



Oklahoma State Senate: Session Highlights

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Overview

The Oklahoma State Senate convened the 2nd Session of the 58th Legislature on February 7, 2022, to consider how to spend monies from the American Relief Plan, tighten regulations on medical marijuana, expand rural broadband, and promote economic development. Additionally, following revenue certification in February,

the Senate continued to advocate for measured economic relief.

Following the explosive growth of grow operations across the state, the Legislature and regulatory authorities grew more concerned as an increasing number of grow operations in rural areas of the state funneled marijuana into the black market and strained rural water supply. Attempting to strike a balance between safety and growth, the Legislature passed a series of measures that increased penalties for illegal diversion, tightened set back requirements, and created a separate regulatory entity.

Additionally, the Legislature allocated \$698 million to attract businesses to the state. The measure required businesses to meet certain levels of capital investment and job numbers in order to qualify for the investment. Following this allocation, the House, Senate, and Governor considered further economic development and relief measures, but ultimately decided the state could not risk overextending its finances. The Legislature also passed the Rural Jobs Act, which provides a tax credit to investors who make capital investments into an eligible rural fund certified by the Department of Commerce.

The Legislature also decided to move forward with a managed care system. SB 1337 directs the Oklahoma Health Care Authority to enter into capitated contracts to transform the Medicaid delivery system for certain Medicaid populations.

Finally, the Legislature continued to implement justice reform. Drug courts are now required to standardize their eligibility and completion criteria as well as to be established by the county instead of the district attorney. Additionally, the Legislature passed an occupational license reform which provides that a conviction shall be grounds for licensure denial only if the underlying offense substantially relates to the duties and responsibilities of the occupation and poses a reasonable threat to public safety, health, or welfare.

Appropriations Overview

SB 1040 (Thompson/Wallace) became law on May 27, 2022, without the Governor's signature. The measure provided increases of 11.6%, 7.82%, 7.43%, 32.93%, and 6.97% for the Education, General Government & Transportation, Health & Human Services, Natural Resources, and Public Safety & Judiciary Subcommittees respectively. The bill funds appropriated state agencies which also included an increase of \$17.4 million for the Teacher Shortage Employment Incentive Program, \$32.5 million for the DDS Waitlist, and \$14.2 million for a 30% pay increase for OHP Troopers.

SB 1495 (Treat/McCall) appropriates \$930,206,306.00 from the American Rescue Plan Act (ARPA) State Fiscal Recovery Fund (Fund 496) to the Statewide Recovery Fund created in HB 3349.

HB 3349 (McCall/Treat) creates the Statewide Recovery Fund, which is comprised of monies appropriated or transferred by the Legislature and monies received by the state pursuant to the American Rescue Plan Act (ARPA). All interest and income derived from deposits to

the Statewide Recovery Fund will be credited to the Statewide Recovery Fund.

Agriculture

SB 1571 (Allen/Rick West) provides that use of airbows that use a pneumatic device to propel an arrow shall be a legal hunting method during any open season when rifles are a legal means of take. The measure requires persons using such devices to hunt to obtain a stamp issued by the Oklahoma Wildlife Conservation Commission for a one-time fee of \$20.00. The stamp will be phased out when or if the Federal Aid in Wildlife Restoration Act is amended to expand the excise tax on sporting arms and ammunition to include ammunition for such devices.

SB 1696 (Treat/McCall) clarifies that all annual hunting and fishing licenses shall expire 1 year after the date of issuance. The measure provides that any license not listed in the measure shall expire on December 31. Current law provides each license to expire on June 30 or December 31 of the fiscal year it was purchased depending on the license. The measure redesignates each hunting and fishing license issued to residents as an annual hunting license. Fees associated with licenses that expired on December 31 are eliminated. The standardized fee for annual licenses, depending on the age of the resident, shall match the fee currently charged for licenses that expire on June 30. The measure adds a section clarifying these changes.

SB 1809 (Garvin/Boles) authorizes the Department of Wildlife Conservation to issue permits to control nuisances to agricultural lessees or designated agents of a landowner. Agents of the landowner must have written permission from the owner. The measure strikes language authorizing

the use of certain shotguns with the permission of the landowner. The measure also provides that a district court shall revoke the hunting license of a violator upon the request of the district attorney for a period of not less than 1 year and not more than 10 years. The person may apply for a new hunting or fishing license or request a reinstatement of a lifetime license, if the person previously held a lifetime license after the suspension period. The measure also exempts landowners from the requirement to obtain a permit in order to hunt predators, as defined in the measure, at night on their own private land.

Business, Commerce, & Tourism

SB 1367 (Paxton/David Hardin) increases the administrative penalty for persons who intentionally or improperly divert medical marijuana from \$200.00 to not less than \$400.00 for the first offense and from \$500.00 to not less than \$1,000.00 for the second offense. Persons or entities who are found to have improperly diverted medical marijuana after the 2nd offense shall also be subject to license revocation. Such persons or entities with an interest in the offending entity shall also be subject to license revocation. Additionally, the measure increases the fines for sales or transfers of medical marijuana to unauthorized persons to \$5,000.00 for the first violation and \$15,000.00 for subsequent violations.

SB 1511 (Rosino/Pfeiffer) prohibits any medical marijuana commercial grower from being located within 1,000 feet of any public school or private school as measured from the nearest property line of such public school or private school to the nearest property line of the licensed premises of such medical marijuana commercial grower. The measure also provides that such facilities shall not enjoin the property of any

school or be located at the same physical address as a school. The measure grandfathered in locations that met the requirements previously allowed for in law.

SB 1543 (Treat/Echols) separates the Medical Marijuana Authority from the State Department of Health and deems it to be a separate and distinct agency. The measure also creates the Executive Director position at the Authority and provides for the Governor to appoint him or her. All regulatory powers relating to medical marijuana shall be transferred to the Authority. The measure provides that all licenses granted by the Department shall remain in effect. All contracts pertaining to medical marijuana shall be transferred to the Authority. The Authority is empowered to investigate possible criminal conduct relating to medical marijuana and arrest violators; provided, its investigators shall meet all training requirements and qualifications for peace officers. The measure also provides that applications for a medical marijuana patient license may be signed by physicians in good standing with the Board of Podiatric Medical Examiners. The measure also updates statutory language relating to the regulation of medical marijuana to reflect the creation of the Medical Marijuana Authority and strikes outdated language. The measure provides clarifying language. The measure authorizes the Executive Director to conduct hearings, issue final agency orders, and to impose disciplinary action. The Executive Director may delegate to an administrative law judge the authority to conduct hearings, issue final agency orders, or impose disciplinary action.

SB 1704 (Paxton/Dick Lowe) modifies penalties relating to unauthorized sales and transfers of medical marijuana. The measure authorizes the Oklahoma Medical Marijuana Authority to revoke the business license of

any person directly involved with the diversion of marijuana after conducting an investigation if it can show a pattern of diversion or negligence leading to diversion. The measure also provides that the Authority shall require employees of a medical marijuana business licensee to apply for and receive a credential authorizing the employee to work in a licensed medical marijuana business beginning January 1, 2024. The measure authorizes the Authority to contract with one or more third-party vendors to provide the credentialing services as well as establish costs and prices. The third-party vendor shall not be civilly liable to an applicant, licensee, or employee of a licensee for any acts taken in good-faith compliance with related statutes governing medical marijuana licensing. If the third-party vendor determines that an employee of a medical marijuana business license holder does not meet the minimum statutory requirements for a credential, the applicant or employee shall have no recourse against the third-party vendor but may appeal such adverse determination to the Authority.

SB 1708 (Paxton/Martinez) authorizes employee licenses relating to the sale of alcohol to be issued to persons at least 16 years of age for applicants employed at a grocery store or convenience store.

SB 1737 (Stephens/Patzkowsky) requires all medical marijuana commercial grower licensees who operate an outdoor medical marijuana production facility to register with the Oklahoma Department of Agriculture, Food, and Forestry as an environmentally sensitive crop owner beginning November 1, 2022. Medical marijuana commercial grower licensees shall also provide their business name, address, Global Positioning System (GPS) coordinates for all outdoor medical marijuana production facilities, and

any other information required by the Department when registering with the Environmentally Sensitive Area Registry. Additionally, all medical marijuana commercial grower licensees shall be required to post signage as outlined in the measure at the site of the commercial grow operation.

SB 1749 (Leewright/McEntire) authorizes mixed beverage licensees with a licensed premises on a business establishment that meets the classification of a golf course or country club pursuant to the most recently adopted North American Industry Classification System (NAICS) to also sell beer in sealed original packages for on-premises consumption. The measure provides that sales of more than 2 sealed packages to 1 person at 1 time for on-premises consumption shall not be considered an unlawful inducement to stimulate consumption of alcoholic beverages.

HB 4085 (Wallace/Howard) creates the Oklahoma Rural Jobs Act, which provides a tax credit to investors who make capital investments into an eligible rural fund certified by the Department of Commerce. The tax credit is equal to a percentage of the capital investment and may be claimed for a period of 6 years. The percentage is 0% for the first 2 years, and 15% for the subsequent 4 years. Credits awarded under the act are nonrefundable, but may be carried forward for up to 5 subsequent tax years. Credits are capped at \$15 million per year and can be claimed beginning tax year 2023. The measure also outlines application, reporting, and investment requirements for rural funds. The measure also authorizes the Department to recapture awarded credits if the rural fund does not invest 60% of its capital investment authority in qualified investments within two years of the date of the capital

investment, and 100% of its capital investment authority within three years. Furthermore, at least 70% of the initial qualified investment must be made in businesses located in rural areas. A rural area is defined as any county in the state with a population of less than 75,000 or a city or town with a population less than 7,000.

Education

SB 2 (Bergstrom/Hasenbeck) creates the Save Women’s Sports Act. It requires athletic teams sponsored by a public school district, a public charter school, an institution of higher education within the Oklahoma State System of Higher Education, or by a private school that competes against a public school or institution to be expressly designated based on biological sex. It requires the parent or legal guardian of a student to sign an affidavit acknowledging the biological sex of the student at birth. It prohibits teams designated for “females,” “women” or “girls” from being open to male students. It provides a cause of action for any student deprived of an athletic opportunity or who suffers direct or indirect harm as a result of a violation of the act. It creates a cause of action for any student who is subject to retaliation or other adverse action by a school or athletic or intercollegiate association as a result of reporting a violation. The bill prohibits the State Board of Education, the Oklahoma State Regents for Higher Education and any school athletic or intercollegiate association from entertaining a complaint, opening an investigation or taking adverse action against a school maintaining athletic teams or sports only for students of the female sex. It provides a cause of action for any school that suffers direct or indirect harm as a result of entertaining a complaint, opening an

investigation, or taking adverse action. It requires causes of action to be initiated within two years of the harm occurring.

SB 615 (Bullard/Williams) requires each public school and public charter school that serves students in prekindergarten through twelfth grades to require every multiple occupancy restroom or changing room to be designated for the exclusive use of the male sex or the female sex. It defines “sex” as the physical condition of being male or female based on genetics and physiology, as identified on an individual’s original birth certificate. It requires each public school and charter school to provide a reasonable accommodation to an individual who does not wish to comply with the requirement, and it states that a reasonable accommodation is a single-occupancy restroom or changing area. The measure provides exceptions for individuals to enter a restroom or changing area designated for the opposite sex for custodial, maintenance, or inspection purposes or to render emergency medical assistance. It requires school district boards of education and public charter school governing boards to adopt a policy to provide disciplinary action for individuals who refuse to comply. The bill states that if the State Board of Education finds a school district or charter school to not be in compliance with the bill’s provisions for restroom and changing area designations and reasonable accommodations, then the school district or charter school’s state funding will be reduced by 5% the following fiscal year. It also provides a cause of action for a parent or legal guardian of a student enrolled in and physically attending the school district or charter school.

SB 626 (Bullard/Randleman) allows the parent or legal guardian of a student enrolling in his or her resident district to

disclose prior to enrollment whether the student received inpatient or emergency outpatient mental health services from a mental health facility in the previous 24 months. It states that if such a disclosure is made, designated school personnel are to meet with the parent or legal guardian of the student and representatives from the mental health facility prior to enrollment to determine if the student is in need of any accommodations. It allows the meeting to be held in person, via teleconference, or via videoconference. It directs the disclosure and subsequent handling of personal health information and related student records to comply with the Family Educational Rights and Privacy Act of 1974 and the Health Insurance Portability and Accountability Act of 1996. The measure also amends a provision of the Inpatient Mental Health and Substance Abuse Treatment of Minors Act to require a designee of a mental health facility to inform the parent or person responsible for supervision of a minor of the importance of disclosing the mental health needs of the minor to his or her resident school district. It requires the notification upon discharge of the minor from inpatient treatment.

SB 1238 (Dugger/Ranson) modifies language relating to the school day, clarifying that a student who transfers from his or her resident district to another school district pursuant to the Education Open Transfer Act is able to enroll in a full-time virtual education program offered by the receiving district. It requires a board of education of a district with a full-time virtual education program to adopt a policy to determine the number of transfer students the program has the capacity to accept in each grade level. The bill removes language that prohibits a school district from offering full-time virtual education to students who are not residents of the district.

SB 1416 (David/Miller) provides in-state tuition status for purposes of higher education to persons who are current members of the Oklahoma National Guard.

SB 1418 (David/Miller) creates the Oklahoma National Guard Educational Assistance Act. It creates the Oklahoma National Guard Educational Assistance Program to provide assistance to eligible Guard members who enroll in a state institution of higher education. It directs the amount of assistance to be equal to the amount of resident tuition, mandatory fees, and academic service fees for the courses in which the eligible Guard member enrolls, not to exceed a maximum of 18 credit hours each semester, subject to availability of funding. It states that the amount of assistance in an undergraduate program shall not exceed 120 credit hours in pursuit of an associate's and/or baccalaureate degree. Subject to undergraduate assistance being fully funded, assistance is also to be provided to an eligible Guard member enrolled in a graduate program, not to exceed a maximum of 40 credit hours in pursuit of a master's degree. It establishes criteria for initial eligibility and retention of eligibility for assistance. It directs an eligible Guard member's Commander or his or her designee to confirm a member's standing and eligibility for assistance. It allows an eligible Guard member's Commander to deny an application for certain reasons. It requires a Guard member who receives assistance and fails to maintain satisfactory participation in the Oklahoma National Guard to repay an assistance amount or seek a hardship waiver. The bill also creates the Oklahoma National Guard Educational Assistance Revolving Fund to fund the program.

SB 1631 (Pugh/Vancuren) directs the Commission for Educational Quality and Accountability to establish a two-year pilot program for mentor teacher training. It directs the program to provide training to mentor teachers who have been teaching for at least five years with the goal of providing training to one mentor teacher from each school district over the two-year period. The bill directs mentor teachers who complete the training to be provided a one-time \$3,000 stipend, subject to availability of funding. It directs the Commission to administer an introductory and exit survey to teachers placed under a mentor teacher who completed the training. The measure also directs the Commission to submit a report on the program, including aggregate survey data and recommendations for continuation or expansion of the pilot program, by July 1, 2026, to legislative leaders and the chairs of the Senate and House education committees.

SB 1671 (Pugh/Bush) directs the State Department of Education, in consultation with experts in Holocaust education, to develop and make available to public schools resources related to Holocaust education for grade-appropriate instruction of students in sixth through twelfth grades. It directs Holocaust education to be taught to sixth through twelfth grade students beginning in the 2022-23 school year, and it allows the education to be integrated into other courses. The bill directs the Department, in consultation with experts in Holocaust education, to develop and implement professional learning opportunities for those teaching Holocaust education.

SB 1673 (Pugh/Nollan) modifies income qualifications for the Oklahoma Higher Learning Access Program (OHLAP), also known as Oklahoma's Promise. It states that beginning with eighth, ninth, tenth, or

eleventh grade students who are enrolled in a public or private school or students between the ages of 13 and 16 who are educated by other means who apply for the program in the 2022-23 school year, the federal adjusted gross income of the student's parent(s) cannot exceed: \$60,000 per year if the parent(s) have two or fewer dependent children; \$70,000 per year if the parent(s) have three or four dependent children; and \$80,000 per year if the parent(s) have five or more dependent children.

Elections

SB 523 (Paxton/Lepak) prohibits any agency, board, commission, or other entity of the State from entering into a legal agreement that prescribes election procedures that conflict with procedures prescribed by the Legislature in statute. Neither the Governor, nor any officer, court, or political subdivision of the state will amend or alter election procedures in state, except where specifically authorized in statute. Either chamber of the Legislature may intervene in any action, suit, or proceeding that challenges or attempts to modify election procedures outlined in statute.

SB 714 (Jech/Newton) standardizes the deadline to request absentee ballots to the day following the third Monday preceding the election to request an absentee ballot.

HB 1711 (Hill/Rosino) provides that absentee ballots may be delivered electronically to blind and visually impaired voters. The system may use similar requirements as the electronic delivery systems provided to uniformed services voters provided for in current law. The system may authorize blind voters to use their personal computers to mark an

accessible absentee ballot privately and independently and then print the marked ballot. The ballot shall be accompanied by an absentee ballot affidavit and be returned to the secretary of the county election board. Such voters may also request the assistance of another person to complete any requirements provided for in the measure. Persons who are not qualified to apply for the ballot that apply for the absentee ballot shall be guilty of a felony.

HB 3046 (Lepak/Daniels) prohibits any government official or election official from soliciting or accepting from any person, any contribution, donation, or anything else of value for purposes of conducting or administering any election. Donations may be accepted by the Secretary of the State Election Board or secretary of the county election board upon written approval by the Governor and written notification sent to the Speaker of the Oklahoma House of Representatives and President Pro Tempore of the Oklahoma State Senate. A first violation is a misdemeanor punishable by a fine not exceeding \$5,000. A second violation is a misdemeanor punishable by a fine not exceeding \$10,000. A third or any subsequent violation constitutes a felony punishable by a \$50,000 fine and/or imprisonment from 2-5 years.

HB 3364 (Eric Roberts/Haste) requires each voter applying for an absentee ballot by electronic means to provide their name, birth date, identification number, and other information as may be prescribed by the Secretary of the State Election Board. Voters are authorized to provide multiple identification numbers used in their registration record if they do not recall which identification number they used when registering to vote. If the name, birth date, or any identification number provided does not match the voter registration record, the voter

shall be informed of the failure to match the voter registration record and shall be provided information and instruction to contact the county election board. If the application does not contain the information specified in this measure, such a voter shall be ineligible for absentee voting by electronic means but may apply for an absentee ballot in person. Each voter applying for an absentee ballot by electronic means shall be required to confirm their address no later than January 1, 2023.

HB 3365 (Eric Roberts/Haste) provides that new voter identification cards shall be mailed to the physical address of the voter if the address is one that follows the correct standards and formatting of the United States Postal Service. The measure also provides that the registration of any registered voter shall be cancelled upon receiving a driver license in another state. A list of registration cancellations and the reason for such cancellations over the last 24 months shall be made public. Additionally, the measure requires an address confirmation to be sent to registered voters that have the same address as 5 or more other registered voters. The measure also provides that when the State Department of Health transmits a certified list of resident death to the Secretary of the State Election Board that they include only personal identifiers needed to link the files. Such information shall be kept confidential by the State Election Board. The publicly available voter list shall note any voter for whom a first-class mailing from the county election board or the State Election Board was returned undeliverable. Inactive voters, voters identified as possibly having changed their residence, and voters with an invalid address as defined in the measure shall be required to complete an address confirmation form.

Energy

SB 1352 (Taylor/Boles) creates the Oklahoma Consumer Energy Choice Act. The measure prohibits any town, city, or county from adopting an ordinance, rule, or code which limits consumer access to an energy source or de facto prohibits a wholesaler, retailer, or the related infrastructure providing consumer access to a specific energy source within the jurisdiction of a city, town, or county. The measure also declares any limitation of consumer access to an energy source by any city, town, county, or subdivision as a statewide concern and prohibits such limitations.

SB 1410 (Taylor/Mize) creates the Oklahoma Emergency Energy Availability Act of 2022. The measure provides that any agency, department, bureau, system of higher education, school district, township, or municipality that has an energy policy must develop an emergency energy plan detailing methods or sources of energy during a state of emergency. Such plans may not rely on energy from a single source and must develop policies for the acquisition of electrical power generated from at least 3 distinct energy sources.

General Government

SB 1567 (Rosino/Bush) provides that the State Purchasing Officer under the supervision of the Director of the Office of Management and Enterprise Services shall have the sole and exclusive authority and responsibility to administer and oversee the State Use Program. The measure authorizes the Office of Management and Enterprise Services Central Purchasing Division to qualify organizations for inclusion in the State Use Program, monitor qualified organizations for continued compliance to

remain active in the program, and remove organizations from the program. The State Purchasing Officer shall award and manage contracts to the qualified organizations. The measure provides that all monies from the contract management fee or levies shall be deposited in the State Use Council Revolving Fund. The measure authorizes any county or municipality to purchase goods and services from qualified organizations. Central Purchasing shall require an annual qualified organization pricing review for all products and services approved and designated on the procurement schedule. Additionally, the measure provides that if the fair market price for a product or service approved by the Office of Management and Enterprise Services Central Purchasing Division exceeds a current market price for the same product or service, the State Use contracting officer may grant a temporary exception to a requesting agency so that the agency may purchase the product or service from the supplier offering the lower market price. Finally, the measure requires the Office to transmit an annual strategic plan report for the State Use Program to the President Pro Tempore of the Senate, Speaker of the House, and Governor. The procurements made pursuant to the provisions of this measure shall not be subject to competitive bid requirements.

HB 3819 (Sims/Rader) creates the Oklahoma Disaster Mitigation and Recovery Matching Fund. This fund is to be appropriated from monies not otherwise appropriated from the General Revenue Fund for the fiscal year ending June 30, 2023, in the amount of \$5 million. It allows voluntary associations of Oklahoma local governmental jurisdictions and those associations containing at least one municipality with a population greater than 350,000 people to obtain funding for the

purpose of rural hazard mitigation projects. The measure prohibits the funds from being used on administrative expenses. Associations are required to develop a plan for the use of the funds and to provide a yearly summary of projects in which they expend the funds. Finally, the measure establishes the framework for obtaining and expending these funds.

Health & Human Services

SB 612 (Dahm/Olsen) criminalizes any abortion performed in the state except to save the life of a pregnant woman in a medical emergency. Any person who performs such a procedure and is convicted shall be guilty of a felony and subject to a maximum fine of \$100,000, a maximum term of imprisonment of 10 years, or both. The provisions of this measure shall not authorize charging any woman with any criminal offense in the death of her own unborn child or prohibit the sale of contraceptives.

SB 1100 (Bergstrom/Dills) provides that the biological sex designation on every birth certificate issued after the effective date of the measure shall be either male or female and shall not contain any symbol representing a nonbinary designation of biological sex.

SB 1286 (Stanley/Miller) exempts facilities certified as a family child care provider by a branch of the United States Department of Defense or by the United States Coast Guard from the provisions of the Oklahoma Child Care Facilities Licensing Act.

SB 1322 (Pugh/Martinez) adds physician assistants to the list of professionals that may sign a death certificate, subject to the practice agreement signed between the assistant and supervising authority.

SB 1337 (McCortney/McEntire) amends the Ensuring Access to Medicaid Act. The measure requires the Oklahoma Health Care Authority to enter into capitated contracts with contracted entities for the delivery of Medicaid services as well as with dental benefits managers. The measure prohibits the Authority from issuing any requests for proposals or entering into any contract to transform the delivery system for the aged, blind, and disabled populations eligible for SoonerCare. Additionally, the Authority is directed to issue requests for proposals for all Medicaid services. The measure requires the Authority to specify the services covered and not covered in the request for proposals. Implementation of the program shall be no later October 1, 2023, subject to federal approval. Additionally, the measure requires the Authority to issue a request for proposals for the Children's Specialty Plan. The measure requires the contracted entity for the Children's Specialty Plan to coordinate with dental benefit managers for dental service benefits. The measure prohibits the Authority from implementing the transformation of the Medicaid delivery system until it receives written confirmation from the Centers for Medicare and Medicaid Services (CMS) of approval of managed care directed payments. All capitated contracts will be the result of requests for proposals issued by the Authority. The Authority is also directed to award no less than 3 statewide capitated contracts to provide comprehensive integrated health services including but not limited to medical, behavioral health, and pharmacy services and no less than 2 capitated contracts to provide dental coverage to Medicaid members. The measure provides that 1 provider-led entity must be awarded a contract by the Authority unless no provider-led entity submits a responsive reply to fulfill the contract requirements.

Requirements for provider-led entities as well as scoring criteria used to award contracts are outlined in the measure. The Authority is required to develop network adequacy standards for all contracted entities that at a minimum meet the requirements of the measure. The measure also directs the Authority to establish standards as needed to prohibit contracted entities from excluding essential community providers, providers who receive directed payments, and other providers as determined by the Authority. All contracted entities are required to contract with local Oklahoma provider organizations for a model of care containing the components outlined in the measure. The Authority is also directed to develop standard contract terms for contracted entities as well as oversee, monitor, and enforce the terms of capitated contracts. Additionally, the measure directs the Authority to preserve or increase supplemental payments and improve existing levels of funding, and requires certain reporting. The measure also provides for the establishment and utilization of certain quality measures and requires the Authority to obtain federal approval for managed care directed payments prior to implementation of capitated contracts. The measure directs proceeds from the existing insurance premium tax collected under the Ensuring Access to Medicaid Act to the Medicaid Health Improvement Revolving Fund created in the measure. The Fund will be used by the Authority to supplement the state Medicaid program, to supplement the Supplemental Hospital Offset Payment Program, and to supplement the Rate Preservation Fund.

SB 1369 (Haste/McEntire) creates the Office of the State Coordinator for Health Information Exchange within the Oklahoma Health Care Authority. The Coordinator shall be appointed by the Administrator of

the Oklahoma Health Care Authority. The Coordinator shall designate a health information exchange organization as the state-designated entity for health information exchange. Patient-specific protected health information submitted to the state-designated entity shall be treated as confidential. The health information exchange organization shall be governed by its stakeholders.

SB 1396 (McCortney/Wallace) amends various provisions of law relating to the Supplemental Hospital Offset Payment Program (SHOPP). The measure provides that the Hospital Advisory Committee shall be comprised of 5 members recommended by a statewide association representing rural and urban hospitals. The Committee shall meet at least once per year and must be consulted by the Health Care Authority at least 30 days prior to submission of any proposed state plan amendment or proposed directed payment application and prior to adoption of any administrative rule that may affect either the assessments or hospital access payments authorized by this measure. Additionally, the measure provides that \$130 million of funds generated from SHOPP shall be transferred annually to the Medical Payments Cash Management Improvement Act Programs Disbursing Fund to fund the state Medicaid program. Funds shall also be used for the nonfederal share of the upper payment limit gap, the managed care gap, the managed care provider incentive pool, the annual fee to the Authority, and \$30 million to be transferred by the Authority to the Medical Payments Cash Management Improvement Act Programs Disbursing Fund. The managed care gap shall be calculated by the Authority using a 90% average commercial rates benchmark for determining the maximum amount that will be paid for hospital inpatient and outpatient services, subject to

approval by the federal Centers for Medicare and Medicaid Services. Each eligible hospital shall receive from the hospital inpatient managed care payment pool a per-discharge uniform add-on amount to be applied to each eligible hospital's Medicaid managed care discharges for that calendar year. Each eligible hospital shall receive from the hospital outpatient managed care payment pool a uniform percentage add-on amount to be applied to the base rate claims payments for hospital outpatient Medicaid managed care encounters at eligible hospitals for that calendar year. The measure also requires the Authority to make each quarterly hospital access payment within 14 calendar days of the date on which each quarterly payment of an annual assessment is due. The measure outlines payment requirements for contracted entities.

SB 1503 (Daniels/Russ) creates the Oklahoma Heartbeat Act. The measure provides that a physician may not knowingly perform or induce an abortion on a pregnant woman unless the physician has determined whether the fetus has a detectable heartbeat. A physician may not perform or induce an abortion if a heartbeat is detected unless he or she believes a medical emergency exists. If the physician believes an emergency exists, he or she shall record the medical condition of the woman. The measure provides that the physician must use a test that is with the physician's good faith and reasonable understanding of standard medical practice and appropriate for the estimated gestational age of the unborn child and the condition of the pregnant woman and her pregnancy. A physician making the determination is directed by the measure to record the estimated gestational age of the unborn child as well as the method and test used to determine the age. The measure also clarifies that its provisions shall not be construed as to allow abortion in the state or

to authorize the initiation of a cause of action against or the prosecution of a woman on whom an abortion is performed or induced. The measure shall not be construed to wholly or partly repeal any statute that prohibits abortion nor shall it be construed to prohibit a political subdivision from regulating or prohibiting abortion in any manner. The provisions of this measure shall be exclusively enforced through private civil actions. No enforcement shall be undertaken by the state, a political subdivision, a district attorney, or an executive or administrative officer or employee of this state or a political subdivision against any person. The measure authorizes any person to bring a civil action against any person who performs or induces an abortion as well as any person who engages in conduct that aids or abets the performance or inducement of an abortion. Claimants that prevail in actions brought under the provisions of this measure shall be entitled to relief sufficient to prevent the defendant from violating the provisions of this measure and statutory damages amounting to not less than \$10,000.00 for each abortion that the defendant performed, induced, or abetted. Court costs and fees in addition to nominal costs for emotional distress and loss of consortium shall be awarded to the claimants as well. No award will be made if the defendant previously paid not less than \$10,000.00 for the particular abortion named in the claim. Claims may be brought forward within 4 years of the date the alleged violation occurred. The measure prohibits using ignorance of the law, a defendant's beliefs that the provisions of this measure are unconstitutional, prior court decisions, non-mutual issue preclusion or non-mutual claim preclusion, the consent of the mother, or any claim that enforcement would violate the constitutional rights of third parties as a defense. The measure provides that it is an affirmative defense that a person sued

reasonably believed, after conducting a reasonable investigation, that the physician performing or inducing the abortion had complied or would/will comply with the provisions of the measure. No state official shall intervene in an action brought under the provisions of this measure. Additionally, no court shall award court costs or attorney fees to a defendant. The measure also provides that defendants may assert an affirmative defense to liability if the Supreme Court holds that the courts of the state must confer standing on that defendant to assert the third-party rights of women seeking an abortion in state court as a matter of federal constitutional law or the defendant has standing to assert the rights of women seeking an abortion under the tests for third-party standing established by the United States Supreme Court. The measure provides that a defendant may assert standing if the defendant has standing to assert the third-party rights of a woman or group of women seeking an abortion or the defendant demonstrates that the relief sought by the claimant will impose an undue burden on that woman. The measure provides that a court shall not find an undue burden unless the defendant introduces evidence outlined in the measure. Civil actions must be brought in the county in which all or a substantial part of the events or omissions giving rise to the claim occurred, the county of residence for the defendant, the county of the principal office of any one of the defendants that is not a natural person, or county of residence for the claimant if the claimant is a natural person residing in the state. The measure provides that physicians under contract with or employees of federal agencies shall not be required to detect a fetal heartbeat if a prohibition on that abortion would violate the doctrines of preemption or intergovernmental immunity. The measure also provides that civil actions brought

under the provisions of this measure shall not be subject to the provisions of the Oklahoma Citizens Participation Act. Civil action may not be brought against the woman upon whom an abortion was performed or against common carriers transporting the woman. The measure provides that no court of this state shall have jurisdiction to consider any action, claim, or counterclaim that seeks declaratory or injunctive relief to prevent any person from enforcing any provision or application of this measure. The measure provides for severability of the provisions in this measure and prevents any court from rewriting any provision in the measure.

SB 1511 (Rosino/Pfeiffer) prohibits any medical marijuana commercial grower from being located within 1,000 feet of any public school or private school as measured from the nearest property line of such public school or private school to the nearest property line of the licensed premises of such medical marijuana commercial grower. The measure also provides that such facilities shall not adjoin to the property of any school or be located at the same physical address as a school. The measure grandfathered in locations that met the requirements previously allowed for in law.

SB 1542 (Rosino/Dustin Roberts) provides that no provisions of the Physician Assistant Act shall limit the activities of a physician assistant employed by or under contract with the federal government. Such persons must be licensed as physician assistants by the state or another state or credentialed by the federal government. Any physician assistant employed by the government shall be subject to the Act's provisions while practicing outside of the federal system.

SB 1543 (Treat/Echols) separates the Medical Marijuana Authority from the State

Department of Health and deems it to be a separate and distinct agency. The measure also creates the Executive Director position at the Authority and provides for the Governor to appoint him or her. All regulatory powers relating to medical marijuana shall be transferred to the Authority. The measure provides that all licenses granted by the Department shall remain in effect. All contracts pertaining to medical marijuana shall be transferred to the Authority. The Authority is empowered to investigate possible criminal conduct relating to medical marijuana and arrest violators; provided, its investigators shall meet all training requirements and qualifications for peace officers.. The measure also updates statutory language relating to the regulation of medical marijuana to reflect the creation of the Medical Marijuana Authority and strikes outdated language. The measure provides clarifying language. The measure authorizes the Executive Director to conduct hearings, issue final agency orders, and to impose disciplinary action. The Executive Director may delegate to an administrative law judge the authority to conduct hearings, issue final agency orders, or impose disciplinary action.

SB 1555 (Treat/McCall) provides that provisions of law repealing certain abortion restrictions shall come into effect if *Roe v. Wade* is overruled in part or whole to the extent that Oklahoma may enact statutes and regulations prohibiting abortion throughout pregnancy. It also immediately eliminates certain conditional repealers of abortion regulations.

Judiciary

SB 173 (Rosino/Miller) removes the requirements for a public trust engaging in activities outside of the geographic boundaries of its beneficiary to benefit a

large class of the public within the beneficiary's boundaries or lessens the burdens of government and merely requires such activities to provide benefits to the beneficiary of the public trust. The measure also removes the prohibition on such activities if such activities solely provide the benefit to generate administrative fees. The measure also provides that construction contracts awarded by public trusts valued at \$50,000.00 or more be awarded according to the provisions of the Public Competitive Bidding Act of 1974.

SB 418 (Daniels/Martinez) creates the Oklahoma INFORM Act. The measure directs any online marketplace to require any third-party seller using the marketplace's platform to provide the online marketplace with a bank account number of the payee for payments issued by the online marketplace to the high-volume third-party seller, contact information of the seller, a business tax identification number of the seller, and a current working email address. The online marketplace shall notify its third-party sellers annually of their requirement to provide the information outlined in the measure. If a seller does not provide the information, the online marketplace will suspend all sales from the third-party seller. High-volume sellers shall also disclose their name, physical address, and contact information. High-volume sellers shall also disclose whether they used a different seller to supply the consumer product to the consumer upon purchase. If the seller only has a residential address, the seller will only be required to disclose the country they reside in and shall inform consumers that the seller does not have a business address. An online marketplace shall disclose to consumers in a clear and conspicuous manner on the product listing of any high-volume third-party seller a reporting mechanism that allows for electronic and

telephonic reporting of suspicious marketplace activity to the online marketplace. If the Attorney General has reason to believe that any online marketplace has violated or is violating the provisions of this measure, the Attorney General may bring a civil action in district court.

SB 970 (Floyd/Townley) provides that any portion of any document or information provided to an agency or entity of the state or a political subdivision to obtain licensure that contains an applicant's personal address, personal phone number, personal electronic mail address or other contact information shall not be considered a "record" as it applies to the Oklahoma Open Records Act. Lists of persons licensed, the existence of a license of a person, or a business or commercial address, or other business or commercial information disclosable under state law submitted with an application for licensure shall be considered public record.

SB 974 (Weaver/Pae) specifies that "discovery" as it applies to the statute of limitations shall mean the date that a physical or sexually related crime involving a victim 18 years of age or older is reported to a law enforcement agency. The measure prohibits any prosecution case from being based on the memory of the victim that has been recovered through psychotherapy unless there is some evidence independent of such repressed memory. Additionally, the measure provides for persons knowingly making false claims to be referred to local law enforcement for investigation and, upon conviction, being guilty of a felony. The measure also requires crimes of human trafficking to be prosecuted within 3 years after discovery of the crime.

SB 976 (Murdock/David Hardin) authorizes the sales of lands or tenements under

execution to be held by public auction through the internet or other electronic media, if notice of the date, time, and place of the intended sale is provided.

SB 1163 (Garvin/Miller) authorizes each district attorney to develop a multidisciplinary team for the investigation and prosecution of crimes committed against the elderly or vulnerable adults in coordination with the District Attorneys Council. The lead agency shall be chosen by each team. The team shall intervene in reports involving sexual abuse, abuse, neglect, or exploitation of an elderly person or vulnerable adult. The team's membership shall be comprised of a mental health professional, law enforcement agents experienced with or trained in elder and vulnerable adult abuse and neglect investigation, medical personnel with relevant experience, coordinators, the district attorney, as well as Adult Protective Services, Office of Client Advocacy, and long-term care workers within the Department of Human Services. The team shall conduct joint investigations, develop a written protocol for investigations relating to elderly persons or vulnerable adults, collaborate with professionals responsible for the reporting and investigation of such abuse, eliminate duplicative efforts, identify gaps in service, develop expertise through training, and standardize investigative practices. Any investigation, excepting cases in which personnel are not available or the Department of Human Services determines that there is reasonable cause to believe a delay in investigation or interview of a victim could place the victim's health or welfare in danger of harm, shall be conducted according to the protocols outlined in the measure. The measure requires the team to keep records pertaining to elderly victims confidential.

SB 1548 (Thompson/Hilbert) provides that each county, instead of its district attorney, may establish a drug court program. The measure also provides that a juvenile court program may be established. The measure strikes language leaving the decision of whether an offender is eligible to participate in the program to the discretion of the district attorney and instead directs the district attorney to determine any statutory prohibitions on the offender that prevents participation. The measure also directs each drug court to develop agreed-upon, objective eligibility criteria to determine presumptive drug court eligibility for offenders. Notification must be provided to victims if the offender involved in the crime seeks to participate in the program. Additionally, the measure requires any offender admitted to the drug court program for a crime which requires the offender to attend a batterers' intervention program to continue attending the intervention program as a condition of participating in the drug court. The coordinator shall file a form with the district attorney if a person wishes to be voluntarily placed in the program as well as keep a record of all presumptively eligible offenders who are not placed in the drug court program.

SB 1596 (Howard/Stinson) creates the Oklahoma Health Care Agent Act. The measure provides that a person with capacity may execute a power of attorney for health care, including signing do-not-resuscitate orders, other than the withholding or withdrawal of life-sustaining treatment, nutrition, or hydration, which may only be authorized in compliance with the Oklahoma Advance Directive Act. Such persons shall be empowered to make any health care decision the principal could have made while having capacity. Such power must be in writing and signed by the principal and witnessed by 2 persons who

are at least 18 years of age and are not legatees, devisees, or heirs at law of the principal. No agent may be an owner, operator, or employee of a residential long-term health care institution unless the agent is directly related to the principal. The measure provides a descending order of priority for persons to act as the agent in the absence of a written agreement to designate an agent. Power of attorney shall only become effective upon a determination of incapacity of the principal unless stated otherwise. Agents are directed by the measure to make health care decisions based on the initial instructions of the principal and shall be effective without judicial approval. Principals may revoke the designation of an agent by a signed writing or by personally informing the supervising health care provider at any time and in any manner that communicates an intent to revoke. The measure provides an example form to be used when designating an agent. The measure requires supervising health care authorities to record the power of attorney into the patient's record and to record the determination made to designate a patient as incapacitated. The measure provides that health care providers may decline to comply with an individual instruction or health care decision for reasons of conscience. Such providers must promptly inform the patient and agent of the declined instruction, provide continuing care until the patient can be transferred, and assist in efforts to transfer the patient. Health care providers acting in good faith and in accordance with generally accepted health care standards applicable to the health care provider or institution are exempted from criminal and civil liability for complying with health care decisions, declining to comply in certain circumstances, and complying with a power of attorney for health care and assuming that the

designation was valid when made and has not been revoked or terminated.

SB 1691 (Taylor/Boles) provides that conviction, plea of guilty, nolo contendere, or pending criminal charges shall be grounds for licensure denial only if the underlying offense substantially relates to the duties and responsibilities of the occupation and poses a reasonable threat to public safety, health, or welfare. Each licensing board shall be required to consider the seriousness of the crime, the amount of time that passed since the conviction, the age of the person at the time the crime was committed, evidence relevant to the circumstances of the offense, and evidence of rehabilitation as it determines an applicant. The measure also provides that denial of licensure may not occur if the arrest was not followed with conviction unless charges are pending, the conviction was pardoned or expunged, or more than 5 years have elapsed since the date of conviction or release from incarceration if the conditions outlined in the measure are met. Authorities denying an application must provide the reasoning for the denial, including naming the specific conviction. The measure requires the board to notify the applicant to submit additional evidence relevant to each of the factors listed within 30 days of the denial. The measure directs each licensing entity to publish information relating to these procedures and considerations on their respective websites. The provisions of this measure shall not apply to the Council on Law Enforcement Education and Training, the Bail Bonds Division of the Oklahoma Insurance Department, the State Board of Education, or individuals applying to these authorities for licensure or certification.

SB 1733 (Treat/McCall) provides that a public body subject to the provisions of the Oklahoma Open Records Act shall not

include any 501(c)(3) organization whose sole beneficiary is a college or university that is a member of The Oklahoma State System of Higher Education. The measure provides that such organizations shall not receive direct appropriations from the Legislature. The measure also prohibits any person who is a member of the Oklahoma State Regents for Higher Education, member of the board of regents or other governing board of the college or university, or employee of the college or university that is the sole beneficiary of the organization.

HB 3024 (Worthen/Rader) adds an expungement category to the list of eligible circumstances for an expungement. The measure allows a person who was charged with not more than two felony offenses and the charges were dismissed following the successful completion of a deferred judgment or delayed sentence, none of which were felony offenses listed as an 85% crime or a sex offense, and no felony or misdemeanor charges are pending against the person, and at least 10 years have passed since the charges were dismissed.

HB 3053 (Boles/Paxton) provides the option for a sentence to be deferred when an offender successfully completes a drug court program. The deferment period shall not exceed 2 years.

HB 3409 (Bush/Pugh) increases the amount a tenant can be reimbursed by a landlord for making repairs from a maximum of \$100.00 to less than or equal to 1 month's rent.

HB 4210 (Boatman/Weaver) requires the Oklahoma Attorney General to maintain data related to human trafficking and to assist law enforcement, social service agencies, and private victim advocacy programs in identifying and supporting victims of human trafficking. The measure

creates within the Office of the Attorney General the Human Trafficking Response Unit to maintain data and develop training programs to assist agencies and victims of human trafficking. The Unit is to also create incentive programs to encourage state agencies to attend training programs and review policies, and appropriate targeted funding for victim service programs. The Unit is to publish public service announcements on various media platforms to educate the public about the dangers of human trafficking.

Public Safety

SB 1515 (Weaver/Osburn) provides that a certified emergency medical response agency may provide limited transport in an emergency vehicle as defined in current statute after receiving the approval of appropriate medical control at the time of transport. Emergency transportation shall not be required if a patient's apparent clinical condition does not warrant emergency ambulance transport. Non-transport protocols as they relate to patients must be authorized by the regional medical director.

SB 1726 (Leewright/Hilbert) expands the category of schools as it relates to medical marijuana dispensary setback requirements to include technology centers. The measure also includes medical marijuana commercial growers in the setback requirement and prohibits any grower operation from adjoining a public school or private school. A property owned, used, or operated by a public school or by a private school that is not used for classroom instruction on core curriculum shall not constitute a public school or private school unless such property is located on the same campus as a building used for classroom instruction on core curriculum.

Retirement & Insurance

SB 462 (Taylor/Frix) creates the Oklahoma Right to Shop Act. The measure authorizes insurance carriers to offer a shared savings incentive program to enrollees to seek alternative coverage plans. Incentives are calculated as a percentage of the difference in allowed amounts to the average, as a flat dollar amount, or by any other reasonable methodology approved by the Insurance Department. Carriers that establish such a program must submit an annual report to the Insurance Commissioner 90 days after the close of each health benefit plan year as well as provide a quarterly payment to enrollees. Enrollees must also be notified of the program at the time of renewal or on an annual basis. Additionally, the measure requires the Office of Management and Enterprise Services to conduct an analysis of the cost-effectiveness of implementing a shared savings incentive program by November 1, 2022.

SB 524 (Quinn/Sneed) directs the Insurance Commissioner to develop and administer an assigned risk plan to provide workers' compensation insurance coverage to employers who are unable to procure coverage in the voluntary market. An employer must have been declined coverage by at least 2 unaffiliated insurers and provide such documentation to the Commissioner to qualify. The measure requires premiums to be actuarially sound, consistent with industry standards for classification and rate-making methodologies and calculated to enable the plan to be self-sustaining, and able to operate without subsidies from employers and insurers in the voluntary market. The measure authorizes the Commissioner to designate a third-party to carry the risk plan.

SB 743 (Weaver/Moore) modifies the definition of permanent in-line disability as it relates to police retirement by defining such disability as an injury, mental or physical, to be determined by an independent medical examiner, psychiatrist, or psychologist selected by the State Board, and it modifies the definition of normal disability benefit to include the option for the benefit to be 2.5% of the member's final average salary multiplied by the years of credited service of the member if the member has more than 20 years but not less than 30 years of accrued service. It also modifies the amounts of a disability benefit awarded to a disabled member. Additionally, the measure amends the Oklahoma Pension Legislation Actuarial Analysis Act to make the provisions of the measure nonfiscal.

Taxation and Tax Exemptions

SB 1339 (Coleman/Strom) modifies the term "marketplace facilitator" to include persons that sell all products that are taxable pursuant to the sales tax code, instead of the current "tangible personal property", as it relates to collecting sales taxes from online sales. Additionally, the measure broadens the collection responsibilities of marketplace facilitators electing to collect and remit the sales tax to include any other taxes administered by the Tax Commission which are levied by local jurisdictions.

SB 1496 (Stanley/Miller) creates a sales tax exemption for the sale of tangible property or services to or by a nonprofit, women's veteran's organization known as the Oklahoma Women Veterans Organization.

SB 1670 (Kidd/Hasenbeck) modifies the sales tax exemption granted to surviving spouses of veterans by including spouses

married to military members that have died while in the line of duty.

HB 3088 (Hilbert/Hall) creates an income tax credit for up to 10% of nonrecurring adoption expenses incurred by an Oklahoma taxpayer in connection with an adoption or proposed adoption of a minor. The credit may be claimed beginning tax year 2023 and is limited to \$2000 per year for single filers or \$4000 per year for joint filers. The measure also eliminates the existing income tax deduction for eligible nonrecurring adoption expenses effective tax year 2022.

HB 3418 (Fetgatter/Montgomery) creates an income tax deduction to allow taxpayers to fully expense the cost of qualified business assets in the same tax year the asset was placed in service effective tax year 2022. Qualified business assets are those eligible under Section 179 of the Internal Revenue Code. Taxpayers may also receive a 100% bonus depreciation deduction for property eligible under Section 168 of the IRC in the same tax year that the asset is placed in service.

HB 3568 (McBride/Allen) creates a rebate program for oil and gas companies that implement qualified emission reduction projects. The rebate is for 25% of documented expenditures made to implement the qualified projects. The rebate program will be administered by the Department of Environmental Quality and the Oklahoma Tax Commission. Rebate payments may not exceed \$10 million total in any fiscal year. If the cap is exceeded, the rebates will be pro-rated. The rebate program is set to expire July 1, 2027. The measure also creates a five-year gross production tax exemption for oil and gas production projects approved by the Corporation Commission that use secondary and tertiary recovery methods. The

exemption will be administered as a refund. The total amount of these refunds authorized may not exceed \$15 million in any fiscal year. The production of wells drilled but not completed as of July 1, 2021, which are completed with the use of recycled water on or after July 1, 2022, will earn an exemption from the gross production tax levied from the date of first sales for a period of 24 months. The exemption will be proportional to the percentage of recycled water that is used to complete the well. The exemption will be administered as a refund. The total amount of these refunds authorized may not exceed \$10 million in any fiscal year.

Transportation

SB 942 (Murdock/Pfeiffer) requires applicants for a restricted commercial driver license to have held a valid driver license for at least 1 year. Applicants who have held a license for 2 or more years must have a good driving record, as defined in the measure, for the most recent 2 years.

SB 1461 (Rosino/Echols) creates the Oklahoma Air Service Development Grant Program. The measure provides that the Program shall be placed under the management of the Oklahoma Aeronautics Commission, the Oklahoma Air Service Development Grant Program. The Program shall render financial assistance to private or public entities for the purpose of assisting commercial air service development. Funding may be used for commercial air service development projects and include minimum revenue guarantees for specific new routes, marketing and advertising of service, market study and research projects to develop data for a business case for new service. Private, public, and nonprofit entities must demonstrate they have sufficient financial and management capacity to complete the requested project.

Sufficient funding for a project shall require the requestor to demonstrate that it can fund at least 20% of the project through local sources. The measure outlines the minimum requirements an application must show to be awarded a grant. Once applications are sufficiently vetted, applications shall be considered by the Program as well as the Department of Commerce. The Oklahoma Air Service Development Grant Program Revolving Fund is also created by the measure.

SB 1541 (Rosino/Miller) authorizes a person to operate a fully autonomous vehicle without a human driver provided that the automated driving system is engaged, and the vehicle meets certain conditions outlined in the measure. Prior to operating the vehicle without a human driver, the person must submit a law enforcement interaction plan to the Department of Public Safety that shows law enforcement how to communicate with a fleet support specialist who is available during the times the vehicle is in operation, how to safely remove the vehicle from the roadway, how to recognize whether the vehicle is in autonomous mode, proof of insurance coverage equal to at least \$1 million, and any additional information the manufacturer or owner deems necessary. Such persons must also submit proof that the vehicle is insured. If there is an accident involving the vehicle, it must remain at the scene of the accident and the owner must report the accident. The measure also authorizes the use of on demand autonomous vehicles, provided, the use of such a vehicle does not contradict the provisions of the Oklahoma Transportation Network Company Service Act. Commercial vehicles may be used as well. Fully autonomous vehicles must be properly registered in accordance with the Oklahoma Vehicle Licensing and Registration Act. The measure clarifies that the automated system

piloting the vehicle shall be considered the driver for the purpose of assessing compliance with applicable traffic or motor vehicle laws. The Department of Public Safety and the Department of Transportation are authorized to promulgate administrative rules to implement the provisions of this measure.

HB 3419 (Kerbs/Hall) transfers all powers, duties, responsibilities and employees relating to the issuance of driver licenses and motor vehicle license registration from the Oklahoma Department of Public Safety and the Oklahoma Tax Commission to the newly created Service Oklahoma, a division of the Office of Management and Enterprise Services. Additionally, the measure creates the Service Oklahoma Computer Imaging Revolving Fund.

Veterans

SB 401 (Pugh/Martinez) modifies the income tax exemption granted to military retirement benefits. The measure exempts all retirement benefits received by an individual from any component of the Armed Forces of the United States from the income tax beginning in tax year 2022 and every year thereafter.

SB 1333 (Simpson/Tommy Hardin) provides that the Union Soldiers Cemetery shall remain under the supervision and care of the Adjutant General until executive director of the Oklahoma Department of Veterans Affairs certifies to the Oklahoma Veterans Commission receipt of the funds and title needed to meet the standards established by the United States Department of Veterans Affairs to designate the property as a State Veterans Cemetery. After the Department receives the funds and title, supervision for the cemetery shall be transferred from the Adjutant General to the

Department 90 days after the executive director certifies the transfer.

SB 1587 (Simpson/Tommy Hardin) creates the K-I-A Reinterment Fund and caps it at \$300,000.00. The Fund shall be under the Department of Veteran Affairs and may be expended for the purposes of disinterring those who were killed-in-action while in combat with a hostile force and reinterment in a State Veterans Cemetery. The Director of the Department is directed to establish application procedures for financial assistances.

HB 1800 (Eric Roberts/Simpson) extends the time period a person discharged from the military is eligible for in-state tuition at a state college or university. Currently, a person who was discharged from the military within the past 5 years is eligible for in-state tuition. HB 3367 extends that to 10 years. The measure also allows any member of the Armed Forces who was stationed in Oklahoma for more than 1 year at any time in the previous 10 years to be eligible for in-state tuition. These provisions also apply to the person's spouse and dependent.

HB 3649 (Dills/Pemberton) creates a sales tax exemption for 501(c)(3) organizations that provide support to veterans, active-duty members of the Armed Forces, reservists, and members of the National Guard to assist with the transition to civilian life. Such organizations must submit documentation to the Oklahoma Tax Commission that over 70% of its revenue is expended on support for transition to civilian life.

Veto Overrides

SB 1052 (Thompson/Wallace) directs that funding from SB 1040 appropriated to the Department of Corrections be spent in the following manner:

- 1) \$4,894,650.00 to fund a contractual per diem increase at the Lawton Correctional and Rehabilitation Facility
- 2) \$2,920,000.00 to fund a contractual per diem increase at the Davis Correctional Facility

SB 1695 (Murdock/Newton) adds state officers who are appointed by the Governor to state agencies or the Governor's cabinet to the list of officials that must file financial disclosure statements with the Ethics Commission.

HB 2046 (McCall/Simpson) creates the Higher Education Institution Local Funding Act. It amends Article X, Section 9B subsection H to allow 2-year colleges to organize a funding district to receive operational millage rates and/or sinking fund millage rates. It prohibits a higher education funding district from including the territory or establish any levy of any technology center school district. To achieve a higher education funding district, the college's board of regents must adopt a resolution, notify the State Regents for Higher Education and draw up a map of the proposed district. It allows an election to approve the district to be held in November of even-numbered years, and it requires 60% voter approval. It allows the operational millage rate revenue to be used for employee salaries and benefits, utility costs, books, classroom supplies, physical plants, HVAC, motor vehicles, etc. It prohibits any of the revenue from being used to compete with programs or services offered by an existing technology center school district that is contiguous or in close proximity. It prohibits the State Regents from taking such revenue into consideration when allocating appropriated funds. If issuing bonds, it limits indebtedness to 25 years.

HB 3501 (David Hardin/Weaver) requires the Department of Public Safety to recognize and act upon a report of conviction in a qualified court of any federally recognized Indian tribe within Oklahoma or a court of the United States in the same manner it acts upon any report of conviction from an Oklahoma state or municipal court.

HB 4412 (Dick Lowe/Pederson) creates within the Oklahoma Conservation Commission a program to promote farming and ranching practices that increase the health, yield, and profitability of the soil through baseline soil assessments, landowner education, and grants to technical assistance providers.

HB 4457 (Wallace/Thompson) creates the Oklahoma Route 66 Commission and the Oklahoma Route 66 Commission Revolving Fund. The measure apportions a maximum of \$6.6 million (32% of the 0.87% apportioned from sales tax revenue) to the newly created Fund.