

# Senate Journal

**Second Regular Session of the Fifty-ninth Legislature**

**of the State of Oklahoma**

**Nineteenth Legislative Day, Wednesday, March 6, 2024**

The Senate was called to order by Senator Paxton.

Roll Call:

Present: Alvord, Bergstrom, Brooks, Bullard, Burns, Coleman, Dahm, Daniels, Deevers, Dossett, Dugger, Floyd, Garvin, Gollihare, Green, Hall, Hamilton, Haste, Hicks, Howard, Jech, Jett, Kidd, Kirt, Matthews, McCortney, Murdock, Newhouse, Paxton, Pederson, Pemberton, Prieto, Pugh, Rader, Rogers, Rosino, Seifried, Stanley, Stephens, Stewart, Thompson (Kristen), Thompson (Roger), Treat, Weaver, Woods and Young.—46.

Excused: Boren and Standridge.—2.

Senator Paxton declared a quorum present.

The prayer was offered by Senator Roland Pederson.

## INTRODUCTION

Senator Hamilton introduced his wife, Sherrie, to the Senate.

## REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 771, 1210, 1229, 1235, 1259, 1262, 1287, 1310, 1324, 1333, 1383, 1384, 1442, 1479, 1490, 1543, 1578, 1631, 1638, 1653, 1654, 1655, 1709, 1716, 1736, 1740, 1751, 1756, 1759, 1770, 1780, 1804, 1854, 1862, 1895, 1915, 1921, 1931, 1934, 1941, 1943, 1959, 1997 and 2025** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**CHANGE IN COMMITTEE ASSIGNMENT**

The following bill will be reassigned as follows:

**HB 2673** – Withdrawn from Education and referred Direct to Calendar

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Hicks asked unanimous consent to refer **SCR 18** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 18** by Hicks et al. of the Senate and Ranson et al. of the House was called up for consideration.

**SCR 18** was adopted upon motion of Senator Hicks and referred for engrossment.

**MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1081, 1382, 1795, 3002, 3011, 3014, 3106, 3157, 3234, 3235, 3238, 3240, 3276, 3284, 3327, 3328, 3346, 3402, 3457, 3458, 3459, 3547, 3571, 3574, 3669, 3671, 3672, 3683, 3684, 3686, 3696, 3747, 3761, 3766, 3768, 3782, 3783, 3792, 3863, 3918, 3937, 4019, 4041, 4095 and 4148.**

**HB 1081** – By Rosecrants, Pae, Menz, Boles, Roe, Deck, Talley and Swope of the House and Garvin of the Senate.

An Act relating to schools; creating the Right to Recess Act; amending 70 O.S. 2021, Section 11-103.9, which relates to physical education programs; requiring schools to provide a daily recess for certain students; authorizing board of education to establish timing and duration of recess; recommending a minimum recess duration; providing for scope of recess activities; excepting certain club or group meetings; prohibiting withholding of recess for discipline or punitive reasons; providing an exception for safety reasons; mandating recess to occur outside the school building except in certain conditions; requiring recess for certain students to comply with certain laws; providing exemption for certain students; and providing for noncodification.

**HB 1382** – By Talley of the House and Hall of the Senate.

An Act relating to children; amending 10 O.S. 2021, Sections 1116.2 and 1116.6, which relate to postadjudication review boards; removing requirement that review board shall be subject to the Oklahoma Open Meeting Act; requiring certain information be included in certain report; amending 25 O.S. 2021, Section 304, as amended by Section 1, Chapter 123, O.S.L. 2022 (25 O.S. Supp. 2023, Section 304), which relates to the Oklahoma Open Meeting Act; providing exception; and providing an effective date.

**HB 1795** – By Osburn, George, Stinson, Roberts, Miller, Duel and Roe of the House and Thompson (Kristen) of the Senate.

[ higher education - Sergeant CJ Nelson Legacy Act - waiver of room and board fees and career technology district fees for surviving children of first responders - noncodification – codification - effective date ]

**HB 3002** – By Worthen, Ford and Hill of the House and Weaver of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2021, Sections 642 and 646, which relate to definitions for battery and aggravated assault and battery; modifying scope of certain definitions; amending 21 O.S. 2021, Section 723, which relates to proof of knowledge and intent; expanding scope of exceptions to include certain criminal offenses; and providing an effective date.

**HB 3011** – By Smith of the House and Kidd of the Senate.

An Act relating to agriculture; amending 2 O.S. 2021, Sections 3-402, as amended by Section 1, Chapter 265, O.S.L. 2022 (2 O.S. Supp. 2023, Section 3-402), 3-403, as amended by Section 2, Chapter 265, O.S.L. 2022 (2 O.S. Supp. 2023, Section 3-403), Section 3-404, Section 3-406, and Section 3-408, as amended by Section 3, Chapter 265, O.S.L. 2022 (2 O.S. Supp. 2023, Section 3-408), which relate to hemp; adding definition; requiring remediation to occur at certain location; providing guidance for noncompliant hemp; modifying the requirements for the selling of industrial hemp grain and other industrial hemp derivatives; requiring new and renewal applications to include a criminal history report or background check; providing timeline for harvesting after sample collection; modifying the causes to deny, revoke or suspend a license; and providing an effective date.

**HB 3014** – By Boatman of the House and Howard of the Senate.

An Act relating to courts; amending 20 O.S. 2021, Section 1315.1, which relates to the Oklahoma Court Information System; deleting reference to project manager; amending 20 O.S. 2021, Section 1315.2a, which relates to the accounting system for the Oklahoma Court Information System; deleting provisions related to legislative intent.

**HB 3106** – By Dobrinski, Archer and Alonso-Sandoval of the House and Thompson (Roger) of the Senate.

[ conservation – Terry Peach North Canadian Watershed Restoration Act – pilot program to remove harmful woody species – definition – North Canadian Watershed Restoration Revolving Fund – appropriation - effective date ]

**HB 3157** – By Roberts of the House and Weaver of the Senate.

An Act relating to prostitution; amending 21 O.S. 2021, Sections 1028 and 1031, as amended by Section 2, Chapter 265, O.S.L. 2023 (21 O.S. Supp. 2023, Section 1031), which relate to prostitution offenses and related penalties; specifying penalties and fine amounts for certain offenses; providing limitations on prison terms; updating internal statutory references; and providing an effective date.

**HB 3234** – By Lawson and Deck of the House and Green of the Senate.

An Act relating to career and technology education; amending 70 O.S. 2021, Section 14-132, which relates to the State Board of Career and Technology Education and authorization to enter certain agreements; authorizing the State Board of Career and Technology Education to outline certain criteria and requirements related to high school equivalency diploma; and providing an effective date.

**HB 3235** – By Lawson and Hefner of the House and Garvin of the Senate.

[ poor persons - Department of Human Services - application for programs - application requirements - protocols and systems – codification - effective date ]

**HB 3238** – By Lawson of the House and Garvin of the Senate.

An Act relating to poor persons; defining terms; designating the Oklahoma Health Care Authority as the state administering agency for PACE program agreements; authorizing the Authority to enter into PACE program agreements; requiring enforcement of certain federal laws and regulations; authorizing the Authority to enter into certain agreements with the State Department of Health; directing the Department to create and issue certain license; stating minimum licensure requirements; directing monitoring of PACE organizations; prohibiting certain regulation; authorizing certain action for noncompliance; directing promulgation of rules; amending 63 O.S. 2021, Section 1-872, which relates to the Adult Day Care Act; modifying definition; amending 63 O.S. 2021, Section 1-1961, which relates to the Home Care Act; modifying definition; updating statutory language; providing for codification; and providing an effective date.

**HB 3240** – By Lawson of the House and Gollihare of the Senate.

[ ad valorem – duties - Ad Valorem Division – data - effective date ]

**HB 3276** – By Baker and McBride of the House and Coleman of the Senate.

An Act relating to schools; amending 70 O.S. 2021, Section 6-189, which relates to teacher preparation; modifying duties of State Board of Education; modifying provisions related to competencies; and providing an effective date.

**HB 3284** – By Hilbert of the House and Hall of the Senate.

An Act relating to public finance; amending 62 O.S. 2021, Section 34.27, which relates to the State Governmental Technology Applications Review Board; modifying membership; requiring Board to approve rates set or changed by the Office of Management and Enterprise Services; and providing an effective date.

**HB 3327** – By Roe of the House and McCortney of the Senate.

An Act relating to schools; amending 70 O.S. 2021, Sections 1210.196.4 and 1210.196.8, which relate to the Diabetes Management in Schools Act; authorizing certain health professionals to download student glucose monitoring numbers with written permission; providing an exception from monitoring numbers outside of school hours and activities; excluding disciplinary actions; and declaring an emergency.

**HB 3328** – By Roe of the House and Stanley of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2021, Section 567.5a, which relates to advanced practice registered nurse applicant requirements; adding a qualification for licensure; amending 59 O.S. 2021, Section 567.7, which relates to renewal or reinstatement of license or certificate; adding a certain requirement for reinstatement of license or certificate; amending 59 O.S. 2021, Section 567.18, which relates to criminal background check; requiring certain licenses or certificates to receive criminal history background checks; clarifying fingerprint process; limiting the use of criminal history record information; and providing an effective date.

**HB 3346** – By Pfeiffer and Menz of the House and Rader of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2021, Section 1364, as last amended by Section 3, Chapter 359, O.S.L. 2023 (68 O.S. Supp. 2023, Section 1364), which relate to state revenue administration; modifying provisions related to revocation of sales tax permit with respect to certain places of business based upon cessation of business activity; providing an effective date; and declaring an emergency.

**HB 3402** – By ODonnell and Sims of the House and Standridge of the Senate.

[ revenue – taxation – Commission – payments – persons – income – status – codification – effective date ]

**HB 3457** – By Moore of the House and Pugh of the Senate.

An Act relating to concurrent enrollment; amending 70 O.S. 2021, Section 628.13, which relates to concurrent enrollment for high school students; establishing limit for tuition rate reimbursement; providing for future rate adjustment based on certain federal index; providing an effective date; and declaring an emergency.

**HB 3458** – By Moore of the House and Jech of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2021, Section 205, as amended by Section 9, Chapter 354, O.S.L. 2022 (68 O.S. Supp. 2023, Section 205), which relates to confidential information and the Oklahoma Tax Commission; modifying provisions related to confidential information; authorizing release of certain information to district attorneys and to the Attorney General; authorizing release of information to the Oklahoma Medical Marijuana Authority; and declaring an emergency.

**HB 3459** – By Moore of the House and Rader of the Senate.

An Act relating to the Oklahoma Student Loan Act; amending 70 O.S. 2021, Section 695.2, which relates to definitions; modifying definition; amending 70 O.S. 2021, Section 695.3, which relates to the authority of Governor and issuance of bonds; modifying requirements; amending 70 O.S. 2021, Section 695.5, which relates to the Student Loan Fund; authorizing use of funds for provision of loans; amending 70 O.S. 2021, Section 695.6, which relates to payments of loan money; modifying requirement; amending 70 O.S. 2021, Section 695.7, which relates to procedures of the Student Loan Authority; modifying procedures; amending 70 O.S. 2021, Section 695.17, which relates to the authority to make loans from the Student Loan Fund; modifying to whom loans may be made; amending 70 O.S. 2021, Section 695.18, which relates to supplemental loan program for qualified students; modifying definition; modifying due diligence to collect; modifying when interest shall be paid on loans; and providing an effective date.

**HB 3547** – By Sterling of the House and Weaver of the Senate.

An Act relating to state government; amending 74 O.S. 2021, Section 20i, as amended by Section 1, Chapter 308, O.S.L. 2022 (74 O.S. Supp. 2023, Section 20i), which relates to the collection of information by Attorney General; modifying reporting on certain contracts to fiscal year; adding information to be included in report; and providing an effective date.

**HB 3571** – By Manger of the House and Weaver of the Senate.

An Act relating to alcoholic beverages; enacting Odell's Law; prohibiting the requirement for license holders to check identification cards; clarifying that selling or providing alcoholic beverages to persons under twenty-one years of age is prohibited; providing for noncodification; providing for codification; and providing an effective date.

**HB 3574** – By Pae of the House and Prieto of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2021, Sections 1-1432.2 and 1-1432.4, which relate to the Oklahoma Kratom Consumer Protection Act; adding and modifying definitions; providing restrictions on the preparation, distribution, or sale of certain kratom products; and providing an effective date.

**HB 3669** – By Miller and Alonso-Sandoval of the House and Haste of the Senate.

An Act relating to higher education; creating the Oklahoma Department of Transportation Educational Assistance Act; providing definitions; establishing assistance program for eligible students; clarifying details of assistance; providing criteria for eligibility; requiring repayment under certain circumstances; permitting both public and private funding of program; directing the Department of Transportation to promulgate rules; creating the Oklahoma Department of Transportation Educational Assistance Revolving Fund; providing for codification; and providing an effective date.

**HB 3671** – By Miller and Talley of the House and Coleman and Garvin of the Senate.

An Act relating to motor vehicles; authorizing Service Oklahoma to allow individuals to make certain voluntary designation; stating purpose and use; authorizing the display or nondisplay of designation on credentials; allowing removal of certain designation; requiring establishment and maintenance of certain registry; stating purpose of registry; requiring development of certain form; allowing certain voluntary report of diagnosis be submitted; listing information to be stored by registry; providing for submission of certain information; allowing certain opportunities for holders of certain credentials; limiting availability of submitted information; prescribing use of certain information; stating certain information shall be confidential; limiting liability for certain causes; requiring Service Oklahoma comply with certain federal requirements; authorizing the promulgation of rules; requiring the development of certain program; requiring program consist of certain elements; requiring program be available annually to certain entities; providing for codification; and providing an effective date.

**HB 3672** – By Miller of the House and Haste of the Senate.

An Act relating to aircraft and airports; amending 3 O.S. 2021, Sections 65.1, 65.2, 65.4, 65.5, 65.6, 65.7, 65.8, 65.10, 65.12, 65.15, 65.16, and 65.17, which relate to the Municipal Airports Act; defining terms; modifying definition; modifying language to include vertiports as municipally owned air facilities; extending certain tax exemption to include vertiports and air navigation properties; amending 3 O.S. 2021, Section 82, as amended by Section 2, Chapter 126, O.S.L. 2023 (3 O.S. Supp. 2023, Section 82), which relates to definitions; defining terms; amending 3 O.S. 2021, Section 85, as amended by Section 5, Chapter 126, O.S.L. 2023 (3 O.S. Supp. 2023, Section 85), which relates to powers and duties of the Department; modifying language to include vertiports and air navigation facilities; amending 3 O.S. 2021, Section 421, as last amended by Section 15, Chapter 365, O.S.L. 2023 (3 O.S. Supp. 2023, Section 421), which relates to the establishment of clearinghouse of unmanned aircraft systems; modifying duties of clearinghouse; authorizing entry into certain partnerships; and providing an effective date.

**HB 3683** – By Kannady and Luttrell of the House and Hall of the Senate.

An Act relating to the Oklahoma Military Department; creating the Defense Workforce Grant Program; placing the Program at a certain agency; providing purpose; requiring certain reports; establishing the Defense Workforce Grant Program Revolving Fund; establishing fund nature; authorizing certain budgeting and expenditure of funds for certain purposes; providing for codification; providing an effective date; and declaring an emergency.

**HB 3684** – By Kannady of the House and Howard of the Senate.

An Act relating to civil procedure; amending 12 O.S. 2021, Section 2902, which relates to self-authentication; modifying list of evidence that does not require extrinsic evidence of authenticity as a condition precedent to admissibility; and providing an effective date.

**HB 3686** – By Kannady of the House and Weaver of the Senate.

An Act relating to the use of public lands; defining term; prohibiting certain use of public lands; designating certain action as a misdemeanor; allowing for certain process for first violations; providing for codification; and providing an effective date.

**HB 3696** – By George and Lepak of the House and Daniels of the Senate.

An Act relating to crimes and punishments; making certain acts unlawful; providing penalties; providing for codification; and providing an effective date.

**HB 3747** – By Grego, Manger, Wolfley and Smith of the House and Hamilton of the Senate.

An Act relating to soldiers and sailors; amending 72 O.S. 2021, Section 225, which relates to the Oklahoma Veterans Commission; adding Commission powers and duties; creating alternative to State Veterans Home care under certain conditions; requiring the Oklahoma Department of Veterans Affairs to pay for stays at private nursing facilities under certain conditions; limiting the Department's liability for failure to procure veteran facility placement under certain circumstances; and providing an effective date.

**HB 3761** – By Cantrell of the House and Thompson (Kristen) of the Senate.

An Act relating to contracts; amending 15 O.S. 2021, Section 141.2, as amended by Section 1, Chapter 248, O.S.L. 2022 (15 O.S. Supp. 2023, Section 141.2), which relates to the Service Warranty Act; modifying definitions; and providing an effective date.

**HB 3766** – By Cantrell of the House and Alvord of the Senate.

An Act relating to poor persons; repealing 56 O.S. 2021, Sections 31, 32, 32.1, 32.2, 32.3, 33, 34, 35, 36, 37, 38, 39, 41, 42, 44, 46, 47, 48, 49, 50, 51, 52, 53, and 54, which relate to the care of indigent persons; and providing an effective date.



**HB 3768** – By Cantrell of the House and Stewart of the Senate.

An Act relating to collection of delinquent taxes; amending 68 O.S. 2021, Section 3137, which relates to the resale property fund; permitting use of resale property fund for operating expenses of the county treasurer's office; and providing an effective date.

**HB 3782** – By George of the House and Gollihare of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2021, Section 1101, as amended by Section 1, Chapter 117, O.S.L. 2022 (22 O.S. Supp. 2023, Section 1101), which relates to persons authorized to take bail; providing for the denial of release on bond under certain circumstances; and providing an effective date.

**HB 3783** – By George of the House and Weaver of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2021, Section 644, as amended by Section 1, Chapter 212, O.S.L. 2023 (21 O.S. Supp. 2023, Section 644), which relates to assault and battery; clarifying scope of certain unlawful act; and providing an effective date.

**HB 3792** – By Hefner, McBride and Deck of the House and Seifried of the Senate.

[ higher education – Oklahoma Access and Achievement Act – effective date –

**HB 3863** – By Ford, Dollens, Swope and Fugate of the House and Thompson (Kristen) of the Senate.

An Act relating to utilities; amending Section 1, Chapter 171, O.S.L. 2023 (17 O.S. Supp. 2023, Section 180.12), which relates to exemptions; modifying who may make certain determination; and providing an effective date.

**HB 3918** – By Caldwell (Chad) of the House and Thompson (Kristen) of the Senate.

[ education - public colleges and universities - credit for courses - guidelines and policies – codification - effective date ]

**HB 3937** – By Provenzano, Hefner, Deck and Swope of the House and Burns of the Senate.

An Act relating to the Open Meeting Act; amending 25 O.S. 2021, Section 311, which relates to notice requirements; removing expired notice exceptions for the COVID-19 pandemic; modifying provisions related to publishing notice and agendas online; and providing an effective date.

**HB 4019** – By McBride and Townley of the House and Alvord of the Senate.

[ economic development – investment rebate program – qualifying criteria – application – Oklahoma Department of Commerce – claims – payments – conditional pre-qualification – Commerce Manufacturing Activity Development Fund - codification ]

**HB 4041** – By Townley of the House and Kidd of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2021, Section 328.54, which relates to dental practice; modifying teledentistry requirements; amending 63 O.S. 2021, Sections 1-2711 and 1-2712, which relate to the Oklahoma Dental Loan Repayment Act; adding legislative findings; increasing certain repayment program allowances; modifying program requirements; and providing an effective date.

**HB 4095** – By Caldwell (Trey) and Boles of the House and Paxton of the Senate.

An Act relating to the Oklahoma Underground Facilities Damage Prevention Act; amending 63 O.S. 2021, Section 142.2, as amended by Section 1, Chapter 211, O.S.L. 2023 (63 O.S. Supp. 2023, Section 142.2), which relates to definitions; modifying definition; defining terms; amending 63 O.S. 2021, Section 142.6, which relates to notice of proposed demolition, explosion or excavation; disallowing certain excavation; modifying certain time frames; requiring certain information be provided; requiring certain parties to be present; modifying type of information certain notice contains; amending 63 O.S. 2021, Section 142.8, as amended by Section 2, Chapter 211, O.S.L. 2023 (63 O.S. Supp. 2023, Section 142.8), which relates to additional notice required; requiring certain meeting request be submitted within certain time frame; requiring notice contain certain information; requiring meeting take place within certain time frame; allowing certain parties to meet at their choosing; requiring certain parties be notified; requiring certain coordination; providing for submission and transmission of certain notices; amending 63 O.S. 2021, Section 142.10, which relates to the statewide notification center; modifying statutory references; requiring certain records be kept for four years; and providing an effective date.

**HB 4148** – By Schreiber, Lepak, Pae and Hefner and Swope of the House and Daniels of the Senate.

An Act relating to civil procedure; prescribing procedures related to civil actions for collection of medical debts; prescribing requirements for petition; requiring proof of compliance with Transparency in Health Care Prices Act; prescribing procedures with respect to entry of default judgments based upon medical debt; providing for codification; and providing an effective date.

The above-numbered measures were read the first time.

Senator Daniels moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, March 7, 2024, at 9:00 a.m., which motion prevailed.

## **SECOND READING**

The following was read for the second time and referred as indicated:

**HJR 1058** – Direct To Calendar

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

- SB 197** - Coauthored by Representative Cornwell (principal House author)
- SB 1270** - Coauthored by Representative Sims (principal House author)
- SB 1344** - Coauthored by Representative Munson
- SB 1403** - Coauthored by Senator Kidd
- SB 1429** - Coauthored by Senator Stephens
- SB 1470** - Coauthored by Representative Hasenbeck
- SB 1658** - Coauthored by Representative Echols (principal House author)
- SB 1677** - Coauthored by Representative Crosswhite Hader (principal House author)
- SB 1741** - Coauthored by Representative Pfeiffer (principal House author)
- SB 1835** - Coauthored by Representative Echols (principal House author)
- SB 1904** - Coauthored by Representative Stinson (principal House author)
- SCR 18** - Coauthored by Representative Hefner
- SR 29** - Coauthored by Senator Murdock
- HB 1795** - Coauthored by Representative Rosecrants  
Coauthored by Representative Harris
- HB 3011** - Coauthored by Representative Waldron
- HB 3238** - Coauthored by Representative Waldron
- HB 3288** - Coauthored by Representative Crosswhite Hader
- HB 3571** - Coauthored by Representative Pittman
- HB 3671** - Coauthored by Representative West (Tammy)
- HB 3696** - Coauthored by Representative Hays
- HB 3782** - Coauthored by Representative Hays
- HB 3792** - Coauthored by Representative Pittman  
Coauthored by Representative Schreiber  
Coauthored by Representative Swope
- HB 3863** - Coauthored by Representative Hefner
- HB 4148** - Coauthored by Representative Swope

Pursuant to the Daniels motion, the Senate adjourned at 9:20 a.m. to meet Thursday, March 7, 2024, at 9:00 a.m.