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## Session Overview

The Senate convened for the 1<sup>st</sup> Session of the 57<sup>th</sup> Legislature on January 8<sup>th</sup>, 2019, to adopt Senate rules governing the Session, certify the 2018 election results, and to elect a new President Pro Tempore. Sen. Greg Treat (2011-Present) was unanimously elected. Following the President Pro Tempore election, Sen. Kim David was named the Majority Floor Leader and Sen. Kay Floyd was named as the Minority Floor Leader. The Senate adopted the rules and members were appointed to standing committees of the Senate.

The Senate welcomed twelve new members to the body following the 2018 election, including Senators Boren, Bullard, Coleman, Hall, Haste, Hicks, Howard, Kirt, Montgomery, Stanley, Weaver, and Young.

The Senate reconvened again on February 4<sup>th</sup>, 2019, wherein the newly elected Governor Kevin Stitt delivered his first State of the State address. Senate Leadership sought to address various priorities, related to budget transparency, educational investment and reform, criminal justice reform, and state agency accountability.

As the Session progressed, the Legislature debated the merits of tightening the requirements for a school district to move off the five-day schedule, raising the minimum salary for teachers, and providing increased funding to the funding formula. SB 441 required school districts to meet certain standards prior to instituting a four-day school week. After a brief stalemate between the Governor, House, and Senate, the Legislature successfully passed a budget providing a teacher pay raise and increased funding for the School Funding Formula.

The passage of SQ 788 resulted in legislation on medical marijuana issues related to employment, municipal zoning laws, prescription authority, and disposal of medical marijuana waste. Several measures enacted into law also clarified points of the state question relating to license renewal, product labels, and the operation of a foreclosed medical marijuana establishment.

The Legislature also addressed the issue of appointments to regulatory boards and commissions. To that end, the Legislature passed and enacted into law legislation enabling the Governor to appoint the Directors/Commissioners of the Department of Corrections, the Department of Mental Health and Substance Abuse, the Health Care Authority, the

Department of Transportation, and the Office of Juvenile Affairs, with Senate confirmation. Additionally, the Legislature may remove these agency heads by a 2/3's vote of the members of each chamber.

The Legislature enacted 515 measures into law during the 1<sup>st</sup> Session of the 57<sup>th</sup> Legislature and passed 2 Joint Resolutions to approve and disapprove certain agency rules. The Governor vetoed 16 measures.

## Appropriation Overview

HB 2765 appropriated \$7,894,798,821.00 to state agencies. Compared to FY19 appropriations, \$7,545,075,719.00, the FY20 budget represented a 4.64% increase in total appropriations. Combined with other expenditures, including \$200 million in other expenditures, the Legislature expended a total of \$8,330,075,682.00.

Subcommittee Budget	FY19 GA Bill	FY20 GA Bill	Changes from Original
Education	\$3,857,233,820	\$4,064,513,990	5.37%
General Government and Transportation	\$319,267,443	\$370,724,822	16.12%
Health	\$1,609,508,445	\$1,564,440,924	-2.80%
HHS	\$856,162,178	\$877,201,903	2.46%
NRR	\$106,566,974	\$128,308,928	20.40%
Public Safety and Justice	\$786,210,042	\$876,481,437	11.48%
Total FY'18 Appropriation vs. Total FY'19 Appropriation	\$7,545,075,719	\$7,894,798,821	4.64%

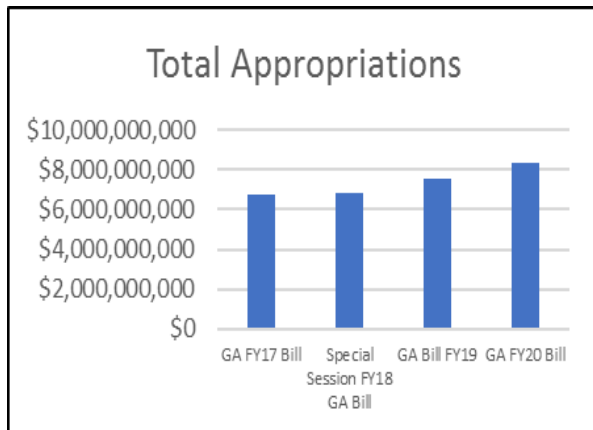
A notable item in the budget includes a 5.42% increase in the Department of Education's budget to provide a raise to teachers (\$58,858,503.00), increased investment in what is commonly known as the School Funding Formula (\$74,382,692.00 in additional funding compared to the last fiscal year), and \$12,000,000.00 (\$5.5 million additional funding) allocated to the Department to implement the Reading Sufficiency Act.

Additionally, the Legislature in conjunction with Governor Stitt, set aside \$200 million in the Revenue Stabilization Fund in addition to the \$359.7 million set aside for the Constitutional Reserve (Rainy Day) Fund.

The Legislature also moved to address state employee pay. SB 1045 provided a \$2.00 an hour salary increase to Department of Corrections employees. HB 2771 also provided a pay raise to state employees based on the employee's yearly salary.

The FY20 budget continues the pace of recovery set in the 2<sup>nd</sup> Session of the 56<sup>th</sup> Legislature. With the GPT receipts continuing to recover ground lost in FY16-FY18, revenue from the increased GPT tax rate levied on oil/natural gas and increased sales tax on tobacco products, and a recovering economy, the Legislature successfully passed a budget partially restoring spending to pre-recession (2008) levels.

Finally, the Legislature successfully created a new Legislative Office of Fiscal Transparency designed to review and audit agency performance in SB 1. The newly created office is tasked with providing analysis related to economic outlook, program effectiveness vs. investment, and reviewing best-practices. The Legislature appropriated \$1.7 million from the Legislative Service Bureau's budget to fund the newly created office.



### General and Miscellaneous Appropriations Measures

SB 1 (Treat/McCall) creates the Legislative Office of Fiscal Transparency (LOFT) within the Legislative Service Bureau and a bicameral oversight committee. LOFT responsibilities will include:

- 1) Gather information regarding the executive branch agencies' proposed budgets,
- 2) Analyze whether the proposed budget fulfills an agency's primary duties and responsibilities,
- 3) Analyze and forecast revenues available to agencies,

4) Compare agency budget information to prior fiscal years, and

5) Conduct investigations of agency operations. The oversight committee will be composed of fourteen members from the Senate and the House. The President Pro Tempore of the Senate and Speaker of the House will appoint seven members from the Senate and House respectively to the committee. The President Pro Tempore and the Speaker must respectively appoint at least two members of the minority party from their chamber to the committee. The Pro Tempore and Speaker will each designate a co-chair. Agencies are required to cooperate with LOFT and furnish all records requested by the Office. SB 1 further authorizes the oversight committee to issue subpoenas for the purposes of compelling the production of records and attendance of witnesses. The Office may conduct independent comprehensive performance audits (ICPA's). All ICPA's must focus on the policies of an agency as it relates to its constitutional and statutory obligations, all sources of funding received by the agency, management of the agency, and a schedule to implement agency-specific recommendations. The Legislature may utilize the results of an ICPA to craft a budget for the agency under review. The measure repeals the Agency Performance and Accountability Act.

SB 271 (Dahm/Hilbert) requires all state agencies, excepting those with funds tied to maintaining any level of security clearance, to annually disclose information on their federal programs and priorities. Agencies must write a report and publish on their website a description of actions required or prohibited to obtain specific federal funding and a description of any action required or prohibited to be taken by any individual or lawfully recognized business entity or other entity tied to federal funding.

SB 536 (Jech/Newton) creates a petty cash fund for the Financial Management section of the Department of Environmental Quality. The fund will not exceed the amount of \$200.00 and will be used for the purpose of making change for persons obtaining licenses, paying fees, and paying fines.

SB 583 (Stanislawski/Ortega) directs the Director of the Office of Management and Enterprise Services to issue a request for proposal for the ongoing maintenance of desktop support and management systems for all state agencies by July 1, 2020. The contract shall be awarded to the responsible offeror whose proposal is determined to achieve guaranteed savings to this state compared to current operations.

SB 1072 (Thompson/Wallace) modifies deposits made to the Revenue Stabilization Fund. The measure states that no deposit shall be made in the Fund provided the State Board of Equalization certifies that the General Revenue Fund received less funding than the previous fiscal year. Additionally, the measure states that no deposit shall be made to the credit of the Revenue Stabilization Fund if such a deposit would cause the Fund to exceed 3% of the certified amount in the General Revenue Fund in the current fiscal year. If a certified “revenue decrease” occurs, the total deposits to the Revenue Stabilization Fund shall be reduced by that amount. A revenue decrease means an identified revenue source derived in an amount less than the five-year average for such revenue source.

SB 1076 (Thompson/Wallace) appropriates \$200 million to the Revenue Stabilization Fund in the following manner:

- 1) \$186,084,782.00 from the General Revenue Fund and
- 2) \$13,915,218.00 from the Alcoholic Beverage Control Fund.

HB 1897 (Phillips/Allen) eliminates language requiring the Oklahoma Tourism and Recreation Department to spend funds accrued from entrance or day-use charges on capital improvements.

HB 2666 (Wallace/Leewright) directs political subdivisions of the state to take certain considerations when appointing a construction manager. Political subdivisions must consider candidates drawn from the list maintained by the Department of Real Estate Services of the Office of Management and Enterprise Services and candidates’ professional qualifications. The measure also caps the cumulative increase for a contract involving an at-risk delivery method for construction contracts. If the contract is worth less than \$1 million, the increase shall not exceed 15%. If the contract is worth more than \$1 million, the increase shall not exceed the greater of 10% or \$150,000.00. Contracts exceeding \$50,000.00 will require the contracting authority to provide public notice of the project in a newspaper of general circulation and published in the county where the work is to be done. The measure outlines various procedures related to awarding individual contracts to construction managers.

HB 2669 (Wallace/Thompson) creates a 9 member State Revenue Apportionment Evaluation Commission that is tasked with analyzing the state revenue system with special emphasis on the amount of revenue which is apportioned for purposes outside

of the General Revenue Fund for each fiscal year. The measure requires the commission hold an organization meeting within 60 days of July 1, 2019, to select a chair and vice-chair and submit a report to the Governor and Legislature within 120 days after the end of each fiscal year.

HB 2670 (Wallace/Thompson) creates the Pay for Success Act to allow state agencies to establish public-private partnerships in the form of a pay-for-success contract, which will include specific performance targets and outcome measures that the private entity contracting with an agency must meet in order to receive a success payment from the state. Success payments will come from money appropriated to the newly created Pay for Success Innovation Fund managed by the Office of Management and Enterprise Services.

HB 2745 (Wallace/Thompson) establishes an annual cap of \$150,000 in collections to the Ethics Commission Fund with all collections in excess of the amount being deposited in the General Revenue Fund.

HB 2751 (Wallace/Thompson) modifies the duties of the Attorney General by requiring him or her to settle, compromise and dispose of an action in which the Attorney General represents the interests of the state, so long as the consideration negotiated for such settlement, compromise or disposition is payable to the state or one of its agencies which is a named party of the action and any monies, any property or other item of value is paid first to the State Treasury.

HB 2765 (Wallace/Thompson) is known as the General Appropriations Bill. The measure appropriates \$8,130,075,682 to fund state agencies.

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

SB 31 (Shaw/Loring) clarifies the amount of grams, converted from the unit of measurement (ounces) used in the original petition, of marijuana that a medical marijuana license holder may possess.

SB 162 (Standridge/Marti) clarifies that the physician required to sign an application for a medical marijuana license must be licensed and in good standing with the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners. The measure also caps the weight of a test batch to no more than ten pounds and requires growers and processors to separate each lot of usable

marijuana into harvest and production batches weighing no more than ten pounds.

SB 238 (Standridge/Marti) requires any product containing cannabidiol to contain a label showing the country of origin and whether the cannabidiol is synthetic or natural. The measure states that the measure shall not apply to any pharmaceutical product approved by the Food and Drug Administration. Additionally, the measure exempts sellers of hemp and hemp products from licensure requirements if the hemp used in the products were legally grown and cultivated. Adding hemp and hemp products to cosmetics, personal care products and products intended for human or animal consumption shall be permitted without a license and shall not be considered an adulteration of such products.

SB 532 (Brooks/Fetgatter) authorizes secured parties that meet the requirements established in SQ 788 for dispensaries, growers, and processors to continue the operation of a foreclosed medical marijuana dispensary which ceases operations. Secured parties may only operate the business of a foreclosed dispensary for a reasonable amount of time. The Oklahoma Medical Marijuana Authority must promulgate rules on disposition of certain items.

SB 811 (Smalley/McBride) clarifies that medical research which is subject to federal regulations and institutional oversight shall not be subject to State Department of Health oversight.

SB 868 (Paxton/Echols) authorizes the State Board of Agriculture to prepare reports for submission to the United States Department of Agriculture for approval of the Oklahoma Industrial Hemp Program in consultation with the Governor and Attorney General. The measure defines “handling” and “processing” in the Oklahoma Industrial Hemp Program and includes seeds and their derivatives in the definition of “industrial hemp.” Industrial hemp licensees are required by the measure to maintain all records pertaining to the license and growing records for a minimum of three years. Licenses for handling and transportation of hemp are subject to annual inspections. The measure outlines procedures to revoke an Industrial hemp license and prohibits any person convicted of a felony within the last ten years from participating in the program. The measure also prohibits the processing of cannabidiol in the State of Oklahoma using sources which would be in violation of the United States Code or the Code of Federal Regulations. The measure repeals section of law related to the Oklahoma Industrial Hemp Agricultural Pilot Program.

SB 882 (Weaver/Fetgatter) creates the Oklahoma Medical Marijuana Waste Management Act. The measure creates a medical marijuana waste disposal license under the Oklahoma Medical Marijuana Authority, which shall authorize a person or entity to possess, transport, or dispose of medical marijuana waste as defined in the measure. The measure excludes roots, stems, stalks, and fan leaves from the definition of medical marijuana waste. The measure outlines what information shall be included in a waste disposal license application and requires applicants to submit proof of sufficient liability insurance and financial responsibility. If the applicant does not possess insurance, he or she must maintain an equivalent amount in cash, securities, bond, or alternate financial assurance of a type and in an amount acceptable to the Authority. All commercial licensees licensed under the provisions of SQ 788 must utilize a waste disposal licensee to dispose of medical marijuana waste. The initial license fee is \$5,000.00 and a waste disposal facility permit is \$500.00. The Authority is authorized to issue temporary permits for treatment or storage of medical marijuana waste in emergency situations. The temporary permit shall last no more than ninety days. Medical marijuana waste disposal licensees are not required to possess a medical marijuana transportation license if they are transporting medical marijuana waste. Commercial licensees, medical marijuana research facilities, and medical marijuana education facilities are authorized by the measure to destroy certain marijuana plant parts provided they maintain proper documentation as outlined in the measure and provided local ordinances do not prevent such facilities from disposing of the waste.

SB 1030 (Paxton/Bush) removes the term of imprisonment for person possessing up to 1.5 ounces of medical marijuana if that person can also cite a medical condition necessitating the use of medical marijuana. An officer may issue a citation to said person upon receiving a written promise for the person to appear in court. The measure defines “undue change” with respect to municipalities changing zoning laws solely to prevent retail marijuana establishments from operating within municipal boundaries. “Retail marijuana establishments” is defined as entities duly licensed by the State Department of Health as medical marijuana dispensaries. The measure also requires all medical marijuana license revocation hearings, excepting licensed patients, to be recorded. Copies of the recorded hearing may be requested by other parties and shall be submitted to local law enforcement if the revocation was based on alleged criminal activity.

The State Department of Health is directed to assist law enforcement in their duties as well as to make available all information displayed on medical marijuana licenses to law enforcement electronically through the Oklahoma Law Enforcement Telecommunications System. A list of all licensed businesses shall be maintained and published by the Department to aid county and municipal governments. The measure strikes language prohibiting an entity from receiving a license until all relevant local licenses and permits have been issued.

HB 2601 (Fetgatter/McCortney) prohibits the smoking or vaping of medical marijuana in areas currently prohibiting the smoking of tobacco. Medical marijuana may be smoked in a research or treatment facility, provided the facility is necessary for treatment. The measure also authorizes publicly traded companies to hold a medical marijuana business license.

HB 2612 (Echols/McCortney) is otherwise known as the medical marijuana “Unity Bill.” The measure creates the Oklahoma Medical Marijuana Authority, as well as the position of the Director of the Authority, within the State Department of Health for the purpose of regulating the use and sale of medical marijuana. The measure clarifies a variety of issues related to medical marijuana patient licenses, county and municipal regulation/zoning of medical marijuana establishments, creates transportation license, and creates a testing license.

HB 2613 (Fetgatter/Paxton) authorizes physicians licensed by the Board of Podiatric Medical Examiners to recommend the use of medical marijuana to a patient. HB 2613 also authorizes the State Board of Medical Licensure and Supervision and the State Board of Osteopathic Examiners to issue guidance to allopathic physicians and osteopathic physicians respectively. The measure also authorizes these boards to take disciplinary action against any physician who willfully violates or aids another in the willful violation of the provisions in SQ 788.

HB 2628 (Echols/Paxton) authorizes licensees of the Oklahoma Industrial Hemp Program to grow and cultivate hemp for research purposes. The measure also requires the State Board of Agriculture to consult with the Governor and Attorney General to submit necessary paperwork to the USDA for the approval of the program.

## **Agriculture & Rural Measures**

SB 294 (Dossett/Grego) prohibits any state agency from requiring any single or combination farm use vehicle to participate in the United States Department of Transportation identification numbering system. The measure defines single or combination farm use vehicle as a vehicle weighing more than 26,001 pounds and meeting certain conditions associated with agriculture.

SB 392 (Bergstrom/Hasenbeck) prohibits any person or entity involved in the sale of all or part of a carcass or food plan from engaging in deceptive or misleading practices outlined in the measure including misleading the buyer with regards to the sourcing of the meat, quality or quantity of the meat, replacing one meat for another, or diluting the meat with less desirable meat. The measure exempts packaging for plant-based items if the packaging of the item clearly states that the product is derived from plant-based sources.

SB 543 (Pederson/Pfeiffer) amends “feral swine” to include *Sus scrofa* that have been captured, hunted, pursued, maintained, utilized, or released for any sporting purposes.

SB 544 (Murdock/Newton) creates a new, three-day license for food establishments that sell their products at farmers markets and county fairs. The license exempts licensees from the requirements to obtain all other food licenses. The fee for vendors who only sell at farmers markets or county fairs is set at \$50.00.

SB 545 (Pederson/Pfeiffer) declares the state to be brucellosis free and authorizes the State Board of Agriculture to reinstitute the brucellosis eradication program based on advice of the State Veterinarian in consultation with the U.S. Department of Agriculture.

SB 546 (Howard/Worthen) broadens authorized methods of disposing of a diseased domestic animal carcass to include any method endorsed by the Oklahoma Department of Agriculture, Food, and Forestry

SB 547 (Howard/Hasenbeck) modifies “official test” as it relates to testing for equine infectious anemia. The measure strikes reference to the specific test of Agar-Gel Immunodiffusion and broadens the term to include all tests for the disease approved by the State Board of Agriculture.

SB 551 (Murdock/Pfeiffer) removes the requirement for importers to receive approval from the Oklahoma Department of Wildlife Conservation when importing cervidae originating in a Canadian province with

Chronic Wasting Disease. Importers must notify the Department of any import. Additionally, the measure requires any local or municipal ordinance governing the importation of cervidae must be consistent with corresponding federal regulations.

SB 552 (Jech/Tommy Hardin) modifies the approving authority for waste disposal facilities in relation to milk and dairy products. The measure removes the Department of Environmental Quality and replaces it with the State Board of Agriculture.

SB 556 (Hall/Burns) removes the requirement for an identification tag on livestock to be metal. The measure further clarifies that official identification must be affixed to an animal that does not have registration papers.

SB 558 (Hall/Burns) clarifies that official identification affixed to diseased livestock shall not be removed without permission from the State Veterinarian.

SB 559 (Howard/Grego) adds the definition of “official identification” to the Oklahoma Agricultural Code. The measure defines the term as any official method of identification approved by the USDA or the State Veterinarian.

SB 923 (Simpson/Tommy Hardin) directs the Wildlife Conservation Commission to create a three-day special use permit to be purchased by a landowner possessing land of 200 acres or more. The permit will authorize veterans and nonprofits, with the permission of the landowner, to hunt and fish on the tract of land. The price of the permit is capped at \$500.00.

HB 1150 (Grego/Boggs) adds feral swine trapping to the list of eligible cost-share programs within the Oklahoma Conservation Commission.

HB 1218 (Tommy Hardin/Simpson) modifies the conditions that constitute extreme fire danger to include temperatures forecasted over 100 degrees for any of the next three days.

HB 2155 (Hasenback/Howard) prohibits feeding garbage, as defined in the measure, to swine.

HB 2178 (Pfeiffer/Hall) requires owners of domestic animals to dispose of any animal carcass within 24 hours of receiving the notice of death according to the recommendations of the Oklahoma Department of Agriculture, Food, and Forestry. Additionally, the measure prohibits burying animal carcasses along

any stream or ravine where it may become exposed through erosion of the soil, or where the land is at any time subject to overflow. The measure repeals statutes governing the disposal of diseased animal carcasses.

HB 2301 (Trey Caldwell/Murdock) authorizes the State Veterinarian to issue a stop movement order for all livestock in the state to determine the precise location of a foreign animal disease. The measure further requires all persons offering training in emergency management of livestock or other animals to obtain the State Veterinarian’s approval.

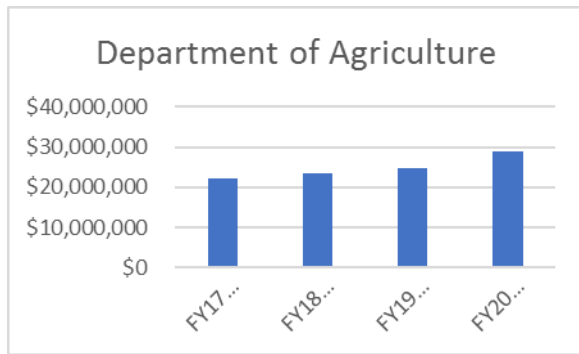
HB 2373 (McBride/Daniels) caps the amount of noneconomic damages awarded in agricultural nuisance cases to three times the amount of economic damages awarded or \$250,000.00, whichever is greater.

### **Agriculture Funding**

SB 1065 (Thompson/Wallace) 1065 directs a portion of the funds appropriated to the Oklahoma Department of Agriculture to be utilized in a certain manner. The measure stipulates that:

- 1) The Department directs at least a \$200,000.00 increase to wildfire suppression activities
- 2) The Department transfer \$500,000.00 to the Healthy Food Financing Revolving Fund
- 3) The Department must increase spending no less than \$500,000.00 on feral swine control
- 4) The Department must increase spending no less than \$90,000.00 to provide for veterinarian staff positions
- 5) The Department must increase spending no less than \$500,000.00 on laboratory equipment
- 6) The Department must increase spending no less than \$600,000.00 to provide for rural fire operational assistance grants

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Department of Agriculture	\$24,826,526	\$28,905,612	16.43%



## Banking, Finance, & Securities

SB 449 (Dugger/Kevin West) modifies the date by which cash deposit and accrued interest related to mechanics' and materialmen's liens shall be forfeited to the county from ten years to five years.

SB 700 (Montgomery/Pike) modifies the definition of "electronic record" and "electronic signature" in the Uniform Electronics Transactions Act. The measure includes an electronic record or signature that is secured through blockchain technology.

SB 720 (Leewright/Kannady) creates a regulatory and licensing structure for small lenders and shall be known as the Oklahoma Small Lenders Act. Beginning January 1, 2020, any person licensed under the Deferred Deposit Lending Act may make application for licensure under the Oklahoma Small Lenders Act once the lender collects all outstanding, transacted loans. The measure defines various terms associated with implementing the Act. After August 1, 2020, no person shall engage in the business of issuing small loans without a license issued by the Department of Commerce. Any person advertising services associated with small loans shall be deemed to be engaged in the business of small loans. No person engaged in a bank, savings institution, trust company, building and loan association, industrial loan association, or credit union may obtain a license under this Act. A person applying for a license must show that he or she possess a net worth of \$50,000.00 for each location and submit to a review by the Department of Consumer Credit. The review shall examine records relating to his or her business experience, competence, and criminal history. The Administrator of the Department of Consumer Credit must promulgate rules prescribing the form of the application for licensure. Applicants must pay a filing fee of \$700.00, a license fee of \$500.00, and a supervision fee of \$700.00. The fees are refundable if the license is denied. Applicants are also required to provide financial statements, auditing records, and a

surety bond worth \$25,000.00 per location. Denials and delays of a license allow the applicant to request a hearing. Licenses must be renewed on an annual basis. The Administrator must appoint an independent hearing examiner to conduct all administrative hearings involving alleged violations. Interest rates are capped at 17% per month for those licensed under the provisions of this Act. The aggregate amount of outstanding loans made to any single person is capped at \$1,500.00. Additionally, the lender is prohibited from making a small loan if the total scheduled payments coming due in a month exceeds 20% of the borrower's monthly income. Lenders are obligated to provide clear information to the borrower related to the fees and charges associated with a small loan. Borrowers who default may undergo consumer credit counseling from a list of organizations approved by the Department of Consumer Credit.

SB 732 (Leewright/McEntire) modifies maximum allowable charges for loans less than or equal to \$300.00. On any loan up to \$29.99, lenders may charge an acquisition charge for making the loan not in excess of 1/10 of the amount of the principal in addition to a handling charge. The measure adds two new brackets of \$200.00-\$250.00 and \$250.01-\$300.00. Lenders may charge a handling fee of up to \$5.00 per month for a loan in the amount of \$200.00-\$250.00 and up to \$6.00 per month for a loan in the amount of \$250.01-\$300.00.

HB 1425 (Loring/Montgomery) allows private schools and municipalities to collect a service fee for online or in-person transactions. Collected service fees must be used to offset bank processing fees.

## Business & Labor

SB 104 (Rosino/Vancuren) authorizes the Oklahoma Real Estate Commission to impose sanctions on any licensed realtor that uses prizes, money, gifts, or other valuable consideration as an inducement to secure customers or clients to purchase specific property. Realtors may use prizes, money, gifts or other valuable consideration at events if they are not contingent upon any purchase.

SB 335 (Daniels/Martinez) modifies various provisions related to wages and unemployment. The measure states that any payments made by an employer to an employee classified as wages under the Internal Revenue Code shall also consider wages by the Oklahoma Employment Security Commission. The Commission is also directed to establish re-employment services and eligibility assessment



selection for all ex-military service claimants. The measure further caps the waiver of appeal time to one year after the date of the determination or redetermination and increases the time period from 14 to 20 days for employers to object to contribution rates.

SB 716 (Leewright/Hilbert) creates new fees for any manufactured home manufacturer who sells a new manufactured home to be shipped to or leveled in the state. The fee is \$75.00 for each new single-wide manufactured home and \$125.00 for each new multi-floor manufactured home. A used manufactured home inspection fee of \$75.00 shall be paid by the installer at or before the time of installation.

SB 721 (Leewright/Hilbert) deletes reference to the Oklahoma Bondsman Association as it relates to providing continuing education to bail bondsman.

SB 733 (Rader/Bush) no longer requires “builders and construction inspectors” under the Oklahoma Inspectors Act to be employed by a political subdivision and conforms the rest of the Oklahoma Inspectors Act according to the change. The measure also changes the licensing period for a provisional license from two years to one year. Beginning November 1, 2019, authorized agent licensure shall be equivalent to authorized provider licensure until administrative rules concerning authorized provider licensure have been finally adopted.

### **Civil and Criminal Procedure**

SB 291 (Paxton/Loring) updates the statutory reference to “neglect” as it relates to child abuse.

SB 752 (Leewright/Miller) amends the misdemeanor for harassing an employer in the course of the employer’s business. The measure adds disruptions and interruptions of the employer’s business to the misdemeanor. The measure also prohibits the use of text, sound, or images posted to social or other public networks intended to harass, intimidate, threaten, abuse, or annoy a person.

SB 815 (David/Kannady) modifies eligibility for certain categories of persons to file for expungement. The measure removes the requirement for the Governor to provide a written finding of actual innocence and allows this category to file for expungement upon receiving a full pardon. The measure also modifies the requirements to file for expungement relating to a person convicted of a felony, excepting sex offenders, who previously

completed his or her prison sentence at least ten years ago.

SB 858 (Jech/Kannady) repeals language authorizing a term of imprisonment of not more than one day for offenses that do not carry a term of imprisonment.

HB 2281 (Pae/Brooks) classifies the crime of eluding a peace officer as a violent crime.

HB 2364 (Kannady/Daniels) updates statutory references to certain offenses in evidentiary proceedings.

HB 2630 (Echols/Bice) updates various definitions related to domestic abuse.

### **Corrections**

SB 7 (McCortney/Roe) updates the name of the Department of Corrections facility located in Pauls Valley in Garvin County. The facility name changed from the Southern Oklahoma Resource Center to the Washita Valley Correctional Center.

SB 244 (Bergstrom/Taylor) removes the penalty for county prisons related to the five day notification requirement for county prisons transferring a prisoner to the custody of the Department of Corrections. If the Department receives the judgement and sentence documents after five days, the Department will still be responsible for compensating the county jail that housed the inmate. The measure also directs the Department to establish a dedicated electronic address to receive all electronically submitted judgment and sentence documents.

HB 1181 (CrosswhiteHader/Paxton) authorizes the Oklahoma Department of Corrections to establish units in one or more locations for the care of inmates in need of psychiatric care. Previous law required the Department of Corrections to establish a “Special Care Unit” at the Oklahoma State Penitentiary.

HB 1212 (Newton/Jech) authorizes peace officers within the Department of Corrections to purchase his or her firearm issued in the course of his or her employment immediately prior to retirement.

HB 1374 (Taylor/Rosino) transfers the responsibility to transport a prisoner to the custody of the Department of Corrections from the sheriffs to the Department of Corrections. The measure requires DOC to compensate the transporting agency for the hours of transport travel and time spent at the reception center based on the transporting officer's

normal hourly wage, but not at a wage to exceed \$30.00 per hour per officer. DOC is also required by the measure to submit a quarterly report detailing the compensation paid for transporting prisoners to the Chair of the Senate Appropriations Committee and Chair of the House of Representatives Appropriations and Budget Committee. The measure creates the Department of Corrections Offender Transport Revolving Fund to manage the reimbursement to counties for the transportation of prisoners.

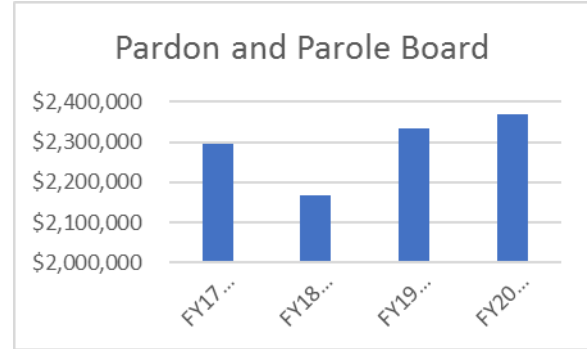
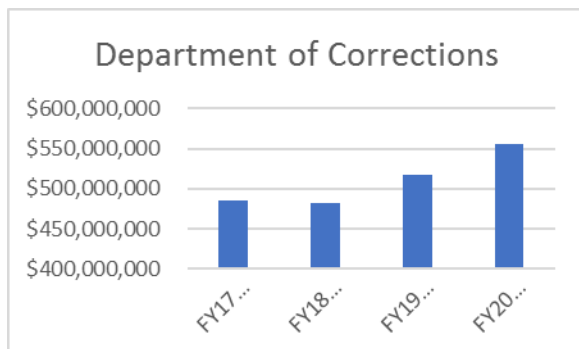
HB 1393 (Dills/Newhouse) classifies officers, investigators, agents and immediate supervisory staff of listed positions assigned to the Investigations Division as peace officers, who shall possess the powers granted by law to peace officers. The measure subjects said personnel to the training requirements of the Council on Law Enforcement Education Training.

HB 2282 (Pfeiffer/Rosino) removes the population limit of greater than 400,000 people as it relates to sheriffs authorizing jailers to utilize nonlethal weaponry upon completion of appropriate training.

### Corrections Funding

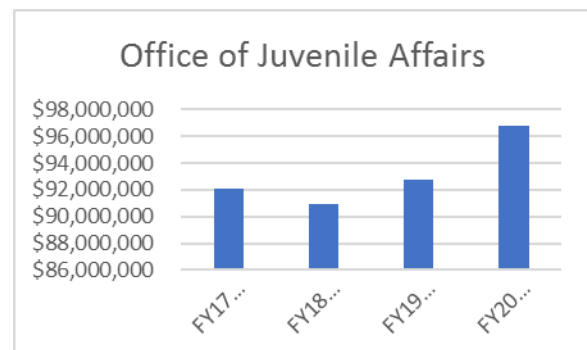
HB 2757 (Wallace/Thompson) requires the Department of Corrections (DOC) to transfer \$1 million to the Offender Transport Revolving Fund for the purposes of paying for county jail transports.

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Department of Corrections	\$517,255,503	\$555,559,824	7.41%
Pardon and Parole Board	\$2,333,154	\$2,368,125	1.50%



### Office of Juvenile Affairs Funding

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Office of Juvenile Affairs	\$92,784,336	\$96,795,111	4.32%



### Law Enforcement Funding

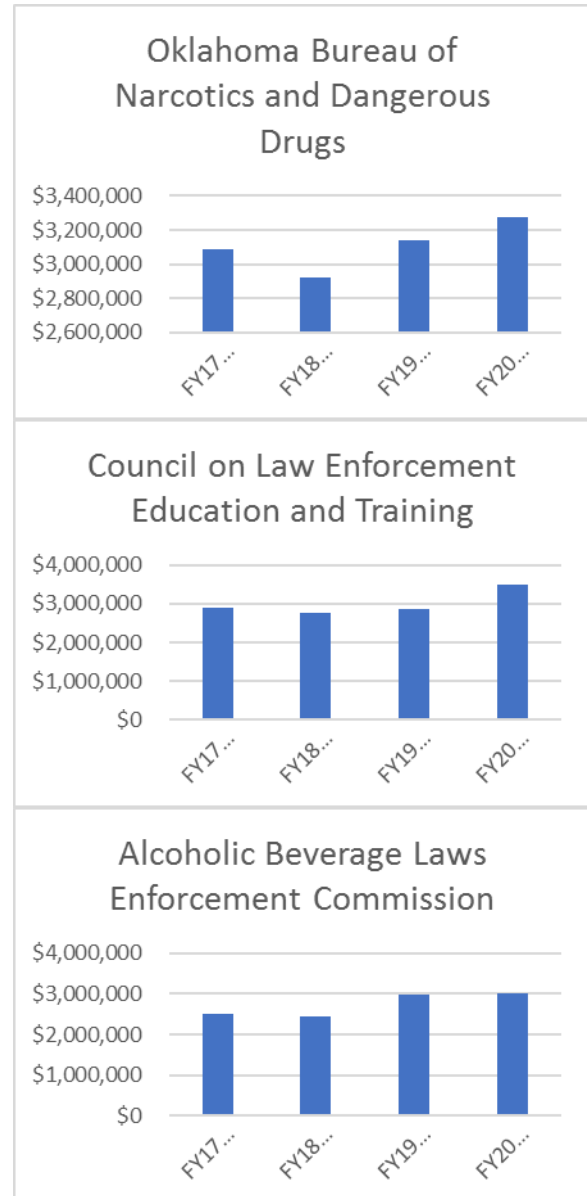
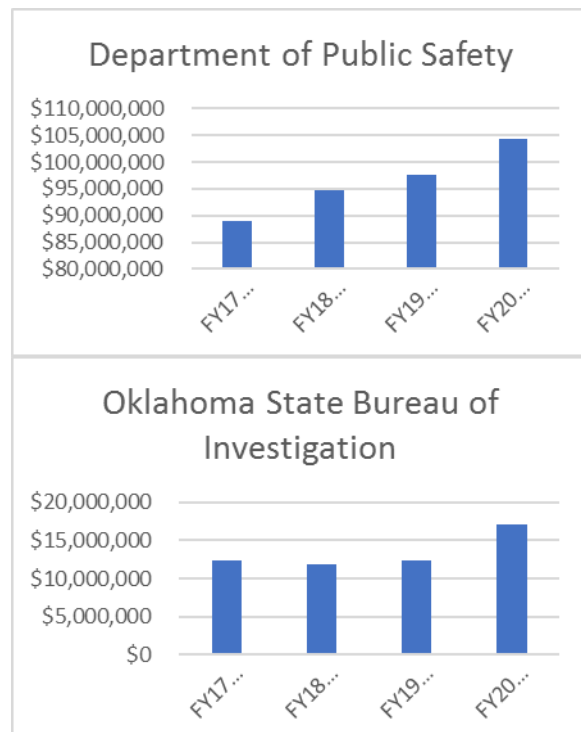
SB 1045 (Thompson/Wallace) provides a pay raise for Department of Corrections employees. The measure provides a \$2.00 hourly wage increase or the equivalent of such an amount if the employee does not receive an hourly wage for certain personnel categories employed by the Department of Corrections.

SB 1059 (Thompson/Wallace) directs a portion of the funds appropriated to the Department of Public Safety (DPS) to be utilized in a certain manner. The measure stipulates that:

- 1) DPS may conduct up to two Oklahoma Highway Patrol (OHP) Academies and utilize monies received from the sale of aircraft to fund such activities,
- 2) DPS must utilize at least \$4 million of appropriated monies to fund the two OHP Academies
- 3) DPS must spend at least \$1 million for a communication system,

- 4) DPS must spend at least \$600,000,000.00 on implementing a REAL ID compliant point-of-sale system, and
- 5) The Commissioner of DPS may request for an early transfer of funds to support cash flow.

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Department of Public Safety	\$97,610,968	\$104,376,967	6.93%
Oklahoma State Bureau of Investigation	\$12,363,750	\$17,180,122	38.96%
Oklahoma Bureau of Narcotics and Dangerous Drugs	\$3,141,712	\$3,276,385	4.29%
Council on Law Enforcement Education and Training	\$2,848,337	\$3,511,284	23.27%
Alcoholic Beverage Laws Enforcement Commission	\$2,989,728	\$3,019,364	0.99%



### Economic Development & Commerce Measures

SB 125 (Boggs/D. Roberts) mandates that any vehicle with a title branded with the notation of "Lemon Law Buyback" shall permanently retain the notation.

SB 200 (Thompson/Dunnington) expands the purpose of the Oklahoma Quick Action Closing Fund to include payments of rebates to a high impact production. A high impact production, as defined by the measure, is a production with costs equal to or greater than \$50 million and with at least 1/3 of the total cost deemed Oklahoma expenditures by the

Office of the Oklahoma Film and Music Commission. The measure provides an exception for rebates to high impact productions from the requirement of a Department of Commerce study on the business's impact on the state. The measure also extends the sunset date of the Act to July 1, 2027.

SB 642 (Montgomery/Kannady) amends portions of the Oklahoma General Corporation Act to apply certain provisions to nonstock and non-profit corporations. The measure creates new terms, "members" and "governing body," to apply to nonstock corporations and non-profit corporations. A nonstock corporation is not authorized to issue stock and must contain a statement to that effect in its certificate of incorporation. The measure also provides guidance to nonstock corporations with respect to calling special meetings, conduct short term mergers, changing the governing bylaws, and the required vote to take action. A nonstock corporation is further prohibited from redeeming its membership interests unless authorized to do so in its certificate of incorporation. Members of a nonstock corporation possess the same inspection rights as shareholders. Nonstock corporations may create classes or groups of members having relative rights, powers and duties, and may make provision for the future creation of additional classes or groups of members. The measure further requires notice to be given to the Attorney General if a judicial application is made regarding a charitable nonstock corporation.

HB 1055 (McCortney/Bush) directs the State Department of Health to create a permit for unattended food establishments. Such establishments must meet certain criteria to qualify as an unattended food establishment and directs the owners of said establishments to maintain video surveillance of, place a sign in front of, and assess their establishment. The fee for the permit shall not exceed \$150.00.

HB 1996 (Vancuren/Leewright) authorizes the Administrator of Consumer Credit to levy a \$100.00 fee for each new business location and \$25.00 for any returned check, address or license change or duplicate license request. The measure also establishes a \$50.00 fee for untimely filed reports and a \$10.00 per day fee for any application filed after December 1 of each year. The \$10.00 per fee is capped at \$300.00. The license will expire if a licensee does not pay all outstanding fees 30 days after January 31.

HB 2348 (Chad Caldwell/Pugh) specifies that the Uniform Commercial Code shall apply to remittance

transfers as defined in the Electronic Fund Transfer Act of 1978. If there is any inconsistency between federal and state law on the transfer, the federal Electronic Fund Transfer Act of 1978 is to govern the inconsistency.

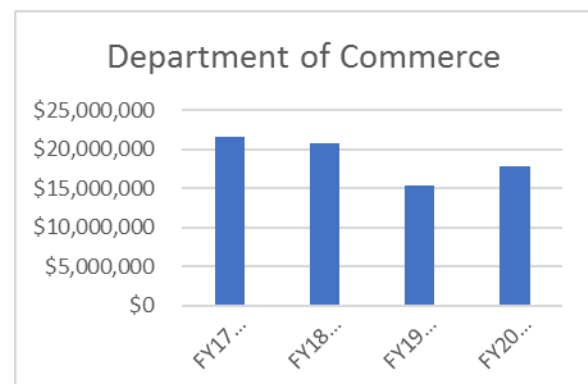
HB 2423 (Moore/Kirt) creates the Oklahoma Benefits Corporation Act. The measure allows new and existing corporations to become a benefit corporation. The corporate purpose and aim of a benefit corporation are defined by the measure. State banks and trust companies that are benefit corporations are subject simultaneously to the Oklahoma Banking Code and the provisions of this measure. A benefit corporation must provide a public benefit in addition to its stated purpose under the Oklahoma General Corporation Act or the Oklahoma Banking Code.

## Commerce Funding

HB 2739 (Wallace/Thompson) appropriates \$5 million from the State's Special Cash Fund to the Oklahoma Quick Action Closing (OQAC) Fund, for administration by the Governor.

HB 2748 (Wallace/Thompson) allows entertainment districts, as defined by the measure, to qualify for sales tax credits or incentive payments under the Oklahoma Tourism Development Act.

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Department of Commerce	\$15,392,016	\$17,878,478	16.15%

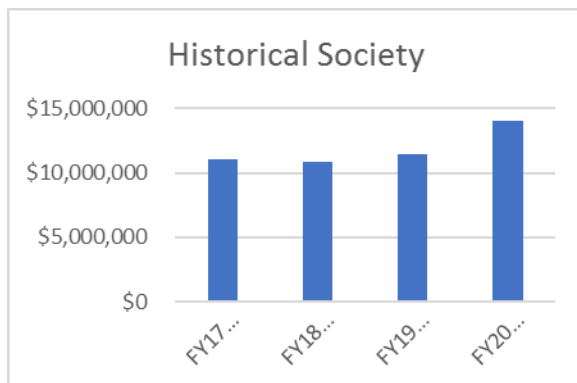


## Historical Society Funding

SB 1064 (Thompson/Wallace) directs a portion of the funds appropriated to the Oklahoma Historical Society to be utilized in a certain manner. The measure stipulates that:

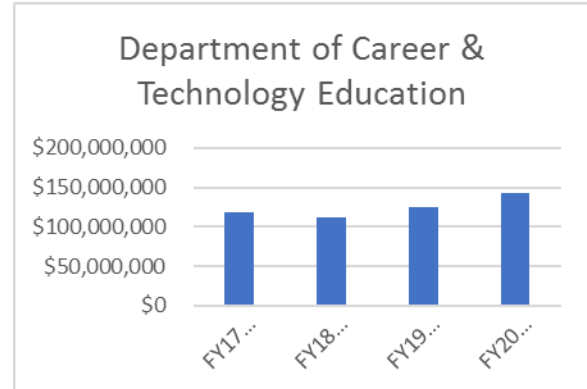
- 1) The Society apportion \$70,000.00 of its appropriations to the Will Rogers Memorial Museum,
- 2) The Society transfer \$1.5 million to the 1921 Tulsa Race Riot Centennial Memorial Revolving Fund,
- 3) The Society spend at least \$600,000.00 on structural rehabilitation of the Oklahoma History Center, and
- 4) The Society provide additional funding of \$250,000.00 to the Stafford Air and Space Museum.

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Oklahoma Historical Society	\$11,407,032	\$14,002,540	22.75%



## Career & Technology Education Funding

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Department of Career & Technology Education	\$124,337,661	\$142,956,809	14.97%



## Common Education

SB 33 (Dossett/Vancuren) defines “vapor product” in the Tobacco-free Schools Act. A vapor product is a noncombustible product that may or may not contain nicotine that employ a mechanical heating element, battery, electronic circuit or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. The measure also prohibits the use of a vapor product in or on any educational property teaching children in pre-kindergarten-grade 12. SB 33 also authorizes schools to adopt more restrictive policies.

SB 36 (Dossett/Vancuen) removes statutory language requiring school districts to provide a physical activity report to parents or guardians of students. Previous law required the report to include a summary of the type of physical activity student experiences, how physical activity is incorporated in the school day, and information on the benefits of physical education.

SB 48 (Standridge/Rosencrants) authorizes students to self-administer replacement pancreatic enzymes for the purpose of treating cystic fibrosis. The measure also adds prescribed replacement pancreatic enzymes to the definition of “medication” and authorizes students with a valid prescription to possess replacement pancreatic enzymes.

SB 70 (Pemberton/Chad Caldwell) authorizes the State Department of Education to define requirements for the submission of data elements for the student information systems and instructional management systems used by school districts statewide in compliance with the Schools Interoperability Framework (SIF) version 1.5.

SB 85 (McCortney/McEntire) defines “certified alcohol and drug counselor,” “licensed alcohol and drug counselor,” and “medical personnel at schools,”

in the measure and classifies certified and licensed counselors as first responders. First responders are authorized by the measure to provide opiate antagonists to individuals who experienced or witnessed an opiate overdose for use by those individuals at a later date. The measure authorizes medical personnel employed by the district to administer opiate antagonists to a student or individual in the event of a suspected overdose. The measure allows school districts lacking in medical personnel to authorize any person to administer opiate antagonists.

SB 92 (Pugh/Osburn) updates language related to warnings, prohibition, or nonaccredited statuses for schools that fail to meet the accreditation standards. The measure directs the State Department of Education to investigate complaints related to a school district failing to uphold accreditation standards within thirty days. If the Department finds that the school district did not uphold accreditation standards, it shall report the recommended warning, probation, or nonaccredited status to the State Board of Education within 90 days. The measure requires school districts to be annually reviewed to determine if they meet standards for local, state, and federal funding, health and safety, certification for teachers and administrators, school board governance, and any other state or federal requirements. . Schools will also receive a quadrennial evaluation to determine if they meet accreditation standards. If a school receives a deficiency score on its accreditation report, the school will be subject to an annual review of their accreditation standards. The Board may interrupt the evaluation schedule under certain circumstances outlined in the measure.

SB 95 (Simpson/Townley) authorizes the Commission for Rehabilitation Services to receive gifts or donations for the benefit of the Oklahoma School for the Blind and the Oklahoma School for the Deaf. Any property donated this way may be sold by the Commission, with the proceeds being used to the benefit of the School. Conditional gifts deemed infeasible shall be returned to the owner unless the owner is deceased or dissolved.

SB 193 (Pemberton/McBride) allows spending flexibility on media materials, media personnel, advisory councils, and textbook purchases without an effect on accreditation until the fiscal year following the legislative session when appropriations are made for the financial support of public schools in an amount that is \$50 million more than the appropriation made in FY19. School districts will also be subject to statutory requirements surrounding

the formation of a textbook committee and advisory councils on July 1, 2019 if the Legislature appropriates \$50 million or more to the State Board of Education for the financial support of schools than the previous fiscal year. Monies appropriated for the purpose of increasing the salary of school employees shall not be calculated when considering the appropriation amount for the purposes of subjecting school districts to statutory requirements. Beginning July 1, 2021, school districts will be subject to statutory requirements for classroom size limitations for kindergarten and first grade if the Legislature appropriates \$100 million or more to the State Board of Education for the financial support of schools than the previous fiscal year. The State Department of Education is also directed by the measure to submit a report on classroom sizes to the President Pro Tempore of the Senate and Speaker of the House of Representatives no later than January 1, 2022.

SB 194 (Bice/Miller) removes the requirement for teacher candidates enrolled in programs related to early childhood and elementary education to pass an assessment measuring their teaching skills related to reading instruction.

SB 217 (Thompson/Nollan) requires the State Board of Education to implement a pilot program focused on creating alternative pathways to teacher certification and to identify providers to implement the pilot program. Providers may apply to participate in the program. Providers, defined in the measure as eligible entities that provide alternative teacher preparation, are required by the measure to offer teacher preparation courses with intensive preparation courses, a research-based approach, peer reviewed progress, and an evaluation process. Providers must provide an evaluation process that will allow candidates to demonstrate subject pedagogy and content standard proficiency through nontraditional means. Candidates that complete the provider courses will be eligible for teacher certification. Providers are required by the measure to annually report completion rates to the State Department of Education. The Department may revoke a provider's approval if the Department determines the courses are substandard. The pilot program will end no later than July 1, 2024.

SB 268 (Dahm/Osburn) allows virtual charter school boards to maintain a quorum throughout the board meeting, whether in person, videoconference sites, or any combination thereof, to comply with the Open Meeting Act.

SB 381 (Floyd/Dollens) requires school district boards electing to stock inhalers to inform each student's parent or legal guardian, in writing, that a school nurse or trained employee may administer an inhaler to a student suffering from a respiratory distress and that notification will be provided after the administration of an inhaler. Additionally, the district is required to designate personnel responsible for obtaining the inhalers. The measure also defines "respiratory distress" and "inhaler" as it relates to school board policies and allows the district to maintain two inhalers within a secure location in the building.

SB 382 (Floyd/Dollens) directs safe school committees to develop recommendations related to the professional development needs of faculty and staff to recognize and report suspected human trafficking.

SB 430 (Pugh/Osburn) authorizes the Oklahoma State Bureau of Investigation (OSBI) to conduct and receive results of national criminal history record checks under the Child Protection Act/Volunteers for Children Act. The results of the search shall only be shared with entities authorized to receive the results under federal law.

SB 441 (Quinn/Baker) modifies school-calendar policies. Beginning with the 2021-2022 school year, a school district may adopt a school calendar with at least 1,080 hours with no minimum amount of days of instruction per school year if it meets or exceeds the minimum guidelines for student performance and school district cost savings established by the State Board of Education or a school district may adopt a school-hours policy with at least 1,080 hours and 165 days of instruction, the school must notify the State Board of Education, but is not required to meet the minimum guidelines. The Oklahoma School for the Blind and the Oklahoma School for the Deaf are exempted from the provisions of the measure, provided the school receives approval to adopt a school-hours policy from the State Board of Education.

SB 446 (Haste/Dills) requires the State Department of Education and the Department of Mental Health and Substance Abuse Services, in consultation with school superintendents and school boards of education, to develop information, training, and resources focused on recognizing and addressing the mental health needs of students.

SB 575 (Allen/Randleman) provides for informed, written consent to be given for each school year

allowing medical professionals to assess a student in a school district. If an assessment or treatment, including for mental health, is performed through telemedicine at a school site and if consent has been provided by the parent and is currently effective, the health professional shall not be required to verify that the parent is at the site. A child may not be assessed without informed consent.

SB 576 (Kidd/Conley) requires every school employee to report suspected abuse of a student under the age of eighteen to the Department of Human Services and local law enforcement. For suspected abuse or neglect involving a student over the age of eighteen, school employees are directed to report the matter to local law enforcement. Such reports made to law enforcement shall be kept confidential.

SB 593 (Stanislawski/Boatman) directs the State Department of Education to develop a rubric for computer science programs in elementary, middle and high schools by December 31, 2019. The measure outlines the recommendations for the rubric but does not limit the contents of the rubric to the outline. Each course must be aligned with the Oklahoma Academic Standards for Computer Science and current research-based instructional practices. Subject to available funding, the measure requires the Department to allocate \$1 million to implement the provisions of the measure. The Department is also authorized to create a grant program to be awarded to applicant districts and high-quality computer science professional learning providers. Funding from the grants may be used to create courses related to computer science, credentialing of computer science teachers, supports for learning, and developing computer science resources. Up to 10% of the funds may be used to study the efficacy of these programs. Grantees may also purchase technology including software, hardware, or infrastructure. The measure outlines prioritized grant applicants.

SB 601 (Stanislawski/Nollan) requires students in public school districts to be screened in the beginning, middle and end of each school year for reading skills. Kindergarten students who are not meeting grade-level targets by mid-year in reading shall be provided a program of specially designed reading instruction. The State Board of Education will be tasked with identifying students at risk of a reading deficiency and must identify tools designed to help assess students with disabilities and English language learners. The State Board of Education will use only the scores of the standards for reading



foundations and processes and vocabulary portions of the third grade assessment to determine the promotion and retention of third-grade students. It also modifies good-cause exemptions for students with disabilities and students who were previously retained.

SB 742 (Smalley/Munson) requires the Office of Child Abuse Prevention to include in its annual report to legislative leaders statistics developed based on a report submitted by the State Department of Education detailing the number of instances in which students were convicted of truancy or detained. District attorneys and school districts will respectively submit a report detailing instances of truancy or detainment to the State Department of Education. The measure requires the Office or staff within the State Department of Health to review the submitted reports and provide an assessment of the family to determine if services should be offered or a referral for services should be made.

SB 926 (Floyd/Bush) requires educational materials on sex education programs to include information related to consent, as defined in Section 113 of Title 21.

SB 988 (Daniels/Martinez) repeals statutory language requiring the benefits based on service in employment of an educational service contractor to be payable in the same amount, 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.

HB 1050 (Sterling/Smalley) increases the length of time a substitute teacher can be employed during a school year from 90 days to 135 and from 100 to 145 days for substitute teachers possessing a lapsed or expired teaching certificate.

HB 1228 (Sanders/Smalley) requires school districts to offer teachers training related to dyslexia beginning in the school year 2020-2021. The measure outlines certain minimum requirements for the training.

HB 1364 (Hasenback/Smalley) directs the Department of Commerce, in cooperation with the State Department of Education and the Commission for Educational Quality and Accountability, to review and approve career-readiness assessments and assessment-based credentials that measure and document foundational workplace skills prior to the 2019-2020 school year.

HB 1395 (Dills/Pemberton) subjects virtual charter schools to the same financial reporting requirements and financial audits as school districts. The measure allows the State Auditor and Inspector to conduct financial, program, or compliance audits.

HB 1781 (McCall/Montgomery) eliminates the requirement for a student teacher internship to be nonsalaried.

HB 1905 (Conley/David) requires teacher candidates in preservice programs to receive training related to trauma informed responsive instruction.

HB 1926 (Kerbs/Sharp) authorizes school districts to install cameras in or on school buses or on school bus stop-arms and provides for a \$100.00 special assessment to be levied upon persons convicted of failing to stop their vehicle before it approaches the school bus. The measure apportions 75% of the collected funds to the Cameras for School Bus Stops Revolving Fund. Monies from the fund may be provided to school districts in the form of a grant to construct additional cameras on bus stop-arms.

HB 1988 (Nollan/Haste) deletes statutory language requiring the State Board of Education to promulgate rules relating to the school site report card. The rules relate to granting a medical exemption from the eighteen-day chronic absenteeism provision.

HB 2339 (Sean Roberts/Standridge) prohibits students from receiving vaccinations on school grounds without prior written authorization of the parent or legal guardian of the student for the vaccine or group of vaccines to be administered during a single visit.

HB 2347 (Chad Caldwell/Bice) allows the Oklahoma Lottery Commission to inform the public about Lottery Commission contributions to Oklahoma education programs.

HB 2520 (Tammy West/Pemberton) changes the date from December 1 to June 30 by which school districts must conduct and submit a needs assessment identifying students who are most at risk of not completing a high school education to the State Department of Education (SDE) and sets a deadline on September 1 of each year for districts to submit to the SDE a proposed plan for meeting the needs of the students at risk of not graduating by establishing or expanding alternative education programs. The measure directs the SDE to publish the annual needs assessment data on its website. The measure also shifts the deadline for alternative school programs to



be operational in each school beginning September 1 of each school year and adjusts the funding formula for such programs. The per-student funding amount will be based on the funding available for the program each fiscal year. The measure directs the SDE to reserve 15% of alternative education funding to give on a prorata basis to districts participating in a cooperative. A school requesting a waiver from the requirements of this measure must demonstrate that the school does not have any students in need of alternative education. SDE is authorized to establish an evaluation schedule for effective and highly effective programs.

HB 2641 (Baker/David) changes the date by which a vendor must provide an electronic copy of state results for statewide assessments from August 1 of each year to August 20 of each year. The measure also changes the deadline for the State Department of Education to distribute preliminary results for all statewide student assessments to districts from June 1 of each year to June 20 of each year.

### Common Education (K-12) Funding

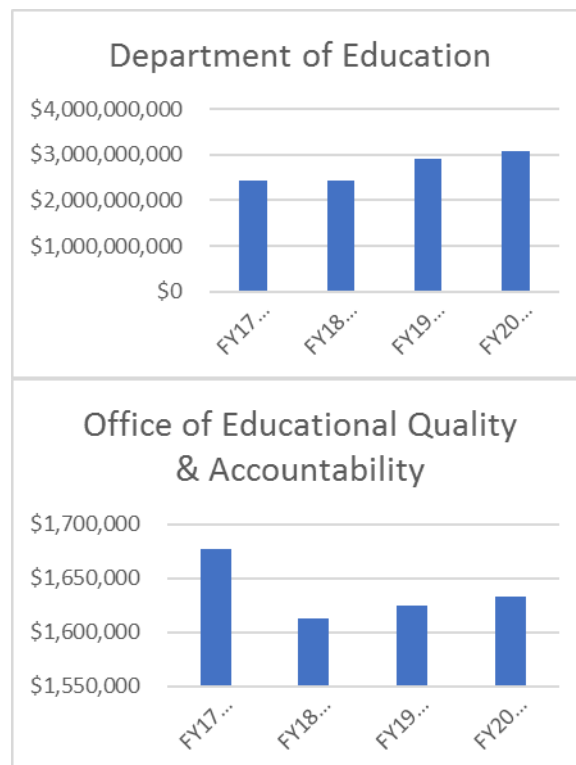
SB 1047 (Thompson/Wallace) strikes language requiring the Oklahoma Lottery Commission to transfer the first \$50 million of proceeds to the Oklahoma Education Lottery Trust Fund. Additionally, the measure requires the Commission to study and report on removing the requirement that net proceeds shall equal at least 35% of gross proceeds. The report must be submitted to the President Pro Tempore, Speaker of the House, and Governor no later than October 1, 2020. The measure repeals a provision of law related to allocating the \$50 million apportionment made to the Oklahoma Education Lottery Trust Fund for the purpose of implementing prekindergarten-through-third-grade reading intervention initiatives or science, technology, engineering and math (STEM) programs.

SB 1048 (Thompson/Wallace) directs the \$58,858,503.00 of the funds appropriated to the State Board of Education be spent on providing an increase in compensation for certified personnel of schools. Such a salary increase shall be added on top of the step increase in salary schedules as outlined in the State Minimum Salary Schedule. School districts are directed to report the amount of increase in compensation each teacher received as a result of these funds to the State Department of Education no later than December 31, 2019. The Department shall publish the data it receives no later than February 1, 2020. Additionally, the measure appropriates money from the funding provided for in Sections 1 through

16 of HB2765 (General Appropriations Bill) in a manner as outlined in the measure. If the funding is not sufficient, each school district receiving funding shall receive a proportionate reduction.

HB 2769 (Wallace/Thompson) repeals the requirement for the Legislature to set a budget for Common Education by April of each year.

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Department of Education	\$2,912,985,147	\$3,070,951,054	5.42%
Office of Educational Quality	\$1,624,791	\$1,632,509	0.48%



### Higher Education

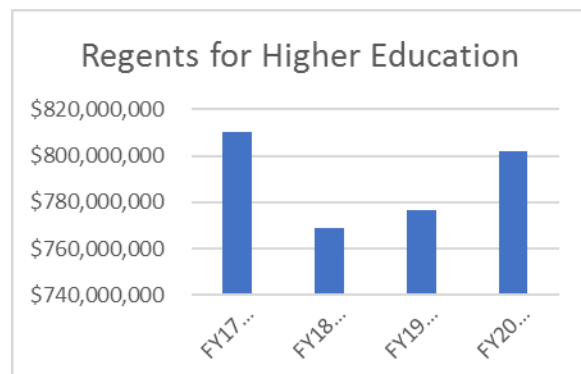
SB 361 (Daniels/Lepak) classifies all outdoor areas of campuses of public higher education institutions and technology center schools as public forums and prohibits these institutions from establishing "free speech" zones, outside of which, expressive activities are prohibited. Any restrictions on public expression must be narrowly tailored in service of a significant institutional interest and must be clear and concise. The measure permits any person to engage in

noncommercial expressive activity on campus so long as they do not cause a material disruption. Public institutions of higher education must publish regulations and expectations on the conduct of their students related to public expression and educate their staff on the institutions' guidelines. The measure also directs public institutions to submit an annual report detailing their policies and compliance with the measure to the Legislature and Governor. The measure requires aggrieved parties to bring suit for a violation of the measure's provisions within at least one year of the violation.

HB 1921 (Fincher/Daniels) creates the Oklahomans Virtually Everywhere Act of 2019. The measure requires the Oklahoma State Regents for Higher Education to cooperate with OneNet, the State Board of Career and Technology Education, State Department of Education, Oklahoma Department of Libraries, Oklahoma Department of Commerce, and the Office of Management and Enterprise Services to create a research and development proposal to make Oklahoma a leader in telepresence.

### Higher Education Funding

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Regents for Higher Education	\$776,707,167	\$802,070,058	3.27%



### Hospital Authority Funding

SB 1042 (Thompson/Wallace) directs a portion of the funds appropriated to the University Hospitals Authority to be utilized in a certain manner. The measure stipulates that:

1) The University Hospitals Authority must use \$5 million to support the Oklahoma Health Care Authority's Diagnostic Related Grouping,

2) The University Hospitals Authority must use \$629,040.00 to support the Oklahoma Health Care Authority's medical flight transportation maintenance of effort,

3) The University Hospitals Authority must use \$1,586,214.00 to support the Oklahoma Health Care Authority's Level I Trauma maintenance of effort,

4) The University Hospitals Authority must use \$2,126,415.00 to support the Oklahoma Health Care Authority's Hospital Graduate Medical Education program maintenance of effort,

5) The University Hospitals Authority must spend \$5 million to modernize research facilities and equipment at the OU Health Sciences Center Biomedical Sciences Building,

6) The University Hospitals Authority must spend \$2,595,867.00 on audiologist- and speech pathologist-related services for children, and

7) The University Hospitals Authority must spend \$510,000.00 to support the Oklahoma Center for Poison and Drug Information.

Additionally, the measure directs the University Hospitals Authority to spend \$40,606,078.00 for duties including the University of Oklahoma Dean's GME Program. This allocation must be spent on reimbursing the Oklahoma Health Care Authority an amount equal to the proportionate share of OUHSC's Dean's GME program disallowance and budgeting an additional \$8.3 million in one-time funds on research programs. The CEO of the University Hospitals Authority may request an early transfer of funds to support cash flow.

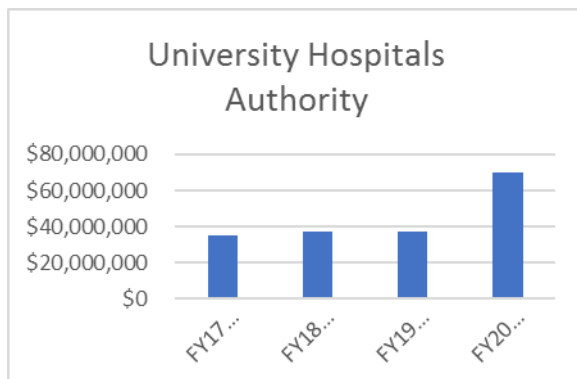
SB 1043 (Thompson/Wallace) directs a portion of the funds appropriated to the Oklahoma State University Medical Authority (OSUMA) to be utilized in a certain manner. The measure stipulates that the OSUMA must spend \$1.5 million for medical school certification and \$1 million to enhance physician recruitment. Additionally, the OSUMA shall use up to \$28,927,141.00 for duties including the Oklahoma State University Dean's GME Program. The OSUMA must use this allocation to reimburse the Oklahoma Health Care Authority an amount equal to the proportionate share of Oklahoma State University Center for Health Sciences' Dean's GME program disallowance. \$20 million dollars of the allocation shall be used to construct a new building which will also serve as the Tulsa location for the Board of Medicolegal Investigations. The CEO of the OSUMA may request an early transfer of funds to support cash flow.

SB 1049 (Thompson/Wallace) defines "University Hospital" to mean the Everett Tower and the North Pavilion, renamed the Children's Hospital at the

University of Oklahoma Medical Center, and “Children's Hospital of Oklahoma” to mean the buildings Bielstein, Garrison, Nicholson and MRI towers within the University Hospitals Authority Act. Additionally, university hospitals are no longer restricted to solely conducting medical and biomedical research. The measure modifies the membership of the University Hospitals Authority by removing the Director for Human Services and replacing the position with the Administrator of the Oklahoma Health Care Authority. Appointed members to the Authority shall serve at the pleasure of his or her appointing authority. The University Hospitals Authority is empowered by the measure to appoint architects and construction managers, demolish its own buildings designated as unsuitable for the Authority’s purposes, sell naming rights, dispose of surplus equipment, and contract with wholesalers of drugs and medical equipment. The measure provides for revenues earned by the Authority to be deposited in University Hospitals Authority Disbursing Fund.

HB 1089 (McEntire/McCortney) extends the Supplemental Hospital Offset Payment Program fee from December 31, 2020 to December 31, 2025.

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
University Hospitals Authority	\$37,419,239	\$69,953,358	86.94%



## Energy, Environment, & Utilities

SB 568 (McCortney/McCall) creates the Phase II Arbuckle-Simpson Hydrology Study Revolving Fund. The measure directs the monies of the funds to be utilized for the purpose of completing in coordination with relevant state and federal agencies,

specifically including the United States Geological Survey, an enhanced hydrologic framework and modeling of the eastern Arbuckle-Simpson Groundwater Basin. The Fund shall be utilized by the Oklahoma Water Resources Board to implement Phase II of the Arbuckle-Simpson Hydrology Study in coordination with East Central University.

SB 705 (Smalley/Wallace) expands the legislative intent protecting and conserving public groundwater supplies by funding public groundwater supplies.

SB 878 (Leewright/Hilbert) increases various fees imposed on tire purchases to be used for the Used Tire Recycling Act. The measure defines various tire-derived products achieved through tire processing and replaces “crumb rubber” with “tire-derived product” and lowers the percentage of revenue placed in the Used Tire Recycling Indemnity Fund allocated to the Department of Environmental Quality (DEQ) from 28% of the \$2.50 fee on tire facilities to 24.1% of the new \$2.90 fee. A \$50,000.00 per month apportionment cap to the Department of Environmental Quality is also created. The measure also prohibits the act of storing or transporting recycled tires outside of the rules promulgated by the DEQ and defines “automobile” in the Act.

SB 881 (Paxton/Boles) requires telecommunication providers expanding into a new area to, in addition to other entities required by law, notify all political subdivisions with jurisdictional boundaries that include all or portions of the service area outlined in the Certificate of Convenience and Necessity.

SB 998 (Murdock/Patzkowsky) removes the descriptor “fresh” as it applies to groundwater regulated by the Oklahoma Water Resources Board. The measure provides that the taking and use of marginal water in accordance with the Oklahoma Groundwater Law and the rules of the Oklahoma Water Resources Board (OWRB) shall be considered a beneficial use and not waste. The OWRB is directed by the measure to promulgate and implement rules for the taking and use of marginal water. Such use of marginal water may not impair the use of fresh water basins.

SB 1000 (Leewright/Fetgatter) exempts property zoned as residential from the Oklahoma Energy Independence Act. Additionally, property owners with a mortgage on the property must obtain written consent from any mortgage holder or holders prior to the issuance of any loan. A lien on the property must be recorded under an assessment contract between a private lender and property owner and shall have the

same priority and status, and be subject to enforcement, as a lien for unpaid ad valorem property taxes. The measure restricts improvements to qualify for financing under the Act related to energy efficiency, water conservation, or building resiliency.

SB 1001 (Leewright/Dustin Roberts) prohibits political subdivisions of the state from restricting, taxing, prohibiting, or regulating the use, disposition or sale of auxiliary containers. Auxiliary containers is defined in the measure as any bag, cup, package, container, bottle, device, or other packaging containing certain material outlined in the measure and designed for the packaging of food or various goods.

SB 1003 (Allen/McBride) creates the Oklahoma Environmental, Health and Safety Audit Privilege Act. The measure defines “environmental or health and safety audit” to be a systematic voluntary evaluation of compliance with environmental or health and safety laws or with any permit issued under an environmental or health and safety law conducted by a person associated with the regulated facility or operation. The measure outlines the contents of the audit report required by the measure and requires the report to be completed within at least six months after the audit is initiated or the acquisition date. The measure further states that the contents of the audit report are privileged and shall not be subject to discovery in administrative, criminal, or civil proceedings, but may be disclosed in certain circumstances. The courts may require the disclosure of all or parts of the report under certain circumstances outlined in the measure. The measure also requires the court to suppress material that is disclosed without authorization. The measure defines the terms “willfully” and “knowingly” to have the same meanings as defined in Title 21 (Crimes and Punishments) and clarifies the meaning of voluntary disclosure. The measure provides immunity from the newly created penalties via voluntary disclosure in certain circumstances.

SB 1005 (Allen/O'Donnell) prohibits the Department of Environmental Quality from imposing a requirement to use an air curtain incinerator for fires purposely set for land clearing operations or the burning of clean wood waste or yard brush except in counties or areas that are or have been designated nonattainment for a National Ambient Air Quality Standard or in metropolitan statistical areas with a population greater than 900,000. The measure also defines metropolitan statistical areas.

SB 1027 (Dahm/Gann) creates a sunset date for the following Department of Environmental Quality (DEQ) Councils: Water Quality Management Advisory Council, the Hazardous Waste Management Advisory Council, the Solid Waste Management Advisory Council, and the Radiation Management Advisory Council on July 1, 2022, and places these councils under the provisions of the Oklahoma Sunset Law.

SB 1080 (Treat/McCall) corrects a scrivener's error in HB 2471.

HB 2118 (Ortega/Stanislawski) extends the prohibition on wind facilities encroaching on the mission, training, or operations of a military installation to individual wind turbines or other individual structures requiring notice to the Federal Aviation Administration that is part of a wind energy facility. Wind energy facilities must obtain a Determination of No Hazard from the Federal Aviation Administration and resolve adverse impacts to military installations through the United States Department of Defense. Such documentation must be submitted to the Oklahoma Corporation Commission and Oklahoma Aeronautics Commission. Additionally, the measure reduces the number of days by which an owner must notify the Oklahoma Strategic Military Planning Commission of any changes to the facility from 30 days to 10 days. An owner of a wind facility is subject to a maximum of \$1,500.00 administrative penalty per day, per violation if the owner fails to submit the required documentation. Additionally, stakeholders may institute an action in any court of general jurisdiction to prevent, restrain, correct, or abate any failure to comply with the provisions of the measure.

HB 2142 (Sneed/David) creates the Tri-State Commission on the McClellan-Kerr Arkansas River Navigation System (MKARNS). The Commission will be formed in conjunction with enabling legislation enacted in Kansas and Arkansas. The Commission is charged with identifying resources, including federal and state resources, to maintain and repair physical assets, prioritize funding to maintain the System, promote MKARNS and its use by private enterprises, take actions to prevent flooding, and promote tourism.

HB 2143 (Sneed/David) creates the McClellan-Kerr Arkansas River Navigation System Infrastructure Revolving Fund. The Fund shall be used to pool money received by the Oklahoma Department of Transportation from appropriations, dedicated revenues, federal funds, private contributions or other

sources authorized by law dedicated to the McClellan-Kerr Arkansas River Navigation System (MKARNS).

HB 2151 (Pfeiffer/Rader) creates a new misdemeanor for any person owning a petroleum measuring device found to have refused to admit employees of the Corporation Commission upon his or her premises in such a manner as to obstruct such employees in the performance of their duties and provides for a fine of \$100.00.

HB 2263 (Patzkowsky/Murdock) creates the Groundwater Irrigation District Act. The measure authorizes groundwater permit holders in a proposed groundwater district to create a district to provide for the procurement of conservation grant funding, provided at least ten owners approve of the district's creation. The district shall be comprised of a county and/or an adjacent county, but may only contain permit holders willing to participate in the district. The district shall be created via a circulated petition signed by qualifying groundwater permit holders. The board of county commissioners shall verify the authenticity of each signature. If the requirements for the petition are met, the board of county commissioners shall declare the establishment of the district and its governing board. The board of county commissioners will assign three members representing groundwater irrigation users within the county to the governing board of the district. This initial, governing board shall adopt the bylaws governing the board in the future. The Oklahoma Water Resources Board is directed to promulgate rules implementing the provisions of this measure.

HB 2471 (McCall/McCortney) establishes a legislative moratorium on the following actions by regulatory agencies. The Department of Environmental Quality (DEQ) permitting of any discharge from a subject mine to streams fed or supported by water emanating from sensitive sole source groundwater basins or subbasins, excepting cases wherein the DEQ issues a permit to correct compliance issues; on the Oklahoma Department of Mines as it relates to issuing or amending permits to subject mines; and on the Oklahoma Water Resource Board (OWRB) from issuing, allocating, or recognizing any offset of the consumptive use of water of subject mines. The moratorium shall remain in effect until the DEQ, Department of Mines, and OWRB promulgate final rules to provide for effective interagency consultation and coordination of activities related to the regulation of mines. The moratoria shall also remain in effect on OWRB permits until the OWRB, in coordination with the

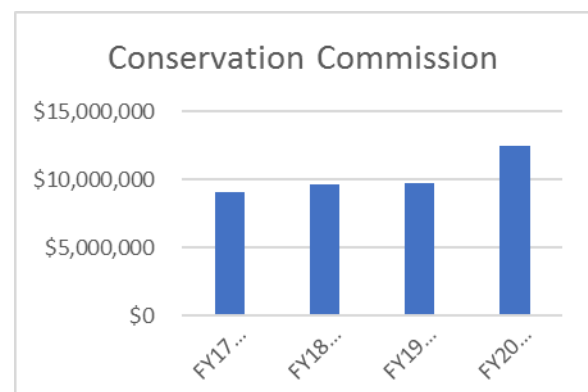
DEQ, Department of Mines, and East Central University and in cooperation with federal and tribal governmental agencies complete the Enhanced Monitoring and Evaluation of Hydrologic Trends for the Eastern Arbuckle-Simpson Aquifer, SouthCentral Oklahoma and promulgates rules to implement the provisions of the studies. Subject mines are defined in the measure as mines that overlie a sensitive sole source groundwater basin or subbasin, have not engaged in the permitted extraction of resources, is not permitted to operate for a period of more than five years, or the operation of which will not result in more than five acre feet per year of groundwater emanating from a sensitive sole source groundwater basin or subbasin.

HB 2474 (McCall/Simpson) directs the Oklahoma Water Resources Board to publish on its website the applications and instructions for public notice at the time it provides the notice of application to an applicant for limited quantity groundwater or stream water permits. The measure also directs applicants providing public notice to provide for a thirty-day protest period.

HB 2476 (McCall/Hall) exempts funeral, cremation and embalming establishments from the Department of Environmental Quality's agency rules related to industrial wastewater systems. Any spill occurring within these establishments must be reported to the DEQ within 24 hours by phone and within 7 days in writing. Establishments outlined in the measure are also responsible for containing the spill and for notifying adjacent landowners of the spill.

### Conservation Commission Funding

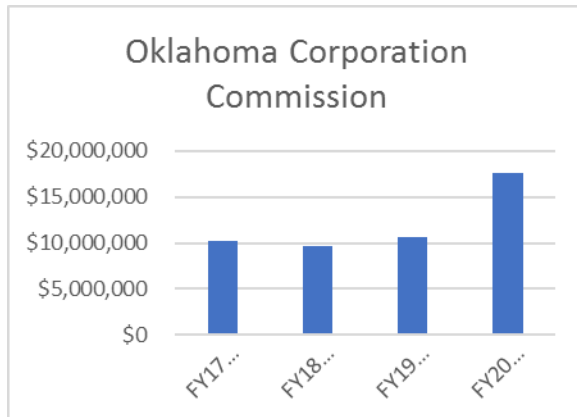
Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Conservation Commission	\$9,725,596	\$12,437,815	27.89%





### Corporation Commission Funding

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Corporation Commission	\$10,628,177	\$17,568,600	65.30%



### Election Measures

SB 58 (Pemberton/Frix) allows employees to take up to 2 hours of leave time to vote on a day on which in-person absentee voting is allowed by law. Current law only authorizes this time to be used on Election Day. The measure also prohibits employers for penalizing their employees provided the employee provides proof of their vote. Employees must notify employers of their intent to vote at least three days in advance.

SB 59 (Pemberton/Sneed) states that in the event of a requested election recount, the petitioner or their agent must be present and remain in attendance when the district court judge calls the proceedings to order. If the petitioner or their agent is not present, the recount will not proceed and the petitioner will forfeit their deposit.

SB 261 (Daniels/Wright) grants the Secretary of the State Election Board the authority to require a county election board to conduct a post-election audit of election results. The Secretary determines the procedures and timing the audit. The measure also authorizes the state Board, subject to available funding, to implement security measures to protect the vote. Providing false or misleading information to knowingly prevent voting or voter registration is made a felony offense, as is accessing, attempting to access, tampering, or attempting to tamper with

election systems. The measure also modifies the circumstances which authorizes the Secretary to declare an election emergency. Any interference with polling devices, violence at polling places, security threats, or major failure of voting hardware will allow the Secretary to declare an emergency. SB 261 requires county election boards to take necessary security measures to ensure the county election board office is adequately protected from physical and electronic intrusions and attacks. The county will assume the costs associated with providing security. The measure prohibits the county election board from sharing office space with other sections of county government unless authorized to do so by the State Board of Elections. County election boards may share space with other local government entities if the space is shared by multiple agencies.

SB 393 (Newhouse/Ford) removes the requirement for a limited committee with an incorporated not-for-profit membership organization to receive written permission from a membership corporation in order to solicit contributions from the membership corporation's directors, executive and administrative personnel, and their families and from its non-corporate members and their families.

SB 394 (Floyd/Virgin) allows a substitute candidate to replace the name of a candidate on the General Election Ballot if the deceased candidate was nominated.

SB 444 (Jech/Wright) modifies personnel for and the procedure of elections. The measure stipulates that each precinct within each county shall have at least three precinct officials: an inspector, a judge and a clerk. One official must be a member of the political party with the most registered voters in the state and another member must be a member of the second largest political party within the state. Said officials must be drawn from a list of officials submitted by the largest and second largest political parties. A third official may be from any recognized political party in the state. The minimum salary of county election board employees may be paid at a prorated rate if the board's operating hours are shorter than the average of the regular public office hours of other county offices. The Secretary of the State Election Board is authorized to prescribe the duties, training, and appointment procedures of the precinct officials. Compensation and reimbursement for these officials is increased beginning July 1, 2020. The secretary of the county election board may remove employees or precinct officials with the approval of the county election board. The measure increases the amount paid to those who attend training sessions related to

becoming a precinct official from \$25.00 to \$35.00 beginning January 1, 2021. Changes to precinct boundaries will require the approval of the county election board. Such changes must be presented in a public meeting of the board. The secretary of the county election board is empowered to determine the location of polling places within the county by the measure. The secretary must receive permission to locate a polling place outside of the geographical confines of a precinct from the State Election Board.

SB 496 (Smalley/Taylor) authorizes persons aged between seventeen and six months and eighteen years old to submit a compiled voter registration form to the State Election Board. Upon his or her eighteenth birthday, the Board will register the person as eligible to vote.

HB 1070 (Pae/Sharp) requires the Governor to issue a Writ of Election upon a vacancy occurring in a United States Senate or House of Representatives seat. If the election occurs in an even-numbered year, the Regular Primary Election, Runoff Primary Election or General Election for the office or a member of the U.S. House will be deemed to be the Special Election for such a vacancy.

HB 1259 (Hilbert/Paxton) authorizes voters to voluntarily take a digital image or photograph of his or her marked ballot and distribute or share the image via social media or by any other means.

HB 2119 (Ortega/Howard) defines “total number of votes cast” as it relates to determining signature requirements for municipal initiative petitions. The term is defined as the sum of the votes cast for all candidates in the race for the highest-ranking at-large municipal office appearing on a ballot or the sum of votes cast for or against the municipal question or proposition receiving the largest total number of votes on a ballot.

HB 2253 (Goodwin/Bice) modifies provisions of law related to the restoration of a convicted felon’s right to vote. The measure provides that a felon’s eligibility to vote shall be restored after he or she served the full sentence of court-mandated calendar days, including any term of incarceration, parole or supervision, or completed a period of probation ordered by any court.

## **County and Municipal Government**

SB 3 (Rosino/Kannady) modifies the unit measured when county clerks charge for the production of records in an electronic format. Current law allows

clerks to charge \$0.25 per page and \$0.15 per page if the request includes the production of 3,500 pages. The measure changes the unit measured to “images”.

SB 164 (Pederson/Mize) authorizes a board of directors in a fire protection district to increase its total size to seven or nine members. The board may be increased if the board receives a petition signed by 51% of the eligible members of the district. The measure further requires fire protection district with more than two full-time paid firefighters to also have one full-time fire chief. The fire chief must possess at least three years’ experience as a paid firefighter or five years’ experience as a volunteer firefighter chief with that particular department. The board of a fire protection district may add additional requirements for the position of fire chief. Fire chiefs will be responsible for the general condition of the district, as well as other duties, and will file appropriate activity reports to the State Fire Marshal in Oklahoma City on an annual basis. The measure also provides for positions to assist the chief and company officers. Under this measure, fire protection district may also include adjacent territory in another county within the district, provided the district’s directors receives written consent from at least 25% of the holders of title to the territory sought to be included. Upon receiving permission from 25% of the holders, the board of directors, and board of county commissioners in all affected counties and territories, the district may organize an election to determine whether the territory is incorporated. Individual landowners may also opt in to the district. The measure requires municipalities that annex a portion of the fire protection district to meet or exceed the current levels and standards of fire protection services provided by the district, receive permission via a vote of 51% of the those affected by the annexation, pay for the costs associated with the vote, notify the affected fire protection district and the board of the county commissioners, and assume a portion of the debt incurred by the district. SB 164 authorizes the board of a fire protection district to choose to have a fiscal year which that begins on January 1 and ends on December 31.

SB 337 (Boggs/Grego) increases the maximum allowable speed for mopeds to thirty-five miles per hour and authorizes the use of such devices on municipal streets, provided the board of county commissioners or the municipal governing body approves and regulates the use of mopeds.

SB 346 (Bice/McCall) provides for an affidavit of impartiality for property appraisals. The measure also requires estimates from at least three disinterested

persons or a legal entity that has three independent, credible sources each of which has estimated the real value of the subject property.

SB 400 (Paxton/Lepak) allows a board of county commissioners to construct or maintain streets of a municipality with population between 5,000 and 15,000 in a county with population less than 150,000, as long as that municipality has passed a sales tax or fee with proceeds earmarked to street construction and improvement.

SB 450 (Dugger/Ranson) modifies the annual meeting day for cemetery associations from the first Tuesday in July to a date in the last two weeks of April.

SB 484 (Dahm/O'Donnell) provides for suits to be brought against a county by naming a county officer when it is alleged that such officer in his or her official capacity is liable to the plaintiff in an action not based in contract. Other suits may be brought against the county by naming the board of county commissioners. County officers may later be substituted by the courts into the case upon a motion made by any party and upon a showing that such county officer is better suited to represent and defend the county.

SB 589 (Weaver/Boles) requires the Oklahoma Association of Chiefs of Police to conduct compliance reviews for Oklahoma Municipal Law Enforcement Agencies. If a department fails to come into compliance within six months, the Association shall notify in writing the chief elected official of the governing body of the law enforcement agency, the chief law enforcement officer of the law enforcement agency, and the liability insurance company of the law enforcement agency.

SB 870 (Murdock/Newton) authorizes county officers and employees to cut firelines, conduct prescribed burns to mitigate hazardous wildland fuels, and carry out all customary activities in the fighting of wildfires on private land without incurring liability for any individual under the direction of forest rangers and with the written permission of the landowner.

HB 1428 (Loring/Daniels) strikes language requiring a court clerk to create duplicate receipts for all fees, fines, and forfeitures which come into the municipal court and authorizes said clerks to create a receipt using an electronic format.

HB 1516 (Kiger/Hall) modifies the qualifications for a person to run as a council member in a municipality. A person must be a resident of the represented ward at the time of the election and will no longer be disqualified from office if said person moved out of the represented ward.

HB 1885 (Branham/Leewright) authorizes counties, cities, or other local units of government to provide for a local bid preference of up to 5% for construction contract if that entity's governing body determines there to be an economic benefit to the local area or economy, provided the local bidder or contractor agrees to perform the contract for the same price and terms as the bid proposed by the nonlocal bidder or contractor.

HB 1939 (Boles/Paxton) sets the salary limits for county officers between \$19,000.00 and \$44,500.00. Additionally, data for salary changes to take effect is moved from July to January.

HB 1995 (Nollan/Shaw) requires the sheriff's office of each to retain the audio and visual recordings of any incident identified in a written application for a minimum of 180 days. Written reports and records of incidents identified in the measure must be kept for a minimum of 7 years.

HB 2518 (Tammy West/Rosino) extends the maximum term from 40 to 50 years a municipality may contract or lease as it relates to facilities or services at an airport it owns or controls.

## **Public Finance**

SB 94 (Pugh/Martinez) replaces the position of the Oklahoma State Bond Advisor with a new position referred to in the measure as "Deputy Treasurer for Debt Management". The Deputy Treasurer of Debt Management would be placed under the State Treasurer. The measure also requires the State Treasurer's office to produce the written debt affordability study Bonded Indebtedness Report and staff the Council of Bond Oversight previously produced and staffed by the State Bond Advisor. All other duties and responsibilities previously held by the State Bond Advisor are otherwise transferred to the Deputy Treasurer for Debt Management.

SB 295 (Hall/Mize) requires bonds issued by the Oklahoma Capital Improvement Authority to include the certificate required in Article X of the Oklahoma Constitution and to be submitted to the Attorney General. The Attorney General must examine and, upon his or her approval, certify the bond as a legal



obligation. Bonds approved in this manner are incontestable in any court in the State of Oklahoma unless a suit is brought up within thirty days of the approval. Approved bonds are prima facie valid and binding obligations according to their terms, and may only be contested upon grounds of forgery, fraud, or violation of the Constitution.

SB 473 (Rader/Fetgatter) limits the maximum investment amount of state local enterprise matching payments for an enterprise to \$200,000.00 per fiscal year. The bill also modifies the formula for the maximum amount of investment in qualifying facilities to qualify for a payment and to use recent Census figures. The measure also extends the eligibility period for investments into the district from December 31, 2018 to December 31, 2028 if investments or improvements are begun before December 31, 2029. This Act additionally requires the Department of Commerce to certify that the qualifying project shall be completed no later than December 31, 2034.

## **State Government**

SB 21 (Murdock/Caldwell) designates the ribeye steak as the state steak of the State of Oklahoma.

SB 62 (Rosino/Baker) requires employees of agency contractors with access to Federal Tax Information and data to supply all necessary information required by the Oklahoma State Bureau of Investigation to conduct a criminal history search. Additionally, the measure requires contractors to provide fingerprints to the OSBI so that it may conduct a national criminal history check.

SB 73 (Thompson/Wallace) increases the authorized number of full-time employees allowed the Oklahoma State Board of Pharmacy from ten to fifteen and the Oklahoma Board of Nursing from thirty to thirty-five. The measure also updates the names of several boards.

SB 111 (Bergstrom/Walke) moves Oklahoma Native American Day from the third Monday in November to the second Monday of October.

SB 116 (Stanislawski/Mize) allows the State Purchasing Director to authorize the Oklahoma Film and Music Office Division of the Oklahoma Tourism and Recreation Department to use a state purchase card for transactions not exceeding \$15,000.00. Purchase cardholder will need to sign a purchase card agreement prior to becoming a cardholder and to

attended purchase card training. The measure also requires the Oklahoma Tourism and Recreation Department to conduct quarterly internal auditing on all purchases made by the Office.

SB 117 (Stanislawski/Martinez) appropriates \$4 million to the Oklahoma Employment Security Commission Fund for the purpose of paying the administrative expenses related to the Employment Service program and the Unemployment Insurance program. Both programs will receive \$2 million. This funding must be spent on or before December 31, 2020.

SB 122 (Stanislawski/Pfeiffer) removes the requirement for a state agency to submit office expansion plans to the State Governmental Technology Applications Review Board for its review. Additionally, the measure requires agencies to provide the Office of Management and Enterprise Services with telework documentation whenever the state agency states its intended use for acquired real property.

SB 198 (Standridge/McDugle) requires state agencies and political subdivisions of the state to develop a social media policy for the use of social media during the course of work or using work resources by state employees or any political subdivision of this state and to discourage abusive or offensive online behavior. The measure requires agencies and political subdivisions to discourage obscene sexual content, abusive and bullying language, illegal activity, and disclosure of confidential information. The measure exempts state agencies and political subdivisions from any liability that may arise from implementing the provisions of the measure.

SB 240 (Standridge/Kiger) authorizes state agencies to utilize the State Travel Office for air travel rather than requiring agencies to do so.

SB 243 (Bergstrom/Lepak) modifies membership on the partnership committee associated with the Oklahoma Public and Private Facilities and Infrastructure Act. The measure decreases the number of representatives from the Office of Management and Enterprise Services from three to two and adds a representative from the Department of Commerce.

SB 316 (Dahm/Gann) creates the Government Transparency Act of 2019. The measure requires agencies entering into a Memorandum of Understanding or Memorandum of Agreement with any agency, department, or organization receiving

state funds to publish a report on its website and the documents.ok.gov website all Memorandums of Understanding or Memorandums of Agreement within fifteen business days of the Memorandum's effective date. The report must contain the effective date, the purpose, the duration, and entities subject to the Memorandum. Additionally, state agencies must provide the chair of the appropriate legislative committee with a copy of the Memorandum and must cite the constitutional or statutory authority granted for the subject addressed in the Memorandum.

SB 403 (Paxton/Ortega) places the position of Highway Patrol Major in the Department of Public Safety, in unclassified service.

SB 442 (Haste/Lawson) increases the fee for the preservation and maintenance of records management, records preservation, automation, modernization, and related lawful expenditures from \$5.00 to \$10.00 for each instrument recorded with the Registrar of Deeds.

SB 456 (Treat/McCall) modifies the membership of the Oklahoma Health Care Authority Board. The measure increases the total members on the board to nine: five members shall be appointed by the Governor and two members shall be respectively appointed by the President Pro Tempore and Speaker. Each member of the Board shall serve at the pleasure of the appointing authority. The Administrator shall be appointed by the Governor with the advice and consent of the Senate. The Administrator may be removed from office by the Governor without cause or a two-thirds vote by each chamber in the Legislature.

SB 457 (Treat/McCall) adds an at-large member to the Transportation Commission and modifies appointments to the Commission. The Governor shall appoint the newly created at-large member and four other members of the Commission. The President Pro Tempore and Speaker shall respectively appoint two members to the Commission. Each member of the Commission shall serve at the appointing authority's pleasure. Members of the Commission shall be prohibited from voting on matters if the member has a direct financial interest. The measure provides an annual salary of \$4,800.00 and travel reimbursement to members of the Commission. The Director shall be appointed by the Governor with the advice and consent of the Senate. The Director may be removed from office by the Governor without cause or a two-thirds vote by each chamber in the Legislature.

SB 469 (Brooks/Kannady) authorizes persons related to an employee within the ABLE Commission to retain or receive a license issued by the Commission, provided they are not related to an employee of the Commission within the first degree including a relationship of child, parent, or spouse. License holders may not retain or receive a license if they are related to the director or assistant director within the third degree.

SB 584 (Stanislawski/Ortega) directs each state agency not under the Information Technology Consolidation and Coordination Act to have an information security audit conducted by a firm approved by the Information Services Division and to submit a list of remedies and a timeline for the repair of any deficiencies to the Information Services Division within ten days of the audit's completion. The Division may assist in repairing any vulnerability found in the security audit. Additionally, agencies exempted from Information Technology Consolidation and Coordination Act must submit a report of their security audit findings on a schedule determined by the Information Services Division. Agencies exempted from the Information Technology Consolidation and Coordination Act and unable to comply with the provisions of this measure shall be consolidated under the Act. The measure shall not apply to agencies subject to the North American Electric Reliability Corporation cybersecurity standards, institutions within the Oklahoma State System of Higher Education, the Oklahoma State Regents for Higher Education, and OneNet.

SB 585 (Stanislawski/Ortega) requires the Office of Management and Enterprise Services to notify state agencies affected by a policy change implemented by the Office at least thirty days in advance of the policy's implementation. State agencies may request for an exemption after being provided with notice of the policy change. The provisions of this measure shall not apply to policy changes made necessary by federal law or policy, or any other policy changes deemed as an emergency by the Office of Management and Enterprise Services.

SB 740 (Pugh/Tammy West) corrects a statutory reference for a public body to post the date, time, place and agenda for meetings on its website.

SB 985 (David/Josh West) authorizes the Grand River Dam Authority (GRDA) Board of Directors to set at-cost fees for services performed by the district. The Board is directed to additionally develop written policies regarding the purchasing of property, fleet management marketing, purchase and disposition of

real and private property, and develop compensation and hiring practices for employees. Districts are authorized to acquire wind and battery storage sites. Additionally, the measure exempts GRDA from the provisions of the Information Technology Consolidation and Coordination Act, State Travel Reimbursement Act, and Surplus Property Act if the district does not subject itself to this measure. The measure authorizes the appointing authority to remove a board member with just cause. The Board must receive the advice and assistance of the State Bond Advisor before selling bonds.

SB 1024 (Dahm/Gann) repeals the Oklahoma American Civil War Sesquicentennial Commission. The Commission was established to prepare for the sesquicentennial of Oklahoma's participation in the American Civil War. The Commission was set to sunset on July 1, 2015.

HB 1114 (Kevin West/Pederson) allows the retainage amount on a public construction contract or subcontract to be reduced to 2.5% if the contract is subject to a bond requirement and at least 50% of the work has been completed.

HB 1290 (Miller/Bice) modifies the definition of "qualified nonprofit agency for the severely handicapped" by requiring at least 75% of the agency's personnel to be certified as blind.

HB 1292 (Miller/Standridge) adopts the Rosette Nebula as the official astronomical object of the State of Oklahoma.

HB 1387 (Vancuren/Leewright) authorizes the Administrator of the Oklahoma Department of Consumer Credit (ODOC) to enter into information sharing agreements with any other agencies that have supervisory or regulatory responsibility over any entity that has been or may be licensed by the Department of Consumer Credit or any organization affiliated with or representing one or more agencies with supervisory or regulatory responsibility over any entity that has been or may be licensed by the Department. The measure establishes various recordkeeping requirements for examinations by ODOC. The measure also authorizes ODOC to charge a document copying fee of \$0.25 per page for public records and \$1.00 per page for non- public records.

HB 1391 (Dills/Newhouse) categorizes Administrative Officers in the Office of the Secretary of State under the unclassified service and removes

the Deputy Assistant of Native American Affairs from the unclassified service.

HB 1434 (Gann/Allen) extends the sunset date for the Oklahoma Abstractors Board to July 1, 2020.

HB 1435 (Gann/Smalley) extends the sunset date for the Oklahoma State Athletic Commission to July 1, 2021.

HB 1436 (Gann/Dahm) extends the sunset for the Commission on County Government Personnel Education and Training to July 1, 2020.

HB 1437 (Gann/Smalley) extends the sunset date for the State Board of Behavioral Health Licensure to July 1, 2023.

HB 1438 (Gann/Smalley) extends the sunset date for the Board of Examiners for Speech-Language Pathology and Audiology to July 1, 2021.

HB 1439 (Gann/Smalley) extends the sunset date for the State Board of Medical Licensure and Supervision to July 1, 2024.

HB 1440 (Gann/Smalley) extends the sunset date for the Advisory Committee on Pedorthics to July 1, 2021.

HB 1441 (Gann/Smalley) extends the sunset date for the Advisory Committee on Orthotics and Prosthetics to July 1, 2021.

HB 1442 (Gann/Smalley) extends the sunset date for the State Board of Examiners of Perfusionists to July 1, 2021.

HB 1443 (Gann/Smalley) extends the sunset date for the Polygraph Examiners Board to July 1, 2020.

HB 1444 (Gann/Smalley) extends the sunset date for the State Board of Examiners of Psychologists to July 1, 2023.

HB 1445 (Gann/Smalley) extends the sunset date for the State Board of Osteopathic Examiners July 1, 2024.

HB 1446 (Gann/Smalley) extends the sunset date for the Board of Podiatric Medical Examiners to July 1, 2021.

HB 1447 (Gann/Dahm) extends the sunset date for the State Capitol Preservation Commission to July 1, 2020.

HB 1911 (Boles/Kidd) modifies eligibility requirements for a person to serve on the State Board of Examiners for Long-term Care Administrators by reducing the number of years required to serve on the board from 5 to 3 years in the facility type the appointed person represents, excepting nursing facility administrators who must possess at least 5 years' experience.

HB 1933 (Manger/Shaw) adds the Human Resources Director and Comptroller of the Oklahoma State Bureau of Investigation to the unclassified service and provides greater flexibility to the agency to modify the number of special investigators placed in unclassified service based on funding.

HB 2121 (Ortega/Howard) directs the State Treasurer to publish notice in an Oklahoma newspaper which the State Treasurer believes is most likely to be seen by the owner of abandoned property or by heirs of the owner if no address for the owner or heirs is listed. The State Treasurer is further directed to deduct 25% of the value of the funds derived from the sale of abandoned property to pay for attorney fees. The measure also creates a petty cash fund to be used for the administration of the unclaimed property program.

HB 2252 (Trey Caldwell/Montgomery) authorizes the Oklahoma Tourism and Recreation Department to utilize monies from its petty cash fund to purchase alcoholic beverages.

HB 2479 (McCall/Treat) modifies the membership of the Board of Juvenile Affairs. It increases the number of members from 7 to 9. The Governor shall appoint 5 members of the Board, the President Pro Tempore of the Senate shall appoint 2 members, and the Speaker of the House shall appoint 2 members. Members of the Board may be removed by a two-thirds vote of the Legislature or at will by the appointing authority. The Governor is empowered by the measure to appoint the Executive Director of Juvenile Affairs.

HB 2480 (McCall/Treat) modifies the membership of the Department of Corrections. The Governor shall appoint 5 members of the Board, the President Pro Tempore of the Senate shall appoint 2 members, and the Speaker of the House shall appoint 2 members. Members of the Board may be removed by a two-thirds vote of the Legislature or at will by the appointing authority. The Governor is empowered by the measure to appoint the Executive Director of the Department.

HB 2483 (McCall/Treat) modifies the membership of the Department of Mental Health and Substance Abuse. The Governor shall appoint 5 members of the Board, the President Pro Tempore of the Senate shall appoint 2 members, and the Speaker of the House shall appoint 2 members. Members of the Board may be removed by a two-thirds vote of the Legislature or at will by the appointing authority. The Governor is empowered by the measure to appoint the Commissioner of the Department.

HB 2618 (Echols/Standridge) requires state agencies collecting personally identifiable data to publish on their website a description of information that the agency collects, how the information is stored, and with whom the agency shares the data.

HB 2773 (Wallace/Thompson) establishes which agency controls certain spaces in the State Capitol.

### OMES Funding

SB 1061 (Thompson/Wallace) directs a portion of the funds appropriated to the Office of Management and Enterprise Services (OMES) to be utilized in a certain manner. The measure stipulates that:

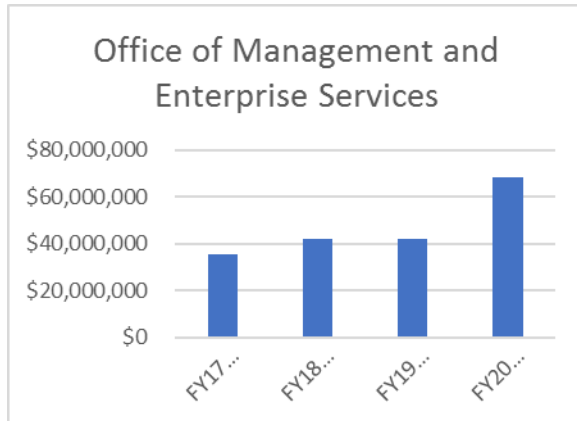
- 1) OMES must spend \$6.3 million to fund operations of the Capital Assets Management and Central Accounting and Reporting Divisions
- 2) OMES must spend at least \$1.5 million to implement the Pay For Success program
- 3) OMES must apportion \$16,417,000.00 of its appropriations to the Information Services Division.

HB 2746 (Wallace/Thompson) creates a Digital Transportation Program Revolving Fund for the Office of Management and Enterprise Services.

HB 2747 (Wallace/Thompson) authorizes the Office of Management and Enterprise Services (OMES) to establish procedures to allow state agencies to contract for transaction-based fees. Automatic clearing house debits for transactional fees are exempted from the Oklahoma State Finance Act.

HB 2755 (Wallace/Thompson) re-appropriates and re-designates \$2.6 million from a 2019 appropriation for the purposes of performance of duties within the Office of Management and Enterprise Services (OMES), including the Information Services Division. The measure also authorizes the expenditure of \$1,450,000 from three agency revolving funds for agency duties.

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
OMES	\$42,050,322	\$68,664,332	63.29%



## Health Measures

SB 81 (Simpson/Newton) requires all information acquired during an investigation into possible violations of the Oklahoma Nursing Act to be kept confidential unless the state introduces the information in administrative proceedings. The measure also states that public records maintained by the Board are not subject to discovery or subpoena in any civil or criminal proceedings. The Board may disclose this information to law enforcement and other state agencies as necessary and appropriate in the discharge of the duties of that agency.

SB 100 (David/Newton) authorizes optometrists to rent space near or within a retail store for the purpose of engaging in optometry services and specifies that the act of renting space near or within a retail store shall not be considered unethical conduct by the Board of Examiners in Optometry, regardless of whether a retail store derives income from the sale of prescription optical goods and materials. The measure exempts the OSU College of Osteopathic Medicine from provisions prohibiting optometrists from engaging in optometry services outside of their official role as an optometrist. The measure requires each rented area in a retail store to be apart from space used by other occupants of the premises and partitioned from space used by other occupants. The area must have a patient entrance on a public thoroughfare. The owners of the space may not dictate the hours of operation for the optometrist renting space. Optical goods and services may be sold by a person, firm or corporation regardless of whether a majority of the retail store's income is

derived from the sale of prescription optical goods, appliances and materials or whether an optometrist is practicing optometry in such retail store. The measure outlines the requirements for assessment mechanisms to conduct eye examinations.

Assessment mechanisms must provide interaction between the patient and licensed optometrist, collect patient's medical history and previous prescriptions, provide applicable accommodation pursuant to the Americans with Disabilities Act, protect health information in compliance with the Health Insurance Portability and Accountability Act (HIPAA), be used to perform a procedure with a Current Procedural Terminology code, and maintain liability insurance. Assessment mechanisms must be read and verified by an optometrist. Each patient provided with an assessment mechanism must receive as a term of use a disclosure that includes certain information outlined in the measure. Treatments and consultations made by Oklahoma-licensed optometrist utilizing an assessment mechanism must be held to the same standards of appropriate practice guidelines and standard of care as those in traditional in-person clinical settings. The measure outlines certain requirements for various goods and services related to optometric care and repeals statutes prohibiting the establishment of retail optical outlets.

SB 108 (Stanislowski/Sean Roberts) creates the Death Certificate Accuracy Act. The Act requires certifiers to list lethal drug, overdose, or other means of assisted suicide in the chain of events under cause of death or list it in the box that describes how the injury occurred. If a lethal drug, overdose, or means of assisted death is listed, the death shall be labeled as a suicide. A certifier who knowingly omits the listing of such substances in the cause of death shall be deemed to be engaged in unprofessional conduct.

SB 142 (Bice/Tammy West) states that certain conditions must be met before additional antipsychotic drugs can be prescribed or administered to a patient within a long-term care facility. A patient may be prescribed additional antipsychotic drugs if:

- 1) The resident has been examined by the prescribing clinician and the drug is associated with the diagnosed condition,
- 2) Previous nonpharmacological care options to achieve the drug's effect have failed or are deemed by the clinician to be insufficient after a physical examination,
- 3) The facility has provided a written explanation of applicable informed consent laws, and
- 4) The clinician has obtained written consent from the patient or their representative.

Obtaining written consent from the patient or their representative for administration of the drug will require the prescribing clinician to provide information related to the drug, administration of the drug, and the probability of success. The clinician will not need to confirm consent if there is an emergency, as defined by the measure. Additionally, the measure states that no long-term care facility may deny admission to or continued residency in the facility based solely on a patient's refusal to take the drug. The facility must demonstrate that the resident's refusal would place the health and safety of the resident, the facility staff, other residents or visitors at risk or demonstrate why the prescribing clinician determined alternative treatments were not medically appropriate.

SB 156 (Simpson/Sean Roberts) requires the State Board of Health to develop rules related to the establishment of minimum requirements for data collection for responses to time-sensitive medical conditions. Responses to stroke and ST-Elevated Myocardial Infarction (STEMI) incidents shall be subject to review by regional trauma advisory boards.

SB 220 (Bice/Nollan) requires physicians diagnosing a venereal disease to report the case to the Oklahoma and Tulsa County city-county health department, who shall in turn report the case to the State Commissioner of Health. Physicians diagnosing a venereal disease outside of Oklahoma and Tulsa County will report the case directly to the Commissioner. The provisions of the measure will cease to be active after the State Department of Health establishes a disease-reporting process that provides for a direct report from a lab or physician's office to the local health department.

SB 280 (Simpson/McEntire) removes various requirements for the incentive reimbursement rate plan for nursing facilities developed by the Oklahoma Health Care Authority (OHCA). The measure authorizes the OHCA to reserve \$5.00 per resident day to determine funding for quality assurance at long-term care facilities. \$2.00 will be deducted from each facility's per diem and matched with \$3.00 per by the OHCA. Facilities that meet metrics established by an advisory group created by this measure will receive \$5.00 quality incentive payments. Payments to facilities may be made quarterly. Should the state receive federal approval, funds will be pooled and distributed to facilities that meet the metrics established by the advisory group. Without federal approval, the state will deposit the remaining funds in the Nursing Facility Quality of Care fee fund. Quality measures are subject to annual review and change

every three years. The measure also authorizes the Department of Human Services to increase the number of ombudsmen from ten to fifteen. The measure increases the required amount of direct-care service per resident per day at care facilities to 2.9 hours and applies this standard to staff subject to twenty-four-hour service. SB 280 requires facilities to maintain a 15:1 resident to staff ratio as well. Administrators will not be counted as staff as it pertains to calculating the ratio of residents to staff at a facility. Additionally, the measure requires the OHCA to establish a new rate for nursing facilities statewide average cost as derived from audited cost reports for the fiscal year, ending June 30, 2018, after adjustment for inflation. The rate increase may not exceed the upper payment limit established by the Medicare rate equivalent. After January 1, 2021, the rate will increase based on a similar methodology on an annual basis.

SB 284 (Bice/Sean Roberts) requires each hospital to maintain a written policy for the disposition of the remains of a child from a stillbirth or fetal death event. The measure allows parents to direct the disposition of the remains so long as it complies with all relevant state a federal rules and regulations. Parents must notify the hospital within fourteen days as to how they wish to dispose of the remains. The hospital will notify at least one parent of their right to direct the disposal of the stillborn remains.

SB 333 (Standridge/Sean Roberts) requires a person making a health care decision for a patient to certify that he or she has not been convicted for abuse, verbal abuse, neglect or financial exploitation by a caregiver or exploitation of an elderly person. The measure prohibits persons found by the Department of Human Services to have committed abuse, verbal abuse, or exploitation from making healthcare decisions for a patient. The measure also provides that no health care provider shall be liable for following the instructions of a person otherwise authorized to make health care decisions for a patient if the provider was unaware that said person was disqualified from making those decisions.

SB 387 (Floyd/Sean Roberts) requires chiropractors performing a chiropractic treatment to an animal without being certified in animal chiropractic diagnosis and treatment to be referred by a medical professional in writing. Additionally, the measure authorizes the Board of Chiropractic Examiners to employ an Executive Director, who shall be authorized to employ such personnel as needed to run the agency. The measure also modifies chiropractor license applications, authorization for out-of-state

practitioners to operate in the state, and associated fees. SB 387 strikes the requirement for an original applicant to attach an affidavit from two persons who hold a valid license to practice chiropractic in the state. The Board may authorize the newly created Director to issue a temporary license to original applicants. Out-of-state practitioners may treat patients of an in-state chiropractic physician who is unable to practice for medical reasons. Those seeking to relocate their practice to the state will, under this measure, only be required to have been in an active practice for three. The annual license fee is increased from \$225.00 to \$275.00. The Board may also charge a fine equal to the costs expended by the Board to investigate a violation. The measure repeals a duplicative section of the renewal fee for a chiropractic license.

SB 388 (Hall/Chad Caldwell) authorizes certified nurse aides to assist a long-term care patient with the administration of their medication under certain conditions. The nurse may only assist in the administration of such medication with the written informed consent of the patient or the patient's guardian and the assistance a nurse may provide is outlined in the measure. The measure states that assistance with the self-administration of medication by a certified nurse aide in an assisted living center through home care services as an acceptable circumstance to administer care.

SB 419 (Bice/Miller) authorizes the State Board of Medical Licensure and Supervision, the State Board of Osteopathic Examiners, and the State Board of Nursing to work with hospitals and health care professionals to develop policies related to perinatal mental health disorders. Licensed health care professionals will be required to provide a questionnaire to pregnant patients for assessment purposes and hospitals will be required to provide information related to perinatal mental health disorders to the father and other family members.

SB 443 (Pugh/Moore) allows patients requesting a summary of their mammography report to provide an electronic address to the health care provider and request the summary to be sent via electronic mail. The provider is obligated to send the report via electronic mail.

SB 614 (David/Lepak) requires abortion facilities in the state to conspicuously post a sign warning patients about certain risks associated with mifepristone if certain actions are not taken. The sign must be posted in the waiting room in the case of freestanding clinics and the patient admission area

used by patients where abortions are performed in hospitals. Physicians must also inform patients of the possibility to reverse the process 24 hours before the procedure is performed. Physicians must also issue discharge information containing the same information as required by the sign. In medical emergencies, the physician must inform the patient that, in their judgement, an abortion is necessary and must be implemented immediately. The State Department of Health will be required to maintain the content of the required signage and content highlighting the reversibility of the procedure on the Department's website. Persons who are convicted of recklessly violating the provisions of this measure are guilty of a felony and subject to a fine of \$10,000.00. Each day a clinic or person conducts an abortion without the necessary signage constitutes a separate offense. Such persons will also be liable for civil damages from the father of the child, mother of the child, or legal guardian when the patient is a minor. The shall rule whether the anonymity of any female upon whom an abortion has been performed or attempted shall be preserved from public disclosure if she does not give her consent to such disclosure.

SB 629 (Simpson/Townley) repeals a section of law requiring the Board of Mental Health and Substance Abuse Services to approve a standard medication fee for persons participating in an opioid substitution treatment program.

SB 773 (Stanley/Wright) creates the Oklahoma Mental Health Loan Repayment Act. The measure places the program under the Department of Mental Health and Substance Abuse Services which shall, depending upon available funding, provide educational loan repayment assistance for mental health or substance abuse treatment providers who provide services in shortage areas. The Department determines which entities shall receive an award and the amount of the award based on the entity's performance. A participant in the program must agree to treat Medicaid patients, who shall constitute at least 25% of the participant's patients. The Department is further directed to submit an annual report on the program to the Governor, Senate President Pro Tempore, and Speaker of the House of Representatives. The measure also creates the Mental Health Loan Repayment Revolving Fund.

SB 806 (Smalley/Sean Roberts) allows Advanced Practice Registered Nurses to refer patients to a physical therapist for treatment beyond the initial thirty-day limit.

SB 848 (Rader/Echols) directs pharmacists to fill a prescription for a Schedule II opioid prescription to the exact parameters described in the prescription order. Any practitioners licensed under the Board of Medicine, Board of Podiatric Medical Examiners, State Board of Osteopathic Examiners, Board of Examiners in Optometry, State Board of Veterinary Medical Examiners, or the Board of Dentistry found to have prescribed, dispensed, or administered opioids in excess of the authorized amount of opioids outlined in current law may have their licenses suspended by the licensing board. The measure also clarifies that an opiate must be a Schedule II, III, IV, or V substance. The measure also modifies continuing education requirements for licensees of the State Board of Medical Examiners. Dentists are required by the measure to take three hours in pain management or three hours in opioid use and addiction. Physician assistants, optometrists, orthodontists, osteopaths, and veterinarians are required to take one hour on pain management or one hour on opioid use and addiction. Manufacturers and dispensers of a Schedule I substance are directed by the measure to include certain information in a report submitted to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control. The measure permits, rather than requires, the licensing board to consider the suspension of a licensee who fails to access the central repository. Unless a prescribed opioid or pain treatment is classified as a Schedule II drug, the measure strikes the requirement for the prescription to be capped at a seven-day supply and does not require a pain management prescription to be prescribed at the lowest effective dose. For patients complying with a patient-provider agreement after one year, practitioners may assess the patient every six months. Pharmacists retain the right to refuse to fill a prescription. The measure also directs the Insurance Department to study the effects of restricting opioid prescriptions on the claims paid by health insurance carriers and the out-of-pocket costs. The Oklahoma State Bureau of Narcotics and Dangerous Drugs Control is directed to create a report for the standing committees of the Legislature having jurisdiction over health and human services that monitors implementation of the provisions of this measure.

SB 876 (McCortney/Chad Caldwell) authorizes the State Board of Medical Licensure and Supervision to hire a physician as, or continue to allow the Board Secretary to serve as Medical Advisor. The Board is further directed by the measure to promulgate rules related to continuing education for licensees and provides for a non-disciplinary fine of up to

\$1,000.00 for any failure to comply with continuing education requirements.

SB 888 (David/Bush) creates the Program of All-Inclusive Care of the Elderly (PACE). The program shall provide options counseling for long-term care, including PACE programs, to persons who are eligible for nursing home care and 55 years of age or over. Such counseling must be given within 14 days of an emergency admission. Seniors located in a PACE area shall receive information related to PACE as an option for long-term care.

SB 1018 (Rosino/Hill) amends the Oklahoma Emergency Response Systems Development Act by authorizing stretcher vans to carry oxygen. The measure also prohibits the Commissioner of Health from adopting Federal Specification KKK-A-1822, which is the federal definition of an ambulance. Stretcher vans must meet Ambulance Manufacturers Division Standards 004, 012 and 013, and must pass corresponding safety tests.

SB 1019 (Hicks/Marti) authorizes pharmacists to refill prescriptions without an order as medically necessary to prevent the death of or serious harm to the health of a patient under certain conditions outlined by the measure. If a pharmacist dispenses medications to a patient who meets these conditions, the pharmacist shall not be held liable for any damages or subject to criminal prosecution. The State Board of Pharmacy is directed by the measure to develop and update an inclusionary formulary of potentially life-saving prescription medications and devices. The formulary shall not include dangerous controlled substances.

HB 1155 (Worthen/Standridge) authorizes practitioners to modify treatment plan review intervals for patients in a pain-management agreement with the practitioner if the patient remained in compliance with the agreement for at least one year. The provider is further authorized to issue prescriptions as needed under a modified agreement.

HB 1175 (Perryman/Coleman) authorizes the funeral director to amend a certificate of death within 60 days of the certificate's issuance, excepting the portion related to the medical certification of death. The director shall be responsible for any amendment fees.

HB 1279 (Lawson/Smalley) deletes provisions allowing a minor to demand a trial by jury in hearings to determine whether the minor needs



treatment for his or her mental health. The measure allows the judge to determine whether a jury shall be needed.

HB 1280 (Lawson/Haste) modifies the definition of “assisted outpatient” to include individuals placed in community-based structured crisis centers struggling to comply with mental illness treatment.

HB 2285 (Wright/Kidd) deletes certain specified quality indicators and data submission requirements as it relates to the Hospital Advisory Council promulgating specific methods as well as the requirement to publish an annual report on hospital performance.

HB 2334 (Sean Roberts/Quinn) creates the Maternal Mortality Review Committee. The Committee shall develop and coordinate a system of health services to decrease maternal mortality.

HB 2341 (Sean Roberts/Smalley) replaces the terms "mental retardation" and "mentally retarded" with "intellectual disabilities" or "intellectually disabled" as defined in statute. The term “community service provider” is updated to include providing services to elderly persons.

HB 2351 (Chad Caldwell/McCortney) directs the Governor to enter into the Interstate Medical Licensure Compact. The Compact shall develop a comprehensive process that complements the existing licensing and regulatory authority of state medical agency review boards.

HB 2517 (Tammy West/Rosino) authorize the Commissioner of Health to require general acute care hospitals to make electronic medical records of those patients who have been diagnosed with birth defects or poor reproductive outcomes available to the State Department of Health using remote computer access.

HB 2519 (Tammy West/Jech) adds personnel of the Department of Corrections or of any entity that contracts with the Department of Corrections to provide housing or services for inmates of the Department of Corrections, to the list of first responders who can administer opiate antagonists without a prescription.

HB 2591 (Echols/Allen) prohibits providers from receiving Medicaid reimbursements if they or any affiliate have failed to report statutory rape.

HB 2736 (Wallace/Thompson) repeals the requirement for the State Department of Health to produce a corrective action report.

## **Health Funding**

SB 1051 (Thompson/Wallace) directs a portion of the funds appropriated to the Oklahoma State Department of Health to be utilized in a certain manner. The measure stipulates that:

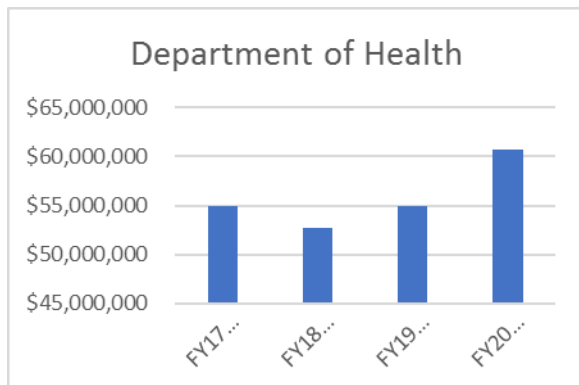
- 1) \$780,000.00 of the funds shall be used to enhance the funding at county health departments,
  - 2) \$758,247.00 of the funds shall be used to increase child immunization rates,
  - 3) \$2 million of the funds shall be used to implement the Choosing Childbirth Act,
  - 4) \$260,000.00 of the funds shall be allocated to the Childhood Lead Screening Program,
  - 5) \$830,000.00 of the funds shall be allocated to the Infectious Disease Prevention, and
  - 6) \$100,000.00 of the funds shall be used for the operations of the Oklahoma Athletic Commission.
- The measure directs \$1,900,000.00 to be disbursed to the health centers operating under the Public Health Services Act. This funding must be used to broaden access to health care and related services. The Commissioner of the State Department of Health may request an early transfer of funds to support cash flow.

HB 2735 (Wallace/Thompson) recalls \$30,000,000.00 previously appropriated to the State Department of Health. Of the money recalled, \$3.7 Million is returned to the General Revenue Fund, and \$26.3 Million is placed in the Special Cash Fund of the State Treasury.

HB 2758 (Wallace/Thompson) provides legislative intent for the use of \$5.5 million in FY-20 appropriations along with \$4.5 million in agency carryover funds for the purpose of constructing a new Tulsa facility in conjunction with the Oklahoma State University Center for Health Sciences.

HB 2767 (Wallace/Thompson) creates a fund for the deposit of \$29,360,748 in savings within the Medicaid program for future use should the state experience a reduction in the Federal Medical Assistance Percentage (FMAP).

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Department of Health	\$54,874,700	\$60,768,712	10.74%



### Health Care Authority Funding

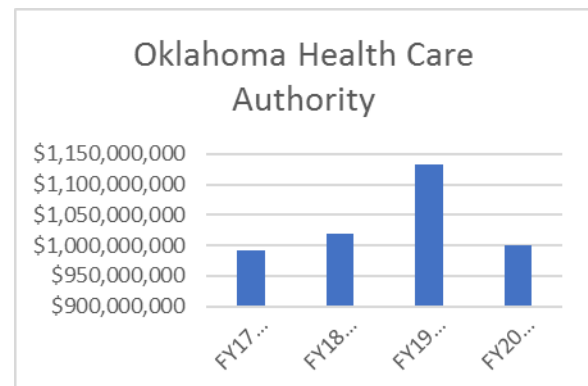
SB 1044 (Thompson/Wallace) directs the Oklahoma Health Care Authority to increase the reimbursement rate for SoonerCare-contracted long-term care facilities by 5% no earlier than October 1, 2019 after receiving approval from the Centers for Medicare and Medicaid Services. The increased rate must be paid for through administrative savings and efficiencies. All rate increases must comply with state and federal law. The measure excludes:

- 1) Services financed through appropriations to other state agencies,
- 2) Durable Medical Equipment Prosthetics, Orthotics, and Supplies,
- 3) Non-emergency transportation,
- 4) Services provided to Insure Oklahoma members,
- 5) Payments for drug ingredients/physician supplied drugs,
- 6) Indian Health Services/Indian Tribal/Urban Clinics and Federally Qualified Health Centers, and
- 7) Program for the All-inclusive Care for the Elderly and rural health centers.

SB 1044 also directs the Oklahoma Health Care Authority to revise the payment methodology for hospital-based rural health care clinics and the methodology of the Disproportionate Share Hospital Program. Savings achieved from revising the Disproportionate Share Hospital Program shall be distributed to qualifying rural-based hospitals. The measure authorizes the Administrator of the Oklahoma Health Care Authority to request an early transfer of funds to support cash flow, request for spending limitations in the event the Authority receives unanticipated federal funding, and to file a revised budget program with the Office of Management and Enterprise Services and the Appropriations Chairs of both the Senate and House. The Oklahoma Health Care Authority is further authorized to transfer funds from Fund 205 to Fund

340 to satisfy claims made to the Authority under the Supplemental Hospital Offset Payment Program Act.

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Health Care Authority	\$1,132,465,946	\$1,000,039,368	-11.69%

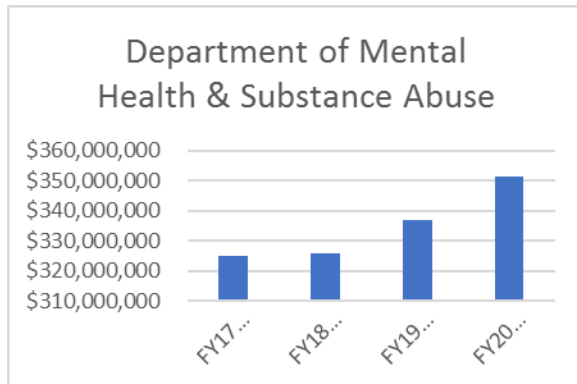


### Mental Health & Substance Abuse Funding

SB 86 (Simpson/McEntire) directs appropriated revenue provided to the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS) to be used in the following manner:

- 1) ODMHSAS shall spend \$10 million of appropriated monies for Smart on Crime,
- 2) ODMHSAS shall spend \$1.7 million of appropriated monies on program growth,
- 3) ODMHSAS shall spend \$500,000.00 of appropriated monies on suicide prevention,
- 4) ODMHSAS shall spend \$1.9 million of appropriated monies for asbestos abatement of the Griffin Memorial Hospital located in Norman, Oklahoma, and
- 5) ODMHSAS shall spend \$500,000.00 to establish a pilot program to provide for offenders incarcerated in county jails with evidence-based drug and alcohol treatment programs.

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Mental Health and Substance Abuse	\$337,108,145	\$351,218,376	4.19%



## Human Services

SB 75 (Simpson/Townley) updates references to the newly named Division of Services for the Blind and Visually Impaired of the State Department of Rehabilitation, formerly known as the Section of Services to the Blind (Visual Services) and deletes language requiring libraries to adhere to service standards required by the National Accreditation Council for Agencies Serving the Blind and Visually Handicapped.

SB 76 (Simpson/Townley) updates references to the Disability Determination Division of the State Department of Rehabilitation Services. The Division was formerly known as the Disability Determination Services of the State Department of Rehabilitation Services.

SB 77 (Simpson/Townley) directs the Commission for Rehabilitation Services to adopt a personnel policy allowing instructional and administrative personnel, except superintendents, at the Oklahoma School for the Blind and Oklahoma School for the Deaf to be paid for unused personal leave.

SB 141 (Simpson/Townley) requires the court to develop a permanency plan in coordination with the child placed in foster care. The child may designate an advocate and another individual to help him or her develop a permanency plan. The Department of Human Services may reject a child's chosen advocate if the Department has good cause to believe that the individual would not act in the best interests of the child. Additionally, the measure requires children leaving the foster care system at the age of 18 to be provided with documentation necessary to show that the child was previously in foster care. Additionally, the measure increases the minimum age at which a child is entitled to adult services whenever they are released from the Department of Human Services due

to the entry of an adoption decree or guardianship order from fourteen to sixteen.

SB 201 (Thompson/McEntire) defines "personal degradation" as it relates to the Protective Services for Vulnerable Adults Act. Personal degradation, as defined by the measure, is a willful act by a caretaker intended to shame, degrade, humiliate or otherwise harm the personal dignity of a vulnerable adult. Personal degradation does not include taking an image of a vulnerable adult in the course of an investigation, for the purpose of a diagnosis, or to report abuse. Abuse is also redefined to include personal degradation.

SB 318 (Simpson/Townley) defines "qualified residential treatment program" in the Oklahoma Children's Code to mean a trauma-informed treatment model that is designed to address the needs of children with serious emotional or behavioral disorders or disturbances and has registered or licensed nursing staff. The program, as defined by the measure, must also facilitate a variety of family-based programs.

SB 435 (Pugh/Miller) directs the Department of Human Services to require all Adult Protective Services (APS) specialists to receive training related to recognizing, treating, and securing individuals with cognitive impairment and dementia who may suffer from abuse and exploitation.

SB 512 (Floyd/Kannady) establishes grounds for district courts to set aside, reverse, or modify final orders of the Office of Administrative Hearings: Child Support. The appeals process will be guided by rules promulgated by the Oklahoma Supreme Court instead of the district courts.

SB 833 (Smalley/Davis) directs the Office of Child Abuse Prevention to include in its annual report to the Governor, President Pro Tempore, and Speaker of the House the number of individuals whose parental rights have ever been terminated and the number of children born to an individual whose parental rights have ever been terminated. Additionally, the measure requires the Department of Human Services to provide the State Department of Health access to the identifying information of all individuals who have had their parental rights terminated and the circumstances surrounding the termination. The Division of Vital Records must provide birth records of children connected to parents whose parental rights were terminated to the Office of Child Abuse Prevention. The Office or an appropriate division of the State Department of Health is required to review

the information provided and determine whether services should be offered to the family.

SB 1038 (Haste/Dollens) authorizes occupational therapy to be conducted via telehealth under the Occupational Therapy Practice Act. The measure defines teletherapy and telerehabilitation in the Act. Applicants for a license to practice occupational therapy must meet the standards of the Code of Ethics and licensure rules adopted by the State Board of Medical Licensure. The measure designates the National Board for Certification in Occupational Therapy as the provider of the examination form required of license applicants. The measure grants the Board greater flexibility in determining the licensing fees.

HB 1036 (Walke/Rosino) prohibits the court from appointing a parent whose parental rights were terminated as the guardian of a child if the prospective guardian is the parent of the child. The bill also prohibits DHS from considering any parent who has had his or her parental rights terminated to act as a guardian for a child in the Department's custody.

HB 1074 (Hill/Scott) requires the Department of Human Services to verify the applicability of the Indian Child Welfare Act within three months of an applicable child being taken into custody and must conduct a nationwide search to find a suitable household to place the child.

HB 1075 (Hill/Scott) requires the Department of Human Services (DHS) to conduct a physical, medical, mental health, and educational needs assessment on every child taken into its custody. Each assessment must be conducted at regular intervals while the child remains with DHS custody.

HB 1273 (Lawson/Stanley) authorizes the counsel of the Department of Human Services to represent the interests of the state in proceedings involving a child in the permanent legal custody of the Department with the consent of the district attorney. The measure also authorizes the child to request a restoration of parental rights of his or her parents three years after the rights were terminated and if a permanency plan for adoption or guardianship has failed. The measure also lowers the age a child may request the restoration from 15 to 14.

HB 1278 (Lawson/Rosino) requires reductions in planned services provided by a contracted community-based service provider, as defined by the measure, to be applied prospectively. Such reductions

shall not be applied retroactively and will not affect any prior authorized service.

HB 1309 (Stark/Stanley) defines "emotional support animal" and "therapy animal" and authorizes a public accommodation to adopt a policy that prohibits animals, excepting service animals, from entering the public accommodation. If such a prohibition is instated, the accommodation must post a sign in a conspicuous location outside the entrance of the accommodation.

HB 1427 (Loring/Shaw) exempts records relating to multidisciplinary child abuse teams from the Open Meetings and Open Records Acts and provides for the records' confidentiality.

HB 1993 (Nollan/Simpson) defines "family-style residential program," "family-style living program," and "least restrictive placement" within the Oklahoma Children's Code.

HB 2212 (Russ/Howard) requires the Department of Human Services to schedule the comprehensive visit to inspect and examine visit to a child care program with a capacity of 50 or more at least 50 days in advance.

HB 2270 (Josh West/Kidd) allows proceedings seeking to disprove the father-child relationship to be maintained at any time if the court determines that the mother committed fraud and genetic testing shows the child is not related to the presumed or acknowledged father.

## **Human Services Funding**

SB 953 (Smalley/Lawson) authorizes the Oklahoma Commission for Human Service to an advance payment equal to one half of the contracted amount to be spent on child advocacy centers at the beginning of the calendar year to freestanding teams that are functioning effectively from the Child Abuse Multidisciplinary Account.

SB 1052 (Thompson/Wallace) directs a portion of the funds appropriated to the Department of Rehabilitation Services to be utilized in a certain manner. The measure stipulates that:

- 1) \$992,819.00 of the funds be used for the maintenance of effort for Visual Services and Vocational Rehabilitation,
- 2) \$2,509,293.00 of the funds be used for capital improvements at the Oklahoma School for the Deaf,
- 3) \$156,000.00 of the funds be used for maintenance of the Oklahoma School for the Blind,

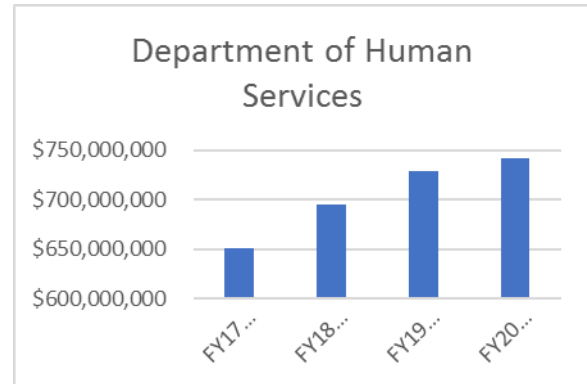
4) \$192,000.00 of the funds be used for the maintenance of the Oklahoma School for the Deaf, and  
 5) \$91,333.00 of the funds be used for a teacher pay raise.  
 The Director of the State Department of Rehabilitation Services may request an early transfer of funds to support cash flow.

SB 1057 (Thompson/Wallace) creates the OK Benefits Revolving Fund. The Director of the Department of Human Services shall provide a monthly report consisting of the balance and statement of encumbrances of the fund to Chair of the Appropriations Committee of the Senate and the Chair of the Committee on Appropriations and Budget of the House of Representatives. The monies in the fund shall be spent on the operation, maintenance, repair and replacement of the OK Benefits system at the Department of Human Services.

HB 2605 (Conley/McCortney) requires the court to determine whether a ward consents to hospice care during a guardianship proceeding.

HB 2610 (Echols/Smalley) directs the Director of the Bureau of Vital Statistics to forward the name, date of birth, date of death and other identifying information about children who died to the Oklahoma Commission on Children and Youth within 72 hours of receiving notice of the child's death. Findings of a child maltreatment medical review must be reported to the Oklahoma Commission on Children and Youth, the Department of Human Services, the law enforcement agency, and the child advocacy center or child abuse multidisciplinary team where the suspected maltreatment occurred and the Child Death Review Board.

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Department of Human Services	\$729,431,808	\$741,423,816	1.64%



## Insurance Measures

SB 274 (Paxton/McEntire) restricts the circumstances under which the Workers' Compensation Commission can levy an assessment against each private self-insurer and group self-insurance association. The measure requires the Self-insurance Guaranty Fund balance to fall below \$750,000.00 before the assessment is levied. The maximum rate is increased by the measure from 1% to 2% of actual paid losses of the self-insurer during the preceding calendar year.

SB 509 (Rader/Munson) requires any health insurance plan, benefit plan, or utilization review organization that delivers step therapy programs after January 1, 2020, to use recognized, evidence-based and peer-reviewed clinical practice guidelines when establishing any step therapy protocol. Health insurance carriers will also be required to provide clear guidelines as to how a patient may request an exception to restrictions implemented by a step therapy program. The form or process to request such an exception must be on the carrier's website. The carrier must grant the exemption if certain conditions are met and must respond within 72 hours of a request.

SB 704 (Smalley/O'Donnell) prohibits insurers from modifying, limiting, or charging different rates for life insurance, disability insurance or long-term care insurance to an individual solely because of the individual's status as a living organ donor.

SB 885 (Paxton/Sims) requires an Insurance Business Transfer Plan to include a listing and summaries of document reports, and other material information reviewed by an independent expert who reviewed the business transaction. Additionally, all material provided to the independent expert is to be considered confidential and shall not be subject to subpoena or discovery. The transferring insurer and

the assuming insurer are jointly obligated to pay any compensation related to the independent expert and any consultants retained by the independent expert.

SB 886 (Montgomery/McEntire) expands limited lines categories to include a license in self-storage facility insurance. An owner holding a limited lines license is exempt from the examination and continuing education requirements in this measure. Holders of the license may sell, solicit and offer coverage for self-service storage insurance. Locations offering self-service storage insurance will be required to display brochures or the materials to customers that provide information related to duplicative coverage, state that enrollment in an insurance policy is not required, provide the terms of insurance coverage, and contain other information. Employees may sell insurance policies and are not required to be licensed if the owner obtains a limited lines license or if an insurer provides a supervising administrator. Procedures are set out for billing and collection of insurance change. A location offering insurance shall also train its employees in compliance with the provisions of this measure. Upon the request of the Insurance Commissioner, the books and records of the owner regarding the self-service storage insurance shall be open to examination by the Insurance Commissioner. The Insurance Commissioner must provide at least ten days' notice.

SB 943 (Treat/McCall) redefines a "bona fide association" to mean any association that has a current form M-1 filed with and accepted by the United States Department of Labor showing Oklahoma as the state of operation. The measure excludes bona fide association health plans from the provisions of the Small Employer Health Insurance Reform Act and classifies such associations as considered a large group for purposes of application of the Oklahoma Insurance Code. The association health plan must meet certain requirements with respect to maintaining a nondiscriminatory policy, not excluding small businesses outside of the exceptions outlined by the measure, and delivering the health plan in a form proscribed by statute for group accident health plans. The plan must maintain an 80% retention rate or, failing that, correct the issue within twelve months or else be subjected to the provisions of the Small Employer Health Insurance Reform Act.

SB 948 (Rader/Martinez) defines "prior authorization" as it relates to dental services and prohibits dental service contractors from denying any claim submitted for procedures specifically included in a prior authorization or from requiring any

information be submitted for a prior authorization request that would not be required for submission of a claim. The measure provides exceptions for instances when the claim causes benefit limitations to be reached, documentation that fails to prove a claim is submitted, changes in condition or treatment occur, payment has already been delivered, or if another entity is responsible for payment. Dental service contractors must issue a prior authorization within thirty days of a request submitted by a dentist. The measure also amends health benefit plan coverage requirements for cases related to autism by allowing such plans to include services provided or supervised by a board-certified assistant behavior analyst.

SB 990 (Scott/Boles) requires any premium rate filing for a Medicare supplement policy to be filed with and approved by the Insurance Commissioner and communicated to the policyholder after September 1 but not later than October 30 of each year. Each increase will take effect on January 1 of each year.

SB 993 (Dahm/Moore) exempts short-term, limited-duration insurance (STLDI) policies from the provisions of the Health Insurance Portability and Accountability Act of 1996 and medical loss ratio calculations. STLDI is individual health insurance provided by an insurer that has an expiration date specified in the contract that is less than twelve months and has a duration of no longer than 36 months in total. The measure limits benefits for an STLDI policy. Applicants for the policy must be notified that the coverage may not contain one or more of the benefits mandated by Oklahoma law and must specify provided benefits. Individuals covered under an STLDI policy shall be issued an identification card indicating that the STLDI policy is a limited duration policy not subject to Affordable Care Act requirements.

SB 1010 (Quinn/Moore) requires the license of an insurance producer to include the licensee's physical residential address, physical business address, and preferred mailing address in addition to other identifying factors conveniently required by law. The measure also authorizes the Insurance Commissioner to penalize a licensee, including suspension or revocation, for a licensee's failure to respond to any inquiry from the Department within twenty days or for cause for which an original issuance of a license could have been refused. Licensees who no longer maintain a residence in this state are no longer required to return the license by mail. The measure authorizes the Commissioner to grant an extension to respond to an inquiry for up to seven additional days.

HB 1060 (McEntire/Quinn) expands the Oklahoma Life and Health Guaranty Association Act to include Health Management Organizations (HMO's) as member insurers in the association. Health care providers and enrollees must receive coverage under an association policy. Association policies are not subject to Oklahoma Children Health Insurance Plan (CHIP) or Medicaid payment obligations. The measure removes the maximum non-pro rata assessment amount for Class A assessments which can be charged to insurers and credited toward future insolvency. The measure also sets the Class B assessment for long-term care, 50% of which shall be allocated to accident and health member insurers and 50% of which shall be allocated to life and annuity member insurers.

HB 1157 (Worthen/Montgomery) prohibits health insurance plans issued after January 1, 2020, from restoring the method of payment from the health insurer or its vendor or the health maintenance organization to the health care provider to a credit card payment. The measure also provides that in the case of payment by electronic funds transfer, the insurer will notify the healthcare provider of any fees associated with the payment method and advise the healthcare provider of available payment methods. The measure limits fees on ACH payments. The measure directs the Insurance Commissioner to enforce violations of the measure.

HB 1335 (Sims/Stanislawski) creates the Protected Cell Companies Act. The measure provides a domestic insurer with the means, via protected cells, of accessing alternative sources of capital and achieving the benefits of insurance securitization or effectuating insurance business transfers. An insurer may create a cell only with the prior authorization of the Insurance Commissioner. Each cell must clearly outline specific business objectives and investment guidelines. The measure specifies that the creation of a cell does not constitute a legal person separate from the protected cell company. The measure outlines procedures and limitations of maintaining a protected cell.

HB 2190 (Sims/Paxton) requires audit committees to conduct an internal and external audit function. An internal audit function is defined by the measure and shall be appointed by the audit committee of an insurer or group of insurers. The measure provides for certain exceptions to the internal audit function requirement.

HB 2191 (Sims/Paxton) requires all insurers located in the state to disclose information related to corporate governing structures, policies, and practices to the Insurance Commissioner. The Corporate Governance Annual Disclosure (CGAD) must be submitted to the Commissioner no later than June 1 of each fiscal year. The CGAD and other information requested by the Commissioner shall remain confidential. The measure authorizes additional powers of the Commissioner in performing CGAD reviews.

HB 2424 (Moore/Stanislawski) removes the license exemption provided to Multiple Employer Welfare Agreements (MEWA) established at least five years prior to January 1, 1993. The measure also requires a MEWA to be a nonprofit and to be established by an association that has a current M-1 form filed with and accepted by the United States Department of Labor showing Oklahoma as the state of operations. The measure authorizes the chief executive officer of any governing association with a MEWA to verify the information contained in the annual financial report submitted to the Insurance Commissioner. The measure strikes specific language directing a MEWA to take corrective steps to prevent financial insolvency and replaces the language with a directive to take any steps necessary to prevent financial insolvency.

HB 2632 (Echols/McCortney) requires Pharmacy Benefits Managers (PBM's) to comply with the following coverage standards:

- 1) At least 90% of covered individuals residing in an urban service area must live within 2 miles of a retail pharmacy participating in the PBM's retail pharmacy network.
- 2) At least 90% of covered individuals residing in an urban service area must live within 5 miles of a retail pharmacy designated as a preferred participating pharmacy.
- 3) At least 90% of covered individuals residing in a suburban service area must live within 5 miles of a retail pharmacy participating in the PBM's retail pharmacy network.
- 4) At least 90% of covered individuals residing in an urban service area must live within 7 miles of a retail pharmacy designated as a preferred participating pharmacy.
- 5) At least 70% of covered individuals residing in a rural service area must live within 15 miles of a retail pharmacy participating in the PBM's retail pharmacy network.
- 6) At least 70% of covered individuals residing in rural service area must live within 18 miles of a retail pharmacy designated as a preferred participating



pharmacy Rural, suburban, and urban service areas are defined according to certain population density per square mile.

A PBM may not require patients to use pharmacies that are directly or indirectly owned by the PBM nor shall it include a list of providers unless the PBM lists all providers in its service area. The Oklahoma Insurance Department is directed by the measure to review and approve retail pharmacy network access for all PBM's as it relates to pharmacy network access standards. The Insurance Commissioner is empowered by the measure to examine and investigate into the affairs of every PBM to ensure compliance. Files and records of the PBM related to a particular complaint shall be subject to a motion by the Commissioner. Within 30 days of the Commissioner's request for records, a PBM must furnish a reply to the Commissioner. Records received in this manner are to be kept confidential. The measure directs the Commissioner to establish the Prescription Access and Affordability Advisory Committee to review complaints, hold hearings, and penalize violations, including license suspension, license revocation, or a fine not to exceed \$10,000.00. A PBM or representative of a PBM is prohibited from engaging in deceptive advertising, charging a pharmacist for the resolution of a claim, providing a smaller reimbursement to pharmacies under common ownership, denying a pharmacy the opportunity to participate in a network if the pharmacy accepts the terms and conditions of the network, imposing a monetary disadvantage to out-of-network pharmacies, denying or reducing reimbursement for a covered service claim after returning a paid claim, or failing to make any payment due to a pharmacy or pharmacist. Certain limitations are imposed on PBM contracts. Health insurers contracted with a PBM are directed by the measure to monitor or hire an entity to monitor all activities carried out by, or on behalf of, the health insurer as it relates to the provisions of the measure. PBMs and health insurers may not restrict a person's choice of in-network provider for prescription drugs, including mail-order pharmacies. A health insurer's pharmacy and therapeutics committee (P&T committee) must establish a formulary detailing a list of drugs used by practitioners to aid in the determination of greatest value for treatment. No person may serve on an insurer's P&T committee if he or she is currently employed or was employed within the preceding year by a pharmaceutical manufacturer, developer, labeler, wholesaler or distributor.

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

SB 113 (Bergstrom/McEntire) creates an exception to the prohibition on selling alcoholic beverages on credit. The holder of a Retail Wine License, Mixed Beverage License, or Retail Beer License may charge an individual's purchase of wine or beer to their account in lieu of cash payment at the time of purchase if the licensee is a private membership club, marina, golf course or country club that normally charges food, drinks and other purchases to the member's monthly dues account in the regular course of business. The measure declares the charging of a purchase to a member's account is not an extension of credit.

SB 115 (Bergstrom/McEntire) authorizes businesses operating on waterways within the state to sell alcoholic beverages on their commercial vessels. Holders of a commercial vessel beverage license must purchase their products from an authorized distributor or wholesaler and are subject to the excise tax associated with alcoholic beverage purchases.

SB 336 (Bice/Sean Roberts) defines the terms "winemaker" and "satellite tasting rooms" within the Oklahoma Alcoholic Beverage Control Act. Such rooms must provide wine produced by the holder of a winemaker or small farm winery license. The measure authorizes winemakers to obtain a separate satellite tasting license for each establishment up to two separate locations for the express purpose of allowing customers to sample their products. The fee for the license is \$100.00. The measure also provides for a small farm winery licensee to possess the same authority as a winemaker licensee.

SB 608 (David/Kannady) requires any wine or spirit that constitutes a top brand to be offered by the manufacturer for sale to every licensed wine and spirits wholesaler desiring to purchase the wine or spirit. A "top brand" wine or spirit is defined by the measure as the top 25 brands in total sales in the state during the past year. Wholesalers are required to submit a list of their top 30 brands of wines and spirits in sales to the Alcoholic Beverage Laws Enforcement (ABLE) Commission every 60 days via a sworn affidavit. The measure also requires wholesalers choosing to purchase top-brand wine or spirits to comply with line-item price posting requirements found in current law.

SB 728 (Leewright/Hilbert) authorizes the holder of a mixed beverage license which is also a restaurant or an on-premises beer and wine license to directly purchase wine and beer from a winemaker and a small brewer respectively. Additionally, such licensees may sell liquor for off-premises



consumption if the holder is classified as a golf club, marina, or country club according to the North American Industry Classification System (NAICS). The gross receipts tax on alcoholic beverages shall apply to all sales made on the holder's premises, whether those alcoholic beverages are intended for on- or off-premises consumption.

SB 801 (Bice/McEntire) authorizes mixed beverage or beer and wine licensees to permit a patron to exit the licensed premises with an open container of beer or wine if the act occurs between 8:00 a.m. to midnight on the day of a scheduled home football game of institutions within The Oklahoma State System of Higher Education and the location is within 2,000 feet of the institution, the licensee is participating by invitation in a municipally sanctioned art, music, or sporting event within city limits, or if the patrons remain on the connected and physical property of the licensee or in a public area adjacent to the physical property of the licensee with prior municipal approval and provided that certain notice is given. A list of invited licensees must be sent to the ABLE Commission at least five days prior to the event.

SB 805 (Bice/McEntire) requires the ABLE Commission to promulgate rules for employee license payment plans or recommend necessary legislative changes to allow for large corporate employers to pay for employees' alcohol licenses.

SB 813 (Bice/McEntire) creates a complimentary beverage license. The license authorizes the holder to provide certain amounts of alcohol free of charge to customers for consumption of the drink on the holder's premises. The license will not be granted to any holder of a license issued by the ABLE Commission other than an event license and shall only be issued to businesses which involve retail sales or provide services to its clients. 501(c)(3) organizations may qualify for the license as well. Holders of the license may not purchase from a wholesaler or distributor. Employees serving the drink shall be 21 years of age or older. The fee for the license is set at \$75.00.

SB 814 (Bice/McEntire) authorizes licensees licensed by the ABLE Commission to serve "tasting flights" to customers and exempts "tasting flights" from the general prohibition on serving a single customer more than one drink at a time. The serving size for each drink is limited to a certain amount based on whether the beverage served is beer, wine, or spirits.

SB 816 (Bice/McEntire) directs the ABLE Commission to provide notice of a denial for an employee license to the employer. The notice shall be given at the time notice is provided to the applicant.

SB 819 (Bice/McEntire) allows for the consumption of drinks served at a brewery outside of the serving area. Serving areas are defined by the measure as the area of the bar where drinks are sold, prepared and served to paying customers. The measure also adds cider and allows accompanied visitors under the age of 21 to be on the licensed premises, except in the serving area.

SB 906 (Bice/McEntire) authorizes brewers and manufacturers to manufacture cider. The measure defines "designated products", "designated wholesaler", and "nondesignated products." The measure provides that all manufacturers' licenses held by all brewers beginning October 1, 2018, will automatically convert to brewer licenses and be deemed effective as of the date of the first issuance of the manufacturer's license. Upon renewal of the license, brewers will need to obtain the appropriate brewers' license. All brewers, importers, brokers and others who sell beer or cider to distributors and wholesalers in Oklahoma must obtain a license to sell beer or cider within Oklahoma. The measure also authorizes holders of a beer distributor license to purchase and import beer or cider from authorized persons, sell on-premises beer and wine, donate beer and cider to organizations or nonprofits for certain events, and to transport wine, spirits, beer and cider in their own vehicles. A caterer license holder selling beer and wine must purchase the beer and wine sold from the distributor or wholesaler within the county in which the licensee will be selling the beer and cider. Wholesaler agents may not simultaneously hold a manufacturer's agent license. The measure also modifies provisions relating to the removal of stock and allows brewers with territorial distribution agreements to designate beer distributors. Beer distributors are authorized by the measure to park full trailers and Waymatics in the supplier area of temporary events for the purposes of pulling and selling product to special event, public event, caterer, on-premises beer and wine and mixed beverage licensees. No temporary event may last longer than 14 days. Beer distributors at such events are limited in the type of sales they may make at such events.

SB 936 (Bice/McEntire) creates a Charitable Collaboration Brewer License. The license authorizes a licensee to sell beer to beer distributors, qualified persons out-of-state, serve limited and free samples of the charitable collaboration beer to consumers on

the brewery premises, and purchase collaboration beer. The measure also authorizes charity collaboration beer licensees to utilize private labels or control labels for sale. Beers sold or sampled to individuals will be considered taxable. Sales and sampling may only occur between the hours of 10:00 a.m. and 2:00 a.m. along with other restrictions on consumption. Licensees who hold a brewery license may sell to retailers. Brewers must apply to the ABLE Commission for the license. The measure allows the production of wort and non-retail packaged alcohol products necessary for the development to be transferred-in-bond without taxation between charitable collaborating breweries. Transfer-in-bond is the transfer of alcohol products between breweries without being subject to a tax. The Oklahoma Tax Commission must abate taxes upon notice and application and only until the charitable collaboration beer is packaged.

HB 1024 (Tadlock/Coleman) authorizes certified peace officers to work as off-duty security at establishments engaged in the alcoholic beverage business.

HB 1030 (Burns/Hall) narrows the list of criminal offenses that prohibits a person from holding an employee license as it relates to alcoholic beverages to include only those convicted of violent offenses as defined in the Oklahoma Prison Overcrowding Emergency Powers Act. Violent crimes include assault, aggravated assault, intent to kill, murder, and other crimes.

HB 1315 (McEntire/Leewright) authorizes cork tainted wine to be replaced provided notice is given in writing within 90 days. The measure also defines prohibited inducements for a brewer and states several exceptions. When a licensee is audited by the Oklahoma Tax Commission and has maintained proper records, the next audit of the licensee will be limited to records maintained over the past year prior to such audit.

HB 1343 (McEntire/Coleman) creates a commercial passenger vessel beverage license and subjects the license holder to the same requirements found in an airline/railroad beverage license. The measure also changes “shall” to “may” as it relates to the ABLE Commission revoking the license of a licensee who knowingly sold alcohol to a person under the age of 21 years.

HB 1347 (McEntire/Bice) states that an employee of a beer distributor licensee shall not be required to possess a wholesaler’s agent license regardless of that

employee’s job responsibilities. Employees of beer distributors and other licensees holding licenses issued by the ABLE Commissioner are not required to have employee licenses if they only sell to licensed establishments and not to the public.

HB 1640 (Martinez/Pugh) authorizes churches to waive the 300 ft. set back requirement imposed on ABLE licensed establishments selling liquor, beer, or alcoholic beverages.

HB 2325 (McDugle/Bice) allows a person under the age of 21 to enter a licensed retail spirits location when accompanied by his or her parent/ legal guardian.

### **Judiciary/Court Measures**

SB 71 (Thompson/Wallace) requires the Board of Judicial Compensation to notify the Senate Pro Tempore, Speaker of the House, Chairs of both the Senate and House Appropriations Committees, and Governor of any recommended change to judicial salaries.

SB 204 (Thompson/Hilbert) modifies the definition of “charitable organization” in the Oklahoma Solicitation of Charitable Contributions Act to include a person representing himself or herself as a charitable organization or purporting to act as a charitable organization.

SB 236 (Daniels/Worthen) provides for the admissibility of laboratory reports from the Drug Enforcement Administration at hearings prior to trial or at a forfeiture hearing.

SB 275 (Daniels/Kannady) establishes procedures for a petitioner to obtain a judicial record of death. The measure applies to instances wherein a death certificate is needed to settle a property or financial interest for a person who has allegedly died twenty-five or more years ago. The State Registrar of Vital Statistics must determine certain requirements are met before a person may proceed with the petition for a death certificate. After providing the information required by the measure, the petitioner may file with a court to issue a final order.

SB 380 (McCortney/Worthen) authorizes the Administrative Office of the Courts to enter into a sole source contract or a contract with a person who is a part-time certified court reporter to retain a court reporter on behalf of district courts.

SB 415 (Newhouse/Dills) authorizes the court to hold juvenile competency hearings via videoconference.

SB 489 (Brooks/Walke) authorizes members of the State Board of Examiners of Certified Courtroom Interpreters to serve more than two terms in succession. Additionally, the Chief Justice may authorize other individuals to serve as Board members upon the Board's recommendation. Duties of the Board are modified. The measure further authorizes the Board to revoke the license of an interpreter that misrepresents credential status or violates other requirements and provides greater flexibility to the Board with regards to determining levels of interpreter credentialing standards.

SB 636 (Daniels/Kannady) requires all law enforcement agencies in the state to adopt policies and procedures related to electronic recording of a custodial interrogation of an individual suspected of homicide or a felony sex offense that is conducted at a place of detention. Policies must include the requirement to electronically record the entirety of the interrogation, the requirement to electronically record a defendant electing to sign a written statement, procedures for storing the recordings, and a statement of exceptions outlined in the measure.

SB 715 (Paxton/Kannady) creates the Protection from Workplace Harassment and Violence Act. The measure allows employers with an employee facing credible threats of violence or facing workplace harassment to seek relief under the provisions of the Act on behalf of the employee. The employer may file a written, verified petition with the district court of the county in which the employer is located for an injunction prohibiting workplace harassment. Any issuance of injunctive relief must comply with current provisions of law outlining the requirements for judgments made in civil cases. Employers are provided with immunity from civil liability for seeking or failing to seek an injunction.

SB 722 (Pemberton/Lawson) requires a court-appointed special advocate to submit to a child welfare records search conducted by the Department of Human Services.

SB 798 (Daniels/Kannady) requires law enforcement agencies to adopt policies related to eyewitness identification procedures. The measure requires photo arrays and live lineups to be conducted using a blind administrator or a technique of blinded administration as well as fillers to be provided that match the witness's description of the suspect. Eyewitnesses must also be informed that the suspect

may or may not appear in the lineup or photo array. Upon identifying the suspect, an eyewitness must state his or her certainty in the suspect's identity. Eyewitness identification procedures must also include policies related to record keeping and conducting a show-up procedure only when a suspect is detained within a reasonably short time frame following the offense.

SB 915 (Rosino/Kannady) creates the Remote Online Notary Act. The measure authorizes notary publics to certify electronic documents. The notary is required to verify that the document is in a tamper-evident format and contains no signature related errors. The notary must also personally print the paper and ensure no changes are made other than indicating the document is certified by the notary. The certified document may then be submitted to state or county officials if a certified document is required. This measure does not apply to a plat, plan, map, or survey of real property in certain circumstances. Nothing in the measure authorizes a notary to take testimony, certify transcripts, or otherwise exercise any authority of a certified or licensed shorthand reporter. The Secretary of State (SOS) is directed by the measure to promulgate rules governing electronic document certification. The rules will address what tools may be used to validate documents, storage of electronic documents, creating forms for remote online notarizations, and other matters deemed necessary by the SOS. The SOS may use national entities for guidance. The rules may be amended or repealed. Notaries must register with the SOS to receive authorization to conduct remote notarization and pay a fee of \$25.00 to the Secretary's office. Applicants must submit a form containing information as required by the measure. Submitted notarizations may be denied by the SOS if the SOS deems the technology insufficient or if the notary violated any rule promulgated under this measure or if the notary violated current laws and rules governing professional behavior. A notary public renewing his or her commission shall also constitute a renewal of his or her authority to notarize electronic documents. A notary public shall maintain a journal in a permanent, tamper-evident electronic format complying with standards promulgated by the SOS in which the notary public chronicles all remote online notarial acts that the notary public performs. The notary public is further required to create an audio and visual recording of the performance of each remote online notarial act. The measure also provides for procedures to follow upon certain termination of the notary public's commission.

SB 933 (Young/Kannady) authorizes contracted providers to participate as supervisors in the district attorney supervision program. Compensation will be paid directly to the provider.

SB 958 (Floyd/Kevin West) clarifies that the testimony of an expert witness during an action in a court of this state related to domestic abuse may include, but not be limited to, the effects of such domestic abuse on the beliefs, behavior and perception of the abused.

SB 962 (Howard/Pfeiffer) grants immunity from civil liability to the state and its political subdivisions for the installation or maintenance of cattle guards or other similar devices.

SB 977 (Floyd/Walke) allows the court to appoint a guardian of a child without a background check in emergencies. The measure also authorizes the court to receive an Oklahoma State Bureau of Investigation name-based criminal history background check in lieu of a fingerprint-based criminal background check.

SB 989 (Floyd/Baker) directs the Oklahoma Bar Association to develop a standard operating manual for guardians ad litem and a guardianship and conservatorship handbook. The Administrative Office of the Courts shall provide access to the handbook via a link through the Oklahoma State Courts Network (OSCN).

HB 1092 (Osburn/Pugh) provides clarifying language with respect to awarding attorney fees in uncontested cases in small claims procedures.

HB 1102 (Osburn/Daniels) modifies the definition of a “crime victim” to include persons harmed by a delinquent act or proximately harmed by the commission of a crime or delinquent act. The measure excludes the accused or a person whom the court finds would not act in the best interests of a person who is deceased or incompetent, a minor or an incapacitated victim from the term. The measure also modifies the notification requirements related to criminal victim rights.

HB 1260 (Hilbert/Leewright) directs the Department of Labor to retain \$30,000.00 of monies accruing to the credit of the Department of Labor Administrative Penalty Revolving Fund to spend on the production and dissemination of workplace safety educational materials, for workplace safety educational presentations and training, or for the acquisition of workplace safety equipment.

HB 1269 (Dunnington/Bice) authorizes persons convicted of a nonviolent offense that was designated as a misdemeanor after his or her conviction to petition for expungement. The measure additionally requires the petitioner to meet certain conditions prior to filing for expungement and empowers the Pardon and Parole Board to make certain recommendations to the Governor related to the motion. The Department of Corrections must certify a list of potentially eligible inmates to the Pardon and Parole Board by December 1, 2019.

HB 1222 (Perryman/Howard) states that in the event a recorded conveyance of nonhomestead property has been executed by a married grantor without being joined by his or her spouse, the conveyance is to remain a valid conveyance of marketable title if certain instruments are placed on record.

HB 1881 (Fetgatter/David) directs the court to issue orders prohibiting a person convicted of certain crimes from contacting a victim or the family of the victim.

HB 1909 (Boles/Montgomery) authorizes persons recovering monies on behalf of a minor in civil court proceedings to deposit all or a portion of the recovered funds in an account pursuant to the Oklahoma College Savings Plan Act on behalf of the minor.

HB 1910 (Boles/Paxton) requires other service providers, including health providers, to suspend debt collections for any person who files a claim with the Crime Victims Compensation Board.

HB 2091 (O'Donnell/Leewright) creates two new positions on the Domestic Violence Fatality Review Board. The newly created members must be an American Indian survivor of domestic violence, selected from a list of three names submitted by the Native Alliance Against Violence.

HB 2260 (Kerbs/Weaver) provides for victims of rape, forcible sodomy, a sex offense, kidnapping, assault and battery with a deadly weapon, or an immediate family of a victim of first-degree murder petition for an emergency temporary order or emergency ex parte order.

HB 2366 (Kannady/Daniels) modifies the boundaries of the Court of Criminal Appeals and Supreme Court districts beginning July 1, 2020, to be the boundaries of the five Oklahoma Congressional Districts as of January 8, 2019.

HB 2367 (Kannady/Daniels) makes changes to the Administrative Workers' Compensation Act by amending exclusions to "compensable injury" to require the collection of a biological specimen to determine if a worker was injured due to alcohol or drug use and modifies exclusions of "employee" to include persons related within the second degree by blood or marriage. The measure strikes language excluding employers with an employee benefit plan from the definition of "employer." The measure specifies that employers shall pay for the accidental injury or death of an employee arising out of his or her employment if the employee's contract of employment was made in this state or if the injury occurred within this state. The measure extends the jurisdiction of the Administrative Workers' Compensation Act to include all lands and premises within the exterior boundaries of the state. The measure deems notices sent by facsimile, electronic mail, or other electronic means as an acceptable method to provide notice for billing purposes. The measure excludes communications between the Commissioners of the Workers' Compensation Commission from the provisions of the Oklahoma Open Meeting Act or Oklahoma Open Records Act if the communications reflect the pre-decisional deliberations of the Commissioners among each other or with Commission staff. The measure requires the Commission to comply with the Administrative Procedures Act and strikes current language governing the Commission's rule making process. The Commission is authorized by the measure to establish a petty cash fund that shall not exceed \$500.00. The measure removes the Commission's responsibility to oversee the Multiple Injury Trust Fund and the requirement for the State Treasurer to transfer sufficient funding to administrate the fund. The measure further authorizes the Commission to institute collection proceedings independently or in district court upon a penalty becoming a final rule and places a cap of \$50,000.00 for employers who fail to secure payment of compensation for the first violation. The measure authorizes the Commission to disclose certain information to an employee if the employee is named in the report. Compensable injuries for temporary partial disabilities are capped at the temporary total disability rate. The measure bars the Oklahoma Supreme Court from reversing or vacating a decision or award made by the Commission unless certain conditions are met as outlined by the measure. The measure repeals sections related to the Workers' Compensation Fraud Investigation Unit Funding Report, Workers' Compensation Commission Annual Published Report, and exceptions to the limit on benefits for

employees' absence from scheduled treatment appointment, and repeals the Oklahoma Employee Injury Benefit Act.

HB 2468 (Dunnington/Howard) creates the Oklahoma Gestational Agreement Act. The measure allows women to enter into an agreement to become pregnant with the genetic child of one or more intended parents and/or donors. A carrier must be at least 21 years of age, have given birth to one child, have been a resident of Oklahoma for at least 90 consecutive days, and completed physical and mental medical evaluations. The measure limits the parties of a gestational agreement to the carrier, carrier's spouse if applicable, and each intended parent of a child. No person in the United States illegally may be a party to a gestational agreement. Any gestational agreement must be in writing and comply with certain procedural provisions established by this Act.

HB 2393 (Vancuren/Rosino) allows landlords to mail a notice of termination as it relates to a person's tenancy through the Firm Mailing Book for Accountable Mail system.

HB 2395 (Strom/Montgomery) authorizes landlords to dispose of abandoned property left around the abandoned dwelling unit.

HB 2399 (Mize/Pugh) authorizes landlords to terminate or decline a lease agreement upon discovering incomplete or false information as it relates to the tenant disclosing a felony conviction.

## Judiciary Funding

SB 349 (Thompson/Wallace) modifies the method of salary appropriation for court reporters. The measure subjects court reporters to the salary schedule established by the annual appropriation for the district courts and Corporation Commission.

SB 694 (Thompson/Kannady) eliminates the \$5.00 fee for dispute resolution fees and associated court costs. The measure creates the Dispute Resolution System Revolving Fund, which shall be comprised of the funds collected from the \$7.00 fee and associated court costs in all civil cases. Monies from the Fund shall be expended to perform the duties imposed upon the Supreme Court to administer the Dispute Resolution Act by law. Additionally, the measure redirects the \$0.45 apportionment of the \$2.00 fee from the State Judicial Revolving Fund to the Supreme Court Revolving Fund.

SB 731 (Leewright/Tammy West) changes the approving authority related to providing appraisal exam standards and grading appraisal exams from the Appraisal Subcommittee to the Appraisal Qualifications Board of the Appraisal Foundation. The Board may send material to an individual's address of record if the Board is serving an order. The measure amends the definition of "appraisal management company (AMC)" to exclude divisions of an entity solely providing its services to that entity. The measure also adds new definitions to the Oklahoma Appraisal Company Regulation Act. "Appraiser panel" is amended to require the approval of an AMC for appraisers on the panel and performs appraisals as an independent contractor for the AMC. The measure modifies exemptions to the Oklahoma Appraisal Management Company Regulation Act to exclude individuals that maintain fifteen or fewer employees in Oklahoma or twenty-four or fewer employees in two or more states who are credentialed appraisers in good standing or independent contractor credentialed appraisers in good standing. AMC's are prohibited from requiring an appraiser to reimburse them for the Appraisal Subcommittee's Appraisal Management Company National Registry fee. Federally regulated AMC's are required to report to the Real Estate Appraiser Board the information required to be submitted by the Real Estate Appraiser Board to the Appraisal Subcommittee of the Federal Financial Examinations Council (ASC). The Board will then submit the information to the ASC.

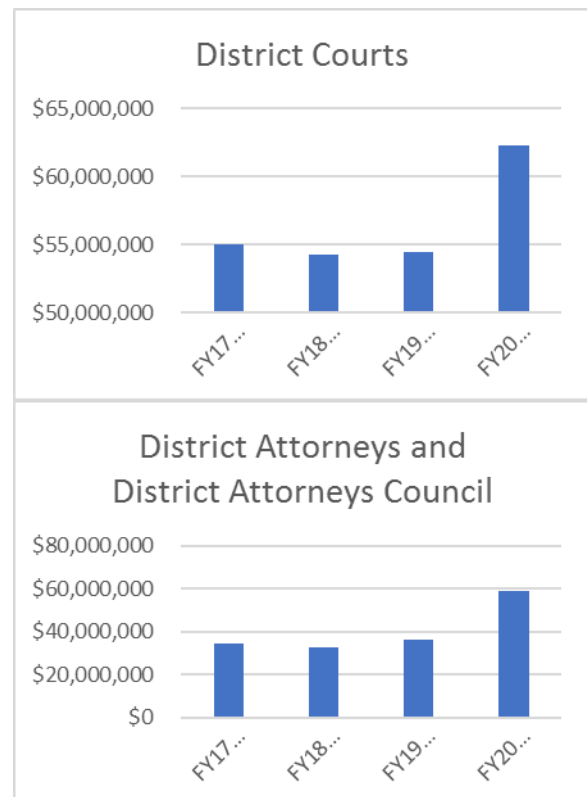
SB 1068 (Thompson/Wallace) directs district attorneys to deposit any fees collected by their office in the General Revenue Fund. The fees include changes for district attorney supervision, deferred sentences, and sentencing.

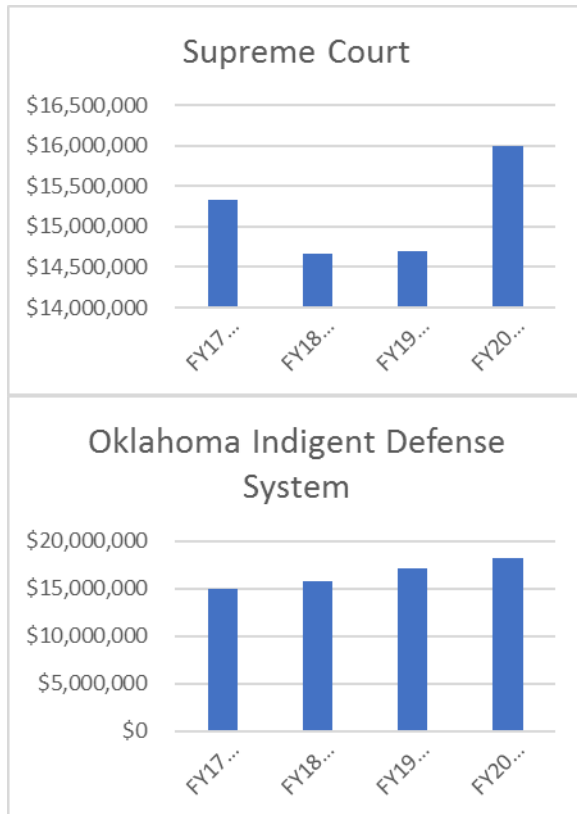
HB 1091 (Osburn/Smalley) creates the Court Clerk's Records Management and Preservation Fund. Monies from the Fund shall be spent to preserve, maintain, and archive court records of county districts. The Fund shall receive revenue from an additional \$10.00 fee imposed on civil court case filings. The fee shall only be collected through November 1, 2023. Court clerks must compile a monthly report on the collections and expenditures of the fund and present the report to the board of county commissioners.

HB 2737 (Wallace/Thompson) appropriates a \$2.5 million supplemental from the General Revenue Fund to the Supreme Court to be utilized for the district courts' duties.

HB 2770 (Wallace/Thompson) sets the minimum salary for court reporters at \$42,410.00 per year.

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
District Courts	\$54,422,613	\$62,288,829	14.45%
District Attorneys and District Attorney Council	\$36,073,093	\$58,779,782	62.95%
Supreme Court	\$14,698,223	\$16,001,447	8.87%
Oklahoma Indigent Defense System	\$17,128,633	\$18,237,878	6.48%





the Board. Active duty military spouses may qualify for a temporary license if they meet the requirements for licensure. The measure requires dentists, dental assistants, hygienists, and oral maxillofacial surgery assistants to complete certain continuing education requirements beginning July 1, 2019, and ending June 30, 2021. A dental assistant holding an out-of-state permit may apply for reciprocity if he or she otherwise meets the requirements for licensure in the state and if he or she meets certain requirements outlined in the measure. The measure establishes a fee for a Dental Assistant with Expanded Function(s) by Credential at a minimum of \$75.00 and a maximum of \$150.00. Newly licensed dentists are required by the measure to complete an approved two-hour course on opioid and scheduled drug prescribing. The Board of Dentistry may revoke or suspend the license of a licensee if he or she fails to complete the two-hour course within one year of obtaining a license or for violations related to controlled substances. The Board may also refuse to grant a license to any person convicted of any crime requiring said person to be registered as a sex offender, any violent crime, Medicaid fraud, insurance fraud, identity theft, or embezzlement. The measure also increases the cap on the amount of meetings the Board may annually hold from four to six.

## Professions & Occupations

SB 422 (Dugger/Kevin West) modifies the definition of “designated manager” in the Oklahoma Accountancy Act to include the requirement that the manager be an Oklahoma certified public accountant or public accountant. The measure changes the application fee for certification into a nonrefundable fee, increases the maximum fee for the restoration of a certificate or license that occurs one year after the renewal date from \$600.00 to \$5,000.00, and increases the application fee for an individual permit from \$100.00 to \$200.00.

SB 603 (Montgomery/Josh West) amends the State Dental Act. The measure adds acceptable examinations for an applicant to receive a license to practice dentistry to include the Central Regional Dental Testing Service (CRDTS) examination and requires all tests to include specific components outlined in the measure. The State Board of Dentistry may affiliate as a member state, and accept regional exams including the CRDTS or Western Regional Examination Board (WREB) tests. Additionally, the definition of “residencies” is modified to include programs recognized by the Commission on Dental Accreditation of the American Dental Association or

SB 664 (Pugh/Osburn) defines “mechanical or electronic security devices” in the Alarm, Locksmith and Fire Sprinkler Industry Act to include access control systems for alarm, security, fire sprinkler, and video surveillance systems. The measure renames the Alarm and Locksmith Industry Committee to the Alarm, Locksmith and Fire Sprinkler Industry Committee. No person may engage in the fire sprinkler business without obtaining a license under the Act.

SB 670 (Pugh/McCall) authorizes active duty military personnel and their spouses to request in advance a temporary, reciprocal occupational license from the state upon receiving orders to discharge or transfer to Oklahoma. State agencies, commissions, and regulatory authorities are directed to ensure the applicant for a temporary license possesses the equivalent education, training, and experience with a valid license or certification from another state within thirty days of receiving the request. Procedures are outlined for an agency, commission, or regulatory authority to deny an application. Additionally, the measure requires state entities to waive the application fee for qualifying military veterans. The temporary license may be continually renewed.

SB 737 (Leewright/Newton) amends “professional service” to include services provided by a certified real estate appraiser in the Professional Entity Act.

HB 1057 (Standridge/Kiger) creates the Psychology Interjurisdictional Compact. The Compact regulates the day-to-day practice of telepsychology and authorizes state psychology regulatory authorities to recognize psychologists located in another state.

HB 1094 (Osburn/Smalley) eliminates the licensing requirements for vehicle salespersons. Salespersons may obtain certification to sell a motor vehicle through the Used Motor Vehicle Commission or Motor Vehicle Commission.

HB 1095 (Osburn/Smalley) changes the test method used to determine whether a laborer is an employee or independent contractor by requiring the Oklahoma Employment Security Commission to utilize the 20 step-factor test used by the Internal Revenue Service.

HB 1107 (Kevin West/Leewright) specifies that the cost of transferring a defendant shall be based on Internal Revenue Service mileage rate and borne by the bondsman unless a contracted transport company is used. The measure also exonerates the bond involved in any case wherein charges are added or amended.

HB 1373 (Tyler/Daniels) requires state entities charged with regulating and issuing occupational licenses to list with specificity any criminal offense that is a disqualifying offense for such occupation. Listed criminal offenses must substantially relate, as defined in the measure, to the responsibilities of the occupation. Persons with a criminal history may request an initial determination of whether his or her criminal history record would potentially disqualify him or her from obtaining the desired license or certification in the occupation from a state licensing or certification authority at any time. The licensing authority receiving the request must respond within 60 days unless the licensing authority regulates more than 50,000 individuals, in which case, the authority must respond within 90 days. The measure authorizes the regulating authority to charge a determination fee to requestors and caps the determination fee at \$95.00. Additionally, the measure updates statutes regulating various licensed or certified occupations to reflect the change.

HB 2088 (Hill/Montgomery) deletes “agency” from the term “report writer,” and deletes language requiring the Construction Industries Board to

establish a method for prorating license fees to coincide with the birth date of the licensee.

HB 2195 (Randleman/Floyd) directs the Oklahoma Tax Commission to notify any psychologist who fails to remain in compliance with Oklahoma’s income tax laws. The measure outlines the required contents of the notification and authorizes the Tax Commission to garnish the psychologist’s wages.

HB 2571 (Sean Roberts/Pugh) authorizes the State Board of Medical Licensure and Supervision to require initial license applicants under the Physical Therapy Practice Act to submit a full set of fingerprints and to conduct state and national criminal history checks.

### **Public Safety, Motor Vehicles, and Licenses**

SB 19 (Pemberton/Newton) modifies the display and proof of identity required to obtain a REAL ID compliant driver license and non-compliant license. The measure also states that an applicant’s address and proof of principal residency will only be displayed on REAL ID compliant driver licenses and identification cards.

SB 24 (Bergstrom/Steagall) amends the definition of a handgun within the Oklahoma Self-Defense Act to exclude any firearm with an overall length of 26 inches or more. The measure also amends the definition of a shotgun to allow barrels with a length of less than 18 inches provided the overall length of the firearm is 26 inches or more. The definition of sawed-off-shotguns excludes firearms with an overall length of 26 inches or more. Both definitions of a shotgun and sawed-off-shotgun are amended to simplify the use of propellants to only include a combustible propellant charge. The definition of pistols or handguns is also amended to reflect the definition of such firearms found in the Oklahoma Firearms Act of 1971. The measure permits the possession of a sawed-off-shotgun or any other firearm in the state provided the weapon is classified as an antique or is lawfully possessed under federal law. Possession of any “firearm” that is not classified as such under the National Firearms Act is also permitted by the measure.

SB 29 (Shaw/Wright) removes the mandated salary and qualifications of the Deputy Director of the Oklahoma State Bureau of Investigation. Current law requires the Deputy Director to possess the same qualifications as the Director and mandates that they



receive 95% of the Director's salary. The measure also amends the basis of salary levels of OSBI employees. Instead of basing the salary off of the State of Oklahoma Total Remuneration Study of 2013, the salary of OSBI employees will be based solely on the recommendations of the Human Capital Management Division of the Office of Management and Enterprise Services.

SB 30 (Shaw/David Hardin) authorizes the Director of the Oklahoma State Bureau of Investigation (OSBI) to investigate and detect criminal activity related to files, records, assets, properties, buildings or employees of the OSBI. Nothing in the measure prevents criminal investigations conducted by the sheriff of the county or any law enforcement agency of competent jurisdiction.

SB 83 (Simpson/Townley) strikes language requiring the Commissioner of Public Safety to collaborate with the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control when designing commercial drivers' license training regimens. The measure also authorizes the Commissioner to utilize or establish industry specific materials for use in the instruction required on the recognition, prevention and effective reporting of human trafficking for people training to obtain a commercial driver license.

SB 89 (Howard/Ortega) directs drivers to change into lanes that are not adjacent to the lane in which a stationary vehicle is displaying flashing lights.

SB 163 (Pugh/Long) broadens the population of sex offenders required to report to the statewide centralized hotline of the Department of Human Services. Current law specifies that the offender be the parent, stepparent, or grandparent of a minor before they are required to report to the hotline. The measure strikes these specific terms and broadens the requirement to include any sex offender residing with a minor child.

SB 166 (Standridge/Kannady) adds specific compounds of fentanyl, PCP, Isopropyl, Phenibut, and N-ethyl hexadron to the Schedule I list of controlled substances. The measure also adds tianeptine to the list of Schedule II substances. Any material, compound, mixture or preparation that contains any quantity of the listed Schedule I or II substances are to be designated as a Schedule I or II substance.

SB 184 (Shaw/Bush) clarifies that DNA collections must be collected by trained medical personnel, law enforcement, tribal police officers, and employees or

contractors of these organizations. Individuals with DNA already on file are, under this measure, no longer exempt from additional testing. The measure authorizes the storage of DNA collected under a plea agreement. Samples must be submitted to the Oklahoma State Bureau of Investigation. DNA collectors are prohibited from disclosing or divulging information related to DNA collections except to federal, state, county or municipal law enforcement or criminal justice agencies. The measure also authorizes detention facilities and detention facilities of a federally recognized American Indian tribe to collect DNA if they utilize Rapid DNA technology and if the collected sample is used for DNA matching or identification. Samples collected in a detention facility must be discarded after test is concluded.

SB 186 (Shaw/Worthen) sets the fee for presentence investigations between \$50.00 and \$500.00. Current law authorizes the Department of Corrections to receive between \$5.00 and \$500.00 as determined by the court. The court may reduce the amount owed to the Department in hardship cases. This fee will apply to those who have a prior felony on their record and are convicted of another felony and entered a plea of no contest, guilty, or not guilty.

SB 224 (McCortney/Johns) authorizes the Council on Law Enforcement Education and Training (CLEET) to require public employees with access to certain records prescribed in the measure to submit to a criminal history search and fingerprint collection conducted by the Oklahoma State Bureau of Investigation. CLEET will receive the results of the criminal history search. The measure also authorizes CLEET to deposit fee collections for the use of its personnel for training purposes into the C.L.E.E.T. Peace Officer Revolving Fund.

SB 235 (McCortney/Johns) changes the late fee associated with license renewal for bail enforcers into a nonrefundable fee. Additionally, any license application received by the Council on Law Enforcement Education and Training (CLEET) more than thirty days after the expiration date will be deemed nonrenewable. The measure also allows records pertaining to final orders related to administrative proceedings and documentation requested by CLEET from the applicant or licensee to complete the application process to be disclosed. SB 235 further requires applicants for an armed private investigator license to submit to the Minnesota Multiphasic Personality Inventory or any other psychological evaluation approved by CLEET. CLEET is prohibited from issuing a license renewal for any license permitting a person to carry a firearm

if the person has been involuntarily committed for a mental illness. CLEET is also authorized to issue conditional licenses to unarmed security guards or private investigators pending a background investigation and the person completed all required application procedures. Conditional licenses may be withdrawn at CLEET's discretion and must clearly display that the holder is not allowed to carry a firearm.

SB 259 (Pemberton/Ford) authorizes all state agencies approved to receive photographs by the Oklahoma Law Enforcement Telecommunications System (OLETS) or National Law Enforcement Telecommunications System (NLETS) to obtain said images through OLETS or NLETS one inquiry at a time.

SB 365 (Bergstrom/Martinez) creates the Oklahoma Driving Automation System Uniformity Act. The measure preempts local laws and asserts that only the State may enact laws or regulations regarding the use of motor vehicles equipped with driving automation systems in Oklahoma. The measure defines "driving automation system" and "dynamic driving task."

SB 448 (Quinn/Manger) authorizes the State Commissioner of Health to issue identification documents to a law enforcement officer or agent as another person for the sole purpose of aiding in a criminal investigation or a military or intelligence operation.

SB 516 (Bice/Fetgatter) repeals the requirement for the Oklahoma Tax Commission to provide information to the Oklahoma Motor Vehicle Commission, Oklahoma Used Motor Vehicle and Parts Commission, and every person and business licensed by the Oklahoma Motor Vehicle Commission or Oklahoma Used Motor Vehicle and Parts Commission related to state laws and rules and regulations concerning motor vehicle titles and motor vehicle inspections.

SB 615 (Pugh/Ford) authorizes the Oklahoma Highway Patrol Division of the Department of Public Safety, the Oklahoma State Bureau of Investigation, and the Oklahoma Department of Corrections to establish a one year commitment program for positions deemed critical to public safety. Funds of the agencies may be used to pay salaries or tuition and subsistence for employees in training programs associated with critical positions. Employees will not bear the costs associated with training for these positions; instead, they will repay the costs by remaining in employment with the agency for at least

one year. Those who fail to serve the required term or who have been terminated prior to the obligation being fulfilled will be liable for the costs associated with the program.

SB 635 (Allen/Taylor) extends the authorized time retailers may sale fireworks to the first Sunday after July 4 or July 6, whichever is later.

SB 656 (Paxton/Martinez) strikes the requirement for the Council on Law Enforcement Education Training to provide a minimum of four hours of training in oil field equipment theft to law enforcement.

SB 658 (Weaver/Ford) limits the Council on Law Enforcement Education and Training approval of the operation of basic law enforcement academies in the state to two per year for counties with a population less than 500,000 or municipalities with a population less than 65,000 people.

SB 679 (Weaver/Kannady) authorizes law enforcement organizations to request a county assessor to withhold from the public the personal information of undercover law enforcement officers and covert law enforcement officers. The official requesting confidentiality must obtain an order of a court that requires the county assessor to maintain confidentiality of the undercover officer's personal information.

SB 708 (David/Echols) authorizes the city council or board of trustees to designate personnel who have been issued a handgun license to attend an armed security guard training program or reserve peace officer certification program. Participation is voluntary. The governing body of the city or municipality may also pay the costs for attending the training program. Any employee who completes the training program in a reasonable and prudent manner shall be immune to civil and criminal liability arising from an injury related to firearms on city property. Each governing body is authorized by the measure to enter into a memorandum of understanding with local law enforcement entities.

SB 709 (David/Echols) renames the Assistant Commissioner of the Oklahoma Department of Public Safety into the Chief of Administration. The Chief of Administration shall be required to participate in the Oklahoma Public Employees Retirement System if the participant is not eligible or chooses not to participate in the Highway Patrol Division in the Oklahoma Law Enforcement Retirement System.

SB 711 (Weaver/Humphrey) modifies the definition of a “criminal street gang” to include a group of people that solicits or induces a person to commit an act of prostitution, engages in human trafficking, or possesses a firearm after a former conviction of a felony. Additionally, the measure stipulates that persons convicted of child prostitution or human trafficking for commercial sex shall be registered under the Sex Offenders Registration Act.

SB 712 (David/Kannady) modifies driver license revocation procedures. A person under the age of twenty-one with any alcohol in his or her system or a person with a blood or breath alcohol concentration of 0.08 or more shall have his or her license revoked for a minimum amount of time, but shall have the option to enter the Impaired Driver Accountability Program in lieu of revocation. The fee for entering the program was set at \$200.00 in previous law. The measure also provides for the result of a test to be admissible in all civil actions, including administrative hearings regarding driving privileges. The measure decreases the time period for the first revocation from one year to 180 days and the license may be modified upon request provided the license in question is a Class D driver license. Any person requesting a license modification must submit the request within thirty days after notice of revocation has been served. Persons requesting a sentence modification must install an ignition interlock device for a period of no less than 180 days on the first offense. The measure also decreases the period of time for a person convicted on a second, similar offense from two years to one year. A person may request the license to be modified, but shall be required to install an ignition interlock device. A person convicted a third time shall receive a longer suspension period, increased from two years to three years, but the person may request a modified license provided he or she installs an ignition interlock device for a period of no less than three years. A person is subject to suspension if the Department of Public Safety notes a prior revocation and completion of the Impaired Driver Accountability Program on the driver’s record. The Department of Public Safety may extend the period of ignition interlock if a person attempts to operate the vehicle while under the influence. The measure creates procedures to refer defendants to a licensed physician for further evaluation and a possible prescription related to medication-assisted treatment for alcohol or opioid dependence.

SB 967 (Floyd/Echols) directs the Criminalistics Services Division of the Oklahoma State Bureau of Investigation to develop a statewide electronic

tracking system for evidence collection kits used to collect and preserve evidence of a sexual assault. The Division Director of the OSBI Crime Laboratory will oversee the system and ensure that untested sexual assault evidence collection kits are trackable and entered into the tracking system.

SB 971 (Floyd/Echols) directs the Council on Law Enforcement Education Training to design training courses that include training related to sexual assault calls, guidelines for the collection and maintenance of sexual assault kits, and continuing education on trauma-informed sexual assault response and intervention beginning November 1, 2019. Such training shall be completed on a regular basis as determined by CLEET. The course will be included in the basic training services provided by the Council on Law Enforcement Education Training.

SB 975 (Floyd/Echols) directs accredited crime laboratories to provide to law enforcement agencies within the state the same standardized sexual assault evidence kit. Law enforcement agencies are directed by the measure to submit the kit to a laboratory within twenty days after using the kit to collect evidence of a crime, unless the victim requests that the kit not be tested. If the victim requests the kit to not be tested, he or she must be informed by the medical provider of his or her right to request testing at a future date. Alleged sexual assault victims must be informed of his or her right to request testing by law enforcement or a medical provider. Tested kits must be kept in an environmentally secure area. The Oklahoma State Bureau of Investigation and each accredited crime laboratory is directed to adopt rules and guidelines for the submission of tested kits no later than January 1, 2020. The Oklahoma State Bureau of Investigation is also directed to adopt prioritization guidelines for the testing of untested kits. The guidelines must consider when the test was taken, the statute of limitations, and whether the alleged perpetrator is a stranger or familiar to the victim.

SB 1026 (Dahm/Gann) creates a sunset date for the Reentry Policy Council on July 1, 2020, and places this entity under the provisions of the Oklahoma Sunset Law.

HB 1014 (Bush/Shaw) authorizes the Oklahoma State Bureau of Investigation to access the Department of Public Safety’s computerized fingerprint database for the purpose of identifying a person who is deceased, missing or endangered.

HB 1044 (Martinez/Pugh) authorizes the use of a hand-held mobile telephone by a driver of a public school bus when driving to and from a central dispatch school transportation department.

HB 1110 (Kevin West/Kidd) creates a misdemeanor for any person found to have deliberately dumped garbage, trash, rubbish, refuse, debris or other deleterious substance on his or her own property and increases the fine associated with the offense from \$200.00 to \$500.00. The measure also extends the misdemeanor to cover dumping trash on the occupied dwelling of another person except when the placement of such trash is along a garbage collection route.

HB 1161 (Worthen/McCortney) authorizes the court clerk to transmit information related to mental competency adjudications or involuntary commitments by electronic method in lieu of sending a certified copy of a court order or document.

HB 1207 (Conley/McCortney) provides that if an employee with Council on Law Enforcement Education Training (CLEET) leaves an employee agency after one year of service, but less than two years of service, the second agency or the person receiving the training shall reimburse the original employing agency 50% of the cost of CLEET training and salary paid to the person while completing the basic police course by the original employing agency. The measure deletes language relating to the use of a promissory note to recoup academy training expenses.

HB 1214 (Newton/Bice) authorizes lawfully permanent residents to carry a firearm. A lawfully permanent resident is defined by the measure as a person legally permitted to permanently reside in the United States.

HB 2010 (Mize/David) authorizes those who may lawfully carry a firearm to carry a firearm in any municipal zoo or park of any size that is owned, leased, operated or managed by a public trust or nonprofit entity, provided the person conceals the firearm and does not openly carry it.

HB 2037 (Davis/Rader) authorizes county sheriffs hosting services of end users that allows for a connection to the Oklahoma Law Enforcement Telecommunication System (OLETS) to assess and collect fees for the itemized actual costs of providing various services and goods related to OLETS. Sheriffs must provide the terms and itemized costs in an inter-local agreement to all affected parties and

file the agreement with the office of the county clerk and in the offices of each governmental entity involved. Revenue generated from the fees shall be deposited in the Sheriff's Service Fee Account for use as outlined in the measure.

HB 2053 (Sims/Smalley) prohibits parents who are currently incarcerated from accessing their child's vital records.

HB 2097 (O'Donnell/Allen) excludes certain operations in public easements or rights-of-way from the definition of "excavation" in the Oklahoma Underground Facilities Damage Prevention Act. The measure also requires underground facility operators to locate and mark their facilities prior to the date and time excavation work is scheduled to begin.

HB 2126 (McDugle/Weaver) authorizes the Oklahoma State Bureau of Investigation to contract with law enforcement agencies as well as county and municipal governments to conduct administrative reviews of law enforcement use of force investigations. Funding received from said contracts shall be deposited in the OSBI Revolving Fund. Reviews must be conducted by a certified peace officer.

HB 2161 (Mize/Hall) restricts a paid firefighter for a fire protection district from being a director of that district. The measure also authorizes the board of directors for a fire protection district to regulate outdoor burning.

HB 2286 (Wright/Shaw) requires the Oklahoma State Bureau of Investigation to utilize the National Instant Criminal Background Check System (NICS) prior to issuing a handgun license to a peace officer if no prior check was conducted. The measure also updates license expiration notification procedures.

HB 2292 (Wright/Jech) authorizes commissioned and noncommissioned peace officers to attend training courses offered by a technology center school or higher education institution.

HB 2307 (Frix/Standridge) requires motor license agents to maintain four hours of operation in the evening or remain open on Saturday and to obtain approval for said hours of operation from the Oklahoma Tax Commission (OTC). The OTC may exempt an agent from the requirements of the measure. The measure further requires one agent in each county to be open for designated hours.

HB 2453 (Dunnington/Montgomery) establishes methods and procedures for a motorist to pass a bicycle and creates a tiered list of fines and punishments for violators based on repeated violations.

HB 2368 (Kannady/Thompson) creates the Oklahoma Commission on Opioid Abuse until July 1, 2023. Members of the Commission will receive no compensation, but will be reimbursed for their travel expenses.

HB 2380 (Strom/Montgomery) creates a new felony for the possession or use of a skimming device. Persons convicted of the new felony may face a maximum of 7 years imprisonment.

HB 2454 (Dunnington/Montgomery) authorizes cyclists to cautiously proceed through a red stoplight, provided the stoplight failed to detect the bicycle.

HB 2597 (Echols/David) authorizes any person at least 21 years of age or a person who is at least 18 years of age and in the military to carry a concealed or unconcealed firearm, provided the person is not otherwise disqualified from carrying a firearm. Persons illegally residing in the United States are prohibited from carrying a firearm.

HB 2640 (Baker/Daniels) creates Francine’s Law. The measure requires the Oklahoma Chief Medical Examiner and the Oklahoma State Bureau of Investigation (OSBI) to enter data related to a missing person into the National Missing and Unidentified Persons System (NAMUS) when a person is reported missing or whenever the Examiner/OSBI locate an unidentified person.

## **Vehicle Registration**

HB 1156 (Worthen/Leewright) exempts canoes, kayaks and paddleboats from title and registration requirements. Owners may still register the exempted vehicles for the purposes of proving ownership or vessel identification.

HB 1210 (Newton/Jech) authorizes commercial vehicle owners to register three or more vehicles at the same time, regardless of the month or months in which they were previously registered.

HB 1265 (Bush/Pugh) creates definitions for three classes of electric-assisted bicycles. Electric-assisted bicycles are classified as a motor vehicle, but owners of said vehicles are exempt from statutory provisions

relating to financial responsibility, vehicle insurance, driver licenses, vehicle registration or certificates of title. Manufacturers are required by the measure to attach a label on the vehicle depending on its classification. Persons 16 years of age or younger shall not be permitted to operate a Class-3 vehicle.

HB 2516 (Tammy West/Weaver) authorizes the holder or owner of a title on a vehicle to, at the time of initial application for registration or application for renewal, inform the Tax Commission that the owner, lessee or someone who may be operating the vehicle is suffering from a communication disorder. Information provided to the Tax Commission must be made available to law enforcement through the Tax Commission's vehicle registration system. A communication disorder is defined by the measure as impairment in the ability to receive, send, process and comprehend concepts or verbal, nonverbal and graphic symbol systems.

HB 2664 (Wallace/Smalley) creates a “vintage vehicle” registration for vehicles that possess no more than two axles and for which no Oklahoma certificate of title exists in the records of the Oklahoma Tax Commission prior to January 1, 1980, and which has not been registered in the records of the Oklahoma Tax Commission or any other state for a period of 15 or more years prior to the date of which the application for the certificate of title is made. The fee for the newly created vehicle is set at \$250.00.

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

SB 234 (Stanislawski/Wright) repeals statutory language authorizing the creation of the Oklahoma Compensation and Unclassified Positions Review Board. The Board reviews compensation adjustments, pay band adjustments, targeted salary increases, and other recommendations related to turnover, fringe benefits and other compensation issues concerning state employees, excluding issues related to retirement. The measure requires agencies subject to the Merit System of Personnel Administration to submit requests for additional or reclassification of agency personnel to the Legislature. The Legislature may approve or disapprove the request by the proper passage of a concurrent resolution introduced by the chair or vice-chair of the relevant subcommittee. The measure specifies a timeline for the Legislature to review the proposal. The concurrent resolution is not subject to legislative deadlines.

SB 772 (Pugh/Baker) clarifies that a member of the Oklahoma Teachers Retirement System may receive a minimum monthly retirement payment if the retiree has been found to be unable to perform the necessary duties to continue in his or her current position. The measure also directs payments to be made to the joint annuitant if he or she is still living and then to the beneficiary member. The measure also adds the positions of vice-chair and secretary to the Board of Trustees and expands eligibility for the state contribution system to include persons employed as a supervisor, administrator, superintendent, counselor, librarian, or certified or registered nurse.

SB 844 (Stanislawski/Sean Roberts) increases the amount for counties to contribute to established retirement funds. The measure increases percentage of the sum of employee salaries within the county from 16.5% to 18.5% on July 1, 2019, and each year thereafter. Total monthly contributions for an individual employee are increased from 16.5% to 18.5% of the employee's salary.

SB 853 (Kidd/Boles) increases the monthly travel allowance for county officials if officials claim the allowance in lieu of the reimbursement by \$100.00. Each county commissioner and sheriff is entitled to \$700.00. Each county assessor is entitled to \$600.00. Each county clerk and treasurer is entitled to \$500.00.

SB 981 (Stanislawski/Pfeiffer) strikes language requiring the Office of Management and Enterprise Services (OMES) and Oklahoma Employees Insurance and Benefits Board to invest monies received in the course of discharging their duties related to the Oklahoma Employees Insurance and Benefits Act, the State Employees Flexible Benefits Act, and the State Employees Disability Program Act in assets eligible for the investment of funds of legal reserve life insurance companies. Additionally, the measure requires OMES to retain investment managers and to provide an annual financial statement on OMES's financial activities.

HB 1246 (McBride/Smalley) authorizes teachers employed for the first time after November 1, 2019, to choose to remain in the Teachers' Retirement System or participate in the Oklahoma Public Employees Retirement System as an active member.

HB 1257 (Hilbert/Stanislawski) eliminates the \$50.00 cap on matching payments made to the County Officer and Employee Deferred Savings Incentive Plan.

HB 2051 (Sanders/Murdock) authorizes retirees of the Oklahoma Firefighters Pension and Retirement System to participate in volunteer firefighting services while continuing to draw benefits from the System. Persons receiving a disability benefit are prohibited in the measure from performing firefighting services.

HB 2269 (Josh West/Rosino) modifies provisions related to the computed actuarial present value for members of the Oklahoma Firefighter Pension and Retirement System. Beginning in the plan year after June 30, 2019, computations of actuarial present values must conform with the Internal Revenue Service's applicable interest rate. Benefits from the System shall be paid from general assets of the Oklahoma Firefighters Pension and Retirement Fund. The measure also increases the limit for a probate waiver when a member of the System is deceased from \$10,000.00 to \$50,000.00.

HB 2768 (Wallace/Thompson) eliminates a requirement that any funds in excess of the constitutional cap on the Constitutional Reserve Fund (CRF) be deposited in a special fund for pensions. Expenditures of the excess revenue are subject to the discretion of the Legislature.

HB 2771 (Wallace/Thompson) provides a pay raise to all state employees. An employee with an annual gross salary under \$40,000 will receive an increase of \$1,500. Salaries between \$40,000 and \$50,000 will be increased by \$1,250. Salaries between \$50,000 and \$60,000 will be increased by \$800. Salaries over \$60,000 will be increased by \$600.

## **Taxation and Tax Exemptions**

SB 18 (Thompson/Hilbert) extends the sales tax exemption for the sales of "rolling stock," which includes locomotives, autocars, and railroad cars, to July 1, 2024. Under current law, the exemption is set to expire on July 1, 2019. Additionally, the measure broadens the exemption to apply to leases of rolling stock. Sale and lease of rolling stock includes railroad car maintenance and retrofitting.

SB 402 (Floyd/Tammy West) prohibits an individual taxpayer from participating in a tax penalty waiver program if he or she previously participated in a program prior to the effective date of this measure. The Oklahoma Tax Commission may provide a waiver for good cause upon receiving a written request.

SB 427 (Bice/Fetgatter) amends the gross production tax code to update various statutory references due to changes adopted in the 2nd Extraordinary Session of the 56th Oklahoma Legislature.

SB 429 (Bice/Fetgatter) modifies the day the motor fuel tax is due from the 25<sup>th</sup> or 27<sup>th</sup> of the following month to the 20<sup>th</sup> day of the following month.

SB 475 (Quinn/Lepak) corrects the inadvertent omission of the sunset date for zero emission credits. The measure specifies that the sunset date is December 31, 2021.

SB 485 (Bergstrom/Fetgatter) creates a sunset date for the Small Business Incubators Incentives Act. The tax exemption ends on tax years beginning January 1, 2020, and repeals the sponsor tax exemption portion of the Quality Jobs Investment Program administered by the Oklahoma Development Finance Authority.

SB 513 (Bice/Chad Caldwell) modifies collections of the sales tax from remote sellers, marketplace facilitators, and referrers. The measure increases the minimum aggregate sales threshold before a remote seller is required to collect and remit sales tax from \$10,000.00 to \$100,000.00. Sales made by facilitators and referrers will not count towards the \$100,000.00 threshold. Facilitators and referrers must still provide a list of buyers or collect sales tax if total purchases in the state exceed \$10,000.00. Sales made by a marketplace facilitator on its own behalf are exempted from the provisions of the measure.

SB 695 (Thompson/Hilbert) expands the type of manufacturing facilities in counties of at least 500,000 people that may delay the start of a 5-year ad valorem tax exemption to include establishments primarily engaged in distribution for general warehousing and storage, provided the initial capital investment was at least \$180 million and the qualifying job creation and property investment occurred between 2013 and 2017.

SB 749 (Rader/Hilbert) defines “federal government defense entities” and “Public-Private Partner Development Pool” in the Oklahoma Community Economic Development Pooled Finance Act. The measure authorizes the Oklahoma Development Finance Authority act as a conduit issuer for local government entities in conjunction with one or more for-profit business entities and/or federal government defense entities for an authorized infrastructure development project using the Public-Private Partner

Development Pool. Obligations issued by the Authority may not exceed the authorized, combined Economic Development Pool and Infrastructure Development Pool amount. Sixty-five percent of the net proceeds from the Public-Private Partner Development Pool must be used by the Authority for the benefit of eligible local government entities. The population of participating municipalities may not exceed 300,000. Thirty-five percent of the proceeds may be directed to any municipality regardless of population. The Oklahoma Department of Commerce is directed to oversee the program, maintain a prioritized list of eligible infrastructure projects, and score projects to be financed from the proceeds of obligations issued by the Authority. The method to score a project is outlined in the measure. An eligible government entity must obtain a determination from the Department that a project will result in a net-positive benefit. The local government entity shall be allowed to capture withholding taxes associated with new jobs or existing jobs associated with the participating for-profit business entities if the determination by the Department shows that such an action will result in a net-positive benefit. The Oklahoma Tax Commission shall determine the withholding taxes attributable to the income of employees. Businesses participating in the program will no longer be eligible for incentive payments associated with the Oklahoma Quality Jobs Program Act or claim investment tax credits.

SB 840 (Bice/Fetgatter) establishes a minimum wage threshold to qualify for funding from the Oklahoma Quick Action Closing Fund. New employees must receive compensation exceeding the county wage as determined by the Department of Commerce based upon the most recent U.S. Department of Commerce data for the county in which the new jobs are located. Healthcare premiums are not included annualized wage for this threshold.

SB 893 (Scott/Worthen) reinstates the income tax deduction for a taxpayer who contracts with a child-placing agency to provide foster care. The taxpayer must have been under contract and providing care for at least six months or claim a pro rata exemption based on the difference.

SB 961 (Smalley/Tammy West) creates the Oklahoma First-Time Home Buyer Savings Account Act and defines terms to be used in the act. The measure authorizes individuals to open and designate an account as a home buyer savings account to be used to pay or reimburse a qualified beneficiary's eligible costs for the purchase of a single-family residence in this state. The account holder must



designate a beneficiary, which can be the account holder, no later than April 15 of each year following the tax year in which the account was established. An individual may be the beneficiary or holder of multiple accounts. An account holder may not hold multiple accounts designating the same beneficiary. Only cash and marketable securities may be contributed to a home buyer savings account. Funds from the account may only be used for the purchase of a residential home or to pay for the service fee of the account and may be freely transferred to another home buyer account. Financial institutions will not be required to monitor an account's compliance with this measure. An individual may deduct up to \$5,000.00 from his or her income tax based on the amount contributed to a home buyer account. Joint account holders may deduct \$10,000.00 based on the same calculation as an individual. The exclusion may be claimed for an aggregate total amount of principal and earnings not exceeding \$50,000.00 and only if the principal and earnings of the account remain in the account. Withdrawing the funds for the purchase of a home will not constitute as income, but withdrawing the funds for an ineligible purpose will constitute as income for taxing purposes. Funds in a home buyer savings account not expended on eligible costs by December 31 of the last year of a fifteen-year period shall be included in the taxpayer's income. The Oklahoma Tax Commission will prepare the forms and procedures needed to designate accounts and allow the taxpayer to file detailed information related to the home buyer savings account.

HB 1003 (Sanders/Thompson) provides a sales tax exemption for sales of tangible personal property to the American Legion.

HB 1262 (Hilbert/Leewright) adds allopathic physicians and clinical nurse specialists to the list of practitioners that may administer, distribute or prescribe certain medical items eligible for a sales tax exemption. The measure clarifies that prosthetic devices, durable medical equipment, and mobility-enhancing equipment are exempt regardless of whether or not the items are reimbursable under Medicaid or Medicare.

HB 1263 (Hilbert/Pugh) authorizes owners of a zero-emission facility claiming the facility income tax credit for the first time after July 1, 2019, to elect to not receive a refund in a given tax year. Any credit not claimed in the tax year it was generated may be carried forward for a period not to exceed ten years, after which, the credit shall be refunded at 85% of its value.

HB 1411 (Nichols/Matthews) reduces the number of carry forward years for the Oklahoma Affordable Housing credit from five years to two years and removes the ceiling of 150,000 persons residing in a county from the definition of a "qualified project."

HB 1852 (Fetgatter/Bice) extends the sunset for apportionments of gross production taxes on oil to the Tourism Department, Conservation Commission, and Water Resources Board through FY2022.

HB 1884 (Fetgatter/Bice) expands the tax credit for employees of vehicle manufacturers to include employees of automotive parts manufacturers.

HB 1962 (Kiger/Murdock) modifies the deadlines relating to protesting property valuation changes by a county assessor.

HB 2095 (O'Donnell/Bice) extends the sunset date for the tax credit provided for investments in qualified clean-burning motor vehicle fuel property to December 31, 2027. The measure establishes the maximum amount of credit claimed per vehicle based on the weight of each vehicle. For investments in property for fueling stations, the measure lowers the claimable percentage from 75% to 45% of the cost of the qualified clean-burning motor vehicle fuel property. Beginning January 1, 2020, the total claimed credits will be capped at \$20 million annually. Credits claimed in excess of this amount will cause the Oklahoma Tax Commission (OTC) to award credits on a pro rata basis. The OTC shall notify the Office of the State Secretary of Energy and Environment whenever 80% of the authorized annual amount is claimed. The Secretary will then notify the Governor, President Pro Tempore, and Speaker.

HB 2530 (Blancett/Thompson) creates a sales tax exemption for sales made to or by an organization that is an official member of the Fab Lab Network. The measure also outlines the documentation needed to prove the organization is a nonprofit and member of the network.

HB 2536 (Blancett/Montgomery) lowers the out-of-state buyer rule for a business to qualify for the Small Employer Quality Jobs Act from 75% to 35% for the first two years after applying to the program and 60% every year thereafter.

HB 2665 (Wallace/Leewright) creates the Pass-Through Entity Tax Equity Act of 2019 to allow any entity required to file an Oklahoma partnership income tax return or Oklahoma S corporation income

tax return to make an election to pay state income tax attributable to its equity owners on behalf of its equity owners, whether the owner is a natural person, a corporation or another pass-through entity. Any pass-through entity can make the optional election to pay the pass-through tax beginning tax year 2019.

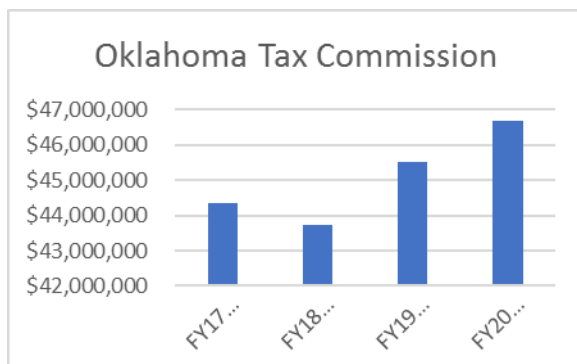
HB 2671 (Fetgatter/Bice) restores the income tax checkoff for the Oklahoma Silver Haired Legislature effective tax year 2019 and exempts the checkoff from being removed from income tax forms in future years if the checkoff fails to receive less than \$15,000.00.

HB 2734 (Fetgatter/Montgomery) requires notice to be given to the Oklahoma Tax Commission in any action affecting the ownership or right of possession and provides that OTC liens attach to intangible personal property, such as a settlement or court judgment.

HB 2759 (Wallace/Thompson) creates an income tax credit for qualified software or cybersecurity employees first employed or contracting in the state on or after November 1, 2019. The credit amount is \$2200 per year for up to seven years for any qualified employee with a bachelor's or higher degree or \$1800 per year for up to seven years for those with an associate degree or certificate from an Oklahoma technology center. The credit can be claimed beginning tax year 2020 through tax year 2029 and is subject to a \$5 million annual cap beginning in tax year 2022.

### Tax Commission Funding

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Oklahoma Tax Commission	\$45,525,057	\$46,678,128	2.53%



### Transportation Measures

SB 61 (Bergstrom/Frix) authorizes towaway trailer transporters to be up to 82 feet in length. The measure also defines a towaway trailer transporter combination as a combination of vehicles consisting of a trailer transporter towing unit and 2 trailers or semitrailers with a total weight that does not exceed 26,000 pounds. The measure also states that an automobile transporter shall not be prohibited from the transport of cargo or general freight on a backhaul if it complies with weight limitations for a truck tractor and semitrailer combination.

SB 170 (Standridge/Frix) is the consolidated license plate measure. The measure creates and renews several license plate bills.

SB 189 (Jech/Newton) exempts platoons, defined as a group of individual motor vehicles traveling in a unified manner at electronically coordinated speeds, from spacing requirements on state highways.

SB 289 (Paxton/Frix) clarifies language related to the solicitation of a professional business as defined in commercial solicitation. The measure includes "personal information" combined in collision reports.

SB 374 (Bergstrom/Frix) defines "dual lane axles," also known as trunnion axles, and "dual lane axles group" and removes the special permit definition of dual wheels and the minimum weight capacity rating. Specified weight limits are applied to all roads and highways. The measure also strikes the maximum weight allowed to transport vehicles with a tandem axle. The measure further authorizes designated heavy-duty tow and recovery vehicles to operate on the National System of Interstate and Defense Highways under certain conditions and sets weight limits for vehicles used on the Interstate for emergency circumstances.

SB 375 (Bergstrom/Frix) designates vehicles carrying liquid milk products on the Interstate System as nondivisible.

SB 378 (Standridge/Frix) authorizes any public or private commercial truck-driving school that has or maintains a program instructing students for a Class A, B, or C license to hire designated examiners of the Department of Public Safety to be third-party examiners upon receiving approval from the Department. The Department is directed by the measure to adopt a curriculum of required courses and training to be offered to third-party examiners. Third-party examiners are subject to an annual

criminal background check by the Department. Fees for the background check are to be paid by the third-party tester or third-party tester applicant. The Department is directed to promulgate rules to implement the provisions of the measure.

SB 433 (Quinn/Wright) authorizes Transportation Network Companies (TNC) to accept checks mailed to an address provided by the TNC for prearranged rides.

SB 641 (Montgomery/Hasenback) consolidates the Memorial Highway and Bridge measures filed for this session. SB 641 designates the Gold Star Families Memorial Highway, Randy Peterson Memorial Highway, the Sgt. Michael A. Crawford Memorial Highway, the Sgt. Jason McCluskey Memorial Bridge, the Lt. Heath Meyer #64 Memorial Highway, Thelma "Chincie" Ross WWII Chickasaw Code Talker Memorial Bridge, the Sgt. Maj. Christopher Nelms Memorial Bridge, and the Comanche Code Talker Trailway.

SB 690 (Allen/Frix) increases the maximum allowable height of any vehicle on Oklahoma turnpikes, interstate highways, state, and federal highways from 13.5 feet to 14 feet. The measure also directs the Oklahoma Department of Transportation to publish an official state bridge vertical clearance map on its website and holds operators of vehicles greater than 13.5 feet liable for all damages to any part of structures spanning the highway or damages suffered by other affected parties caused by the vehicle or load exceeding the posted height.

HB 1071 (Pae/Montgomery) authorizes the Transportation Commission to establish a speed limit of 75 mph in rural segments of the interstate highway system designated by the Commission. The Commission must conduct a traffic or engineering study to determine whether an increased speed limit is safe and reasonable. The measure also authorizes the Turnpike Authority to prescribe a maximum speed limit of 80 mph.

HB 1217 (Sanders/Standridge) increases the width allowable for the transport of a manufactured home from 16 feet to 18 feet. The measure also requires that a front and rear escort be used when transporting on an interstate.

HB 1330 (Johns/McCortney) increases the size of land authorized to be sold to the Department of Transportation as it relates to acquiring land for highway purposes from 1 to 3 acres.

HB 1332 (Sterling/Weaver) authorizes all-terrain vehicles (ATV) to operate on streets and roadways of a municipality or county if the roadway is not part of the state highway system or interstate system.

HB 1365 (Bush/Standridge) creates the Office of Mobility and Public Transit within the Department of Transportation (ODOT). The measure transfers all responsibilities from the ODOT Transit Division to the newly created Office. The Office will oversee and implement various innovative pilot programs outlined in the measure, expand the Veterans' Ride Connect call center, and develop the Oklahoma Public Transit Policy Plan. The Executive Director of the Department of Transportation shall assume all executive-level responsibilities for the Office of Mobility and Public Transit. The measure also transfers the responsibilities of management of Federal Transit Administration grants from the Aging Services Division within the Department of Human Services to the newly created Office.

HB 1774 (McCall/Pugh) creates the Oklahoma Route 66 Centennial Commission Act. The newly created Commission is tasked with developing and commemorating the Route 66 Centennial, sponsoring events related to the Centennial, and providing the public information related to the Centennial.

HB 2093 (O'Donnell/Quinn) creates the Catoosa High School License Plate.

HB 2098 (O'Donnell/Thompson) strikes language prohibiting legislators or family members of legislators from being a tag agent. Additionally, the measure prohibits members of the Tax Commission and family members of persons within the Tax Commission from serving as a tag agent. The measure increases the penalty for a tag agent carrying a messenger service, courier service, or pick up and delivery service from \$1,000.00 to \$2,000.00. and increases the fee associated with mailing a license plate to be the cost of postage plus \$1.25.

HB 2305 (Frix/Pemberton) authorizes a person to file a claim on a bond for recovery of indebtedness arising from the construction of public works. A person may not file a claim if a prior claim was filed within one year of the day on which the labor was performed or material or parts furnished.

HB 2311 (Frix/Bergstrom) designates various roads and bridges. The measure is otherwise known as the bridge and road designation omnibus bill.

HB 2472 (McCall/Smalley) prohibits railcars from coming to a rest at a crossing with a public highway or street, which blocks vehicular traffic, for longer than ten minutes and authorizes the Oklahoma Corporation Commission (OCC) to issue citations for those who violate prohibition. Trains that are moving in a continuous backward or forward direction and blocking traffic are not in violation of the provisions in this measure. The measure outlines certain exemptions that may be granted to a train resting on a crossing in certain circumstances. A municipality may request a Notice of Inquiry (NOI) by the OCC for any such alleged violation. The OCC is required to open a NOI and conduct an investigation. OCC shall produce a report of any NOI findings and deliver the report electronically to the President Pro Tempore of the Senate and Speaker of the House.

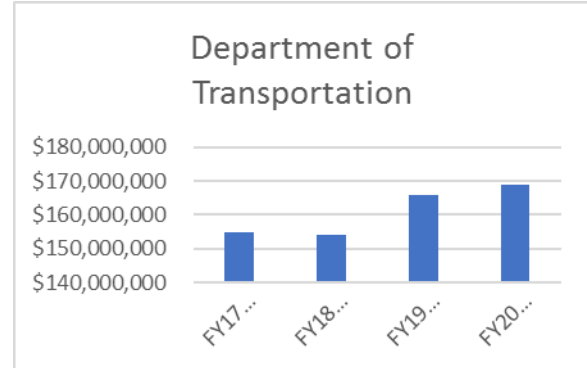
HB 2629 (Echols/Kirt) creates a misdemeanor for those offering towing services without a license. Those convicted of offering such services for a charge to the public without a license are subject to a fine of \$1,000.00. The tow truck used in the offense shall be impounded by law enforcement. Additionally, the measure requires motorists to proceed with due caution when approaching certain authorized vehicles utilizing amber lights.

### Transportation Funding

HB 2676 (Wallace/Thompson) appropriates \$30,000,000 from the General Revenue Fund to the County Improvements for Roads and Bridges Fund.

HB 2766 (Wallace/Thompson) diverts the sales tax apportionment normally provided to the General Revenue Fund to the Department of Transportation. Payments will be made between August and December of 2019.

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Department of Transportation	\$165,853,359	\$168,917,715	1.85%



### Veterans & Military Affairs

SB 4 (Pemberton/McDugle) designates the second Saturday of December of each year as “A Day of Remembrance” to honor soldiers buried at the Fort Gibson National Cemetery and the Fort Sill National Cemetery. The measure also requires holiday wreaths to be laid on those graves on or before the designated day.

SB 135 (Simpson/Hardin) exempts the Oklahoma Department of Veterans Affairs from the provisions of The Oklahoma Central Purchasing Act. Additionally, the measure authorizes the Department to give preference to businesses when purchasing services or property. The business must be owned by an honorably discharged veteran or held by a majority ownership of honorably discharged veterans at the time the contract is awarded. The entity given preferential treatment must also be registered with the federally managed System for Award Management or meet alternative qualifications established by the Department.

SB 232 (Simpson/T. Hardin) states that the intent of the Legislature is to establish Oklahoma as a Purple Heart State.

SB 340 (Simpson/T. Hardin) increases the maximum reimbursement provided to cemeteries for the burial or cremation of indigent veterans from \$500.00 to \$1,000.00. The measure removes the requirement for a veteran to be determined as homeless to qualify for reimbursement. The remains must not be claimed by any persons and the veteran must not have been in the Department of Corrections’ custody upon his or her death to qualify for the reimbursement program. Applicants must prove that the remains were properly disposed of and that a memorial headstone or marker was erected for the veteran.

SB 347 (Murdock/Newton) provides an exemption to the requirement for persons holding a commercial

class A license to obtain a hazardous materials endorsement if the person is acting within the scope of their employment at a custom harvester operation, operating a service vehicle transporting diesel fuel of 1,000 gallons or less, and clearly marked with a "flammable" or "combustible" placard as appropriate.

SB 358 (Simpson/T. Hardin) modifies percentage of service related disability from 100% to just a percentage as it relates to the Oklahoma Veterans Registry. The measure also cites Section 2 of Title 72 as the relevant definition for a veteran in this measure instead of defining National and Reserve Guard in the measure. The measure further specifies information the State Department of Health must transmit to the Department of Veterans Affairs as it relates to the death of a veteran. The measure clarifies that the social security number of the deceased veteran shall not be released.

SB 931 (Rosino/Miller) creates the Veterans' Volunteer Guardianship Act. The measure directs the chief judge of each district court to provide for a court review by November 1, 2020, of each guardianship case in which a guardian was appointed prior to November 1, 2019. A court may appoint a guardian or limited guardian, who shall represent an incapacitated or partially incapacitated adult veteran in court. Prior to a person's appointment as a guardian, he or she must post a bond in an amount determined by the measure. If the guardian's duties in a particular case do not include the management of property, the court may waive or reduce the bond. The Oklahoma Department of Veteran Affairs will determine additional benefits and requirements for appointed guardians. Additionally, the guardian must maintain regular contact with health and social workers when applicable to the veteran's case. The measure outlines particular qualifications for a veteran to qualify for the program and requires the Secretary of the United States Department of Veterans Affairs to be notified of any court proceeding involving a veteran entitled to benefits.

HB 1296 (Miller/Rosino) makes the Oklahoma Department of Veterans Affairs exemption permanent for the authority to employ or appoint attorneys.

HB 2075 (Steagall/Newhouse) authorizes the Oklahoma Department of Veterans Affairs to enter into contracts for the payment of food, lodging, and related services to host, conduct, or participate in conferences. Total costs of food shall not exceed the daily rate provided in the Travel Reimbursement Act.

HB 2362 (Kannady/Simpson) updates the military justice code and creates the Oklahoma Uniform Code. The measure also requires military publications to be published and archived by the Secretary of State.

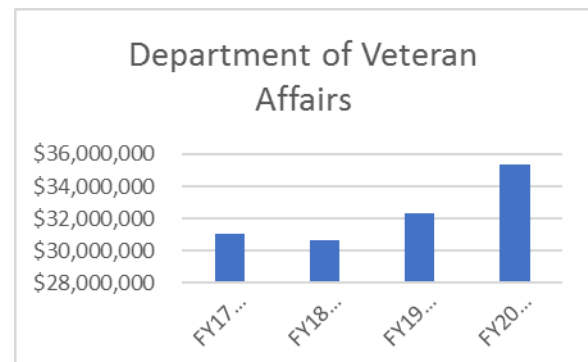
## **Veterans Funding**

SB 1060 (Thompson/Wallace) directs the Oklahoma Department of Veterans Affairs to allocate its appropriated budget in a certain manner as prescribed by the measure.

SB 1070 (Thompson/Wallace) creates the Oklahoma Veterans Facility Renewal Act of 2019. The measure directs the Oklahoma Department of Veterans Affairs to develop and construct an additional long-term care facility to assume the functions of the Oklahoma Veterans Center established in Ardmore. The newly constructed center must be located within five miles of the corporate limits of the city of Ardmore.

HB 2330 (Burns/Standridge) exempts the Oklahoma Department of Veterans Affairs from the requirements of the Oklahoma Central Purchasing Act and allows the Department to give preference to certain veterans or veteran-owned business purchase orders.

Agency	FY19 Appropriation	FY20 Appropriation	Change from Original
Department of Veteran Affairs	\$32,356,959	\$35,316,393	9.15%



## **Senate & House Joint Resolutions**

SJR 22 (McCortney/Tadlock) disapproves rule changes proposed by the Oklahoma Ethics

Commission for 2019. The proposed rules include the following changes:

- Rule 2.2: defines campaign “coordination” as it relates to candidates coordinating with entities that engage in independent expenditures,
- Rules 2.41 & 2.81: prohibits candidates from directing the contributions of a limited political action committee (PAC), also known as leadership PACs,
- Rules 2.33 and 2.37: modifies provisions related to candidates receiving contributions from PACs,
- Rules 4.18, 5.3 and 5.5: creates a “cooling off” period of two years for former legislators and certain state employees from engaging in lobbying or similar services,
- Rules 4.22 and 5.25: allows former employees and legislators to request a waiver from the proposed cooling off period, and
- Rule 5.3 exempts indirect lobbyists from registration requirements in certain circumstances.

HJR 1022 (Gann/McCortney) disapproves administrative rules adopted by the Oklahoma Wildlife Department and State Pharmacy Board. The rules promulgated by the Wildlife Department are related to tagging, importing cervids, and Chronic Wasting Disease response. The rules promulgated by the State Pharmacy Board relate to supervision of pharmacy technicians.

### Vetoed Bills

SB 44 (Dossett/Nollan) defines “instructional expenditure” as expenditures on instructional and support staff. The measure states that instructional expenditure will focus on expenditures related to:

- 1) Salaries and benefits for teachers, librarians, teaching assistants, library aides and in-service teacher trainers
- 2) Curriculum development
- 3) Student assessments
- 4) Technology for students
- 5) Supplies
- 6) Purchased services

The measure also requires the State Department of Education to publish expenditures on each category of instructional expenditure.

SB 134 (Simpson/Tommy Hardin) authorizes the Department of Veterans Affairs to either utilize the provisions of the Oklahoma State Finance Act to purchase computer hardware, software, or services related to software or purchase the outlined services and goods without prior approval of the Chief Information Officer.

SB 251 (Daniels/O’Donnell) requires the Oklahoma Health Care Authority to utilize third parties to handle all administrative and legal processes directly related to medical expense recovery. Third parties will be selected by the Oklahoma Department of Insurance and must be a private entity to qualify for selection.

SB 566 (Murdock/McDugle) authorizes hunting guides to operate on lands managed or owned by the Oklahoma Department of Wildlife Conservation where public hunting is allowed.

SB 685 (Stanley/Roe) authorizes the Board of Podiatric Medical Examiners to review applications by circularization and vote to approve an application in this manner. Circularization is defined as a process by which the full Board may review and vote on licensure applications in between regular board meetings to expedite the licensure process. The vote must be unanimous and approved at a meeting of the Board. Additionally, applicants for licensure by the Board may file an electronic application and are no longer prohibited from having a contagious or infectious disease upon application. The Board need only verify an applicant is legally in the United States instead of verifying an applicant’s loyalty to the United States.

SB 841 (McCortney/McEntire) creates the Prescription Access and Affordability Act. The measure requires pharmacy networks to comply with certain access standards. At least 90% of a benefit plan’s Suburban Service Area population must live within seven miles or at least 70% of a benefit plan’s Rural Service Area population must live within eighteen miles of a preferred participating pharmacy. Requirements may also be met with a retail pharmacy located within fifteen miles of 70% Rural Service Area’s population. Mail order pharmacies may not be used to meet access standards. The Oklahoma Insurance Department is directed to review and approve retail pharmacy network access for all benefit plans. A pharmacy benefits manager or representative of a pharmacy benefits manager is prohibited from engaging in deceptive advertising, charging a pharmacist for the resolution of a claim, providing a smaller reimbursement to pharmacies under common ownership, denying a pharmacy the opportunity to participate in a network if the pharmacy accepts the terms and conditions of the network, imposing a monetary disadvantage to out-of-network pharmacies, denying or reducing reimbursement for a covered service claim after returning a paid claim, or failing to make any

payment due to a pharmacy or pharmacist. Certain limitations are imposed on pharmacy benefits managers contracts. All compensation received by a health insurer must be used to lower the cost of health care in the state or expand pharmacy benefit coverage. Insurers will be required to file an annual report with the Commissioner detailing the use of such compensation. The measure further prohibits certain people from serving on a Pharmacy and Therapeutics committee. Each Pharmacy and Therapeutics committee is expected to form a formulary which shall advertise information related to drug costs, availability, copayments, maximum allowable cost, and must be available to the public.

SB 1056 (Thompson/Wallace) creates the Department of Human Services Infrastructure Revolving Fund. The Director of the Department of Human Services shall provide a monthly report consisting of the balance and statement of encumbrances of the fund to the Chair of the Appropriations Committee of the Senate and the Chair of the Committee on Appropriations and Budget of the House. The monies in the fund shall be spent at the discretion of the Legislature.

HB 1018 (McEntire/Pugh) directs each school district to provide age-appropriate instruction about HIV, AIDS, and related issues. The measure outlines the minimum guidelines such content must meet.

HB 1205 (Bush/McCortney) creates the Oklahoma Home- and Community-Based Services Ombudsman Program Task Force. The Task Force must research, compile data, and make a recommendation to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate regarding the creation of an ombudsman program to serve recipients of in-home and community-based care and services.

HB 1940 (Strom/Hicks) defines “valid excuse” as it relates to compulsory school attendance. A valid excuse includes any school-approved activity and participation in extracurricular activities approved by the board of education or the school principal.

HB 1968 (Ford/Haste) changes the method by which a public employer recognizes a bargaining unit elected by municipal firefighters or police officers and eliminates the role of the Public Employee Relations Board. The public employer would recognize a bargaining agent elected by a majority of firefighters or of police officers until a majority withdraws that recognition. A labor organization which receives a majority of votes cast in an election

is to be certified by the Oklahoma Department of Labor as the exclusive employee representative. An election may be called by written request of the municipality or a majority of the firefighters or police officers, and will be conducted at the municipality, fire department or police department, but not at the Oklahoma Department of Labor. The measure also allows either arbitration or a ruling by the Labor Commissioner to settle a proper and timely legal challenge or objection regarding an election request.

HB 1979 (Ranson/Rader) creates the Traumatic Brain Injury Task Force. The Task Force was to make recommendations to the Legislature regarding TBIs, including best practice approaches.

HB 2036 (Davis/Bergstrom) requires the Department of Public Safety to develop by rule a procedure for a person to apply for a replacement Oklahoma commercial driver's license through a tag agency.

HB 2289 (Wright/Howard) caps the number of resubmissions on a special lien to acquire the title to no more than two resubmissions and extends the deadline to resubmit an application for title from fifteen days to thirty days.

HB 2465 (Dunnington/Rosino) prohibits state agencies from requiring employees to use compensatory time accrued instead of using sick leave. The measure also provides for employees receiving less than \$31,000.00 per year in salaries to receive overtime pay.

HB 2477 (McCall/Treat) requires the Oklahoma Tax Commission to utilize wage garnishments to collect overdue taxes from occupational license holders.



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