest that the CANIS search be waived in emergency placement proceedings.

**HB 1086** (Boatman/Daniels) authorizes a guardian to petition a court to transfer or convey ward-owned property deemed a

resource by federal or state authority into a protective arrangement. A protective arrangement shall not modify any state or federal authorized rules regarding exemption or transfer of assets or resources for determination of Medicaid or Social Security eligibility and is not considered a sale of property. Additionally, a court order authorizing a protective arrangement will not have any impact on the protective arrangement's consideration in the actual Medicaid eligibility determination decision.

**HB 1151** (Osburn/Howard) modifies the child custody hearing process to give courts the option to consider evidence of the ability of parents to communicate on issues related to their children in addition to evidence of harassment, domestic violence and stalking. The measure provides that if equal access is not granted to both parents, the court shall issue findings and conclusion of law to support its decision.

**HB 1709** (Hill/Rosino) changes a qualification for continuation of successful adulthood services. The services may continue until 21 years of age provided the individual is in the custody of the Department of Human Services or a federally recognized Indian tribe and in an out-of-home placement at the time of their sixteenth birthday. Previous law stipulated that this must occur at the time of their eighteenth birthday.

**HB 1797** (Miller/Garvin) prohibits any individual who is under investigation for heinous and shocking abuse while responsible for a child to work with children or reside in a childcare facility while the investigation is pending. Employers are also prohibited from contracting with such persons while the investigation is pending. measure also states that if the Department determines a substantiated finding of

heinous and shocking abuse by a person responsible for a child, the Department shall notify the childcare facility owner and the childcare resource and referral agency within 1 business day after the finding. The facility shall also notify parents or guardians within 72 hours of the finding. The Department will also develop a process prohibiting the perpetrator from future childcare employment. Any person who is the perpetrator of a substantiated finding by the Department of heinous and shocking abuse may not o work with children, reside in a childcare facility, or be hired by an employer who offers or provides services to children.

**HB 1902** (Roe/Garvin) provides that the safety plan monitor of a child who is in a safety plan with the Department of Human Services may, if the parent of the child is unavailable, authorize medical or dental treatment or examinations which are necessary for the well-being of the child.

**HB 1992** (Trey Caldwell/Kidd) requires the Office of Juvenile Affairs (OJA) to provide a report to the President Pro Tempore of the Senate, Speaker of the House, and Governor on the feasibility of entering into a contract for or operating group homes of any level at the Southwest Oklahoma Juvenile Center campus located in Manitou, Oklahoma no later than October 1, 2021. The measure provides that the OJA may enter into other contracts with state agencies, the federal government, and tribes to allow for the placement of children or young adults in the custody of such an entity to reside and participate in any identified OJA contracted or operated program or facility.

**HB 2311** (Lawson/Haste) defines "fixed wireless broadband Internet service provider" as an entity that offers Internet access through a stationary fixed point-to-

point connection, often requiring direct line of sight between the provider's wireless transmitter and its end-user consumer's receiver as it relates to the Ad Valorem Tax Code. The measure clarifies that fixed wireless broadband Internet service providers are not included in the definitions of transmission company and public service corporation.

**HB 2312** (Lawson/Haste) modifies the competency evaluation process to include youthful offenders in addition to delinquency. The measure also adds language that a copy of the child's petition or information is presented to the court. The measure also modifies who may file a motion for determination of competency to state that the district attorney or the child's attorney shall file this motion under a reasonable basis. At any time prior to or during delinquency or youthful offender proceedings, the Office of Juvenile Affairs may file a Motion to Intervene to raise issues of competency.

**HB 2317** (Lawson/Haste) establishes a grievance process for children detained in an adult facility and provides that the Office of Juvenile System Oversight shall receive grievances for investigation, resolution, and referrals. Each facility in which children is directed to create grievance policies and procedures available upon public request and to make resources readily accessible to children in the facility. The provisions of this measure do not apply to children housed in a Department of Corrections facility or housed under a Department of Corrections contract.

**HB 2318** (Lawson/Garvin) modifies rules on the termination of parental rights to include any findings of child abuse or neglect or failing to protect any child from

abuse or neglect as legal grounds for the termination of parental rights.

**HB 2327** (Bashore/Stanley) creates a procedure to provide notice and an opportunity to review to the individual and to the facility if the individual is employed with an Office of Juvenile Affairs affiliated facility as it relates to the Restricted Registry.

**HB 2352** (Lawson/Garvin) provides that the Director of the Department of Human Services and the Executive Director of the Office of Juvenile Affairs may enter into agreements on behalf of the state with Indian tribes in Oklahoma regarding care and custody of Indian relating to the care of Indian children. Such agreements may transfer the jurisdiction of over child custody proceedings and may be done on a case-by-case basis. Additionally, the measure clarifies that the State ratifies all agreements in conformity with the Federal Indian Child Welfare Act executed prior to the enactment of the measure and provides that the provisions of the measure shall apply retroactively to any case filed or pending at the time that an agreement vesting concurrent jurisdiction is entered into between the state and an Indian tribe. The measure also removes the requirement for the Administrative Director of the Courts (ADC) to develop a form used to collect data related to the adoption of each child.

**HB 2367** (Burns/Coleman) provides that a child 16 years of age or older may enter into contracts to obtain housing if he or she receives a certification of unaccompanied status from a youth services provider with the Department of Human Services. The certification shall show that they determined the child is homeless or a victim of domestic violence or abuse. The provider is required to notify the parent or guardian that the child



is seeking unaccompanied child status. Certification of this status does not discharge the parent or guardian of parental or legal authority.

**HB 2565** (Chad Caldwell/McCortney) provides that evidence of material, educational, or cultural disadvantage as compared to other children shall not be sufficient to prove that a child is deprived as it relates to the Oklahoma Children's Code. The measure also modifies "neglect" to include the failure to protect the child from harm or threatened harm of which any reasonable and prudent person responsible for the child's health, safety or welfare would be aware. Neglect shall not include a child who engages in independent activities, except if the person responsible for the child's health, safety or welfare willfully disregards any harm or threatened harm to the child, given the child's level of maturity, physical condition or mental abilities.

**HB 2899** (Wallace/Thompson) states that applications for Home and Community Based Medicaid Water Services for the Community Waiver, In-Home Supports Waiver for Adults, and In-Home Supports Waiver for Children operated by the Department of Human Services cannot be made until the applicant has been an Oklahoma resident for 5 years prior to the application date.

### **Human Services Funding**

**SB 1044** (Thompson/Wallace) transfers the Support Service Providers Grant Program and from the Department of Rehabilitation Services to the Department of Human Services and reduces the total amount of grants awarded annually from \$300,000.000 to \$250,000.00.

**SB 1073** (Thompson/Wallace) states that portions of the appropriations made to the

Department of Human Services in HB 2900 be used in the following manner:

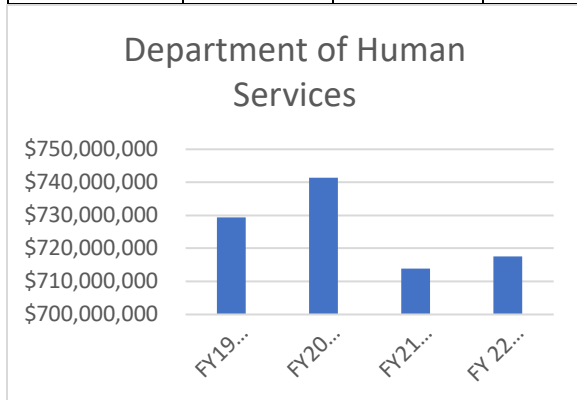
- 1) \$2,000,000.00 shall be used for providing services for persons with developmental disabilities
- 2) \$250,000.00 shall be used to implement the provisions of SB 1044
- 3) \$1,004,344.00 shall be used to fund debt service obligations for the renovation and construction of the Robert M. Greer Center located in Enid, Oklahoma
- 4) \$2,800,000.00 shall be transferred to the Child Abuse Multidisciplinary Account

It also states that all federal monies received by the state during the fiscal year ending June 30, 2022, from the Temporary Assistance to Needy Families Block Grant and the Child Care and Development Fund Block Grant to meet the provisions of federal law relating to such grants. As well as stating targeted priorities for increased FMAP funds not related to COVID-19.

**HB 2905** (Wallace/Thompson) provides that \$1.5 million of the funds appropriated to the Office of Juvenile Affairs shall be used to increase the funding of the Community Based Youth Services Division of the Office of Juvenile Affairs. This funding shall be used to supplement existing funding. Appropriations made in the 1st session of the 58th Oklahoma Legislature may be budgeted for fiscal year 2022 or fiscal year 2023. Funds remaining after each fiscal year deadline for expending funds, if not budgeted for the next year, shall lapse to the credit of the proper fund. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted for fiscal year 2022 and not required to pay of obligations in that fiscal year may be budgeted for fiscal year 2023 after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing the

funds from the previous fiscal year and have it approved by the Office of Management and Enterprise Services.

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Department of Human Services	\$713,831,158	\$717,585,502	0.53%



## Insurance Measures

**SB 66** (Haste/Sims) exempts surplus line policies sold to school districts from the surplus lines premium tax.

**SB 122** (Montgomery/Sims) authorizes credit as either an asset or a reduction from liability on account of reinsurance if an insurer is domiciled or has its head office in a reciprocal jurisdiction. A reciprocal jurisdiction is a jurisdiction that is subject to a covered agreement with the United States, is a member state of the European Union, a jurisdiction within the United States that meets the standards of the National Association of Insurance Commissioners, or a jurisdiction that meets all previous requirements as determined by the Insurance Commissioner. The Insurance Commissioner is directed by the measure to publish a list of assuming insurers that have satisfied these conditions. The Commissioner may add an assuming insurer to the list if a National Association of Insurance Commissioners accredited jurisdiction has added the assuming insurer to a list of such assuming insurers. Should

the Commissioner determine that an insurer no longer meets the requirements, the Commissioner may revoke or suspend eligibility of the insurer in accordance with the procedures outlined in the measure. Credit may only be assumed after the effective date of this measure.

**SB 137** (Taylor/ODonnell) creates the Act Concerning Interpretation of Oklahoma Insurance Laws. The measure clarifies that any legal treatise, scholarly publication, textbook, or other explanatory text does not constitute the law or public policy of the State if such a statement conflicts with the Constitution of the United States, a statute of the state, case law, or other common law adopted in the State.

**SB 287** (Quinn/Sims) modifies various regulations relating to the Travel Insurance Act. Travel assistance services is amended to include all noninsurance services offered to consumers and removes language requiring such services to be offered by a limited lines travel insurance producer. Additionally, the measure specifies that travel insurance may not include pre-paid funeral contracts. The measure also authorizes limited lines producers to sell, solicit, and negotiate travel insurance without an appointment by an insurer. The measure specifies that that travel insurance shall be classified and filed for purposes of rates and forms under an inland marine line of insurance. Cancellation requirements are modified by the measure by allowing policyholders to cancel a policy provided the primary policyholder is not on a trip and other conditions outlined in the measure are met. Unfair trade practices are also modified by the measure by excluding certain practices requiring the consumer to choose between purchasing the coverage required by the destination jurisdiction through the travel retailer or limited lines travel

insurance producer supplying the trip or travel package or agreeing to obtain and provide proof of coverage that meets the requirements of the destination jurisdiction prior to departure. Insurers are held responsible for the acts of a travel administrator managing travel insurance underwritten by the insurer.

**SB 288** (Quinn/O'Donnell) lowers the percentage of an insurance company's admitted assets that a single mortgage loan issued to any individual to 3% and authorizes insurers to invest 45% of the company's admitted assets invested in total aggregate amount in mortgage loans if the portfolio average loan to value is 75% or less of fair market value.

**SB 330** (Rader/Pfeiffer) removes the requirement for the Oklahoma Tax Commission to verify the balance of the Self-insurance Guaranty Fund and to inform the Workers' Compensation Commission of the balance.

**SB 392** (Standridge/McEntire) directs health insurers to provide direct payment or reimbursement to a licensed pharmacist for providing a health care service to an individual if said pharmacist provided care for which he or she is licensed to practice and the health benefit policy, contract, or agreement of the individual that received care provides for payment or reimbursement of the service.

**SB 472** (Daniels/Kannady) provides for an annual \$1.75 million payment to be made to the credit of the Workers' Compensation Administrative Fund derived from premiums on employers.

**SB 490** (Quinn/Hill) includes home warranties within the legal framework of the Oklahoma Home Service Contract Act.

Warranties and home service contracts are also not classified as insurance by the measure.

**SB 529** (Quinn/Mize) modifies an interest rate used in calculating minimum nonforfeiture amounts relating to life insurance annuities from 1% to 1/15 of 1%.

**SB 550** (Newhouse/Pae) requires insurers denying a clean claim to notify the insured, enrollee or subscriber, assignee of the insured, enrollee or subscriber, and health care provider within 30 days after receipt of the claim by the insurer. The notification must state the reason for the denial and include instructions on where a person or entity that received notification may respond. Recipients may submit a detailed appeal in writing explaining why the claim should be approved.

**SB 738** (Montgomery/McEntire) modifies conditions that consider an entity an insurer. The measure specifies that an entity organized for the purpose of transacting insurance that ensures an Oklahoma educational institution will be considered an insurer for all kinds of insurance that the entity transacts. The measure removes the requirement that the entity must within a twelve-month period receive aggregate premiums of \$1,000,000.00. Additionally, the measure requires the Insurance Commissioner to serve notice to an insolvent insurer. The insurer must file a written plan of action within thirty days of notification. If the Insurance Commissioner further determines that supervision is necessary, the Commissioner is required to serve notice to the insurer that supervision is required. Insurers must comply with the requirements of the Insurance Commissioner and will have 90 days from the date of notice to comply unless the Commissioner determines otherwise. The Commissioner is

authorized to initiate judicial or administrative proceedings against noncompliant insurers. Additionally, the measure authorizes the Insurance Commissioner to assess a fine for failure to timely file a written plan of action required by this act in an amount not to exceed \$500.00.

**SB 887** (Quinn/Sneed), otherwise known as the Insurance Omnibus Bill, authorizes the Insurance Commissioner to fine insurance carriers for failing to file a market conduct statement for up to \$1,000.00 for each occurrence. The measure also provides for a Business Character Report to contain data that is up to 6 months old instead of 1 year. Insurance carriers are also authorized to provide reasonable exceptions to the rate of the insurer, rating classifications, company or tier placement, or underwriting rules or guidelines for a consumer who has experienced and whose credit information has been directly influenced by certain catastrophic events outlined in the measure. Applicants for the exception must request the exception in writing. The measure additionally authorizes the Oklahoma Automobile Insurance Plan to issue policies of insurance in the name of the plan for the applicants as it relates to equitable apportionment. Participating members shall be liable to the plan for all costs, expenses, and liabilities in proportion to its share of voluntary market premium and must file an annual audited financial statement with the Commissioner. The measure provides for surplus line licensees to be fined \$25.00 per policy for failing to remit the surplus line tax. Additionally, the measure requires insurers to reimburse clean claims filed electronically within 1 year and provides for notices of expiration for claims to be given not more than 1 year after the date of the loss. The measure also creates the Motor Service Club limited lines category for

limited line insurance. Nonresident administrators shall also be required to notify the Commission of any termination of employment within 30 days instead of 15. Any entity making application to the Oklahoma Insurance Department as a third-party administrator (TPA) or within 30 days of a change for a licensed TPA shall provide current National Association of Insurance Commissioners Biographical Affidavits and independent third-party background reports from a NAIC-approved vendor on behalf of all officers. The measure increases the licensing fee for limited line producers to \$40.00. The measure modifies the membership of the Oklahoma Property and Casualty Insurance Guaranty Association and authorizes each insurer to appoint an alternate representative. Any person serving as an alternate representative shall, while serving, have all the powers and responsibilities of the appointed insurer representative. Additionally, the Association may use legal postings on its website to satisfy notification requirements. The measure provides for insurance policies issued by members and later transferred to another insurer to be considered to have been issued by a member insurer which is an insolvent insurer in the event that the insurer to which the policy has been transferred. Prepaid funeral benefit permit holders are prohibited from changing the name under which the permit holder operates unless they receive permission to do so from the Commissioner. The permit holder must first obtain permission for such a change from the Commissioner 30 days prior to the change. The Commissioner may deny or approve any request to change the name. Certificates of dormancy, as defined by the measure, may be issued by the Commissioner. Dormant captive insurance companies are companies that ceased transacting the business of insurance and have no remaining liabilities. Such

companies shall not be liable for any insurance taxes and may possess a total of \$25,000.00 in unimpaired, paid-in capital, and surplus funds. Dormant companies shall be subject to examination by the Commissioner. The measure also modifies the date by which the Insurance Commissioner must make certain reports provided to the Commissioner available to the public from June 1 to December 31 of each year. Additionally, the measure clarifies in the event an insurance company cancels any personal residential insurance coverage, notice of the cancellation is required to be provided by the insured to the insurer. The measure also requires the cancellation notice to provide the date of cancellation of the policy and the insurance company is required to reimburse the insured for any premiums paid for coverage beyond the date of cancellation. The measure provides that in the event an insured cancels a homeowner's policy or any other personal residential insurance coverage, a notice is required to be provided by the insured to the prior insurer. An insurer canceling any personal residential coverage is required to make the cancellation of coverage effective as of the date of the inception of the new coverage and the insurer will not be liable for claims arising after the date of inception.

**SB 1030** (Quinn/Mize) provides for the Insurance Commissioner to levy a civil penalty of up to \$1,000.00 per violation. Additionally, the measure requires insurers to pay the \$200.00 filing fee relating to market conduct statements at the time of filing.

**SB 1035** (Quinn/Sneed) updates definition for risk retention group. A risk retention group seeking to be chartered for domicile in this state is required to be chartered and licensed to only write liability insurance

pursuit to the insurance laws of Oklahoma. The measure requires all risk retention groups chartered in the state to file with the Insurance Department and the National Association of Insurance Commissioners (NAIC) an annual statement in a form prescribed by the Association and in electronic form if required by the Insurance Commissioner. The measure requires the risk retention group or purchasing group to submit an appropriate revision of changes in any item of the plan of operation or feasibility study within ten (10) days of the change to the Insurance Commissioner for approval. Once the plan is approved, a copy of the approved revision plan must be submitted to the Commissioner within thirty (30) days of the date of approval. The measure prohibits the risk retention group or purchasing group from offering additional kinds of liability insurance in this state or any other state until a revision of the plan is approved by the Commissioner. The measure requires the risk retention group to provide the Commissioner a summary of specific information. The information is required to then be transmitted to the National Association of Insurance Commissioners. Existing risk retention groups are required to comply with certain governance standards within one year of the effective date of this act. Risk retention groups licensed after the effective date are in compliance at the time of licensure. The measure provides the requirements and conditions for the Board of Directors of risk retention groups. The measure also requires the risk retention group to have an audit committee with certain conditions. The risk retention group or purchasing group is required to pay a filing fee determined by the Commissioner for application of charter. At the time of application for charter, the risk retention group is required to provide the Commissioner a summary of certain information which will then be forwarded to

the National Association of Insurance Commissioners. This will satisfy the requirements of Oklahoma law. The measure requires each risk retention group to pay premium taxes and taxes on premiums of direct business for risk and report premiums for direct business for risks to the Commissioner. The measure removes the requirement of risk retention groups to pay the tax for risks insured within the state and the mandatory reporting of all premiums paid to it for risks insured within the state. The measure adds “claimants against its insureds” to the list of entities prohibited from receiving any from any insurance insolvency guaranty fund or similar mechanism. The measure also specifies that when insurance is bought from insurers not authorized in the state, such risks will not be covered by any insurance guaranty fund or similar mechanism in the state. The measure removes the exemption of a purchasing group being exempt from state law and modifies the provision to include a purchasing group and its insurer or insurers to be subject to all applicable laws of Oklahoma with the exception of any law of this state that would prohibit the establishment of a purchasing group in regards to liability insurance. Additionally, the measure prohibits an insurer from providing advantages to a purchasing group or its members based on the loss and expense experience of the group such as advantages on rates, policy forms and coverage that is not afforded to other persons or entities. A purchasing group which intends to do business in the state is required to list all other states in which the group intends to do business with to the Insurance Commissioner. The measure also clarifies that individuals, firms, associations, or corporations are prohibited from soliciting, negotiating or procuring liability insurance from an insurer not authorized to do business in the state of Oklahoma. The

measure requires a special purpose captive insurance company to pay the Department of Insurance a non-refundable fee of three-hundred dollars (\$300.00) for reviewing its application to determine whether it is complete. The measure requires the Insurance Commissioner to specify the amount relating to the minimum capital and surplus of a series captive insurance company. Certain papers relating to mergers, consolidation, conversion, mutualization and change of control are confidential and not subject to subpoena or distribution with an exception relating to the authority of the Commissioner under Oklahoma law. The measure requires modifications, assets and liabilities by use of GAAP accounting principles to be reported with certain requirements. The measure requires modifications, assets and liabilities to be reported with certain conditions. Each series captive insurance company is required to pay a minimum aggregate tax of three-thousand five-hundred dollars (\$3,500.00). Lastly, the measure provides conditions for annual maximum tax premiums.

**HB 1019** (Worthen/Simpson) modifies the cap amounts for a 30-day and 90-day supply of insulin to an amount not to exceed \$30.00 for a 30-day supply and \$90.00 for a 90-day supply for each covered prescription.

**HB 2123** (McEntire/McCortney) directs the Insurance Commissioner to determine the duties assigned to the Patient’s Right to Pharmacy Choice Commission. Additionally, the Commissioner may employ actuaries, statisticians, accountants, and attorneys on behalf of the Commission. The measure authorizes the Commission to approve, disapprove, or approve with modifications any filings submitted to it. The Commission may also conduct examinations and investigations of insurance matters within the scope of its authority. The

authority to investigate pharmacy benefits managers is transferred from the Insurance Commissioner to the Pharmacy Choice Commission. Other duties transferred to the Pharmacy Choice Commission include reviewing complaints, and requiring restitution from pharmacy benefits managers who have violated the law.

**HB 2180** (Johns/McCortney) directs state agencies to make payroll deductions for the payment of any insurance premiums due a private insurance organization or service company upon the request of a state employee. The measure strikes the requirement for such organizations or companies to be regulated by the State Insurance Commissioner and have a minimum participation of 500 state employees for legal services.

**HB 2323** (Frix/Pemberton) prohibits insurers and preferred provider organizations from unilaterally removing a provider from the network solely because the provider informs an enrollee of the full range of physicians and providers available to the enrollee. Provider agreements may not prohibit, penalize, terminate, or otherwise restrict a preferred provider from referring to an out-of-network provider, provided the insured signs an acknowledgement of referral that the insured may incur certain charges, deductibles, and higher coinsurance.

**HB 2403** (Russ/Quinn) requires the Insurance Department to only terminate a license that failed to renew after a 12-month inactive period upon notification 90 days prior to termination of the license.

**HB 2678** (Marti/McCortney) expands the list of practices constituting an unfair claim settlement practice to include failing to include any amount paid by an enrollee or

on behalf of an enrollee by another person when calculating the enrollee's total contribution to an out-of-pocket maximum, deductible, copayment, coinsurance or other cost-sharing requirement as it relates to a health insurer that provides pharmacy benefits or a pharmacy benefits manager that administers pharmacy benefits for a health plan.

### **Liquor, Smoking, & Tobacco**

**SB 85** (Coleman/Strom) authorizes the holder of multiple small brewer licenses to sell beer produced at any brewery for which the licensee has a license, at any other brewery for which the licensee has a license, or on premises located contiguous to such properties.

**SB 262** (Thompson/Echols) provides for the excise tax on wine shipped directly to a consumer by a winery maintaining a Winemaker Self-Distribution License be collected and remitted by the winery. The wholesaler who purchases the alcoholic beverages for sale shall collect the excise tax on all other wine and spirits sales.

**SB 315** (Coleman/McDugle) authorizes distiller licensees to sell spirits produced by the licensee for either on-premises or off-premises consumption to consumers on the licensed distillery premises or in an area controlled by the licensee located contiguous to the licensed distillery premises as well as sell spirits at public events such as trade shows or festivals. The measure provides that such products sold must have been sold to and shipped to an Oklahoma licensed wine and spirits wholesaler and then made available for purchase by the Oklahoma licensed distiller. These sales shall be capped at 15,000 gallons per year.

**SB 385** (Coleman/Strom) authorizes a retail spirits licensee to host alcoholic beverage tastings for consumers on its licensed premises provided the conditions outlined in the measure are met. Servings shall be limited, on the licensee's premises, poured from original containers, supervised by the licensee, and served only to persons 21 years of age or older. Licensees are directed to maintain records of any samples served. The licensee shall not permit any alcoholic beverages content or retail container unsealed in connection with sampling to remain on the licensed premises at the close of the business on that day.

**SB 499** (Coleman/McEntire) requires stores selling alcoholic beverages to customers to present the 13.5% gross tax on alcohol as a separate item on the receipt. This requirement shall not apply to catered, public, and special events.

**SB 760** (Pugh/Osburn) authorizes persons to transport alcoholic beverages from one licensed premises to the common use area if the facility contains multiple licensed premises. The ABLE Commission shall designate common drinking area for the consumption of alcoholic beverages in such facilities.

**SB 1078** (Thompson/Wallace) modifies several definitions, including "tobacco products" and adds several definitions which include "smokeless tobacco," "snuff," "chewing tobacco," "smoking tobacco," "pipe tobacco," and "roll-your-own tobacco." The following sections conform statutory language to the new definitions.

**HB 1096** (Strom/Coleman) authorizes a retail, mixed beverage, on-premises beer and wine, public event, special event, charitable auction, charitable alcoholic beverage event, or complimentary beverage licensee to

communicate with a brewer, beer distributor, small brewer, small brewer self-distributor, or brewpub self-distributor on social media. Licensees may request free social media advertising from such persons. Such persons may share social media posts provided the post does not contain the retail price of any alcoholic beverage.

**HB 2122** (McEntire/Coleman) creates the Oklahoma Cocktails To Go Act of 2021. The measure allows establishments holding a caterer's or a mixed beverage license to sell single-serve wine and cocktails to-go as long as they are in a sealed tamper-proof container. The sealed container must be properly labeled as outlined in the measure. Deliveries must be made by employees of the establishment and must be at least 21 years of age. The employee must be able to verify the age of the customer as well. If delivered or picked up, the beverage must be placed in the trunk of the vehicle, or in the rear compartment of the vehicle if there is no trunk. Third-party deliveries of cocktails are prohibited. Entities holding a license to manufacture alcoholic liquors or beverages are prohibited from being able to sell cocktails to-go.

**HB 2277** (Bashore/Leewright) clarifies that mixed beverage licensees permitted to offer drink specials are not required to offer such drink specials at all venues operating under the same license.

**HB 2380** (Marti/Coleman) authorizes alcoholic beverage licensees to provide self-pour automated devices for dispensing beer and wine. Such licensees must use an ABLE approved device to dispense the alcoholic beverages and may only dispense 10 ounces of wine or 32 ounces of beer per serving. Licensees are required to provide constant video monitoring at all times during which the licensee is open, keep such footage for at



least 60 days, and provide the footage upon request to any ABE Commission agent or other authorized law enforcement.

**HB 2511** (Kannady/Howard) requires every manufacturer of a vapor product sold or intended to be sold in the state to deliver to the ABE Commission an attestation certifying that the product was available for purchase in the United States as of August 8, 2016, and the manufacturer has applied for a marketing order from the FDA on or before September 9, 2020, or that the manufacturer has received a marketing order or other authorization from the FDA. The measure further requires manufacturers to notify the ABE Commission within 30 days of any material change to the attestation, and directs the ABE Commission to develop a directory listing of all manufacturers and their vapor products that have provided attestations. Any vapor product not in the directory is prohibited from being manufactured, distributed, sold, bartered or furnished in the state.

**HB 2665** (Echols/Coleman) separates the alcoholic beverage manufacturer license from the nonresident seller license and sets its fees based on the number of cases sold per year. For 50 cases or less, the licensing fee is set at \$50.00 with a \$100.00 annual fee. If the licensee sells between 51 and 500 cases, the licensing fee is set at \$75.00 with a \$225.00 annual fee. For licensees selling over 501 cases per year, there shall be a \$150.00 licensing fee and an additional \$450.00 annual fee.

**HB 2674** (Marti/Howard) clarifies that a person must be 21 years of age to purchase nicotine products. Nicotine products include any product that contains nicotine extracted or isolated from plants, vegetables, fruit, herbs, weeds, genetically modified organic

matter, or that is synthetic in origin and is intended for human consumption.

**HB 2726** (Pittman/Coleman) defines “bottle service” and “club suite” in the Oklahoma Alcoholic Beverage Control Act. A bottle service is defined as the sale and provision of spirits in their original packages by a mixed beverage licensee to be consumed in that licensee’s club suite. A club suite is defined as a designated area within the premises of a mixed beverage licensee that is exclusive to patrons specifically granted access by the licensee. Spirits in the original packages must be consumed in the club suite of a mixed beverage licensee and cannot be removed if not consumed in their entirety or before the period a club suite was made available ends. Spirits in their original packages consumed in the club suite must be provided exclusively by the mixed beverage licensee.

### **Judiciary/Court Measures**

**SB 16** (Floyd/Bush) provides access to the Crime Victims Compensation Board written documentation included with a sexual assault forensic evidence kit tested by an accredited forensic lab if such documentation is essential to determine eligibility for compensation. Additionally, the measure modifies the time period by which the Board may examine sexual assault forensic evidence kits involving an adult 18 years of age or older. The measure also specifies that victims who undergo forensic medical examination within 120 hours of the assault shall be found to have fully cooperated.

**SB 31** (Daniels/Moore) requires the court to enter an order dismissing a plaintiff’s case against a defendant if the defendant demonstrates that he or she was not timely served. The court is directed by the measure to dismiss the action 200 days after the filing

of the action in which no service has been made on any defendant.

**SB 38** (Thompson/Echols) places oversight of the drug court programs established by the Oklahoma Drug Court Act under the Administrative Office of the Courts. The measure also establishes a county Drug Court Fund under the county treasurer's management. All monies received by the county drug court shall accrue to the Drug Court Fund. Additionally, the measure extends judicial immunity to include any duty required by law to be performed by a judge of a drug court.

**SB 44** (Hicks/Strom) requires any charges or warrants issued for failure to appear in court to be dismissed upon the defendant showing the court that he or she was incarcerated or otherwise detained by law enforcement at the time of the failure to appear.

**SB 50** (Howard/Worthen) requires each criminal case filed in the traditional manner to also be cross-referenced to a mental health court case file by the court clerk if the case is subsequently assigned to a mental health court program. The measure provides for the originating case to remain open to the public and requires the court to determine what information or pleadings are to be retained in the mental health case court file. The mental health case court file is closed to the public.

**SB 90** (Howard/Chad Caldwell) provides that an affidavit of publication provided by a publisher or authorized employee shall constitute conclusive proof that the newspaper has published the notice, advertisement, or publication.

**SB 97** (Brooks/Miller) strikes the prohibition on videoconference technology as it relates

to using such technology in a jury trial or a trial before a judge in a district court.

**SB 140** (Brooks/Newton) modifies the definition of "offender" as used in the Delayed Sentencing Program for Young Adults. The measure increases the maximum age from 21 to 25 to participate in the program for those who have not been sentenced for a nonviolent felony offense.

**SB 153** (Howard/Moore) authorizes the use of a trust created by the court on behalf of person under 18 years of age when depositing recovered monies.

**SB 155** (Howard/Kendrix) directs the Oklahoma Supreme Court to maintain a calendar of cases pending before the court and to publish the calendar on its website. Entries on the calendar shall include dates the court shall hear oral arguments, cases challenging the constitutionality of an act of the Legislature, dates of court conferences, dates the court is closed, and any information that will assist the public in monitoring cases. Entries noting oral arguments must include the case number, names, counsel of record, and a summary of the case. The Supreme Court must also weekly publish a list of cases for which it has granted review.

**SB 162** (Howard/McEntire) creates the Oklahoma Decanting Act. The measure provides for the authorized trustee with full discretion to distribute the principal of the trust to distribute all or part of the principal of that trust in favor of a trustee of a second trust for the benefit of the current trust. Authorized trustees may grant a power of appointment in the second trust to one or more of the current beneficiaries of the first trust who is eligible to receive the principal outright under the terms of the first trust. The measure also authorizes petitioners to

petition a court to order a distribution. Authorized trustees with limited discretion to distribute the trust may distribute all or part of the principal of that trust in favor of a trustee of a second trust, provided the beneficiaries of the second trust are substantially the same as the members of the current trust. The measure authorizes special-needs fiduciaries to exercise similar distribution powers as authorized trustees with full discretion. The measure authorizes the interest of a special-needs trust to have an interest in additional financial tools, such as a pooled trust as defined by Medicaid law for the benefit of the beneficiary with a disability. The measure describes various notification requirements associated with “decanting” a trust.

**SB 171** (Daniels/Moore) prohibits the court clerk from publishing court records on its website if the cases involve rape, sodomy, sex crimes, sexual images, lewd or indecent conduct, pornography, child abuse or neglect, domestic abuse, kidnapping, extortion of a vulnerable victim, human trafficking, or similar offenses.

**SB 310** (Murdock/Josh West) requires the court to give consideration to the statements of the victim or victims of a juvenile crime when ruling on any motions for certification as a youthful offender or an alleged juvenile delinquent. The measure also removes rape in the 1st degree from the list of crimes designating an offender aged 15-17 as a youthful offender. Additionally, the measure provides that any person aged 15-17 who is charged with rape in the first degree or attempted rape in the first degree may be held accountable for his or her act as if the person was an adult.

**SB 578** (Floyd/Munson) clarifies the requirements for statements made under penalty of perjury.

**SB 677** (Kidd/Osburn) removes the requirement for the court clerk to first offer all or part of the records subject to destruction to the Archives and Records Division of the Oklahoma Department of Libraries for preservation. The measure also authorizes destruction of court records related to a domestic relations case in which a minor child is involved after 20 years, and records related to a domestic relations case that does not involve a minor child after 10 years. Records pertaining to protective orders may be destroyed 1 year after the case was dismissed and no further action taken in the case, or 10 years after the order was issued.

**SB 1002** (Weaver/Moore) removes the term cases involving misdemeanors from “signature” as it relates to criminal procedure.

**HB 1022** (Worthen/Weaver) provides that the payment of the fine and costs not accompanied by a written plea of guilty or nolo contendere is deemed to be a plea of nolo contendere and is to function as a written, dated and signed citation form acceptable to the court.

**HB 1024** (Worthen/Daniels) prohibits any person who has been convicted of a violent crime or a crime that requires the person to register as a sex offender in this state or another state from applying for or obtaining a license to serve process. Currently licensed persons subject to this prohibition shall not have their license renewed. The measure strikes language which required a person applying to be a process server to publish notice of the hearing for a license. The measure requires notice of the application to be sent to the Administrative Office of the Courts. Any person who knowingly and willfully serves process in Oklahoma

without a process server license or who holds himself or herself out to be a process server licensed by the State of Oklahoma when the person is not licensed shall be guilty of a misdemeanor. The measure provides that assault of a process server is a misdemeanor punishable by imprisonment for up to 1 year in the county jail, a fine of not more than \$1,000, or both such fine and imprisonment. The measure states that it is a crime to fail to control an animal at the time a legal process is being served.

**HB 1152** (Osburn/Garvin) removes the requirement to possess a minimum level of court reporting proficiency for applicants seeking to be examined for enrollment as a certified shorthand reporter.

**HB 1632** (David Hardin/Weaver) modifies the writ of execution form used in actions of forcible entry and detainer by providing that physical possession of the property is to be restored to the plaintiff.

**HB 1776** (Conley/Weaver) provides that an attorney employed by the Oklahoma State Bureau of Investigation may enter an appearance in court if requested to do so by another prosecuting authority as it relates to quashing subpoenas, other discovery matters, expungement applications, evidentiary hearings, and forfeiture proceedings. The measure also expands the requirement for a person convicted of a drug crime to provide a blood or saliva sample to law enforcement to include any person convicted under the provisions of the Uniform Controlled Dangerous Substances Act.

**HB 1799** (Miller/Rosino) modifies the process for expunging a juvenile court record. The petition for expungement may be filed orally or as a written petition and must be presented at the time the case is

before the court for a final review or any time after an informal adjustment agreement has been successfully completed and the court dismissed the case or is closing it due to a lack of jurisdiction or the child reaching the age of 18 or 19 years of age if jurisdiction of the court was previously extended. A person who reaches the age of 18 can file for their own expungement provided they meet all the requirements. A written petition for the expungement of the juvenile court records must be allowed if the state objected to oral written or written petition. If expungement is granted, the measure provides that an attorney will prepare a written order of expungement and send it to all relevant parties. Landlords shall not require an applicant to disclose any information contained in any expunged juvenile court records.

**HB 1980** (Lepak/Daniels) directs the Judicial Nominating Commission to promulgate rules to promote transparency in the Judicial Nominating Commission's selection process. The rules must be published on the Commission's website.

**HB 2229** (Moore/Howard) creates the Uniform Interstate Depositions and Discovery Act. The measure creates uniform procedures for the issuance of subpoenas.

**HB 2548** (Stinson/Howard) creates the Uniform Power of Attorney Act. The model legislation adopted in approximately 30 states brings uniformity to the power of attorney in the various states in probate procedures. The measure provides definitions and procedures used in the act regarding the use of power of attorney. The measure also repeals various existing Oklahoma statutes regarding power of attorney that are now addressed in the measure.

**HB 2746** (Ford/Newhouse) exempts municipal or state law enforcement officers employed in a county with a population of more than 255,000 and federal law enforcement officers from jury duty. The measure provides that municipal or state law enforcement officers in counties with a population of less than 255,000 may serve on noncriminal actions only.

District Courts	\$75,480,361	\$68,241,076	-9.59%
District Attorneys and District Attorney Council	\$56,642,149	\$58,779,782	3.77%
Supreme Court	\$16,212,078	\$16,223,855	0.07%
Oklahoma Indigent Defense System	\$17,508,363	\$20,537,878	17.30%

**HB 2913** (Wallace/Thompson) provides that the Administrative Director of the Courts is responsible for and has control over matters concerning the budget, personnel, technology, purchases and other administrative operations over all courts of this state, including the Court of Civil Appeals and the Court of Criminal Appeals, and performing such additional duties as may be assigned by the Chief Justice.

### Judiciary Funding

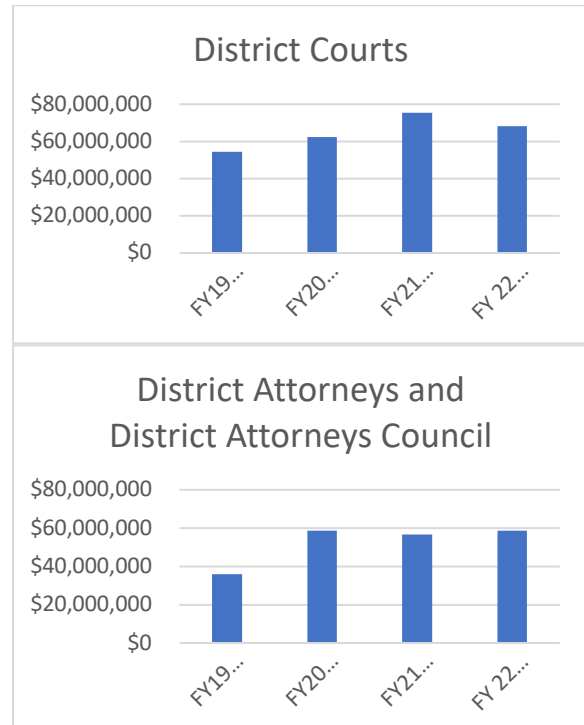
**SB 343** (Paxton/Boles) clarifies the authority of courts to collect court fines and fees through tax warrant intercepts.

**HB 2689** (Hasenbeck/Taylor) provides that on October 1, 2021, each court reporter shall receive a one-time stipend of \$1,250.00.

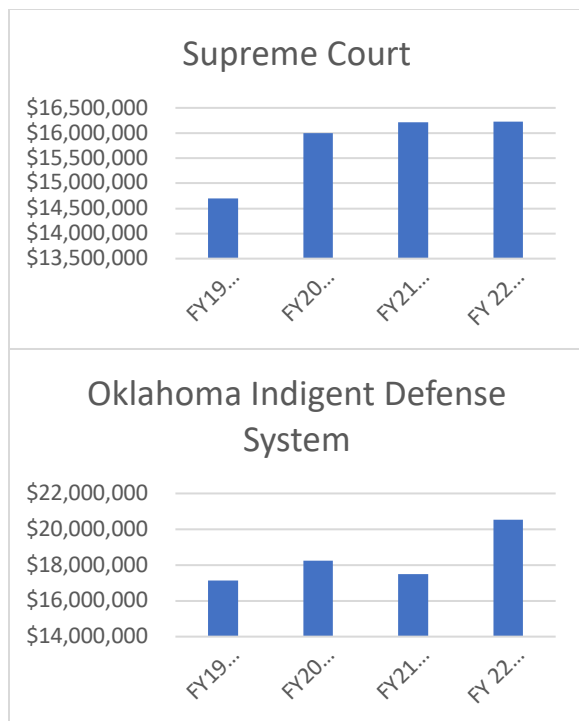
**HB 2869** (Wallace/Howard) provides a salary increase to members of the Judiciary.

**HB 2889** (Wallace/Thompson) appropriates \$7,500,000 from the General Revenue Cashflow Reserve Fund to the Supreme Court for the support of the District Courts.

**HB 2912** (Wallace/Thompson) extends the apportionment of \$10 collected from district court civil case filings to the Court Clerk's Records Management and Preservation Fund until 2027.



Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
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## Professions & Occupations

**SB 49** (Floyd/Osburn) increases the initial application fee for a chiropractic license from \$175.00 to \$300.00 and removes the examination fee of \$175. The measure also lowers the fee for an original license by relocation of practice from \$350 to \$300. Additionally, the measure allows applicants to take an examination given by the National Board of Chiropractic Examiners.

**SB 100** (Stanley/Davis) modifies requirements for applicants to take the licensing examination administered by the Board of Podiatric Medical Examiners. The measure specifies applicants may fill out an electronic application online and removes the requirement for applicants to be free from contagious or infectious diseases. The measure also changes the requirement for applicants to demonstrate loyalty to the United States and states that such persons must instead legally reside in the United States.

**SB 270** (Murdock/Hasenbeck) modifies various provisions relating to veterinarians. The measure defines telemedicine and provides for veterinarians and clients to interact in real-time via digital means. The measure also creates the Probable Cause Committee, which shall consist members from the State Board of Veterinary Medical Examiners as outlined in the measure. The newly created Committee shall negotiate and settle disputes. The measure also extends the prohibition on the Veterinary Center from entering into any program agreements from 2018 to 2025. The measure also creates a new duty for the State Board to grant scholarships to an individual advancing toward obtaining a degree in veterinary medicine from an Oklahoma higher education institution. The State Board is authorized by the measure to contract with third-party entities as necessary to carry out this new duty. Additionally, the measure provides for any member of the military or their spouse licensed in another recognized jurisdiction but residing in the state to submit a completed application for licensure or registration in Oklahoma.

**SB 317** (Daniels/Sims) defines “student electrical intern” and “listed electrical apprentice” within the Electrical License Act. The measure directs the Construction Industries Board to issue a license as a listed electrical apprentice to any person who has been certified by the Committee of Electrical Examiners as having 10,000 hours of experience or more as an electrical apprentice. Associated fees for the license are set at the same rate as the registration for electrical apprentices. The fee for an electrical intern registration is set at half the amount of the fee for the registration of electrical apprentices. The measure also prohibits electrical apprentices from supervising the work of a registered electrical intern. Only one intern may work

on a job site under a single journeyman or electrical contractor; however, the intern shall not be counted against the maximum number of apprentices who are allowed to work under a journeyman. Up to 2 electrical apprentices may work on a job site under a single journeyman or electrical contractor.

**SB 408** (Garvin/Miller) defines “teledentistry” as the remote delivery of dental patient care via telecommunications and other technology for the exchange of clinical information and images for dental consultation, preliminary treatment planning and patient monitoring. The measure also adds the Commission on Dental Competency Assessments to the list of entities the Oklahoma Board of Dentistry may accept examinations from and provides that the Board may make allowances in requirements of all candidates for licensure and issue temporary licenses for extended periods of time or as needed if government officials declared a health pandemic through a resolution. The resolution shall have a beginning and an end date and shall automatically expire no less than 30 days after the end of the disaster is declared by governmental officials. The measure modifies the continuing education hours required for oral maxillofacial surgery assistants from 12 hours to 8 hours of continuing education and requires such courses to be taken every 2 years instead of every 3 years. Publishing papers, presenting clinics, and lecturing shall also qualify as 6 credited hours. The measure provides that Residents and Fellows with a valid permit may supervise student dental clinics under the authority of the Dean or Associate Dean of the University of Oklahoma College of Dentistry. The measure adds the practices of dental anesthesiology, oral medicine, and orofacial pain as specialties that may be licensed by the Board. The measure consolidates the unprofessional conduct

sections for dental hygienists. SB 408 requires the patient record to include documentation of any medications prescribed, administered, or dispensed to the patient. Additionally, the measure establishes the required content of continuing education courses provided to dentists and dental hygienists and provides for such courses to be taken online. The measure also extends the period a laboratory prescription may remain active from 3 years to 7 years and authorizes dentists to refer patients to a lab in order for the patient to select the shading or matching shades of a prosthetic device being prepared for the dentist to deliver to the patient.

**SB 654** (Standridge/Chad Caldwell) creates a \$25.00 annual renewal license fee for resident care homes to replace the current two-year renewal license fee of \$50.00. Renewal licenses may be issued for a period 24-36 months for the license period immediately following November 1, 2021. The measure also extends the maximum licensure period for adult day care centers to 36 months. The measure also establishes a \$10.00 renewal fee per bed for a continuum of care facility or assisted living center. This renewal license shall expire 3 years from the date of issuance. The initial license shall expire 180 days from the date of issuance.

**SB 748** (Jech/Martinez) provides for the reports, proceedings, and other records submitted to or generated by any peer review committee or peer reviewer to be privileged and not subject to discovery, subpoena, or other means of legal compulsion for their release. The design professional who retains or employs the peer reviewer or peer review committee is the holder of the privilege. A peer review committee or peer reviewer may report to and discuss activities, information, and findings with other peer review committees

or peer reviewers or the design professional who retains or employs such reviewers. The members of a peer review committee are also exempt from any civil liability for reporting activities and findings to another reviewer or committee.

**SB 850** (Dahm/Stark) authorizes licensees in the fields of cosmetology and barbering to provide services to customers in the customer's home. Such services shall not be subject to inspection or rules promulgated by the State Board of Cosmetology and Barbering. Customers shall assume the liability for the services and any home equipment utilized by the licensee or certificate holder and may review the person's license or certificate for validity and authority to perform the services requested.

**HB 1102** (Olsen/Daniels) modifies the categories of "unprofessional conduct" to include the performance of an abortion unless the procedure is performed to prevent the death or significant physical impairment of the mother. An abortion may not be performed based solely on the mental or emotional health of the mother, notwithstanding a claim or diagnosis that the woman may engage in conduct which she intends to result in her death. The State Board of Health shall impose penalties on persons violating the provisions of this measure which may include suspension of the license for a period of not less than 1 year. The measure also directs the Attorney General to calculate costs paid for by the state or local entities in court challenges to this act. The office of the Attorney General is also required to report such amounts for each calendar quarter to all members of the Legislature.

**HB 1147** (Osburn/Pugh) redesignates the State Architectural and Registered Interior

Designers Act as the State Architectural and Registered Commercial Interior Designers Act and designates interior designers as commercial interior designers. The measure adds definitions for commercial interior designer, nonstructural commercial interior construction, and fire and life safety systems. Additionally, the measure requires each registered commercial interior possess a seal showing certain information outlined in the measure. All technical submissions prepared by such registered commercial interior designer, or under the responsible control of the registered commercial interior designer, shall be sealed, signed and dated. The measure prohibits a registered commercial interior designer from accepting or receiving compensation from an individual other than their client in connection with reparation or construction of a building interior in which they are employed and from bidding or holding interest in an entity bidding for a contract for reparation or erection of a structure for which they have prepared plans or specifications, unless the contract is a design/build contract.

**HB 1148** (Osburn/Rosino) provides that only a real estate licensee may market for sale an equitable interest in a contract for the purchase of real property between the property owner and a prospective purchaser.

**HB 1150** (Osburn/Rogers) gives the Construction Industries Board rulemaking authority to implement the provisions of the Plumbing License Law of 1955, including categories and limitations for licensure.

**HB 1742** (Dills/Newhouse) adds a definition for alkaline hydrolysis as it relates to cremation as well as defines crematory as a structure containing a furnace or alkaline hydrolysis vessel. The measure eliminates the \$25.00 fee for funeral directors applying



for a license after failing to renew said license within a 3-year period.

**HB 1817** (Dempsey/Rader) 7 exempts 501(c)(3) organizations that meet certain conditions from the provisions of the Oklahoma Secure and Fair Enforcement for Mortgage Licensing Act.

**HB 1934** (Martinez/Paxton) provides that any provision in a design professional services agreement which requires an entity or its insurer to indemnify or otherwise hold harmless another entity against liability arising from death or bodily injury, or damage to property, due to negligence or fault of the entity or its agents is void and unenforceable.

**HB 2072** (McCall/Bullard) authorizes the Oklahoma Funeral Board to issue a temporary funeral director or embalmer license in the event a statewide emergency is declared by the Governor. The authorization ends 1 year from the effective date of the act.

**HB 2680** (Marti/Rosino) specifies that the practice of optometry shall include the dispensing of medications to treat ocular abnormalities.

**HB 2741** (Ford/Howard) allows a tow operator or wrecker yard operator to release a motor vehicle to a legal representative or an immediate family member who is within the first or second degree of consanguinity or affinity if the owner of the vehicle is dead or incapacitated. The measure increases the license application fee for a wrecker license from \$100.00 to \$500.00. The measure apportions \$90.00 to the General Revenue Fund and \$410.00 to the Department of Public Safety Restricted Revolving Fund to administer the Wrecker Services Division and modernize computer programs. The

measure increases the wrecker license renewal fee from \$50.00 to \$250.00 and apportions \$200.00 to the Department of Public Safety Restricted Revolving Fund to administer the Wrecker Services Division and modernize computer programs. The measure removes a requirement that the Tow Request and Authorization Form be completed in quadruplicate. Allows the Department to notify the owner of a towed vehicle the vehicles location by first-class mail. The measure allows for the release of personal property in a towed vehicle when the registered owner or representative of the owner provides proof of identity.

**HB 2770** (Randleman/Standridge) modifies the court in which appeals, or legal actions are brought as it relates to the Psychology Interjurisdictional Compact. The court is changed from the U.S. District court for the state of Oklahoma to the U.S. District court for the state of Georgia.

**HB 2873** (Wallace/Leewright) creates the Universal Licensing Recognition Act. The measure provides that a person moving to Oklahoma would be able to apply for licensing or certification for an occupation with a similar scope of practice, and the applicant supplies verifiable proof of physical residency in the state or is married to and accompanying an active-duty member of the Armed Forces to an official permanent change of station to a military installation located in the state. The Oklahoma regulatory entity would apply all similar and verifiable work experience in the manner most favorable to the applicant. Certain examination requirements and fees would still apply to the applicant. The applicant must also demonstrate that they are free of any complaint, investigation, suspension, revocation or discipline by any other regulatory entity or jurisdiction for unprofessional conduct.

## **Public Safety**

**SB 3** (Bullard/Humphrey) authorizes sheriffs and peace officers to utilize telemedicine to assess a person whom the officer reasonably believes needs treatment by a mental health professional. Additionally, the measure requires officers to transport such individuals in need of treatment or subject to an emergency detention or protective custody order to the nearest facility within a 30- mile radius. The law enforcement agency that transported such an individual to an urgent recovery clinic shall be responsible for any subsequent transportation of such individual pending completion of the initial assessment, emergency detention, protective custody, or inpatient services. If no such facility is available, transportation to a facility shall be completed by either the Department of Mental Health and Substance Abuse Services or an entity contracted by the Department for alternative transportation.

**SB 10** (Taylor/Dick Lowe) eliminates the November 1, 2022, sunset date as it relates to the \$10.00 fine applied to persons convicted of a speeding violation 1-10 miles per hour over the speeding limit.

**SB 17** (Floyd/Bush) specifies that an officer conducting a lethality assessment on a potential domestic abuse victim must implement the protocol referral process to a domestic violence advocate from a certified or tribal program in a manner outlined in the measure. Regardless of the results of the lethality assessment, referral information for shelters, domestic violence programs and other social services must be provided to the victim.

**SB 87** (Haste/Bush) authorizes persons in possession of a controlled dangerous

substance who appear to be in need of help to, in lieu of arrest, be taken to an approved drug treatment center or approved center for substance abuse evaluation by a law enforcement officer. Such centers shall be subject to the appropriate county, municipal, or tribal authority. The Department of Mental Health and Substance Abuse Services may approve or disapprove individual treatment centers. Additionally, the treatment center must receive annual approval from the county's district attorney.

**SB 94** (Hall/Mize) adds the President of the Association of Oklahoma Narcotic Enforcers and the Executive Director of the State Board of Pharmacy or their designees as members to the Opioid Overdose Fatality Review Board.

**SB 106** (Allen/ODonnell) modifies various provisions of the Oklahoma Self-Defense Act. The measure defines completed application to mean all fields are completed, questions answered and contains all required signatures on the Application for Self-Defense Act License and all required documents. The 90-day renewal grace period provided to license holders is removed from the Act and requires renewal applications to be denied if a current license is pending suspension or revocation or has been suspended or revoked. Additionally, the measure removes the preclusive period for holders that have 2 or more convictions of public intoxication provided the holder has a certified statement from a licensed physician stating that the person is not in need of substance abuse treatment. The measure establishes a preclusive period of 5 years for persons whose license was suspended or revoked. The measure requires the Oklahoma State Bureau of Investigation to utilize the Immigration Alien Query database for non-United States citizens in the course of its background check and

authorizes the Oklahoma State Bureau of Investigation OSBI to conduct a National Instant Criminal Background Check (NICS) as part of the license background check.

**SB 172** (Rosino/Walke) directs the Oklahoma State Bureau of Investigation (OSBI) to coordinate with the United States Attorney's Office and the United States Department of Justice to obtain federal funding no later than January 1, 2022, for the purpose of gathering data to address the issue of missing and murdered indigenous persons. The measure creates the Office of Liaison for Missing and Murdered Indigenous Persons under the OSBI. The newly created Office shall work with tribal, state, and federal authorities on missing persons and homicide cases, provide guidance to victims' families, facilitate training and promote best practices, and consult with community organizations to promote community relations.

**SB 242** (Thompson/Dustin Roberts) modifies the membership of the Council on Law Enforcement and Education Training (CLEET) by requiring the appointee from the Oklahoma Department of Career and Technology to have experience in the creation and review of curriculum as well as experience in teaching criminal justice or law enforcement courses. The measure further requires CLEET's application form to not exceed 20 pages.

**SB 272** (Weaver/Worthen) creates the Kelsey Smith Act. The measure authorizes a law enforcement agency, as defined in the measure, to request and receive the call location of a user's communication device from a telecommunication company in order to respond to a call for emergency services or in an emergency situation that involves risk of death or serious physical harm. The measure requires notice to be provided to

the user whose information was provided to law enforcement 30 days after the call for emergency services or the emergency situation. Every telecommunication company registered to do business in the state must annually submit emergency contact information to the Oklahoma State Bureau of Investigation (OSBI) to facilitate requests from a law enforcement agency. Carriers are not required to submit emergency contact information for individual.

**SB 283** (Brooks/Ford) requires persons convicted of giving alcohol to a minor to attend a victims impact panel program in addition to other fines levied for such violations.

**SB 304** (Jech/Gann) amends the judgment and sentence form used to transfer a prisoner to the custody of the Department of Corrections. The measure clarifies the role of jail trust administrators as it relates to such transfers.

**SB 312** (Burn/Dempsey) provides for persons convicted of identity theft from a victim less than 18 years of age shall be guilty of a felony and face a term of imprisonment of not less than 2 years and not more than 10 years as well as a fine of not more than \$100,000.00.

**SB 319** (Standridge/Pae) exempts research institutions conducting a scientific study on tobacco use and cessation from the provisions prohibiting the distribution of tobacco products to persons under 21 years of age.

**SB 320** (Garvin/McEntire) provides for the "medically frail" and "medically vulnerable" as defined in the measure to receive consideration in compassionate parole proceedings. The measure defines medically

frail as it relates to medical parole to mean an individual with a medical condition which precludes the individual from performing 2 or more activities of daily living on their own. The measure also defines medically vulnerable as an individual with 1 or more medical conditions which makes the individual more likely to contract an illness or disease while incarcerated that could lead to death or cause an individual to become medically frail. The measure specifies the medical conditions that place an individual in the medically vulnerable category. The measure also requires victim notification to be provided.

**SB 348** (Paxton/Worthen) creates a statute of limitations for first- and second-degree manslaughter. The statute of limitations is set at 10 years after the crime is reported to a law enforcement agency.

**SB 361** (David/Wallace) allows immediate family members to participate in peer support counseling sessions provided to emergency and public safety personnel and provides for said participation to be kept confidential.

**SB 365** (David/Steagall) creates the Oklahoma Distinguished Meritorious Service Medal for extended exemplary service to the state and provides for the award to be granted posthumously.

**SB 367** (David/Kannady) authorizes Intermediate Emergency Medical Technicians, Advanced Emergency Medical Technicians, or paramedics to withdraw blood for the purpose of testing a person's blood alcohol content. The measure also removes tests involving a person's breath, saliva, or urine from the list of tests whose costs are borne by law enforcement. Additionally, the measure outlines standards

for any breathalyzer test to be considered admissible as evidence in court proceedings. Such tests must use a device that is accredited by the U.S. Department of Transportation in the Federal Register and calibrated by a device from a list of approved devices published by the U.S. Department of Transportation. The test must also be administered by a person properly licensed by the Board of Tests for Alcohol and Drug Influence. The FS provides that analysis of a person's blood to be considered valid and admissible in evidence must be performed by a properly accredited laboratory.

**SB 371** (David/O'Donnell) creates the Unified State Law Enforcement Commission. The Commission is tasked with studying and evaluating the feasibility of unifying the Oklahoma State Bureau of Investigation, the Oklahoma Bureau of Narcotics and Dangerous Drugs, and the Department of Public Safety into a single law enforcement agency. The Commission is also directed to submit its findings to the Governor, President Pro Tempore of the Senate, Speaker of the House, and minority leaders of the Senate and House no later than December 1, 2021. The Commission will be comprised of 10 members. Members will not receive compensation but shall be eligible to receive travel reimbursements. Members are directed to meet at least once a month.

**SB 403** (Stanley/Manger) modifies provisions of law barring any person from interfering with or disrupting business. The measure adds political subdivisions and clarifies that disrupting business shall include publicly posted meetings.

**SB 456** (Coleman/Mize) adds inmates convicted on counts relating to child abuse or neglect as well as inmates convicted of

exploitation of a vulnerable adult to the list of persons deemed ineligible to be placed in the Electronic Monitoring Program.

**SB 631** (Hamilton/Sean Roberts) creates the Second Amendment Sanctuary State Act. The measure occupies and preempts the entire field of legislation by any agency of this state or political subdivision in this state to infringe upon the rights of a citizen of the State of Oklahoma the unalienable right to keep and bear arms. The preemption shall include the provisions of the National Firearms Act of 1934 and the Gun Control Act of 1968.

**SB 646** (Bergstrom/Steagall) authorizes employees and owners of an establishment serving alcohol to carry a firearm. The employee must receive permission from the owner to carry a firearm. Additionally, the measure caps the fine for persons convicted of violating the prohibition on carrying firearms in a bar, refusing to leave an establishment, or refusing to leave the bar at \$250.00.

**SB 672** (Murdock/Patzkowsky) clarifies that a person who is member or veteran of the United States Armed Forces, Reserves or National Guard or was discharged under honorable conditions from the United States Armed Forces, Reserves, or National Guard between the ages of 18 to 21 to transport a firearm on a public highway in his or her vehicle. The measure also clarifies that any person between the ages of 18 to 20 may transport an unloaded firearm on a public highway in or on his or her vehicle.

**SB 801** (Weaver/Kevin West) requires supervising agencies or contracted providers as it relates to community sentencing to file a statement with the court defining the provision which has been successfully

completed instead of the administrator of the local system.

**SB 848** (David/Wallace) direct the Department of Mental Health and Substance Abuse Services to contract with public and private entities to provide peer support crisis intervention, counseling, and wellness for the law enforcement, firefighter, emergency medical, and corrections communities impacted by trauma, anxiety, or addiction. Such entities must be qualified shall be required to be derived from the International Critical Incident Stress Foundation (ICISF) and shall employ the Critical Incident Stress Management (CISM) crisis intervention process. The measure outlines the content of the training that must be provided.

**SB 889** (Weaver/Josh West) modifies retirement disbursement language to comply with recent revisions to the Internal Revenue Service and Treasury Regulations.

**SB 926** (Jett/Eric Roberts) authorizes municipalities to issue citations for discharging an air powered pistol or rifle when the projectile leaves the premises in an intentional or negligent manner to the individual or guardian of the individual who discharged the air powered pistol or rifle.

**SB 980** (Weaver/Worthen) adds the offenses of child sexual exploitation or permitting child sexual exploitation and soliciting sexual conduct or communication with a minor by use of technology to the list of crimes allowing the court to authorize wire the interception of wire, oral, or electronic communications by law enforcement.

**HB 1023** (Worthen/Weaver) provides that any contraband item seized in a prison by any agency may be forfeited by said agency and sold in the manner governing the sale of seized property by a peace officer.

**HB 1026** (Worthen/Montgomery) provides that the Council on Law Enforcement Education and Training may establish and certify additional law enforcement and criminal justice programs at institutions operating under the State Board of Career and Technology Education for teaching students between 16 and 19 years of age. The tuition or fees for law enforcement and criminal justice-related programs shall be similar in cost as other vocational and technical education courses and subjects offered at technology center schools.

**HB 1029** (Kerbs/Weaver) expands the category of “security guard” to include active reserve certified peace officers as it relates to the Oklahoma Security Guard and Private Investigator Act.

**HB 1095** (Strom/Daniels) allows the court to prohibit a defendant from entering, visiting or residing within the judicial district in which the defendant was convicted until after completion of his or her sentence. The court must ensure the defendant has access to services or programs which the defendant is required to participate as a condition of probation. The measure provides that when seeking to enter the prohibited judicial district for personal business not related to his or her criminal case, the defendant shall be required to obtain approval by the court.

**HB 1135** (Fetgatter/Taylor) modifies provides that a peace officer, government employee engaged in the performance of their duties, firefighters, emergency medical personnel, or public utility employees engaged in addressing an emergency, and parties engaged in oil and gas operations may enter garden, yard, pasture, or field of a landowner without their express permission. The measure also permits railroad

employees and emergency equipment from entering such land to restore rail service, the entrance of utility employees or contractors while acting in the scope of their employment, and employees or contractors of valid easement or license holders while acting in the scope of their employment to enter the land. The measure also provides for several persons of certain occupations to enter the land of the owner unless expressly prohibited from doing so. The measure provides that a person convicted of entering another’s land to commit waste, theft, or damage shall be guilty of a misdemeanor punishable by imprisonment in the county jail for a term of not less than 30 days and not more than 6 months as well as a fine of not less than \$50.00 and not more than \$500.00.

**HB 1246** (McCall/Treat) would allow an individual’s Social Security number to be sufficient documentation when securing a prescription that requires state-issued identification, if the individual’s state-issued identification card has been expired for less than 1 year and they have no other form of identification that complies with the requirements.

**HB 1567** (Boatman/Weaver) provides that possessing 28 grams or more of heroin shall constitute aggravated trafficking. Additionally, persons found to traffic at least 1 gram of Lysergic acid diethylamide (LSD) or Phencyclidine (PCP) shall be subject to a maximum term of imprisonment of 20 years and imposes a minimum of 2 years and maximum of life in prison for persons trafficking more than 10 grams of LSD or PCP. Persons found to have trafficked 1 gram of fentanyl shall be subject to a maximum term of imprisonment of 20 years and a fine of not less than \$100,000.00 and not more than \$250,000.00. Persons found to have trafficked 5 grams of fentanyl shall

be subject to a minimum term of 2 years and a maximum term of imprisonment for life and a fine of not less than \$250,000.00 and not more than \$500,000.00.

**HB 1630** (David Hardin/Pemberton) amends various sections of the Oklahoma Self-Defense Act. The measure provides that renewal applications are to be denied if the current license is subject to suspension or revocation or if the license has previously been suspended or revoked by the Bureau and removes the ability of the Bureau to examine medical or other records during a renewal application. Additionally, a person who has been precluded from obtaining a carry license due to convictions for public intoxication may obtain a certified statement from a licensed physician stating that the person is not in need of substance abuse treatment to remove the preclusion. A 5-year preclusion period is also created if a previously issued handgun license has been revoked. The measure requires the OSBI to conduct a search of the Immigration Alien Query for non-United States citizens as part of its background check and requires applicants to include a declaration of citizenship or admission number for a non-United-States citizen. The measure requires the applicant to acknowledge that the applicant has reviewed the Federal Bureau of Investigation Privacy Act Statement. The measure requires that the license card contain the date of issuance of the handgun license.

**HB 1643** (Humphrey/Bullard) prohibits any individual from publishing identifying information of a law enforcement officer with the intent to threaten, intimidate, harass, or stalk law enforcement officials. Individuals convicted of violating the provisions of this measure are subject to a misdemeanor punishable by up to 6 months in the county jail, a fine of up to \$1,000.00

or both fine and imprisonment. Punishment for a second or subsequent offense is up to 1 year in the county jail, a fine of up to \$2,000.00 or both fine and imprisonment. The measure allows elected county officials and peace officers to request that the county assessor not make information available on the internet.

**HB 1651** (Humphrey/Bullard) repeals the requirement for persons convicted after November 1, 2012, to be subject to post-imprisonment supervision for a period of not less than 9 months nor more than 1 year following confinement of the person.

**HB 1674** (Kevin West/Standridge) provides that any person who unlawfully obstructs the normal use of any public street, highway, or road within by restraining motor vehicle traffic, by approaching motor vehicles, or by endangering the safe movement of motor vehicles or pedestrians are guilty of a misdemeanor punishable by up to 1 year in the county jail, a fine on not less than \$100.00 nor more than \$5,000.00, or both such fine and imprisonment. Additionally, the person is liable for all damages to person or property. The measure provides that a motor vehicle operator who unintentionally causes injury or death while fleeing a riot is not to be held criminally or civilly liable. The measure provides that if an organization is found to be a conspirator with persons committing riot related crimes, the organization may be punished by a fine that is ten times the amount of said fine authorized by the appropriate provision.

**HB 1679** (Stark/Weaver) creates the Sarah Stitt Act. The measure directs the Department Corrections to provide inmates released from its custody with relevant documentation to assist the inmate in obtaining post-release employment and to coordinate with the Department of Public

Safety to provide a REAL ID Noncompliant Identification Card if the inmate does not have a current state-issued identification card or driver license. The measure provides that if no other form of identification is available, the Department of Public Safety shall allow the use of a Department of Corrections consolidated record cards to serve as a valid identification document to obtain a REAL ID Noncompliant Identification Card. REAL ID Noncompliant Identification Cards issued with a consolidated record card from the Department of Corrections for inmates shall be valid for a period of 4 years from the month of issuance. The fee charged for the issuance or replacement of a REAL ID Noncompliant Identification Card shall be deposited in the Department of Public Safety Revolving Fund.

**HB 1684** (Grego/Coleman) allows a peace officer to file a report with the district attorney to see if an arrest is warranted as it relates to investigations involving certain gambling offenses.

**HB 1753** (CrosswhiteHader/Haste) removes the requirement for the Carl Albert Mental Health and Substance Abuse Services Center to provide a psychiatrist to the Department of Corrections.

**HB 1759** (Ranson/Taylor) prohibits the use of malicious computer programs on a computer or computer network as defined in the measure and provides that it is unlawful to willfully solicit another of any acts prohibited by the Oklahoma Computer Crimes Act.

**HB 1770** (Dobrinski/Weaver) provides that it shall be unlawful for any person to maliciously throw an object at or in the direction of any person riding a bicycle, equine, or animal drawn vehicle. Persons

convicted of violating this provision shall be subject to a term of imprisonment not more than 1 year and/or a fine of \$500.00.

Additionally, no driver of any vehicle shall use a horn when passing a person riding a bicycle, equine or animal-drawn vehicle under normal conditions if no imminent danger of a collision exists. The measure also provides that bicyclists may extend their arm horizontally to the right to signal a right turn and may extend their right hand and arm downward to their right side to signal a stop or decrease in speed.

**HB 1777** (Conley/Weaver) requires toxicology laboratories collecting and analyzing blood, breath, saliva, or urine for law enforcement to be accredited by the American Board of Forensic Toxicology or by an accrediting body with an independent system based upon ISO/IEC 17025 standards.

**HB 1880** (Tammy West/Jech) authorizes district attorneys to create restorative justice programs for nonviolent offenders who qualify for a deferred prosecution agreement. The measure authorizes the District Attorneys Council to develop and administer a 5-year restorative justice pilot program utilizing citizen-led mediation panels. The measure defines the term “restorative justice” as an alternative means to the traditional criminal justice model for qualifying nonviolent offenses. The measure provides that the pilot program is to expire November 1, 2026.

**HB 1892** (Boatman/Weaver) creates the Advisory Task Force on Prevention of Human Trafficking and Child Exploitation. The Task Force shall be comprised of 13 members and is directed to study human trafficking, prostitution, and child exploitation in the state. The Task Force is directed to create and provide a report of



such studies to the President Pro Tempore of the State Senate, the Speaker of the House, and the Governor by February 1, 2022. A Senate member of the Task Force is required to call the first meeting to order by September 1, 2021. Staff of the Oklahoma State Senate and Oklahoma House of Representatives shall jointly assist in staffing the Advisory Task Force.

**HB 1948** (Cruz/Floyd) broadens the term family or household members as it relates to the Protection from Domestic Abuse Act and in the Domestic Abuse Reporting Act to include persons otherwise related by blood or marriage.

**HB 1967** (Nollan/Pemberton) requires school bus drivers to report a violation of passing a loading or unloading school bus on or before the end of the next business day following the alleged offense instead of within 24 hours of the alleged offense.

**HB 2053** (McCall/Standridge) requires law enforcement officers issuing a citation for unsafe tire tread depth to include the tread depth of the offending tire on the citation.

**HB 2054** (McCall/Standridge) authorizes motorists to drive in the left lane while not attempting to pass another motorist if the left lane is on a county road and if the roadway is not part of the Interstate or turnpike system.

**HB 2056** (McCall/Rader) provides that when there is an active lien from a commercial lender in place on a vehicle, motor license agents shall be prohibited from transferring the certificate of title on that vehicle until the lien is satisfied.

**HB 2095** (Lepak/Daniels) modifies racketeering as relates to the Oklahoma Racketeer-Influenced and Corrupt

Organizations Act to include unlawful assemblies.

**HB 2236** (May/Weaver) creates a new felony for failing to report to an employer, insurance carrier, or thirdparty administrator any earned income while receiving temporary total disability benefits. The measure also changes the qualification requirements for personnel assigned to the Workers' Compensation Fraud Investigation Unit by requiring personnel to be certified as a peace officer by the Oklahoma Council on Law Enforcement Education and Training in lieu of a minimum of 3 years of certified law enforcement experience.

**HB 2275** (Josh West/Pemberton) directs the Community Sentencing Division of the Department of Corrections to submit statistical information relating to community sentencing participation by county, the total number of qualifying and non-qualifying community sentences per month for each local community sentencing system, total number of community sentences ordered per month, program participation, and the annual average cost per offender. The measure provides that a copy of the report must be submitted to the Oklahoma Statistical Analysis Center for publication on the Oklahoma State Bureau of Investigation's website.

**HB 2295** (Dustin Roberts/Leewright) provides that a person arrested for the violation of a protective order, an act of domestic violence, domestic abuse, stalking or harassment shall not be eligible for a personal recognizance bond.

**HB 2316** (Lawson/Rader) modifies the competency evaluation process to include youthful offenders in addition to delinquency. The measure also adds language that a copy of the child's petition

or information is presented to the court. The measure also modifies who may file a motion for determination of competency to state that the district attorney or the child's attorney shall file this motion under a reasonable basis. At any time prior to or during delinquency or youthful offender proceedings, the Office of Juvenile Affairs may file a Motion to Intervene to raise issues of competency.

**HB 2515** (Stinson/Daniels) clarifies that child abuse and neglect may apply to any person responsible for the health of the child instead of merely the child's parents.

**HB 2544** (Stinson/Jech) redefines the definition of vulnerable adult to remove the requirement to have to be in a nursing home.

**HB 2546** (Munson/Floyd) creates the "Sexual Assault Victims' Right to Information Act. The measure provides that a sexual assault victim retains the rights provided in the measure regardless of whether the victim agrees to participate in the criminal justice system at any time and regardless of whether the victim agrees to receive a medical evidentiary examination to collect sexual assault forensic evidence. Such rights include the right to confidentially consult, either in person virtually or telephonically, with a sexual assault victims' advocate before the commencement of any medical evidentiary or physical examination and the right to request and receive the results and status of the analysis of the sexual assault forensic evidence relating to the victim. Additionally, if the victim retains counsel, such counsel may be present during all stages of the investigation or other interaction with representatives from the legal or criminal justice systems within the state.

**HB 2645** (Echols/Bergstrom) prohibits any person from carrying a firearm on property set aside by a county, city, town, public trust with a county, city or town as a beneficiary, or state governmental authority for an event that is secured with minimum-security provisions. Such events must meet the criteria outlined in the measure. A person may carry a firearm on such property if the property does not meet the minimum-security provisions outlined in the measure.

**HB 2656** (Echols/Taylor) modifies definition of marijuana to strike the reference to cannabidiol as it relates to a federally approved drug or substance. The measure provides that any prescription drug approved by the federal Food and Drug Administration that is designated, rescheduled, or deleted as a controlled substance under federal law is to be excluded from Schedule I and must be prescribed, distributed, dispensed, or used in accordance with federal law unless the Board of Pharmacy acts. If the Board of Pharmacy does not act, the drug is deemed to be designated, rescheduled, or deleted as a controlled substance.

**HB 2666** (Echols/Garvin) clarifies the definition of rape to include acts within or without the bonds of matrimony.

**HB 2773** (Pfeiffer/Weaver) requires members of the Pardon and Parole Board to uphold and promote the independence, impartiality, fairness, and integrity of the Board and to avoid impropriety or the appearance of impropriety. A member of the Board who determines that circumstances would cause a reasonable person with knowledge of all the relevant facts would question the board members impartiality the board member must disclose any potential conflict of interest and withdraw from participation in the matter.

**HB 2774** (Pfeiffer/Bullard) requires all law enforcement agencies, sheriffs, jailers, prison keepers, and their deputies who have custody of a person who is the subject of an immigration detainer request to comply with any request made in the immigration detainer request provided by the federal government and to inform persons identified in the immigration detainer request that they are being held because of the request. If a person provides proof of citizenship, sheriffs, jailers, and prison keepers are not required to hold the person. The measure also requires all sheriffs, jailers, prison keepers, and their deputies to allow reasonable access to their detention facilities to the United States Immigration and Customs Enforcement for the purpose of identifying inmates.

**HB 2877** (Wallace/Taylor) authorizes sheriffs and peace officers to utilize telemedicine to assess a person whom the officer reasonably believes needs treatment by a mental health professional. Additionally, the measure requires officers to transport such individuals in need of treatment or subject to an emergency detention or protective custody order to the nearest facility within a 30- mile radius. The law enforcement agency that transported such an individual to an urgent recovery clinic shall be responsible for any subsequent transportation of such individual pending completion of the initial assessment, emergency detention, protective custody, or inpatient services. If no such facility is available, transportation to a facility shall be completed by either the Department of Mental Health and Substance Abuse Services or an entity contracted by the Department for alternative transportation.

## **Public Safety and Law Enforcement Funding**

**SB 1054** (Thompson/Wallace) directs monies from the General Appropriations Bill (HB 2900) provided to the Department of Public Safety to be spent in the following manner:

- 1) \$439,120.00 for any necessary expenditures related to interoperable communications inside the State Capitol Building
- 2) \$4,000,000.00 to hold a trooper academy or additionally academies, subject to available funding.

**SB 1082** (Thompson/Wallace) apportions the appropriations made to the Oklahoma Department of Commerce in HB 2900 in the following manner:

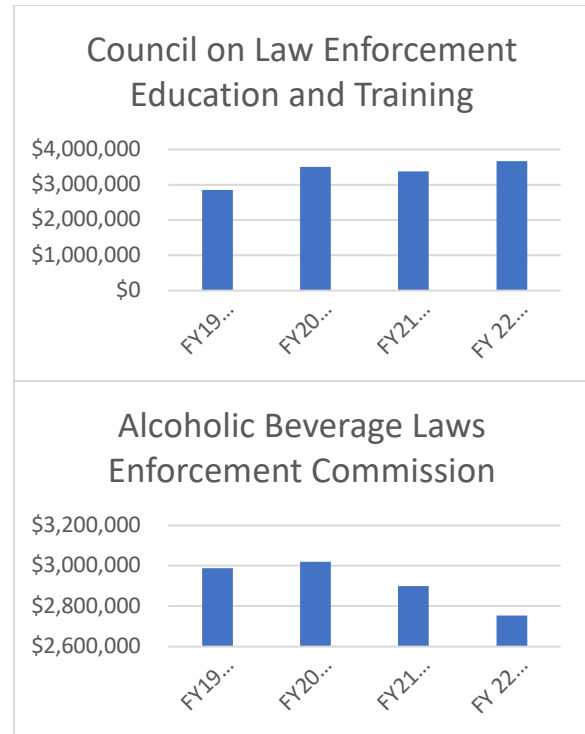
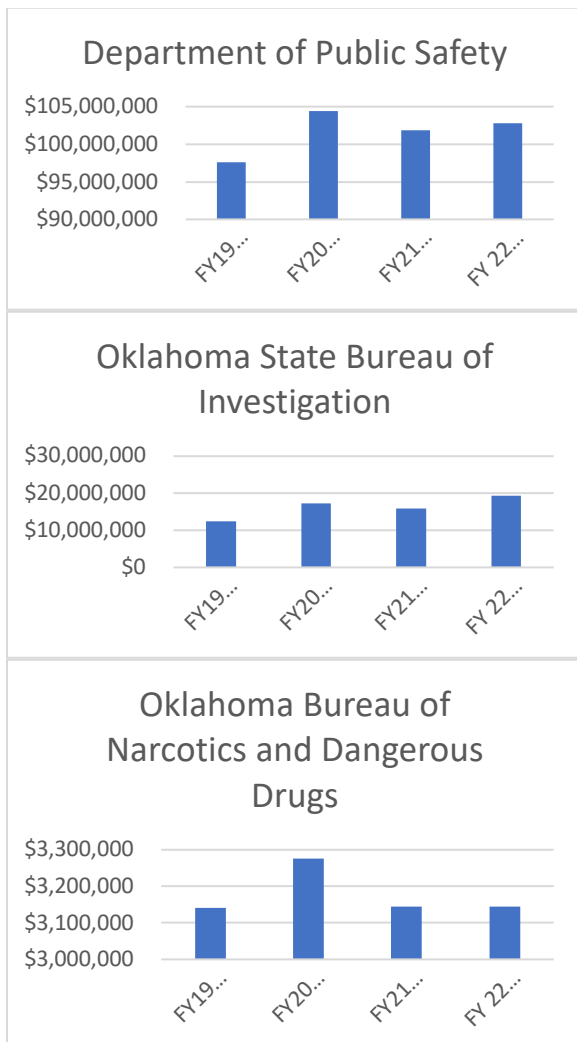
- 1) \$1,460,000.00) to implement the provisions of Aerospace Commerce Economic Services Act
- 2) \$15,000,000.00 shall be used to fund and implement the Oklahoma Accelerator Program

**HB 1015** (Roe/McCortney) strikes obsolete language as it relates to reimbursing county jails for medical care provided to inmates.

**HB 2908** (Wallace/Thompson) requires the Department of Corrections to direct funds in the following manner:

- 1) \$8 million to improve the correctional officer to inmate ratio at correctional facilities
- 2) \$9.24 million for hepatitis C treatment;
- 3) \$1.8 million for a contractual per diem increase at the Lawton Correctional and Rehabilitation Facility; and
- 4) \$9,235,258 for transfer to the Department of Corrections Offender Management System Revolving Fund.

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Department of Public Safety	\$101,824,395	\$102,827,246	0.98%
Oklahoma State Bureau of Investigation	\$75,480,361	\$68,241,076	-9.59%
Oklahoma Bureau of Narcotics and Dangerous Drugs	\$3,145,330	\$3,145,330	0.00%
Council on Law Enforcement Education and Training	\$3,370,833	\$3,661,579	8.63%
Alcoholic Beverage Laws Enforcement Commission	\$2,898,589	\$2,753,659	-5.00%



## Public Employees- Retirement/Insurance/Pay/Benefits

**SB 107** (Montgomery/Russ) authorizes the Office of Management and Enterprise Services to renew vision plan contracts with plan providers for succeeding 1-year terms if the provider had a contract for the immediately preceding year. The Office may require the provider to submit rate schedules, contact information for the plan, policy limits and applicable deductibles, and billing practices of the plan prior to the renewal.

**SB 267** (Pemberton/Nichols) provides for members of the Teacher Retirement System that retired as of July 1, 2020, who received benefits for at least 1 year to be reemployed by a school district with no limitations on earnings, provided the teacher was not employed in a school district during the 1-year period.

**SB 333** (Simpson/Townley) extends the time limit within which accrued compensatory time may be used by state employees and provides for such accrued time to be carried over into the new fiscal year after the Governor declares an emergency.

**SB 650** (David/Echols) modifies the statutory minimum benefit allowance amount for employee benefit plans beginning with Plan Year 2022. The act requires that the allowance amount for Plan Year 2022 be increased by 2% from the previous year's amount and provides for an additional 2% increase in the allowance amount for Plan Year 2023 from the previous year's amount. It then establishes the allowance amount in Plan 2023 as the statutory minimum benefit allowance amount.

**SB 683** (Kidd/Lepak) removes the requirement for full-time nonclassified optional personnel to have been regularly employed for a full year before joining the Teachers' Retirement System. The measure also provides for all nonclassified optional personnel regularly employed for 20 hours or more per week to be enrolled in the System upon hiring. Such persons may opt out of the System within 30 days of hiring. The opt out shall be irrevocable, unless the person is later hired into a classified position.

**SB 684** (Weaver/Moore) authorizes the Oklahoma State Bureau of Investigation, the Oklahoma Bureau of Narcotics and Dangerous Drugs, the Oklahoma Highway Patrol, and the Oklahoma Alcoholic Beverage Laws Enforcement to enter into bilateral interagency transfers among commissioned law enforcement officers. The measure specifies that such transfers must be for a period between 2-5 years.

**SB 687** (Weaver/Humphrey) directs the 9-1-1 Management Authority to begin implementing the Next Generation 9-1-1 program, which shall provide for connectivity and interoperability between state, regional, and local next-generation systems. Training program standards must include instruction on recognizing the need for and delivery of HighQuality Telecommunicator CPR (T-CPR) following evidence-based, nationally recognized guidelines that can be delivered by 9-1-1 call takers. Additionally, the measure directs the Oklahoma Tax Commission to provide the Authority a monthly report showing the 9-1-1 wireless fee deposits including the name of the provider and the amount of each deposit.

**SB 745** (Weaver/Dobrinski) modifies the annual retirement pay of retired police officers to the annual salary limit of the Economic Growth and Tax Relief Reconciliation Act of 2001 multiplied by 2.5% multiplied by the number of years of credited service. The measure provides for members who retire as a result of a disability to have such payments multiplied by 20 years of credited service, regardless of whether the member served 20 years or not, or the actual years of credited service if the member served more than 20 years. At no time shall a member receiving benefits receive less than the amount the member was receiving as of June 30, 2002.

**SB 809** (Weaver/Ford) authorizes campus police officers to retain the sidearm and badge issued to them prior to retirement. The measure provides that compensatory time that accrued or expired during emergency declarations issued in response to the novel coronavirus shall carry over to the end of the fiscal year following the year in which the emergency declaration ended.

**HB 2278** (Josh West/Rosino) measure provides that, as it relates to distributions in the Oklahoma Firefighters Pension and Retirement System required to be made after December 31, 2019, for individuals who are 70 ½ years old after that date, such distributions shall take into account that age 70 ½ was stricken from the Code and replaced by age 72.

**HB 2293** (Dustin Roberts/Paxton) excludes compensation paid to teachers if the sole source of such compensation was paid for in whole by federal funds or an externally sponsored agreement such as a grant, contract, or cooperative agreement and received by a teacher for teaching during a summer school program that is outside the scope of employment of the teacher as it relates to matching contributions from employer retirement contribution calculations. Additionally, the measure provides that a teacher shall not receive service credit for teaching during a summer school program as defined in the measure.

**HB 2457** (Dobrinski/Quinn) provides that, as it relates to distributions in the Oklahoma Police Pension and Retirement System required to be made after December 31, 2019, for individuals who are 70 ½ years old after that date, such distributions shall take into account that age 70 ½ was stricken from the Code and replaced by age 72.

**HB 2458** (Lepak/Montgomery) authorizes the Uniform Retirement System for Justices and Judges (URSJJ) and the Oklahoma Public Employees Retirement System (OPERS) to release tax information of a deceased member to a person acting in a fiduciary capacity on their behalf for purposes of filing a tax return. The measure also provides that any actively participating member of URSJJ or OPERS who's first

participating service occurred on or after July 1, 2013, and who works less than fulltime but has had at least 5 years of full-time employment during the 10 years immediately preceding retirement is not eligible to have their final average compensation.

**HB 2499** (Cornwell/Bergstrom) provides that if an active member of the Oklahoma Police Pension and Retirement System (OPPRS) dies and does not leave a surviving beneficiary, the member's contributions to the system may be paid to, if properly designated by the member, a trust. The measure also allows the benefit payment for the month in which the member dies, if not already paid, to be made to a trust upon the death of a retired member with no surviving beneficiary. The measure allows the same in the event of the death of a beneficiary. Finally, the measure allows OPPRS to pay a death benefit to a trust.

**HB 2824** (Sneed/Quinn) adds qualified benefits administrator to the list of entities that receive payments from the Oklahoma Public Employees Retirement System as it relates to the health insurance premium of certain individuals receiving benefits from the public retirement system.

### **Taxation and Tax Exemptions**

**SB 79** (Thompson/Wallace) exempts the sale of property or services to or by the University Hospital Trust as well as nonprofit entities that are in a joint operating agreement with the University Hospitals Trust from the sales tax.

**SB 181** (Taylor/Boles) modifies the formula for payments made to the Oklahoma Tax Commission for delinquent taxes. The measure strikes language requiring the payments be made in 2 equal installments

and instead requires the payments be made in 2 installments.

**SB 265** (Matthews/Nichols) exempts the sale of tangible property to a city-county library system from the sales tax.

**SB 379** (David/Hasenbeck) reauthorizes the income tax checkoff for the Court Appointed Special Advocate program, extending its authorization through the end of tax year 2026.

**SB 415** (Simpson/Tommy Hardin) authorizes the Oklahoma Tax Commission to disclose information relating to the name and basis for eligibility of each individual who qualifies for the sales tax exemption granted to registered veterans to the Oklahoma Department of Veteran Affairs. The measure requires qualifying disabled veterans to register with the veterans registry in order to receive or continue receiving the sales tax exemption.

**SB 422** (Simpson/Kerbs) specifies the documents the Oklahoma Tax Commission shall accept as proof of eligibility to receive the agricultural sales tax exemption.

**SB 436** (Paxton/Pae) reauthorizes the income tax checkoff for donations to the Oklahoma chapter of the Y.M.C.A. Youth and Government program.

**SB 600** (Rader/Hilbert) exempts charging stations with a charging capacity of less than 50 kilowatts and charging stations that do not require payment for use from the \$0.03 per kilowatt tax. The measure The measure also directs the Oklahoma Tax Commission to promulgate rules for the purpose of determining a percentage basis equivalent tax, which shall be recalculated annually. The provisions of the measure shall become effective upon the enactment of the

provisions of Enrolled House Bill No. 2234 of the 1st Session of the 58th Oklahoma Legislature.

**SB 601** (Rader/Pfeiffer) requires the Oklahoma Tax Commission to pay interest on tax refunds not paid within 45 days for returns filed electronically and 90 days for all other returns after the return is filed or due, whichever is later. The measure also allows the Commission to provide a later due date for the returns of individuals and certain entities if a state of emergency is declared by the Governor or upon declaration by the Internal Revenue Service to postpone deadlines in disaster areas. Lastly, the measure modifies the period of underpayment for corporations to be 30 days after the due date for returns established under the Internal Revenue Code.

**SB 770** (Stephens/Eric Roberts) extends the income tax checkoff for the Oklahoma Wildlife Diversity Program to January 1, 2022.

**SB 825** (Standridge/Kevin West) provides that any municipality levying a tax for the purpose of funding public safety or any other governmental purpose may not redirect all or a portion of the dedicated tax revenue to another purpose without a vote of the people authorizing such an action.

**SB 905** (Bullard/Davis) provides an income tax credit of \$20.00 per employee donating blood to employers. The credit is not refundable and shall sunset after tax year 2027. The total state-wide cap for the credit is set at \$500,000.00.

**SB 909** (Pugh/Trey Caldwell) creates a sales tax exemption for sales of tangible personal property or services to a museum that operates as part of a 501(c)(3) organization, is not accredited by the American Alliance

of Museums, and operates on an annual budget of less than \$1 million until December 31, 2024.

**SB 915** (Howard/Trey Caldwell) creates an income tax deduction based on an accredited investor's qualified equity investment in an eligible Oklahoma venture capital entity. The amount of the deduction shall be equal to the actual investment. A qualified equity investment shall not exceed \$25 million for any taxable year. Records of the equity interest acquired by an accredited investor shall be maintained by the accredited investor and the eligible Oklahoma venture capital company for a period of at least 5 years from the date the equity investment is made by an accredited investor. Investments made by investors into a company with persons relating to the investor shall not qualify for the deduction unless certain conditions are met as outlined in the measure. Additionally, such investments shall not qualify for the deduction if the investor owns 51% of the voting equity interest. The deduction may not be used to reduce the Oklahoma taxable income amount or the Oklahoma adjusted gross income amount to less than 0. The Oklahoma Tax Commission shall be required to notify claimants of the deduction if the Commission denies the claim.

**HB 1009** (Sims/Montgomery) 9 increases the maximum gross household income to qualify for an additional homestead exemption of \$1,000.00 from \$20,000.00 to \$25,000.00. The measure excludes the amount of any federal stimulus or relief payments related to the COVID-19 virus from the calculation.

**HB 1060** (Boles/Paxton) provides a sales tax exemption for the transfer of tangible personal property between wholly owned subsidiaries of a parent company and

between a parent company and its wholly owned subsidiary.

**HB 1062** (Boles/Garvin) extends the homestead tax exemption for 100% disabled veterans, their surviving spouses, or the surviving spouse of a person who died while in the line of duty to include those who own homes located on land owned by a city or town.

**HB 1121** (Boatman/Thompson) extends the sunset date for the Oklahoma Quality Events Incentive Act from June 30, 2021, to June 30, 2026. The measure also requires the host community to submit an economic impact study of the quality event, as defined in the measure, to the Oklahoma Tax Commission within 60 days. The measure also modifies the deadline for designating the date the event will be hosted and the types of expenses from 6 months to 30 days.

**HB 1566** (Sims/Rader) requires that any state tax generated from sales for admission to a 501(c)(3) aquarium, or an aquarium owned by a public trust or political subdivision of Oklahoma, to be collected and disbursed to the nonprofit, public trust, or political subdivision responsible for the operation of the aquarium. The disbursed funds must be used for servicing debt incurred by the aquarium or to promote visitation for out-of-state residents.

**HB 1588** (Dempsey/Burns) provides a sales tax exemption relating to the sale of commercial forestry service equipment outlined in the measure to businesses engages in logging, timber, and tree farming from sales tax until January 2027.

**HB 1935** (Martinez/Montgomery) exempts the sales of tangible property to a nonprofit entity organized prior to January 1, 2022, that provides assistance to natural persons



following a disaster as defined in the measure. Such assistance must emphasize repair or restoration to single-family residential dwellings, or the construction of a replacement single-family residential dwelling. The entity must expend at least 75% of its funds on the restoration to single-family housing following a disaster to be eligible for the program.

**HB 2178** (Hilbert/Montgomery) creates a tax deduction for taxpayers contributing to accounts relating to the Achieving a Better Life Experience (ABLE) Program. The deduction shall not exceed \$10,000.00 for an individual taxpayer or \$20,000.00 for taxpayers filing a joint return in any tax year.

**HB 2292** (creates the Tobacco Products Tax Enforcement Act of 2021. The measure authorizes the Oklahoma Tax Commission (OTC) to establish a Tobacco Products Tax Enforcement Unit for the purpose of enforcing tobacco tax laws through investigations, audits, and inspections. The provides that the excise tax on tobacco products shall be due and payable on the 1 st day of each month by the wholesaler. Wholesalers are required by the measure to file electronically with the OTC to determine the amount owed on or before the 12th of each month. If the taxes are not collected by the 1 st day of each month, the tax shall be collected as a backup tax upon the 1 st receipt of tobacco products by any retailer or end user when received from a source outside of the state or upon the first sale or use when the product is manufactured in this state. All purchase invoices shall contain the license number of the wholesaler and shall be made available for inspection by the Tax Commission. Any purchases of tobacco products from a person who is not holding a current Oklahoma wholesale tobacco license shall be

punishable by a fine of the greater \$1,000.00 or five times the unpaid tax on such products. Funds collected from the Unit shall be deposited in the Tobacco Products Tax Enforcement Unit Revolving Fund. Any amount in excess of \$2 million shall be transferred to the General Revenue Fund.

**HB 2297** (Dustin Roberts/Hall) defines “fixed wireless broadband Internet service provider” as an entity that offers Internet access through a stationary fixed point-to-point connection, often requiring direct line of sight between the provider’s wireless transmitter and its end-user consumer’s receiver as it relates to the Ad Valorem Tax Code. The measure clarifies that fixed wireless broadband Internet service providers are not included in the definitions of transmission company and public service corporation.

**HB 2362** (Burns/Dugger) extinguishes any claims for taxes or other liens or encumbrances that the state and/or municipality may have had on real estate with respect to any deed conveying title to the board of county commissioners where such property was bid off in the name of the county.

**HB 2684** (Echols/Thompson) provides that the excise tax on all wine and spirits shall be collected and remitted by the wholesaler who purchases the beverages for sale within the state, unless the wine is shipped directly to the consumer, where the excise tax shall be collected and remitted by the winery maintaining the direct wine shipper’s permit.

**HB 2775** (Pfeiffer/Montgomery) amends the definition of cost approach as related to the Ad Valorem Tax Code to mean a method of establishing the fair cash value of property involving an estimate of current construction cost of improvements, subtracting accrued

depreciation including any loss in value that may be caused by physical deterioration, or functional or economic obsolescence and adding the value of the land. The measure also requires the Ad Valorem Division of the Oklahoma Tax Commission to provide schedules of values of personal property in accordance with Uniform Standards of Professional Appraisal Practice (USPAP) and International Association of Assessing Officers (IAAO) requirements.

**HB 2805** (Pfeiffer/Paxton) strikes the requirement that livestock owned by a general partnership, limited partnership, corporation, limited liability corporation, estate, trust, or other lawfully recognized entity must have the primary purpose of conferring economic benefits of such ownership on 2 or more members of the same family in order to qualify for an ad valorem tax exemption.

**HB 2866** (Wallace/Thompson) modifies the banking privilege tax credit period to apply to guaranty fees paid on or after January 1, 2022, and before January 1, 2025.

**HB 2930** (Rick West/Simpson) expands the Oklahoma Agriculture Enhancement and Diversification Program to include grant programs for agritourism, value-added agriculture, as well as young and veteran farmers. The measure also prohibits awarding grants for growing, or any other aspect of medical marijuana. The measure eliminates the Agriculture Department's authority to allocate funds on a matching basis as well as cooperative marketing loans for entities that intend to work together. The measure also exempts certain information submitted to the Agriculture Department from the Open Records Act.

**HB 2946** (Wallace/Thompson) provides a sales tax exemption for the sale, lease,

rental, storage, use or other consumption of qualifying broadband equipment by Internet providers or subsidiaries if the property is directly used or consumed by the provider or subsidiary for the purpose of establishing or expanding broadband services in underserved or unserved areas. The exemption would be administered as a rebate and the broadband equipment provider would pay sales tax at the time of the equipment purchase and then obtain a rebate from the Tax Commission. The bill requires the Department of Commerce to prepare a report regarding the utilization of the sales tax exemption/rebate process.

**HB 2949** (Wallace/Thompson) provides sales tax exemptions as it applies to the transfer of tangible personal property by the University Hospitals Trust, the transfer of tangible personal property or services by or to the University Hospitals Trust or nonprofit entities in a joint operating agreement with the University Hospitals Trust, and the sales of personal property or services for use in a clinical practice or medical facility that is in a joint operating agreement with the University Hospitals Trust and is acquired or leased by the organization for the University Hospitals Authority, University Hospitals Trust or University of Oklahoma on or after June 1, 2021.

**HB 2960** (McCall/Treat) reduces the corporate income tax from 6% to 4% for all taxable years beginning after December 31, 2021.

**HB 2961** (Wallace/Thompson) reduces the bank privilege tax from 6% to 4% for all taxable years beginning after December 31, 2021.

**HB 2962** (McCall/Treat) reduces the individual income tax by 0.25% for all

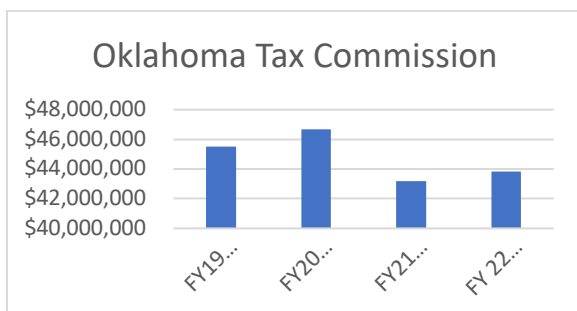
taxable years beginning on or after January 1, 2022. The measure also restores the refundability of the earned income tax credit and provides that it shall be computed using the same requirements for computing the earned income tax credit for federal income tax purposes in effect for the 2020 income tax year, other than the 5% amount already provided for, which shall remain constant.

**HB 2963** (Wallace/Thompson) reduces the income tax for both corporations that are equity owners in a pass-through entity and the tax rate for pass-through entities such as general partnerships, limited partnerships and limited liability companies, from 6% to 4%.

**HB 2964** (McCall/Treat) exempts commercial trailers and semitrailers from the 1.25% motor vehicle tax.

### Tax Commission Funding

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Oklahoma Tax Commission	\$43,177,267	\$43,844,417	1.55%



### Transportation, Vehicle, and License Measures

**SB 8** (Bergstrom/Frix) designates State Highway 69 from the Kansas border to the Texas border as the Historic Jefferson Highway Route. The cost associated with signage required by this measure shall be provided from private sources or other categories of funding and shall include the

cost of the initial erection of signs as well as the cost of potential replacement or reconstruction of signs.

**SB 61** (Bergstrom/Frix) specifies the location of various highway intersections designated as high-wide corridors. The measure also removes the high-wide corridor designation from the intersection of US-177 and US-64, proceeding east on US-64 to SH-108 as well as the intersection of US-64 and SH108, proceeding south on SH-108 and ending at SH-51.

**SB 184** (Hick/Bush) authorizes the use of Class 3 electric-assisted bicycles on multi-use paths.

**SB 263** (Daniels/Stearman) authorizes individuals to reclaim the license plate of a car when repossessing a vehicle that has not had its license plate removed. The measure also authorizes a person to obtain a 30-day temporary permit on a vehicle in their possession if said vehicle is subject to a lien.

**SB 355** (Rosino/Sims) creates the Peer-to-Peer Car Sharing Program Act. A peer-to-peer car sharing program is defined as business platform that connects vehicle owners with drivers to enable the sharing of vehicles for financial consideration. Such a program may not offer renting motor vehicles without a driver except as specifically provided for in the measure. The program is required by the measure to assume liability of a shared vehicle owner for bodily injury or property damage to third parties or uninsured and underinsured motorist or personal injury protection losses during the car sharing period. The program is exempted from this provision, provided the car owner makes an intentional or fraudulent material representation or omission to the program or acts in concert with a shared vehicle driver who fails to

return the shared vehicle. The measure further requires such programs to disclose to shared vehicle owners or drivers certain facts pertaining to the insured vehicle and liability. The program may own the named insured one or more policies of motor vehicle liability insurance. The program is required to ensure each of its drivers and vehicle owners are insured under a motor vehicle liability insurance policy that meets certain requirements outlined in the measure. The program's, driver's, or owner's insurer shall indemnify the car sharing program if it is determined that the shared motor vehicle's owner was in control of the shared motor vehicle at the time of the loss. Coverage under an automobile insurance policy maintained by the peer-to-peer car sharing program shall not be dependent on another automobile insurer first denying a claim. The measure also requires the program to notify the driver of a vehicle with a lien on it may the terms of the contract with the lienholder.

**SB 463** (Hall/Kannady) modifies the authority of the Oklahoma Tax Commission (OTC) to remove motor license agents from their position. The measure changes the at-will termination of such agents to "for cause" as defined in the measure. The measure also requires the OTC to comply with the provisions of the Administrative Procedures Act as it relates to removing tag agents. The FS strikes language requiring the OTC to discharge motor vehicle agents who fail to file timely accounting reports.

**SB 607** (Rader/Pfeiffer) changes "shall" to "may" as it relates to the Oklahoma Tax Commission establishing another tag agency in counties with a population in excess of 25,000.

**SB 624** (Standridge/Frix) designates certain sections of the highway system as the

William Charles "Charley" Coen Memorial Highway, the Speaker Pro Tempore Jim R. Glover Memorial Highway, the Medal of Honor Recipient Sergeant John R. Crews Memorial Bridge, the Trooper J.C. Magar Memorial Highway, the Congressional Medal of Honor Recipient Edward A. DeVore, Jr. Memorial Bridge, the Navy Cross Recipient CPL Russell Keck Memorial Highway, the Sweetwater Veterans Memorial Highway, the SSGT Cecil Wellman Memorial Bridge, the Officer Michael Bruce Keen Memorial Bridge, the Tommy Wayne Haley Memorial Bridge, the MSGT Michael Werdehoff Vietnam MIA Memorial Bridge, the James Amos Callins Memorial Bridge, the Lieutenant Eugene Smith Memorial Highway, the SP4 Alfred Dean Hildebrand Memorial Highway the Bud Martin Memorial Bridge, the Private Robert "Bob" Clark Memorial Bridge, and the President Donald J. Trump Highway. The measure also strikes the requirement for persons proposed to be so honored to have been deceased not less than 3 years, received the Medal of Honor, or been a member of the armed forces or emergency personnel that fell in the line of duty.

**SB 706** (Rosino/Echols) authorizes any personal delivery device to operate on any sidewalk, crosswalk, road or street of any county or municipality, notwithstanding any other law. The measure requires each device to have a unique identifying device number providing contact information to the owner. The measure prohibits any device from interfering with traffic and obstructing rights of way. Such devices must also travel under 10 miles per hour, be equipped with a controlled stop system, be equipped with lights on the front and back, and obey all relevant traffic laws. Such devices are prohibited from transporting hazardous material. Owners are required to maintain

certain insurance requirements on such devices. The measure also preempts any municipal ordinance or law that would otherwise govern the manufacture and contents of personal delivery devices.

**SB 787** (Weaver/Sterling) authorizes road-service vehicles to equip flashing yellow and white lights when providing road services and repairs to disabled passenger vehicles. Such lights must be visible from 500 feet to the rear of the vehicle and may only be used to warn operators of other vehicles to exercise care in approaching, overtaking or passing such vehicle.

**SB 899** (Leewright/Hilbert) exempts kiteboards from the registration requirements provided for in the Oklahoma Vessel and Motor Registration Act.

**SB 967** (Pugh/Martinez) expands “political subdivision” as it relates to the Governmental Tort Claims Act to include a regional transportation authority, its contract operator, and railroads operating in interstate commerce that sell a property interest or provides services to a regional transportation authority or allow the authority to use the property or tracks of the railroad for the provision of public passenger rail service. The measure authorizes political subdivisions to enter into a contract with such entities to acquire commercial liability insurance.

**SB 998** (Standridge/Osburn) directs the Oklahoma Tax Commission (OTC) to implement a program providing for the electronic storage of and filing of motor vehicle certificates of title and allow a lienholder to perfect, assign and release a lien on a motor vehicle in lieu of submission and maintenance of paper documents. The OTC shall enter into competitive contracts with qualified third-party service providers

to provide the necessary infrastructure for such a program. to provide the necessary infrastructure for such a program. The measure provides for participating tag agents to receive all fees provided by the Oklahoma Vehicle License and Registration Act notwithstanding current law. The OTC is also authorized to expend monies from the Oklahoma Tax Commission and Office of Management and Enterprise Services Joint Computer Enhancement Fund to implement the provisions of the measure. Additionally, the OTC is directed by the measure to consult interested parties including, but not limited to, representatives of the Oklahoma Automobile Dealers Association, the Oklahoma Bankers Association, the Oklahoma Credit Union Association, and the Oklahoma Tag Agent Coalition.

**SB 999** (Bergstrom/Frix) creates the Oklahoma Courier Application Services Act. A courier application service (CAS) is a business entity operating in Oklahoma that uses a digital network to connect business entities including itself, its affiliates, or people to CAS drivers for the purpose of providing courier services on an on-demand basis. Additionally, such services shall not be considered motor carriers nor shall a CAS driver be considered a for-hire motor carrier. Such services must adopt a zero-tolerance policy against CAS drivers operating under the influence of drugs or alcohol while providing courier services. CAS networks must require drivers to submit information regarding his or her address, age, driver license, and other information required by the CAS prior to admitting them into the network as a driver.

**HB 1044** (Luttrell/Standridge) provides that Killed in Action License Plates shall be designed to honor members of the United States Armed Forces who were killed in action while engaged in combat with a

hostile force. The parents, siblings, half-siblings, grandparents or spouse of the deceased person, if the spouse has not remarried, or if remarried, the remarriage is terminated by death, divorce or annulment, may apply for a killed in action license plate upon presenting proper certification that the person was killed in action and that the person making the application is the qualifying spouse or family member of the deceased person. The Killed in Action License Plate shall be exempt from any minimum issuance criteria related to license plate applications. Additionally, the measure expands eligibility to apply for a Gold Star Families License Plates to include siblings, half-siblings, or grandparents. The Oklahoma Aquarium License Plate is reauthorized by the measure. The measure also authorizes members of the Oklahoma Veterans of Foreign Wars organization to apply for the Oklahoma Veterans of Foreign Wars License Plate. The Oklahoma City Barons, Oklahoma City Redhawks, and Tulsa Shock License Plates are stricken by the measure. The measure directs the Oklahoma Tax Commission to design the Oklahoma Institute for Child Advocacy License Plate in consultation with the Institute. The Oklahoma Renewable Energy, Scottish Rite Masons, New State Brand, University of Oklahoma RUF/NEKS, National Defense Service Medal, Paramedic, Oklahoma Golf, Stillwater Public Schools, Blue Star Mothers, Transportation to Transportation, Tulsa Community College, Veterans of the United States Armed Forces, Navy Chief, Guthrie Street Kings, Epilepsy Foundation, and America First License Plates, and Tulsa Flag License Plate are created by the measure. The Oklahoma Tax Commission may enter into a licensing agreement with the Historic Greenwood District Juneteenth Festival.

**HB 1059** (Boles/Garvin) removes a provision which allowed commercial permit holders to take the skills examination without training. The measure allows a motor license agent to process the voluntary downgrade of a REAL ID Compliant Commercial Driver License to any lower-class license and removes a provision which prohibits a motor license agent from performing document recognition and other requirements needed for approval of an application for a Class A, B or C commercial license. A licensee whose record reflects a notation of the person's proof of legal presence, verified by the U.S. Department of Homeland Security, or proof of U.S. citizenship, may obtain a REAL ID Compliant Identification Card or a Noncompliant Identification Card from a motor license agent or the Department of Public Safety, regardless of the status of the license held by the licensee. Additionally, the Department of Public Safety must require designated examiner applicants, driver education instructor applicants, third-party examiner, and commercial school driver education instructors to complete an electronic national criminal history record check.

**HB 1065** (Tommy Hardin/Simpson) waives all late fees and penalties as it relates to vehicle registration if the vehicle was reported and certified as stolen.

**HB 1149** (Osburn/Rogers) requires persons engaged in the activities of a used motor vehicle sales to obtain a certificate of registration from the Oklahoma Motor Vehicle Commission. The measure provides that the cost of any administrative fine is to be borne by the employing entity. A salesperson is deemed to be temporarily approved and allowed to sell vehicles when applications and fees are on file with the Commission. The measure authorizes a

person to sell used motor vehicles without obtaining a separate used motor vehicle salesperson's certificate of registration if the person has a certificate of registration from the Oklahoma Motor Vehicle Commission to sell new or unused motor vehicles at a new motor vehicle dealer's licensed franchise location which also sells used vehicles. The cost of the registration for each sales person is \$50.00 to be renewed biennially and may be transferred for a fee of \$25.00.

**HB 1153** (Osburn/Garvin) modifies various terms used in the by the Oklahoma Used Motor Vehicle and Parts Commission relating to manufactured homes. The measure modifies the definition of “manufactured home dealer” to include a person who is engaged wholly or in part in the business of leasing any new and unused, or used, or both new and used manufactured homes, that are considered personal property, with an option to purchase or own in any form at any time after beginning of the lease term. The measure provides that a “manufactured home dealer” does not include a restricted manufactured home park dealer. The measure modifies the definition of “manufactured home salesperson” by including restricted manufactured home park dealers. The measure modifies the definition of “restricted manufactured home park dealer” to include persons engaged in leasing manufactured homes with an option to purchase or own in any form at any time after the beginning of the lease term. The measure requires a restricted manufactured home park dealer to obtain a bond in the amount of \$30,000.00.

**HB 1584** (Dollens/Brooks) designates a section of law relating to approaching stationary authorized vehicles on the roadway as Bernardo's Law.

**HB 1712** (Hill/Haste) creates the Road User Charge Task Force. The Task Force is directed to study methods that may be used to record and report public road usage as well as alternatives to the current system of taxing highway use through motor vehicle fuel taxes. The Task Force shall submit a report of its findings to the Legislature no later than December 31, 2023. The measure directs the Oklahoma Tax Commission to administer collection of any charges or fees associated with the Road User Charge Program. The expiration date for the task force is June 30, 2024.

**HB 1715** (Hill/Pugh) repeals a section of law relating to a minor’s reading ability to obtain driver licenses or permits. The measure also repeals a section of law requiring a minor to show that they are enrolled in a public or private secondary school to obtain permits and driver licenses.

**HB 1788** (Pae/Montgomery) establishes a definition for video toll collection system account and requires an owner’s vehicle to be registered with the Oklahoma Tax Commission or similar registering agency that permits access to registration information with the Oklahoma Turnpike Authority. The measure requires an owner or operator of a vehicle to pay a charge to the Department of Public Safety or other law enforcement agency for the owner’s failure to timely pay an invoice for charges submitted by the Turnpike Authority through its video toll system. Invoices may be sent by other methods, not restricted to certified mail. The measure also prohibits a person from operating a vehicle on a turnpike with the knowledge that the registered owner is liable for outstanding toll violations.

**HB 1795** (Miller/David) provides that the Department of Public Safety may in its

discretion suspend the driving privilege of a person after receiving a report of a conviction in another state relating to the operation of a motor vehicle. Any action taken by the Department shall not exceed the penalty imposed by a court or the Department in this state for a violation substantially similar to the conviction in the other jurisdiction which did not result in a revocation of Oklahoma driving privileges. Additionally, the measure provides that suspension of a driver's license shall be no earlier than 180 days after providing notice to the holder. The measure provides that a person who provides proof of enrollment in a federal or state government assistance program may be considered proof of hardship. The measure provides that a provisional license may be issued to suspended license holders allowing them to drive from 6:00 a.m. to 11:59 p.m. and 12:00 a.m. to 5:59 a.m. in certain circumstances. Eligibility for a provisional license shall not take into consideration any outstanding fines and fees owed.

**HB 2182** (Johns/Standridge) authorizes the removal and towing of a vehicle that is left unattended upon any street, sidewalk, alley or thoroughfare, and constitutes a hazard or obstruction to the normal movement of public transit along a rail fixed guideway.

**HB 2183** (Johns/Standridge) directs the Department of Public Safety to approve at least 1 public transit, state, county, or municipal government agency that maintains a program instructing students for a Class A, B, or C license to hire or employ third-party examiners.

**HB 2202** (Wolfley/Dahm) provides that no citation may be issued by any state, county, or municipal law enforcement officer during the 30-day period immediately succeeding the last day of the month during which a

vehicle registration should have been renewed and a current license plate decal obtained and displayed on the license plate of the vehicle.

**HB 2321** (Frix/Pemberton) clarifies that a truck-tractor carrying cargo on the roadways must maintain commercial auto, farm and ranch, inland marine or cargo liability insurance that applies to the costs of cleanup of any substance that is spilled or otherwise deposited on the roadway or right-of-way.

**HB 2375** (Davis/Bergstrom) authorizes 2 or more noncommercial vehicles owned by the same person which have different registration months to be registered in the same month. A convenience fee of \$5.00 shall be applied to such registrations. The convenience fee shall be divided equally with \$2.50 of the fee to be deposited to the credit of the Oklahoma Tax Commission and \$2.50 to be retained by the motor license agent. When a noncommercial vehicle's registration month is changed, license and registration fees shall be prorated to account for the differences between the previous renewal month and the new renewal month and those fees are due at the time of registration. The measure also allows for the un-staggering of a special or personalized license plate.

**HB 2382** (Sterling/Weaver) defines a street-legal utility vehicle as well as authorizes a street-legal utility vehicle to be registered as a motor vehicle and operated on roadways. The vehicle may not be operated on the interstate highway system or U.S. highways. The vehicle must be issued a certificate of registration, license plate, and yearly decal from the Tax Commission and be registered annually. The measure creates a 5-day temporary tag for out-of-state owners of street-legal utility vehicles.



**HB 2465** (Dick Lowe/Paxton) authorizes the Department of Public Safety to enter into agreements with local school districts, the Oklahoma Department of Career and Technology Education, or institutions of higher education to act as approved written examination proctors for Class A, B, C, or D driver license tests.

### **Transportation Funding**

**SB 298** (Dugger/McDugle) extends the 98.4% and 98.1% remittance rates for gasoline and diesel respectively from July 1, 2022, to July 1, 2024.

**SB 313** (Jech/Ranson) provides the fees for all special or personalized license plates issued after January 1, 2022, to be remitted at the same time and subject to a single registration period. Upon receipt of a special license plate, the owner shall surrender the original plate to the Oklahoma Tax Commission. The measure also directs the Oklahoma Tax Commission to determine a method for making required fee adjustments when a special or personalized license plate is obtained during a 12-month period for which a registration fee has already been remitted.

**SB 1057** (Thompson/Wallace) creates an option for an 8-year license for commercial licenses as well as Class-D licenses. Fees for the 8-year licenses are also established by the measure. Motor license agents are authorized to collect a fee for processing REAL ID and REAL ID Noncompliant ID's and Driver License applications as outlined in the measure. Agents shall also receive \$5.00 for each processed application for a REAL ID Compliant 4-year Driver License and \$10.00 for each processed application for a REAL ID Compliant 8-year Driver License. This measure also marries language changes that have been enacted during this legislative session in the statutes affected in

SB1057. The married language includes the following: The Department of Corrections is directed by the measure to coordinate with the Department of Public Safety to provide REAL ID Noncompliant Identification Cards to all inmates who do not have a current state-issued identification card or driver license upon their release from custody. Any inmate who is unable to provide the Department with the required information may use a Department of Corrections-issued consolidated record card to serve as a valid identification document to obtain a REAL ID Noncompliant Identification Card. Such cards shall be valid for a 4-year period. The fee charged for the issuance or replacement of a REAL ID Noncompliant Identification Card shall be deposited in the Department of Public Safety Revolving Fund. The measure also authorizes the Department of Public Safety to enter into agreements with local school districts, the Oklahoma Department of Career and Technology Education, or institutions of higher education to act as approved written examination proctors for written examinations relating to driver licenses. The Department must approve at least 1 public transit agency that has or maintains a program instructing students for a Class A, B or C license to hire or employ thirdparty examiners. The Oklahoma Tax Commission is required by the measure to submit a monthly report of the apportionment reimbursed out of the License and ID Apportionment Reimbursement Revolving Fund to the Chair of the Senate Appropriations Committee and Chair of the House of Representatives Appropriations and Budget Committee.

**HB 2079** (McCall/Quinn) establishes the Rural Economic Transportation Reliability and Optimization Fund to be administered by the Oklahoma Department of

Transportation. Monies from the fund shall be appropriated to assist the Department in the equitable prioritization of construction, repair, and maintenance of state highways in rural areas where robust economic development has resulted in traffic safety and circulation difficulties attributed to significant and unanticipated increases in traffic volumes and as fully recorded and documented by the Department. Robust economic development shall mean those conditions of the highways of this state in counties with a population of less than 50,000 where traffic volumes have increased to become so impaired or hazardous as to constitute a threat to the safety of persons or property traveling over or upon such highways. Once confirmed and documented, the Department of Transportation may utilize proceeds from the Rural Economic Transportation Reliability and Optimization Fund to incentivize and leverage the acceleration and prioritization of improvement projects existing in or to be incorporated into the Eight-Year Construction Work Plan.

**HB 2234** (Hilbert/Taylor) creates the Driving on Road Infrastructure with Vehicles of Electricity (DRIVE) Act of 2021. The measure levies a \$0.03 tax per kilowatt hour or its equivalent on the electric current used to charge or recharge the battery or batteries of an electric vehicle beginning January 1, 2024. This tax shall not be applicable to electric vehicles charged at a private residence at which the owner or occupant of the residence uses electric power paid for by the owner or occupant of the residence. A charging station operator shall make a full and conspicuous disclosure at the site of the charging station and on the website maintained by or on behalf of the owner or operator. Any tax revenue collected shall be apportioned to the DRIVE Revolving Fund and counties throughout the

state. The measure provides that 85% of the monies shall be apportioned to the Fund and 15% shall be apportioned to the counties. The measure requires charging station owners to remit the tax monthly, using forms prescribed by the Tax Commission. Legacy chargers, and public charging stations that have never charged a fee for their use, are exempt from remitting the tax until 2041. The Tax Commission may terminate a charging station owner's operator license if the owner fails to remit the tax as required. The Oklahoma Corporation Commission may inspect the premises and equipment of the charging station, and may require periodic third-party testing, calibration, and inspection reports. The Commission may set fees necessary to carry out these duties, and may also assess a penalty of not more than \$500 per day to charging station operators that fail to comply with these requirements. Charging stations constructed after November 1, 2021 shall use a metering system that is capable of imposing the cost for the charging service. The metering system shall include a system that allows for an audit of the electricity supplied. The Oklahoma Tax Commission may inspect the premises and equipment of any charging station in order to enforce compliance. The measure allows each motor license agent to retain \$3.56 for each electric vehicle registered. Agents may also retain \$3.25% of the vehicle excise tax collected.

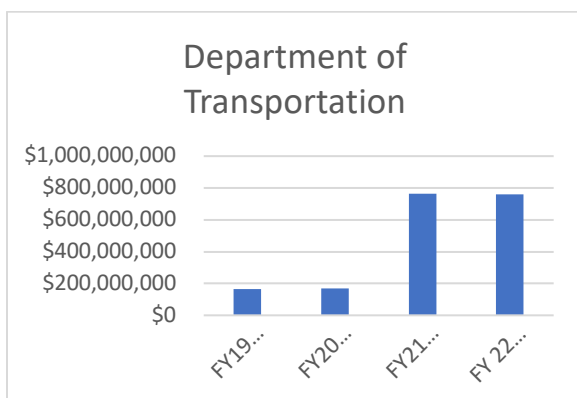
**HB 2892** (Wallace/Thompson) changes the counties' allocation of revenue from the Oklahoma Vehicle License and Registration Act. Beginning July 2021, 25% of the monthly allocation that would otherwise be credited to the County Improvements for Roads and Bridges Fund would be distributed directly to the counties: 1/3 of the funds distributed in proportion by area, 1/3 by proportional share of county road miles, and 1/3 by proportion based on

bridges in a county (For FY 2021-2026, based upon yearly ODOT Bridge Summary Reports for obsolete or deficient bridges; beginning in 2026, based on the number of bridges in each county according to the ODOT 2020 Bridge Summary Report).

**HB 2895** (Wallace/Thompson) updates the funding mechanism for the Rebuilding Oklahoma Access and Driver Safety (ROADS) Fund. The measure apportions \$80 Million to the fund for the purpose of making required payments for principal, interest or other costs of borrowing, and further authorizes apportionment of an amount necessary to bring the amount in the fund up to \$575 Million for FY 2021 and \$590 Million for FY 2022 and every year after.

**HB 2896** (Wallace/Thompson) authorizes the Oklahoma Capitol Improvement Authority to issue bonds or other obligations in an amount necessary to raise \$200 million.

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Oklahoma Department of Transportation	\$765,000,000	\$761,893,663	-0.41%



## Veteran Measures

**SB 86** (Simpson/Miller) modifies the membership criteria of the Oklahoma

Veterans Commission. The measure decreases the number of veterans from the Vietnam conflict from 3 to 1 and increases the number of Persian Gulf Wars members from 1 to 2 members. The measure requires appointments to the Commission to be broadly representative of the veterans of this state in terms of age, gender, and ethnicity. Additionally, the measure prohibits the appointment of any member to the Commission if he or she is related by affinity or consanguinity within the third degree to any person employed by the Oklahoma Department of Veterans Affairs.

**SB 114** (Simpson/ Tommy Hardin) repeals the requirement for the War Veterans Commission to prioritize applicants currently confined in state institution as well as provisions of law creating the Agent Orange Outreach Commission and the Gulf War Syndrome Outreach Commission.

**SB 285** (Simpson/Tommy Hardin) directs the Oklahoma Department of Veterans Affairs to evaluate the Union Soldiers Home and determine the measures and the amount of funds necessary to meet all standards required by the United States Department of Veterans Affairs. The Department must submit a report of its findings no later than November 1, 2021, to the President Pro Tempore of the Senate and Speaker of the House.

**SB 860** (J.J. Dossett/Burns) renames the 45th Infantry Division Museum as the Oklahoma National Guard Museum and authorizes the Museum to sell military artifacts, books, and maps and to use the proceeds to fund artifact purchases and museum upgrades. The measure also updates references to the museum as it relates to the Armed Forces Veterans Motorcycle License Plate.

**HB 2271** (Cornwell/Simpson) authorizes persons with a Purple Heart License Plate to park in handicapped parking spaces.

**HB 2374** (Davis/Bullard) directs the state to develop a program to provide up to \$10,000.00 in financial assistance for funeral expenses for eligible members of state military forces who die in the line of duty while serving on state active-duty orders. The measure directs the Director of the Oklahoma Department of Emergency Management or their designee of the Oklahoma Department of Emergency Management to determine whether the deceased member is eligible for the program and to disburse funds from the Oklahoma Homeland Security Revolving Fund to such members.

**HB 2508** (Kannady/Simpson) modifies the eligibility criteria for Adjutant General to require an individual to be eligible for a Certificate of Eligibility if not already a general officer. The measure also authorizes the Governor to appoint multiple Assistant Adjutants General after considering the number of such positions recommended by the National Guard Bureau. The Adjutant General may, in writing, delegate specific command or supervisory authority to the Assistant Adjutants General or to general staff officers. The measure directs the Adjutant General to develop, publish and maintain an enlisted and officer rating scheme for all billets assigned to joint forces headquarters and an organizational chart, to be updated annually, showing the chain of command between the Adjutant General and the major commands of the Oklahoma National Guard. The measure allows the Governor to order the National Guard on state active duty in the event of an imminent or existing epidemic or pandemic. The measure also adopts civil law protections established in the federal Servicemembers

Civil Relief Act as state law and applies them to state military forces on state active duty or Title 32 active duty. Any officer or employee of the state or political subdivision who is not a member of the state military force is entitled to military judicial leave from their regular employment when serving as a military trial judge or an appellate military judge. The employing state agency or political subdivision is required to pay full regular pay for the first 30 regular business days the employee is absent. For any time after this, the employer must pay a difference prescribed in the measure. The bill modifies personal liability for military forces to include only forces acting in the line of duty. The measure directs the Adjutant General to designate a State Judge Advocate from the judge advocates duly commissioned in the state military forces. The senior force component judge advocate of each force component shall oversee certain duties. These senior force component judge advocates shall also determine the place of duty and frequency of reassignment among the major commands for each judge advocate and paralegal in their respective force components. The State Judge Advocate shall provide legal counsel to the Adjutant General and, as requested, to the other senior leaders of the state military forces. The measure allows any officer setting a punishment to mitigate that punishment at any time, so long as the mitigated punishment isn't for a greater period than the original punishment. Any nonjudicial punishment may be appealed to a senior officer designated by the Adjutant General. The measure prohibits certain military trial judges from reviewing certain trial records if the judge served as an assistant attorney general, district attorney, assistant district attorney, or municipal prosecutor who determined whether to prosecute certain nonmilitary offenses. The measure also provides for the calculation of

compensation for military trial judges. The measure requires military magistrates to be a member of the bar of a federal court or the highest court of a state and certified to be qualified for duty as a military magistrate by the State Judge Advocate. No military magistrate may issue warrants or court orders for contents or records of wire or electronic communications. The measure modifies the definition of a judicial officer to include a military magistrate. The measure prohibits current state employees of the Oklahoma Military Department and federal technicians from being nominated to serve on the Military Court of Appeals. Statutory language establishing criminal procedure in district courts shall not apply to court-martial proceedings and where statutory language conflicts within any appellate provisions in the Oklahoma Uniform Code of Military Justice, the conflicting statutory language shall not apply to appellate proceedings arising from court-martial proceedings. State employees serving as military trial judges or appellate military judges are exempt from the statutory language prohibiting someone from holding an office under the laws of the state or being a deputy of someone holding office and also holding any other office or being a deputy of another office. The measure classifies members of the state military forces on state active duty or Title 32 active duty as state employees regardless of where their duties as employees are being performed. The measure also clarifies that the state is not liable for losses or claims resulting from the activities of state military forces on state active duty or Title 32 active duty. The measure modifies leave of absence procedures to include members of state military forces on state active duty. If the leave of absence exceeds the 30 regularly scheduled work days for which state employees should receive their full regular pay, the employing state agency is

required to pay the difference between their full salary pay and their military base pay, and this calculation shall exclude untaxed military allowances and entitlements.

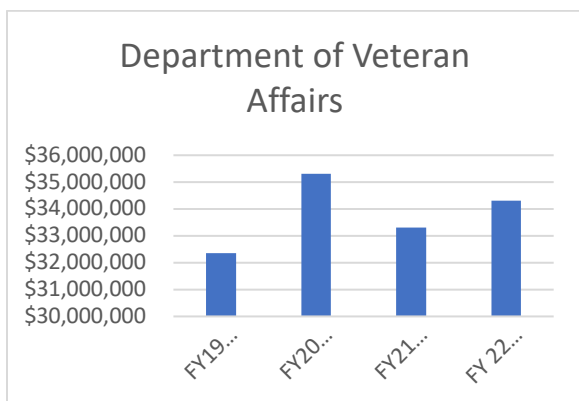
**HB 2545** (Burns/Simpson) creates the Oklahoma Uniformed Services Employment and Reemployment Rights Act. The measure prohibits employers from discriminating against employees or prospective employees based on their membership or service in state military forces. Employers are further prohibiting from discriminating against any employee or prospective employee who has enforced a protection, testified, assisted an investigation, or exercised a right in regards to the Oklahoma Uniformed Services Employment and Reemployment Rights Act. The measure also provides that any person whose absence from employment is necessitated by reason of service in state military forces, provided that the person has given advance notice to their employer, is not absent for a cumulative length of more than 5 years, and reports or submits a reemployment application to their employer shall be entitled to reemployment. The measure further provides for exceptions to these provisions, requirements regarding application for reemployment, and order of priority when reemploying members of the same position. The measure requires the administrator of each state agency or political subdivision to submit a report to the House and Senate Veterans and Military Affairs committees by December 31 of each year that contains the number of persons whose reemployment with such state agency or political subdivision was determined to be impossible or unreasonable, with the reason for that determination. The measure also requires the Commissioner of Labor to assist such persons and investigate any complaints. The measure provides for complaint and judicial process. Finally, the measure requires each state agency and political

subdivision to provide training for their human resources personnel about the rights, benefits and obligations provided in the Act and the application of its requirements.

### Veterans Funding

**HB 2944** (Wallace/Thompson) authorizes the Oklahoma Capitol Improvement Authority to issue obligations to acquire property to develop and provide funding for a new Oklahoma National Guard Museum in a total amount necessary to generate \$45 million in project funds. Upon final redemption or defeasance of the obligations, the title to the property and improvements shall be transferred to the Oklahoma Military Department.

Agency	FY21 Appropriation	FY22 Appropriation	Change from Original
Department of Veteran Affairs	\$33,316,393	\$34,316,393	3.00%



### Senate & House Joint Resolutions

**SJR 23** (Standridge/Echols) is a continuing application for an Article V Constitutional Convention. The resolution calls for an Article V Constitutional Convention in order to pass a Constitutional Amendment to limit federal appropriations made by the Congress in a fiscal year to the amount of all estimated federal revenues for that fiscal year. The joint resolution also calls for another Article V Constitutional Convention

that shall propose and consider amendments that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

**HJR 1046** (Gann/Daniels) is the annual omnibus administrative rule approval/disapproval measure.

### Vetoed Measures

**SB 222** (Standridge/Pae) modifies the definition of “bullying” within the School Safety and Bullying Prevention Act to include behavior that is repeated or highly likely to be repeated. The measure requires a school district board of education to update its discipline and bullying policy annually. The measure allows a student, school employee, school volunteer or the parent or legal guardian of a student to report an act of bullying and requires anonymous reports to be investigated in the same manner as other reports. The measure provides immunity from a cause of action to school employees, school volunteers, students and parents or legal guardians of students who promptly report incidents of bullying in good faith. It requires notification to be provided to the parents or legal guardians of a reported victim and reported perpetrator of bullying within 24 hours of receiving a report of bullying. The measure requires immediate notification of the parents or legal guardians of a student who expresses suicidal thoughts or intentions or who encourages another student to commit suicide. The bill requires a bullying policy to contain a statement prohibiting retaliation against a school employee who notifies the district board of education or the State Department of Education of noncompliance with the discipline and bullying policy. The measure directs a district board of education to hold at least one public hearing prior to adopting

or amending the bullying policy and to submit the approved policy to the State Department of Education within 30 days of adoption. The bill also requires a district superintendent to provide a report on bullying prevention activities and reported incidents of bullying to the district board of education at least once each semester at a public meeting. It requires district boards of education to provide each employee and newly hired employee with a copy of the bullying policy and an explanation of his/her responsibilities.

**SB 419** (J.J. Dossett/Waldron) allows a teacher to use the highest-achieved score on the U.S. history assessment administered in high school to calculate the final grade for the applicable social studies, history or citizenship skills unit taken the same school year the assessment is administered.

**SB 500** (Boren/Dick Lowe) requires the governing body of any city, town, or county to prepare a disclosure report for any tax incentives financing or tax increment district established by the governing body if the district has been in operation for at least 12 months. The disclosure report shall be published on or before 60 business days following the end of each fiscal year on the website of the city, town, or county if such a website exists beginning January 1, 2022, and each year thereafter.

**SB 821** (McCortney/McEntire) defines “pharmacy benefits management” as it relates to the Patient’s Right to Pharmacy Choice Act and broadens pharmacy benefits manager (PBM) to include any entity performing pharmacy benefits management activities. The measure broadens the prohibition on PBM’s forcing customers to use pharmacies that are directly or indirectly owned by the PBM to include affiliates of the PBM whether in-network, preferred, or

otherwise. Additionally, contracts between a PBM and pharmacist shall not prevent the disclosure of the total costs for pharmacist services for a prescription drug or from selling a more affordable alternative to the covered person if such alternative is available nor shall such contract fall below a certain price point outlined in the measure. PBM’s are also prohibited from incentivizing or requiring customers to differentiate between in-network pharmacies, whether that pharmacy is in a preferred or nonpreferred network, a retail pharmacy, mail order pharmacy, or any other type of pharmacy.

**HB 1090** (Kendrix/Howard) clarifies the authority of the Governor to request the State Auditor and Inspector to examine the books and accounts of public officers and other governmental entities as well as the authority of the State Auditor and the Performance Audit Division to examine books and accounts independently of a request.

**HB 1598** (Provenzano/Quinn) allows personnel approved by the State Department of Education to conduct vision screenings of first and third graders. It authorizes the Department of Education to approve the vision screeners.

**HB 1849** (Fugate/Brooks) creates a sales tax exemption for parent-teacher associations that are sanctioned by a school district and school support organizations, defined as sanctioned nonprofit organizations that collect funds in support of a school organization, club, or activity of a school.

**HB 2088** (McCall/Thompson) exempts the legislative and judicial branches of state government from fees and costs from services rendered by an executive agency.

**HB 2090** (McCall/Leewright) expands the membership of the Rural Broadband Expansion Council from 14 to 16 members. The measure directs the council to develop a set of broadband incentive award guidelines and make recommendations to the Legislature. The guidelines would consider an area's need for services, existing broadband assets, whether existing resources have been allocated to broadband in the area, a preference for partnerships with other governmental or private entities, and the capacity of the provider to maintain assets for an extended period.

**HB 2313** (Lawson/Haste) modifies duties of the Office of Juvenile System Oversight (OJSO). The measure requires the OJSO to conduct inspections of privately operated children's facilities not less than annually or as needed. OJSO will have access to all children and youth facilities to conduct site visits and speak with residents.

**HB 2500** (Culver/David) specifies that a person serving on the Oklahoma Abstractors Board must be a licensed abstractor and who has held the Oklahoma abstract license for not less than 5 years in a county in the district from which the member is appointed prior to appointment.

**HB 2510** (Kannady/Thompson) modifies "approved purpose" as it relates to the Political Subdivisions Opioid Abatement Grants Act to include addressing the needs of parents and caregivers caring for babies with neonatal abstinence syndrome. The measure also provides for law enforcement and emergency responders to receive reimbursements for mental health response training. Additionally, the measure authorizes reimbursements of attorney fees and expenses directly related to opioid litigation incurred as part of legal services agreements entered into before May 21,

2020. Eligible participants in the program are expanded to include any political subdivision or first responder organization negatively impacted by the opioid crisis. The measure provides for the Oklahoma Opioid Abatement Board to award grants based on criteria approved by the Board. Such awards must be listed on a distribution table.