

1 ENGROSSED SENATE
2 BILL NO. 2038

By: Howard of the Senate

3 and

4 Kannady of the House

5
6 An Act relating to multiple versions of statutes;
7 amending, merging, consolidating, and repealing
8 multiple versions of statutes; amending 3 O.S. 2021,
9 Section 85, as amended by Section 5, Chapter 126,
10 O.S.L. 2023 (3 O.S. Supp. 2023, Section 85);
11 repealing 3 O.S. 2021, Section 85, as last amended by
12 Section 1, Chapter 221, O.S.L. 2023 (3 O.S. Supp.
13 2023, Section 85); repealing 12 O.S. 2021, Section
14 1439, as amended by Section 15, Chapter 190, O.S.L.
15 2022 (12 O.S. Supp. 2023, Section 1439); amending 19
16 O.S. 2021, Section 339, as last amended by Section 1,
17 Chapter 314, O.S.L. 2023 (19 O.S. Supp. 2023, Section
18 339); repealing 19 O.S. 2021, Section 339, as last
19 amended by Section 1, Chapter 39, O.S.L. 2023 (19
20 O.S. Supp. 2023, Section 339); amending 21 O.S. 2021,
21 Section 644, as amended by Section 1, Chapter 224,
22 O.S.L. 2023 (21 O.S. Supp. 2023, Section 644);
23 repealing 21 O.S. 2021, Section 644, as last amended
24 by Section 1, Chapter 212, O.S.L. 2023 (21 O.S. Supp.
2023, Section 644); amending 21 O.S. 2021, Section
1111, as last amended by Section 2, Chapter 260,
O.S.L. 2022 (21 O.S. Supp. 2023, Section 1111);
repealing 21 O.S. 2021, Section 1111, as amended by
Section 5, Chapter 228, O.S.L. 2022 (21 O.S. Supp.
2023, Section 1111); amending 21 O.S. 2021, Section
1176, as last amended by Section 1, Chapter 170,
O.S.L. 2023 (21 O.S. Supp. 2023, Section 1176);
repealing 21 O.S. 2021, Section 1176, as last amended
by Section 1, Chapter 147, O.S.L. 2023 (21 O.S. Supp.
2023, Section 1176); amending 22 O.S. 2021, Section
18, as amended by Section 1, Chapter 50, O.S.L. 2022
(22 O.S. Supp. 2023, Section 18); repealing 22 O.S.
2021, Section 18, as last amended by Section 1,
Chapter 143, O.S.L. 2022 (22 O.S. Supp. 2023, Section
18); amending 22 O.S. 2021, Section 60.1, as last
amended by Section 5, Chapter 318, O.S.L. 2022 (22
O.S. Supp. 2023, Section 60.1); repealing 22 O.S.

1 2021, Section 60.1, as amended by Section 2, Chapter
2 246, O.S.L. 2022 (22 O.S. Supp. 2023, Section 60.1);
3 repealing 26 O.S. 2021, Section 4-120.2, as amended
4 by Section 19, Chapter 282, O.S.L. 2022 (26 O.S.
5 Supp. 2023, Section 4-120.2); amending 26 O.S. 2021,
6 Section 14-101.1, as last amended by Section 4,
7 Chapter 291, O.S.L. 2022 (26 O.S. Supp. 2023, Section
8 14-101.1); repealing 26 O.S. 2021, Section 14-101.1,
9 as amended by Section 2, Chapter 83, O.S.L. 2022 (26
10 O.S. Supp. 2023, Section 14-101.1); amending 26 O.S.
11 2021, Section 14-115, as last amended by Section 1,
12 Chapter 305, O.S.L. 2022 (26 O.S. Supp. 2023, Section
13 14-115); repealing 26 O.S. 2021, Section 14-115, as
14 amended by Section 4, Chapter 292, O.S.L. 2022 (26
15 O.S. Supp. 2023, Section 14-115); amending 26 O.S.
16 2021, Section 14-115.1, as last amended by Section 2,
17 Chapter 305, O.S.L. 2022 (26 O.S. Supp. 2023, Section
18 14-115.1); repealing 26 O.S. 2021, Section 14-115.1,
19 as amended by Section 5, Chapter 292, O.S.L. 2022 (26
20 O.S. Supp. 2023, Section 14-115.1); amending 26 O.S.
21 2021, Section 14-115.6, as amended by Section 6,
22 Chapter 292, O.S.L. 2022 (26 O.S. Supp. 2023, Section
23 14-115.6); repealing 26 O.S. 2021, Section 14-115.6,
24 as last amended by Section 3, Chapter 305, O.S.L.
2022 (26 O.S. Supp. 2023, Section 14-115.6); amending
27A O.S. 2021, Section 2-6-103, as last amended by
Section 5, Chapter 185, O.S.L. 2022 (27A O.S. Supp.
2023, Section 2-6-103); repealing 27A O.S. 2021,
Section 2-6-103, as amended by Section 2, Chapter
113, O.S.L. 2022 (27A O.S. Supp. 2023, Section 2-6-
103); amending 42 O.S. 2021, Section 91, as amended
by Section 1, Chapter 68, O.S.L. 2023 (42 O.S. Supp.
2023, Section 91); repealing 42 O.S. 2021, Section
91, as last amended by Section 10, Chapter 310,
O.S.L. 2023 (42 O.S. Supp. 2023, Section 91);
amending 42 O.S. 2021, Section 91A, as amended by
Section 2, Chapter 68, O.S.L. 2023 (42 O.S. Supp.
2023, Section 91A); repealing 42 O.S. 2021, Section
91A, as last amended by Section 1, Chapter 102,
O.S.L. 2023 (42 O.S. Supp. 2023, Section 91A);
repealing 42 O.S. 2021, Section 91A, as last amended
by Section 11, Chapter 310, O.S.L. 2023 (42 O.S.
Supp. 2023, Section 91A); amending Section 6, Chapter
282, O.S.L. 2022, as last amended by Section 4,
Chapter 47, 1st Extraordinary Session, O.S.L. 2023
(47 O.S. Supp. 2023, Section 3-106); repealing
Section 6, Chapter 282, O.S.L. 2022, as amended by

1 Section 12, Chapter 310, O.S.L. 2023 (47 O.S. Supp.
2 2023, Section 3-106); amending 47 O.S. 2021, Section
3 6-101, as last amended by Section 5, Chapter 47, 1st
4 Extraordinary Session, O.S.L. 2023 (47 O.S. Supp.
5 2023, Section 6-101); repealing 47 O.S. 2021, Section
6 6-101, as amended by Section 1, Chapter 263, O.S.L.
7 2022 (47 O.S. Supp. 2023, Section 6-101); amending 47
8 O.S. 2021, Section 6-102, as amended by Section 10,
9 Chapter 132, O.S.L. 2022 (47 O.S. Supp. 2023, Section
10 6-102); repealing 47 O.S. 2021, Section 6-102, as
11 last amended by Section 39, Chapter 282, O.S.L. 2022
12 (47 O.S. Supp. 2023, Section 6-102); amending 47 O.S.
13 2021, Section 6-105, as last amended by Section 1,
14 Chapter 229, O.S.L. 2023 (47 O.S. Supp. 2023, Section
15 6-105); repealing 47 O.S. 2021, Section 6-105, as
16 last amended by Section 1, Chapter 55, O.S.L. 2023
17 (47 O.S. Supp. 2023, Section 6-105); repealing 47
18 O.S. 2021, Section 6-105, as last amended by Section
19 5, Chapter 169, O.S.L. 2023 (47 O.S. Supp. 2023,
20 Section 6-105); repealing 47 O.S. 2021, Section 6-
21 105, as last amended by Section 14, Chapter 310,
22 O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-105);
23 amending 47 O.S. 2021, Section 6-105.3, as amended by
24 Section 44, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
2023, Section 6-105.3); repealing 47 O.S. 2021,
Section 6-105.3, as last amended by Section 6,
Chapter 47, 1st Extraordinary Session, O.S.L. 2023
(47 O.S. Supp. 2023, Section 6-105.3); amending 47
O.S. 2021, Section 6-110, as last amended by Section
1, Chapter 82, O.S.L. 2023 (47 O.S. Supp. 2023,
Section 6-110); repealing 47 O.S. 2021, Section 6-
110, as last amended by Section 15, Chapter 310,
O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-110);
amending 47 O.S. 2021, Section 6-111, as last amended
by Section 16, Chapter 310, O.S.L. 2023 (47 O.S.
Supp. 2023, Section 6-111); repealing 47 O.S. 2021,
Section 6-111, as amended by Section 1, Chapter 200,
O.S.L. 2022 (47 O.S. Supp. 2023, Section 6-111);
repealing 47 O.S. 2021, Section 6-111, as last
amended by Section 1, Chapter 152, O.S.L. 2023 (47
O.S. Supp. 2023, Section 6-111); amending 47 O.S.
2021, Section 6-205.2, as last amended by Section 2,
Chapter 409, O.S.L. 2022 (47 O.S. Supp. 2023, Section
6-205.2); repealing 47 O.S. 2021, Section 6-205.2, as
amended by Section 1, Chapter 175, O.S.L. 2022 (47
O.S. Supp. 2023, Section 6-205.2); repealing 47 O.S.
2021, Section 6-205.2, as last amended by Section 68,

1 Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section
2 6-205.2); repealing 47 O.S. 2021, Section 6-211, as
3 amended by Section 72, Chapter 282, O.S.L. 2022 (47
4 O.S. Supp. 2023, Section 6-211); amending 47 O.S.
5 2021, Section 156, as last amended by Section 1,
6 Chapter 272, O.S.L. 2023 (47 O.S. Supp. 2023, Section
7 156); repealing 47 O.S. 2021, Section 156, as amended
8 by Section 2, Chapter 174, O.S.L. 2023 (47 O.S. Supp.
9 2023, Section 156); amending 47 O.S. 2021, Section
10 156.1, as last amended by Section 21, Chapter 310,
11 O.S.L. 2023 (47 O.S. Supp. 2023, Section 156.1);
12 repealing 47 O.S. 2021, Section 156.1, as amended by
13 Section 3, Chapter 174, O.S.L. 2023 (47 O.S. Supp.
14 2023, Section 156.1); repealing 47 O.S. 2021, Section
15 156.1, as last amended by Section 2, Chapter 272,
16 O.S.L. 2023 (47 O.S. Supp. 2023, Section 156.1);
17 amending 47 O.S. 2021, Section 584, as last amended
18 by Section 4, Chapter 192, O.S.L. 2022 (47 O.S. Supp.
19 2023, Section 584); repealing 47 O.S. 2021, Section
20 584, as amended by Section 5, Chapter 107, O.S.L.
21 2022 (47 O.S. Supp. 2023, Section 584); amending 47
22 O.S. 2021, Section 1102, as last amended by Section
23 106, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023,
24 Section 1102); repealing 47 O.S. 2021, Section 1102,
as amended by Section 19, Chapter 107, O.S.L. 2022
(47 O.S. Supp. 2023, Section 1102); amending 47 O.S.
2021, Section 1104, as last amended by Section 10,
Chapter 47, 1st Extraordinary Session, O.S.L. 2023
(47 O.S. Supp. 2023, Section 1104); repealing 47 O.S.
2021, Section 1104, as amended by Section 107,
Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section
1104); amending 47 O.S. 2021, Section 1105, as last
amended by Section 110, Chapter 282, O.S.L. 2022 (47
O.S. Supp. 2023, Section 1105); repealing 47 O.S.
2021, Section 1105, as amended by Section 1, Chapter
47, O.S.L. 2022 (47 O.S. Supp. 2023, Section 1105);
amending 47 O.S. 2021, Section 1105A, as last amended
by Section 1, Chapter 366, O.S.L. 2023 (47 O.S. Supp.
2023, Section 1105A); repealing 47 O.S. 2021, Section
1105A, as amended by Section 1, Chapter 179, O.S.L.
2022 (47 O.S. Supp. 2023, Section 1105A); amending 47
O.S. 2021, Section 1107, as last amended by Section
2, Chapter 366, O.S.L. 2023 (47 O.S. Supp. 2023,
Section 1107); repealing 47 O.S. 2021, Section 1107,
as last amended by Section 1, Chapter 199, O.S.L.
2023 (47 O.S. Supp. 2023, Section 1107); amending 47
O.S. 2021, Section 1110, as last amended by Section

1 122, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023,
2 Section 1110); repealing 47 O.S. 2021, Section 1110,
3 as amended by Section 1, Chapter 204, O.S.L. 2022 (47
4 O.S. Supp. 2023, Section 1110); amending 47 O.S.
5 2021, Section 1113, as last amended by Section 127,
6 Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section
7 1113); repealing 47 O.S. 2021, Section 1113, as
8 amended by Section 3, Chapter 214, O.S.L. 2022 (47
9 O.S. Supp. 2023, Section 1113); repealing 47 O.S.
10 2021, Section 1128, as amended by Section 21, Chapter
11 107, O.S.L. 2022 (47 O.S. Supp. 2023, Section 1128);
12 amending 47 O.S. 2021, Section 1132, as last amended
13 by Section 146, Chapter 282, O.S.L. 2022 (47 O.S.
14 Supp. 2023, Section 1132); repealing 47 O.S. 2021,
15 Section 1132, as amended by Section 14, Chapter 228,
16 O.S.L. 2022 (47 O.S. Supp. 2023, Section 1132);
17 amending 47 O.S. 2021, Section 1135.1, as last
18 amended by Section 1, Chapter 392, O.S.L. 2022 (47
19 O.S. Supp. 2023, Section 1135.1); repealing 47 O.S.
20 2021, Section 1135.1, as amended by Section 160,
21 Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section
22 1135.1); repealing 47 O.S. 2021, Section 1135.1, as
23 amended by Section 2, Chapter 188, O.S.L. 2021;
24 amending 47 O.S. 2021, Section 1135.2, as last
amended by Section 1, Chapter 294, O.S.L. 2023 (47
O.S. Supp. 2023, Section 1135.2); repealing 47 O.S.
2021, Section 1135.2, as last amended by Section 1,
Chapter 275, O.S.L. 2023 (47 O.S. Supp. 2023, Section
1135.2); repealing 47 O.S. 2021, Section 1135.2, as
last amended by Section 2, Chapter 392, O.S.L. 2022
(47 O.S. Supp. 2023, Section 1135.2); repealing 47
O.S. 2021, Section 1135.2, as amended by Section 3,
Chapter 188, O.S.L. 2021; repealing 47 O.S. 2021,
Section 1135.2, as amended by Section 161, Chapter
282, O.S.L. 2022 (47 O.S. Supp. 2023, Section
1135.2); amending 47 O.S. 2021, Section 1135.3, as
last amended by Section 2, Chapter 275, O.S.L. 2023
(47 O.S. Supp. 2023, Section 1135.3); repealing 47
O.S. 2021, Section 1135.3, as amended by Section 5,
Chapter 276, O.S.L. 2021; repealing 47 O.S. 2021,
Section 1135.3, as amended by Section 4, Chapter 188,
O.S.L. 2021; repealing 47 O.S. 2021, Section 1135.3,
as last amended by Section 2, Chapter 294, O.S.L.
2023 (47 O.S. Supp. 2023, Section 1135.3); amending
47 O.S. 2021, Section 1135.4, as amended by Section
163, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023,
Section 1135.4); repealing 47 O.S. 2021, Section

1 1135.4, as last amended by Section 3, Chapter 392,
O.S.L. 2022 (47 O.S. Supp. 2023, Section 1135.4);
2 repealing 47 O.S. 2021, Section 1135.4, as amended by
Section 5, Chapter 188, O.S.L. 2021; amending 47 O.S.
3 2021, Section 1135.5, as last amended by Section 32,
Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2023, Section
4 1135.5); repealing 47 O.S. 2021, Section 1135.5, as
amended by Section 4, Chapter 143, O.S.L. 2021;
5 repealing 47 O.S. 2021, Section 1135.5, as amended by
Section 6, Chapter 188, O.S.L. 2021; repealing 47
6 O.S. 2021, Section 1135.5, as amended by Section 7,
Chapter 276, O.S.L. 2021; repealing 47 O.S. 2021,
7 Section 1135.5, as last amended by Section 3, Chapter
294, O.S.L. 2023 (47 O.S. Supp. 2023, Section
8 1135.5); repealing 47 O.S. 2021, Section 1135.5, as
last amended by Section 11, Chapter 47, 1st
9 Extraordinary Session, O.S.L. 2023 (47 O.S. Supp.
2023, Section 1135.5); repealing 47 O.S. 2021,
10 Section 1135.6, as amended by Section 7, Chapter 188,
O.S.L. 2021; amending 47 O.S. 2021, Section 1135.7,
11 as amended by Section 166, Chapter 282, O.S.L. 2022
(47 O.S. Supp. 2023, Section 1135.7); repealing 47
12 O.S. 2021, Section 1135.7, as amended by Section 8,
Chapter 188, O.S.L. 2021; repealing 47 O.S. 2021,
13 Section 1135.7, as amended by Section 9, Chapter 276,
O.S.L. 2021; amending 47 O.S. 2021, Section 1137.1,
14 as amended by Section 22, Chapter 107, O.S.L. 2022
(47 O.S. Supp. 2023, Section 1137.1); repealing 47
15 O.S. 2021, Section 1137.1, as last amended by Section
1, Chapter 262, O.S.L. 2023 (47 O.S. Supp. 2023,
16 Section 1137.1); amending 47 O.S. 2021, Section
1137.3, as last amended by Section 32, Chapter 29,
17 O.S.L. 2023 (47 O.S. Supp. 2023, Section 1137.3);
repealing 47 O.S. 2021, Section 1137.3, as last
18 amended by Section 2, Chapter 262, O.S.L. 2023 (47
O.S. Supp. 2023, Section 1137.3); amending 47 O.S.
19 2021, Section 1140, as last amended by Section 33,
Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2023, Section
20 1140); repealing 47 O.S. 2021, Section 1140, as last
amended by Section 12, Chapter 47, 1st Extraordinary
21 Session, O.S.L. 2023 (47 O.S. Supp. 2023, Section
1140); repealing 47 O.S. 2021, Section 1141.1, as
22 amended by Section 16, Chapter 228, O.S.L. 2022 (47
O.S. Supp. 2023, Section 1141.1); amending 47 O.S.
23 2021, Section 1151, as last amended by Section 189,
Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section
24 1151); repealing 47 O.S. 2021, Section 1151, as

1 amended by Section 2, Chapter 221, O.S.L. 2022 (47
2 O.S. Supp. 2023, Section 1151); amending 51 O.S.
3 2021, Section 152, as last amended by Section 18,
4 Chapter 228, O.S.L. 2022 (51 O.S. Supp. 2023, Section
5 152); repealing 51 O.S. 2021, Section 152, as amended
6 by Section 1, Chapter 183, O.S.L. 2022 (51 O.S. Supp.
7 2023, Section 152); amending 51 O.S. 2021, Section
8 253, as amended by Section 1, Chapter 189, O.S.L.
9 2023 (51 O.S. Supp. 2023, Section 253); repealing 51
10 O.S. 2021, Section 253, as amended by Section 1,
11 Chapter 221, O.S.L. 2021; repealing 51 O.S. 2021,
12 Section 255, as amended by Section 16, Chapter 190,
13 O.S.L. 2022 (51 O.S. Supp. 2023, Section 255);
14 amending 56 O.S. 2021, Section 230.52, as amended by
15 Section 1, Chapter 162, O.S.L. 2023 (56 O.S. Supp.
16 2023, Section 230.52); repealing 56 O.S. 2021,
17 Section 230.52, as last amended by Section 1, Chapter
18 203, O.S.L. 2023 (56 O.S. Supp. 2023, Section
19 230.52); amending 59 O.S. 2021, Section 15.1A, as
20 last amended by Section 1, Chapter 26, O.S.L. 2023
21 (59 O.S. Supp. 2023, Section 15.1A); repealing 59
22 O.S. 2021, Section 15.1A, as amended by Section 1,
23 Chapter 22, O.S.L. 2022 (59 O.S. Supp. 2023, Section
24 15.1A); repealing 59 O.S. 2021, Section 15.1A, as
last amended by Section 1, Chapter 24, O.S.L. 2023
(59 O.S. Supp. 2023, Section 15.1A); amending 59 O.S.
2021, Section 1000.2, as amended by Section 1,
Chapter 64, O.S.L. 2023 (59 O.S. Supp. 2023, Section
1000.2); repealing 59 O.S. 2021, Section 1000.2, as
last amended by Section 1, Chapter 185, O.S.L. 2023
(59 O.S. Supp. 2023, Section 1000.2); amending 61
O.S. 2021, Section 60, as last amended by Section 6,
Chapter 238, O.S.L. 2022 (61 O.S. Supp. 2023, Section
60); repealing 61 O.S. 2021, Section 60, as amended
by Section 1, Chapter 223, O.S.L. 2022 (61 O.S. Supp.
2023, Section 60); amending 61 O.S. 2021, Section
202, as last amended by Section 28, Chapter 238,
O.S.L. 2022 (61 O.S. Supp. 2023, Section 202);
repealing 61 O.S. 2021, Section 202, as amended by
Section 3, Chapter 223, O.S.L. 2022 (61 O.S. Supp.
2023, Section 202); amending 62 O.S. 2021, Section
3103, as last amended by Section 1, Chapter 255,
O.S.L. 2022 (62 O.S. Supp. 2023, Section 3103);
repealing 62 O.S. 2021, Section 3103, as amended by
Section 1, Chapter 96, O.S.L. 2022 (62 O.S. Supp.
2023, Section 3103); repealing 62 O.S. 2021, Section
3103, as last amended by Section 1, Chapter 232,

1 O.S.L. 2022 (62 O.S. Supp. 2023, Section 3103);
2 repealing 62 O.S. 2021, Section 3103, as last amended
3 by Section 1, Chapter 306, O.S.L. 2022 (62 O.S. Supp.
4 2023, Section 3103); amending 63 O.S. 2021, Section
5 1-311, as amended by Section 1, Chapter 87, O.S.L.
6 2022 (63 O.S. Supp. 2023, Section 1-311); repealing
7 63 O.S. 2021, Section 1-311, as last amended by
8 Section 1, Chapter 215, O.S.L. 2022 (63 O.S. Supp.
9 2023, Section 1-311); amending 63 O.S. 2021, Section
10 1-317, as amended by Section 1, Chapter 184, O.S.L.
11 2022 (63 O.S. Supp. 2023, Section 1-317); repealing
12 63 O.S. 2021, Section 1-317, as last amended by
13 Section 36, Chapter 228, O.S.L. 2022 (63 O.S. Supp.
14 2023, Section 1-317); amending 63 O.S. 2021, Section
15 1-1118, as amended by Section 1, Chapter 45, O.S.L.
16 2023 (63 O.S. Supp. 2023, Section 1-1118); repealing
17 63 O.S. 2021, Section 1-1118, as last amended by
18 Section 1, Chapter 228, O.S.L. 2023 (63 O.S. Supp.
19 2023, Section 1-1118); amending 63 O.S. 2021, Section
20 427.3, as last amended by Section 19 of Enrolled
21 Senate Bill No. 1995 of the 2nd Session of the 59th
22 Oklahoma Legislature; amending 63 O.S. 2021, Section
23 427.4, as last amended by Section 6, Chapter 322,
24 O.S.L. 2023 (63 O.S. Supp. 2023, Section 427.4);
repealing 63 O.S. 2021, Section 427.4, as amended by
Section 32, Chapter 228, O.S.L. 2022 (63 O.S. Supp.
2023, Section 427.4); amending 63 O.S. 2021, Section
427.16, as last amended by Section 8, Chapter 322,
O.S.L. 2023 (63 O.S. Supp. 2023, Section 427.16);
repealing 63 O.S. 2021, Section 427.16, as amended by
Section 34, Chapter 228, O.S.L. 2022 (63 O.S. Supp.
2023, Section 427.16); amending 63 O.S. 2021, Section
427.17, as last amended by Section 1, Chapter 351,
O.S.L. 2022 (63 O.S. Supp. 2023, Section 427.17);
repealing 63 O.S. 2021, Section 427.17, as last
amended by Section 9, Chapter 322, O.S.L. 2023 (63
O.S. Supp. 2023, Section 427.17); amending 63 O.S.
2021, Section 427.18, as amended by Section 2,
Chapter 141, O.S.L. 2022 (63 O.S. Supp. 2023, Section
427.18); repealing 63 O.S. 2021, Section 427.18, as
last amended by Section 18, Chapter 251, O.S.L. 2022
(63 O.S. Supp. 2023, Section 427.18); amending 63
O.S. 2021, Section 2862, as last amended by Section
3, Chapter 49, O.S.L. 2023 (63 O.S. Supp. 2023,
Section 2862); repealing 63 O.S. 2021, Section 2862,
as last amended by Section 5, Chapter 258, O.S.L.
2023 (63 O.S. Supp. 2023, Section 2862); amending 68

1 O.S. 2021, Section 1356, as amended by Section 1,
2 Chapter 314, O.S.L. 2022 (68 O.S. Supp. 2023, Section
3 1356); repealing 68 O.S. 2021, Section 1356, as last
4 amended by Section 1, Chapter 295, O.S.L. 2022 (68
5 O.S. Supp. 2023, Section 1356); repealing 68 O.S.
6 2021, Section 1356, as last amended by Section 1,
7 Chapter 394, O.S.L. 2022 (68 O.S. Supp. 2023, Section
8 1356); amending 68 O.S. 2021, Section 2101, as last
9 amended by Section 235, Chapter 282, O.S.L. 2022 (68
10 O.S. Supp. 2023, Section 2101); repealing 68 O.S.
11 2021, Section 2101, as amended by Section 23, Chapter
12 107, O.S.L. 2022 (68 O.S. Supp. 2023, Section 2101);
13 amending 68 O.S. 2021, Section 2357.22, as last
14 amended by Section 1, Chapter 215, O.S.L. 2023 (68
15 O.S. Supp. 2023, Section 2357.22); repealing 68 O.S.
16 2021, Section 2357.22, as last amended by Section 1,
17 Chapter 114, O.S.L. 2023 (68 O.S. Supp. 2023, Section
18 2357.22); amending 68 O.S. 2021, Section 2358, as
19 last amended by Section 2, Chapter 341, O.S.L. 2022
20 (68 O.S. Supp. 2023, Section 2358); repealing 68 O.S.
21 2021, Section 2358, as amended by Section 1, Chapter
22 377, O.S.L. 2022 (68 O.S. Supp. 2023, Section 2358);
23 amending 68 O.S. 2021, Section 3604, as amended by
24 Section 1, Chapter 360, O.S.L. 2023 (68 O.S. Supp.
2023, Section 3604); repealing 68 O.S. 2021, Section
3604, as amended by Section 1, Chapter 29, 1st
Extraordinary Session, O.S.L. 2023 (68 O.S. Supp.
2023, Section 3604); amending 68 O.S. 2021, Section
3635, as last amended by Section 2, Chapter 347,
O.S.L. 2023 (68 O.S. Supp. 2023, Section 3635);
repealing 68 O.S. 2021, Section 3635, as amended by
Section 1, Chapter 276, O.S.L. 2023 (68 O.S. Supp.
2023, Section 3635); repealing 68 O.S. 2021, Section
3638, as amended by Section 2, Chapter 276, O.S.L.
2023 (68 O.S. Supp. 2023, Section 3638); amending 70
O.S. 2021, Section 6-122.3, as amended by Section 1,
Chapter 121, O.S.L. 2022 (70 O.S. Supp. 2023, Section
6-122.3); repealing 70 O.S. 2021, Section 6-122.3, as
last amended by Section 1, Chapter 220, O.S.L. 2022
(70 O.S. Supp. 2023, Section 6-122.3); amending 70
O.S. 2021, Section 6-187, as amended by Section 49,
Chapter 228, O.S.L. 2022 (70 O.S. Supp. 2023, Section
6-187); repealing 70 O.S. 2021, Section 6-187, as
last amended by Section 4, Chapter 220, O.S.L. 2022
(70 O.S. Supp. 2023, Section 6-187); amending 70 O.S.
2021, Section 11-103.6, as last amended by Section 1,
Chapter 9, O.S.L. 2023 (70 O.S. Supp. 2023, Section

1 11-103.6); repealing 70 O.S. 2021, Section 11-103.6,
2 as amended by Section 1, Chapter 122, O.S.L. 2022 (70
3 O.S. Supp. 2023, Section 11-103.6); amending 70 O.S.
4 2021, Section 3247, as last amended by Section 1,
5 Chapter 348, O.S.L. 2023 (70 O.S. Supp. 2023, Section
6 3247); repealing 70 O.S. 2021, Section 3247, as
7 amended by Section 1, Chapter 23, O.S.L. 2022 (70
8 O.S. Supp. 2023, Section 3247); amending 74 O.S.
9 2021, Section 18b, as amended by Section 1, Chapter
10 100, O.S.L. 2022 (74 O.S. Supp. 2023, Section 18b);
11 repealing 74 O.S. 2021, Section 18b, as last amended
12 by Section 1, Chapter 296, O.S.L. 2022 (74 O.S. Supp.
13 2023, Section 18b); amending 74 O.S. 2021, Section
14 840-2.20, as last amended by Section 1, Chapter 18,
15 1st Extraordinary Session, O.S.L. 2023 (74 O.S. Supp.
16 2023, Section 840-2.20); repealing 74 O.S. 2021,
17 Section 840-2.20, as last amended by Section 2,
18 Chapter 32, 1st Extraordinary Session, O.S.L. 2023
19 (74 O.S. Supp. 2023, Section 840-2.20); amending 82
20 O.S. 2021, Section 1085.30, as last amended by
21 Section 6, Chapter 185, O.S.L. 2022, and as
22 renumbered by Section 4, Chapter 164, O.S.L. 2023
23 (27A O.S. Supp. 2023, Section 2-6-103.2); repealing
24 82 O.S. 2021, Section 1085.30, as amended by Section
4, Chapter 113, O.S.L. 2022 (82 O.S. Supp. 2023,
Section 1085.30); and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 3 O.S. 2021, Section 85, as
amended by Section 5, Chapter 126, O.S.L. 2023 (3 O.S. Supp. 2023,
Section 85), is amended to read as follows:

Section 85. A. The Oklahoma Department of Aerospace and
Aeronautics and its Director acting under its authority is empowered
and directed to encourage, foster, and assist in the development of
aerospace and aeronautics in this state and to encourage the
establishment of airports and air navigation facilities. It shall

1 cooperate with and assist the federal government, the municipalities
2 of this state, and other persons in the development of aerospace and
3 aeronautics, and shall seek to coordinate the aeronautical
4 activities of these bodies and persons. Municipalities are
5 authorized to cooperate with the Department in the development of
6 aeronautics and aeronautical facilities in this state.

7 B. The Department may organize and administer a ~~voluntary~~
8 ~~program of air-age education~~ an aerospace and aviation education
9 program in cooperation with the schools, colleges, and for the
10 general public, and may prepare and conduct voluntary flight clinics
11 for airmen and issue such bulletins and publications as may be
12 required. This program shall be known and may be cited as the
13 "AeroSPACE Program" or "Aero Student Pathways for Aerospace Careers
14 and Education". This program shall be a partnership with primary,
15 secondary, career technology, and higher education providers to
16 respond to the workforce needs of the aviation and aerospace
17 industry by promoting and organizing quality curriculum, enhanced
18 classroom instruction, and research-based educational programs. The
19 AeroSPACE Program shall collaborate with industry and act as the
20 facilitator for the collection and sharing of information,
21 development and implementation of activities, and the dissemination
22 of resources concerning aerospace education with the primary goal
23 being to establish a common statewide strategy for implementing
24 aerospace educational curriculum initiatives to better prepare

1 students for an aviation and aerospace career. The Oklahoma
2 Aeronautics Commission may employ established program processes or
3 contract with other qualified entities to operate the AeroSPACE
4 Program. The Oklahoma Aeronautics Commission may accept funding
5 that includes, but is not limited to, donations, contractual
6 arrangements, in-kind services, federal or state appropriations, and
7 grants.

8 C. The Department shall assist in all aeronautical matters
9 related to emergency management actions in conformance with federal
10 directions and with the Emergency Operations Plan of the state.

11 D. The Department may establish air markers throughout the
12 state.

13 E. The Department may purchase and install roadside signs
14 directing highway traffic to airports, subject to approval of the
15 State Transportation Commission.

16 F. The Department shall:

17 1. Draft and recommend necessary legislation to advance the
18 interests of the state in aerospace and aeronautics;

19 2. Represent the state in aeronautical matters before federal
20 agencies and other state agencies; and

21 3. Participate as party plaintiff or defendant or as intervener
22 on behalf of the state or any municipality or citizen thereof in any
23 proceeding which involves the interest of the state in aerospace or
24 aeronautics.

1 G. 1. The Department may, insofar as is reasonably possible,
2 make available its engineering and other technical services to any
3 municipality or person desiring them in connection with the
4 planning, acquisition, construction, improvement, maintenance, or
5 operation of airports or navigation facilities.

6 2. The Department may render financial assistance by grant or
7 loan or both to any municipality or municipalities acting jointly in
8 the planning, acquisition, construction, improvement, maintenance,
9 or operation of an airport owned or controlled, or to be owned or
10 controlled, by such municipality or municipalities, out of
11 appropriations or other monies made available by the Legislature for
12 such purposes. Such financial assistance may be furnished in
13 connection with federal or other financial aid for the same
14 purposes.

15 3. The Department shall be designated as the agent of this
16 state or political subdivision of this state for the purpose of
17 applying for, receiving, administering and disbursing federal funds
18 and other public monies for the benefit of general aviation
19 airports, except reliever airports, as may be available under
20 applicable federal law or other laws. If requested by a political
21 subdivision, the Department may act as its or their agent in
22 contracting for and supervising such planning, acquisition,
23 construction, improvement, maintenance, or operation; and all
24 political subdivisions are authorized to designate the Department as

1 their agent for the foregoing purposes. The Department, as
2 principal on behalf of the state, may enter into any contracts with
3 the United States or with any person, which may be required in
4 connection with a grant or loan of federal monies for municipal
5 airport or air navigation facility purposes. All federal monies
6 accepted under this section shall be accepted and transferred or
7 expended by the Department upon such terms and conditions as are
8 prescribed by the United States. All monies received by the
9 Department pursuant to this section shall be deposited in the
10 Oklahoma Department of Aerospace and Aeronautics Revolving Fund in
11 the State Treasury and shall be paid out by the Department in
12 accordance with the terms and conditions of any agreement entered
13 into under the provisions of this section.

14 H. 1. The Department is authorized on behalf of and in the
15 name of the state, out of appropriations and other monies made
16 available for such purposes, to plan, zone, establish, construct,
17 enlarge, improve, maintain, equip, operate, regulate, protect, and
18 police airports and air navigation facilities, either within or
19 without the state, including the construction, installation,
20 equipping, maintenance, and operation at such airports of buildings
21 and other facilities for the servicing of aircraft or for the
22 comfort and accommodation of air travelers. However, the regulatory
23 authority shall not extend to any airman employed by, nor to any
24 aeronautics facility or aircraft under the exclusive possession,

1 operation, or control of, a person holding a certificate of public
2 convenience and necessity issued by any agency of the United States
3 to operate as a common carrier by air of persons and/or property in
4 interstate commerce. For such purposes the Department may, by
5 purchase, gift, devise, or lease, acquire property, real or
6 personal, or any interest therein including easements in
7 aeronautical hazards or land outside the boundaries of an airport or
8 airport site, as are necessary to permit safe and efficient
9 operation of the state airports or to permit the removal,
10 elimination, obstruction-marking or obstruction-lighting of airport
11 hazards, or to prevent the establishment of airport hazards. In
12 like manner the Department may acquire existing airports and air
13 navigation facilities. However, the Department shall not acquire or
14 take over any airport or air navigation facility owned or controlled
15 by a municipality of this or any other state without the consent of
16 such municipality. The Department may, by sale, lease, or
17 otherwise, dispose of any such property, airport, air navigation
18 facility, or portion thereof or interest therein. The disposal, by
19 sale, lease, or otherwise, shall be in accordance with the laws of
20 this state governing the disposition of other property of the state,
21 except that, in the case of disposals to any municipality or state
22 government or the United States for aeronautical purposes incident
23 thereto, the sale, lease, or other disposal may be effected in such

24

1 manner and upon such terms as the Department may deem in the best
2 interest of the state.

3 2. All airports owned by the state shall be within the primary
4 jurisdiction of the Oklahoma Department of Aerospace and Aeronautics
5 for purposes of design, development, and operation; provided, that
6 airports owned and operated by the Oklahoma Space Industry
7 Development Authority shall be exempt from such provisions, and
8 during the time of a national emergency, the Air National Guard
9 shall be exempt from such provisions, and provided further, that any
10 airport owned by the state may be leased by the Department to a
11 public or private agency, as it may deem fit.

12 3. Nothing contained in the Oklahoma Department of Aerospace
13 and Aeronautics Act shall be construed to limit any right, power, or
14 authority of the state or a municipality to regulate airport hazards
15 by zoning.

16 4. The Department may exercise any powers granted by this
17 section jointly with any municipalities or with the United States.

18 5. a. In operating an airport or air navigation facility
19 owned or controlled by the state, the Department may
20 enter into contracts, leases, and other arrangements
21 for a term not exceeding twenty-five (25) years with
22 any persons granting the privilege of using or
23 improving such airport or air navigation facility or
24 any portion or facility thereof or space therein for

1 commercial purposes; conferring the privilege of
2 supplying goods, commodities, things, services, or
3 facilities at such airport or air navigation facility;
4 or making available services to be furnished by the
5 Department or its agents at such airport or air
6 navigation facility.

7 In each such case the Department may establish the
8 terms and conditions and fix the charges, rentals, or
9 fees for the privileges or services, which shall be
10 reasonable and uniform for the same class of
11 privileges or services and shall be established with
12 due regard to the property and improvements used and
13 the expenses of operation to the state; provided, that
14 in no case shall the public be deprived of its
15 rightful, equal, and uniform use of the airport, air
16 navigation facility or portion or facility thereof.

- 17 b. The Department may by contract, lease, or other
18 arrangement, upon a consideration fixed by it, grant
19 to any qualified person for a term not to exceed
20 twenty-five (25) years the privilege of operating, as
21 agent of the state or otherwise, any airport owned or
22 controlled by the state; provided, that no such person
23 shall be granted any authority to operate the airport
24 other than as a public airport or to enter into any

1 contracts, leases, or other arrangements in connection
2 with the operation of the airport which the Department
3 might not have undertaken under subparagraph a of this
4 paragraph.

5 c. To enforce the payment of any charges for repairs to,
6 or improvements, storage, or care of, any personal
7 property made or furnished by the Department or its
8 agents in connection with the operation of an airport
9 or air navigation facility owned or operated by the
10 state, the state shall have liens on such property,
11 which shall be enforceable by the Department as
12 provided by law.

13 6. In accepting federal monies under this section, the
14 Department shall have the same authority to enter into contracts on
15 behalf of the state as is granted to the Department under paragraph
16 3 of subsection G of this section with respect to federal monies
17 accepted on behalf of municipalities. All monies received by the
18 Department pursuant to this section shall be deposited in the
19 Oklahoma Department of Aerospace and Aeronautics Revolving Fund in
20 the State Treasury and shall be paid out of the Department Fund in
21 accordance with the terms and conditions of any agreement entered
22 into under the provisions of this section.

23 7. The Department shall grant no exclusive right for the use of
24 any airport or air navigation facility under its jurisdiction. This

1 shall not be construed to prevent the making of contracts, leases,
2 and other arrangements pursuant to paragraph 5 of this subsection.

3 I. The Department may enter into any contracts necessary to the
4 execution of the powers granted it by the Oklahoma Department of
5 Aerospace and Aeronautics Act. All contracts made by the
6 Department, either as the agent of the state or as the agent of any
7 municipality, shall be made pursuant to the laws of the state
8 governing the making of like contracts. When the planning,
9 acquisition, construction, improvement, maintenance, or operation of
10 any airport or air navigation facility is financed wholly or
11 partially with federal monies, the Department as agent of the state
12 or of any municipality may let contracts in the manner prescribed by
13 the federal authorities acting under the laws of the United States
14 and any rules or regulations made thereunder.

15 J. 1. The Commission, the Director, or any officer or employee
16 of the Department designated by it shall have the power to hold
17 investigations, inquiries, and hearings concerning matters covered
18 by the provisions of the Oklahoma Department of Aerospace and
19 Aeronautics Act and the rules, regulations, and orders of the
20 Department. Hearings shall be open to the public and shall be held
21 upon such call or notice as the Commission shall deem advisable.
22 Each member of the Commission, the Director, and every officer or
23 employee of the Department designated by it to hold any inquiry,
24 investigation, or hearing shall have the power to administer oaths

1 and affirmations, certify to all official acts, issue subpoenas, and
2 order the attendance and testimony of witnesses and the production
3 of papers, books, and documents. In case of the failure of any
4 person to comply with any subpoena or order issued under the
5 authority of this subsection, or on the refusal of any witness to
6 testify to any matters regarding which he may be lawfully
7 interrogated, it shall be the duty of the district court of any
8 county or of the judge thereof, on application of the Department or
9 its authorized representative, to compel obedience by proceedings
10 for contempt, as in the case of disobedience of the requirements of
11 a subpoena issued from such court or a refusal to testify therein.

12 2. In order to facilitate the making of investigations by the
13 Department in the interest of public safety and promotion of
14 aeronautics the public interest requires, and it is therefore
15 provided, that the reports of investigations or hearings, or any
16 part thereof, shall not be admitted in evidence or used for any
17 purpose in any suit, action, or proceeding growing out of any matter
18 referred to in the investigation, hearing, or report thereof, except
19 in case of any suit, action, or proceeding, civil or criminal,
20 instituted by or in behalf of the Department or in the name of the
21 state under the provisions of the Oklahoma Department of Aerospace
22 and Aeronautics Act or other laws of the state relating to
23 aeronautics; nor shall any member of the Commission, or the
24 Director, or any officer or employee of the Department be required

1 to testify to any facts ascertained in, or information gained by
2 reason of, such person's official capacity, or be required to
3 testify as an expert witness in any suit, action, or proceeding
4 involving any aircraft. Subject to the foregoing provisions, the
5 Department may in its discretion make available to appropriate
6 federal, state and municipal agencies information and material
7 developed in the course of its investigations and hearings.

8 K. 1. The Department is authorized to confer with or to hold
9 joint hearings with any agency of the United States in connection
10 with any matter arising under the Oklahoma Department of Aerospace
11 and Aeronautics Act or relating to the sound development of
12 aerospace and aeronautics.

13 2. The Department is authorized to avail itself of the
14 cooperation, services, records, and facilities of the agencies of
15 the United States as fully as may be practicable in the
16 administration and enforcement of the Oklahoma Department of
17 Aerospace and Aeronautics Act. The Department shall furnish to the
18 agencies of the United States its cooperation, services, records,
19 and facilities, insofar as may be practicable.

20 3. The Department shall report to the appropriate agency of the
21 United States all accidents in aeronautics in this state of which it
22 is informed and shall, insofar as is practicable, preserve, protect,
23 and prevent the removal of the component parts of any aircraft
24

1 involved in an accident being investigated by it until the federal
2 agency institutes an investigation.

3 L. The Department may organize and administer an aerospace
4 education program in cooperation with universities, colleges and
5 schools for the general public. The Department may also plan and
6 act jointly in a cooperative aviation research or high technology
7 program. As part of these programs, the Department may issue
8 aviation communication films and publications.

9 M. The Department shall administer an airport inspection
10 program for all public-use airports within this state. The
11 inspection program shall occur on a three-year cycle and shall be
12 administered by the Oklahoma Department of Aerospace and
13 Aeronautics. Airport owners, including individuals and
14 municipalities, shall provide access to airport facilities for
15 conducting the inspections. The Department shall provide a written
16 report to each public-use airport detailing the findings of such
17 inspections.

18 SECTION 2. REPEALER 3 O.S. 2021, Section 85, as last
19 amended by Section 1, Chapter 221, O.S.L. 2023 (3 O.S. Supp. 2023,
20 Section 85), is hereby repealed.

21 SECTION 3. REPEALER 12 O.S. 2021, Section 1439, as
22 amended by Section 15, Chapter 190, O.S.L. 2022 (12 O.S. Supp. 2023,
23 Section 1439) is hereby repealed.

24

1 SECTION 4. AMENDATORY 19 O.S. 2021, Section 339, as last
2 amended by Section 1, Chapter 314, O.S.L. 2023 (19 O.S. Supp. 2023,
3 Section 339), is amended to read as follows:

4 Section 339. A. The board of county commissioners shall have
5 power:

6 1. To make all orders respecting the real property of the
7 county, to sell the public grounds of the county and to purchase
8 other grounds in lieu thereof; and for the purpose of carrying out
9 the provisions of this section it shall be sufficient to convey all
10 the interests of the county in those grounds when an order made for
11 the sale and a deed is executed in the name of the county by the
12 chair of the board of county commissioners, reciting the order, and
13 signed by the chair and acknowledged by the county clerk for and on
14 behalf of the county;

15 2. To audit the accounts of all officers having the care,
16 management, collection or disbursement of any money belonging to the
17 county or appropriated for its benefit;

18 3. To construct and repair bridges and to open, lay out and
19 vacate highways; provided, however, that when any state institution,
20 school or department shall own, lease or otherwise control land on
21 both sides of any established highway, the governing board or body
22 of the same shall have the power to vacate, alter or relocate the
23 highway adjoining the property in the following manner:

24

1 If it should appear that it would be to the best use and
2 interest of the institution, school or department to vacate, alter
3 or relocate such highway, the governing board or body shall notify
4 the board of county commissioners, in writing, of their intention to
5 hold a public hearing and determine whether to vacate, alter or
6 relocate the highway, setting forth the location and terminals of
7 the road, and all data concerning the proposed right-of-way if
8 changed or relocated, and shall give fifteen (15) days' notice of
9 the hearing by publication in some newspaper in the county or
10 counties in which the road is located, and the hearing shall be held
11 at the county seat of the county in which the road is located, and
12 if a county line road, may be heard in either county. At the
13 hearing testimony may be taken, and any protests or suggestions
14 shall be received as to the proposed measure, and at the conclusion
15 thereof if the governing board or body shall find that it would be
16 to the best use and interest of the institution, school or
17 department, and the public generally, they may make an appropriate
18 order either vacating, altering or relocating the highway, which
19 order shall be final if approved by the board of county
20 commissioners. The institution, school or department may by
21 agreement share the cost of changing any such road. No property
22 owner shall be denied access to a public highway by the order;

23 4. To recommend or sponsor an employee or prospective employee
24 for job-related training and certification in an area that may

1 require training or certification to comply with state or federal
2 law as such training or certification is provided by the Department
3 of Transportation, the Federal Highway Administration, or any other
4 state agency, technology center school, or university;

5 5. To determine the years of service required for full-time
6 county employees to qualify for a continuing education program.
7 Such programs may consist of courses offered by colleges and
8 universities that are members of The Oklahoma State System of Higher
9 Education as well as any other in-state or out-of-state programs or
10 courses which are relevant to the employee's responsibilities as
11 approved by the county commissioners. Such programs shall require
12 that employees maintain at least an A or B average in order to
13 qualify for one hundred percent (100%) reimbursement. Employees who
14 maintain passing or satisfactory grades shall qualify for seventy-
15 five percent (75%) reimbursement under such programs. Such programs
16 shall require that documentation from colleges and universities
17 regarding courses completed, credits earned and tuition charged be
18 submitted to a board of county commissioners within ninety (90) days
19 after the completion of courses. General applications and request
20 forms for such programs shall be submitted to a board of county
21 commissioners or an appropriate human resources department prior to
22 the conclusion of a county's current fiscal year. Employees who
23 elect to participate in such programs shall continue to meet the
24 full responsibilities of their positions, and participation shall

1 not interfere with availability for scheduled work or negatively
2 affect work performance. In order to be eligible for participation
3 in such programs, employees shall not have been formally disciplined
4 within one (1) year prior to submitting their program application.
5 A board of county commissioners shall be authorized to establish a
6 program requiring a one-year commitment of service to the county
7 from individuals who participate in such programs. Under such
8 programs, employees shall only be eligible to receive tuition
9 reimbursements in exchange for employment with the county lasting at
10 least one (1) year;

11 6. Until January 1, 1983, to furnish necessary blank books,
12 plats, blanks and stationery for the clerk of the district court,
13 county clerk, register of deeds, county treasurer and county judge,
14 sheriff, county surveyor and county attorney, justices of the peace,
15 and constables, to be paid for out of the county treasury; also a
16 fireproof vault sufficient in which to keep all the books, records,
17 vouchers and papers pertaining to the business of the county;

18 7. To set off, organize and change the boundaries of townships
19 and to designate and give names therefor; provided, that the
20 boundaries of no township shall be changed within six (6) months
21 next preceding a general election;

22 8. To lease tools, apparatus, machinery or equipment of the
23 county to another political subdivision or a state agency. The
24 Association of County Commissioners of Oklahoma and the Oklahoma

1 State University Center for Local Government Technology together
2 shall establish a system of uniform rates for the leasing of such
3 tools, apparatus, machinery and equipment;

4 9. To jointly, with other counties, buy heavy equipment and to
5 loan or lease such equipment across county lines;

6 10. To develop personnel policies for the county with the
7 approval of a majority of all county elected officers, as evidenced
8 in the minutes of a meeting of the board of county commissioners or
9 the county budget board;

10 11. To purchase, rent, or lease-purchase uniforms, safety
11 devices and equipment for the officers and employees of the county.
12 The county commissioners may pay for any safety training or safety
13 devices and safety equipment out of the general county funds or any
14 county highway funds available to the county commissioners;

15 12. To provide incentive awards for safety-related job
16 performance. However, no employee shall be recognized more than
17 once per calendar year and the award shall not exceed the value of
18 Two Hundred Fifty Dollars (\$250.00); further, no elected official
19 shall be eligible to receive a safety award;

20 13. To provide for payment of notary commissions, filing fees,
21 and the cost of notary seals and bonds;

22 14. To do and perform other duties and acts that the board of
23 county commissioners may be required by law to do and perform;

24

1 15. To make purchases at a public auction pursuant to the
2 county purchasing procedures in subsection D of Section 1505 of this
3 title;

4 16. To deposit interest income from highway funds in the
5 general fund of the county;

6 17. To submit sealed bids for the purchase of equipment from
7 this state, or any agency or political subdivision of this state;

8 18. To utilize county-owned equipment, labor and supplies at
9 their disposal on property owned by the county, public schools, two-
10 year colleges or technical branches of colleges that are members of
11 The Oklahoma State System of Higher Education, the state and
12 municipalities according to the provisions of Section 36-113 of
13 Title 11 of the Oklahoma Statutes. Cooperative agreements may be
14 general in terms of routine maintenance or specific in terms of
15 construction and agreed to and renewed on an annual basis. Work
16 performed pursuant to Section 36-113 of Title 11 of the Oklahoma
17 Statutes shall comply with the provisions of this section;

18 19. To enter into intergovernmental cooperative agreements with
19 the federally recognized Indian tribes within this state to address
20 issues of construction and maintenance of streets, roads, bridges
21 and highways exclusive of the provisions of Section 1221 of Title 74
22 of the Oklahoma Statutes;

23

24

1 20. To execute hold harmless agreements with the lessor in the
2 manner provided by subsection B of Section 636.5 of Title 69 of the
3 Oklahoma Statutes when leasing or lease-purchasing equipment;

4 21. To accept donations of right-of-way or right-of-way
5 easements pursuant to Section 381 et seq. of Title 60 of the
6 Oklahoma Statutes;

7 22. To establish by resolution the use of per diem for specific
8 purposes in accordance with the limitations provided by Sections
9 500.8 and 500.9 of Title 74 of the Oklahoma Statutes;

10 23. To apply to the Department of Environmental Quality for a
11 waste tire permit to bale waste tires for use in approved
12 engineering projects;

13 24. To enter into the National Association of Counties (NACo)
14 Prescription Drug Discount Program;

15 25. To work with federal, state, municipal, and public school
16 district properties in an effort to minimize cost to such entities;

17 26. To provide incentive awards to employees for participating
18 in voluntary wellness programs which result in improved health.
19 Incentive awards may be created by the Wellness Council set forth in
20 Section 1302 of this title;

21 27. To establish a county employee benefit program to encourage
22 outstanding performance in the workplace. Monies may be expended
23 for the purchase of recognition awards for presentation to an
24 employee or members of a work unit. Recognition awards may be

1 presented at a formal or informal ceremony, banquet, reception or
2 luncheon, the cost of which may be expended from monies available in
3 the county department's or division's operating fund;

4 28. To trade in equipment to a vendor or on statewide contract
5 by acquiring used equipment values pursuant to subsection B of
6 Section 421.1 of this title; ~~and~~

7 29. To expend federal funds made available to a county of the
8 state through the federal Coronavirus Aid, Relief, and Economic
9 Security Act (CARES Act), Pub. L. 116-136, or similar relief funds
10 according to the permissible uses of the applicable federal
11 legislation or guidance issued by any federal agency thereof,
12 regardless of any lack of specific state statutory authorization to
13 perform the duties or functions for which the federal government has
14 provided the funds. The expenditure of the funds in accordance with
15 the federal legislation or guidance issued by any federal agency
16 thereof shall be at the discretion of the board of county
17 commissioners.

18 The receipt of funding through the CARES Act or similar relief
19 funds shall not be considered a supplemental appropriation and shall
20 be exempt from the requirements of Section 1420 of this title. In
21 the event the period allotted for expenditure of federal funds
22 crosses fiscal years, such funds shall not be considered revenue
23 when setting the county's budget for the next fiscal year; and

24

1 30. To enter into intergovernmental cooperative agreements
2 which shall include shared services, with local governmental units
3 within this state pursuant to the provisions of the Interlocal
4 Cooperation Act, Section 1002 et seq. of Title 74 of the Oklahoma
5 Statutes.

6 B. The county commissioners of a county or, in counties where
7 there is a county budget board, the county budget board may
8 designate money from general county funds for the designated purpose
9 of drug enforcement and drug abuse prevention programs within the
10 county.

11 C. When any lease or lease purchase is made on behalf of the
12 county by the board pursuant to the provisions of this section, the
13 county shall be allowed to have trade in values for transactions
14 involving the Oklahoma Central Purchasing Act.

15 D. In order to timely comply with the Oklahoma Vehicle License
16 and Registration Act with regard to county vehicles, the board of
17 county commissioners may, by resolution, create a petty cash
18 account. The board of county commissioners may request a purchase
19 order for petty cash in an amount necessary to pay the expense of
20 license and registration fees for county motor vehicles. Any
21 balance in the petty cash account after the license and registration
22 fees have been paid shall be returned to the account or fund from
23 which the funds originated. The county purchasing agent shall be
24

1 the custodian of the petty cash account, and the petty cash account
2 shall be subject to audit.

3 E. When the board of county commissioners approves an express
4 trust, pursuant to Sections 176 through 180.4 of Title 60 of the
5 Oklahoma Statutes, for the purpose of operating a county jail, the
6 trustees of the public trust may appoint commissioned peace
7 officers, certified by the Council on Law Enforcement Education and
8 Training, to provide security for inmates that are required to be
9 transported outside of the detention facility, and investigate
10 violations of law within the detention facility. Other personnel
11 necessary to operate the jail may be employed and trained or
12 certified as may be required by applicable state or federal law.

13 SECTION 5. REPEALER 19 O.S. 2021, Section 339, as last
14 amended by Section 1, Chapter 39, O.S.L. 2023 (19 O.S. Supp. 2023,
15 Section 339), is hereby repealed.

16 SECTION 6. AMENDATORY 21 O.S. 2021, Section 644, as
17 amended by Section 1, Chapter 224, O.S.L. 2023 (21 O.S. Supp. 2023,
18 Section 644), is amended to read as follows:

19 Section 644. A. Assault shall be punishable by imprisonment in
20 a county jail not exceeding thirty (30) days, or by a fine of not
21 more than Five Hundred Dollars (\$500.00), or by both such fine and
22 imprisonment.

23 B. Assault and battery shall be punishable by imprisonment in a
24 county jail not exceeding ninety (90) days, or by a fine of not more

1 than One Thousand Dollars (\$1,000.00), or by both such fine and
2 imprisonment.

3 C. Any person who commits any assault and battery against a
4 current or former intimate partner or a family or household member
5 as defined by Section 60.1 of Title 22 of the Oklahoma Statutes
6 shall be guilty of domestic abuse. Upon conviction, the defendant
7 shall be punished by imprisonment in the county jail for not more
8 than one (1) year, or by a fine not exceeding Five Thousand Dollars
9 (\$5,000.00), or by both such fine and imprisonment. Upon conviction
10 for a second or subsequent offense, the person shall be punished by
11 imprisonment in the custody of the Department of Corrections for not
12 more than four (4) years, or by a fine not exceeding Five Thousand
13 Dollars (\$5,000.00), or by both such fine and imprisonment. The
14 provisions of Section 51.1 of this title shall apply to any second
15 or subsequent offense.

16 D. 1. Any person who, with intent to do bodily harm and
17 without justifiable or excusable cause, commits any assault,
18 battery, or assault and battery upon an intimate partner or a family
19 or household member as defined by Section 60.1 of Title 22 of the
20 Oklahoma Statutes with any sharp or dangerous weapon, upon
21 conviction, is guilty of domestic assault or domestic assault and
22 battery with a dangerous weapon which shall be a felony and
23 punishable by imprisonment in the custody of the Department of
24 Corrections not exceeding ten (10) years, or by imprisonment in a

1 county jail not exceeding one (1) year. The provisions of Section
2 51.1 of this title shall apply to any second or subsequent
3 conviction for a violation of this paragraph.

4 2. Any person who, without such cause, shoots an intimate
5 partner or a family or household member as defined by Section 60.1
6 of Title 22 of the Oklahoma Statutes by means of any deadly weapon
7 that is likely to produce death shall, upon conviction, be guilty of
8 domestic assault and battery with a deadly weapon which shall be a
9 felony punishable by imprisonment in the custody of the Department
10 of Corrections not exceeding life. The provisions of Section 51.1
11 of this title shall apply to any second or subsequent conviction for
12 a violation of this paragraph.

13 E. 1. Any person convicted of domestic abuse committed against
14 a pregnant woman with knowledge of the pregnancy shall be guilty of
15 a felony, punishable by imprisonment in the custody of the
16 Department of Corrections for not more than five (5) years.

17 2. Any person convicted of a second or subsequent offense of
18 domestic abuse against a pregnant woman with knowledge of the
19 pregnancy shall be guilty of a felony, punishable by imprisonment in
20 the custody of the Department of Corrections for not less than ten
21 (10) years.

22 3. Any person convicted of domestic abuse committed against a
23 pregnant woman with knowledge of the pregnancy and a miscarriage
24 occurs or injury to the unborn child occurs shall be guilty of a

1 felony, punishable by imprisonment in the custody of the Department
2 of Corrections for not less than twenty (20) years.

3 F. Any person convicted of domestic abuse as defined in
4 subsection C of this section that results in great bodily injury to
5 the victim shall be guilty of a felony and punished by imprisonment
6 in the custody of the Department of Corrections for not more than
7 ten (10) years, or by imprisonment in the county jail for not more
8 than one (1) year. The provisions of Section 51.1 of this title
9 shall apply to any second or subsequent conviction of a violation of
10 this subsection.

11 G. Any person convicted of domestic abuse as defined in
12 subsection C of this section that was committed in the presence of a
13 child shall be punished by imprisonment in the county jail for not
14 less than six (6) months nor more than one (1) year, or by a fine
15 not exceeding Five Thousand Dollars (\$5,000.00), or by both such
16 fine and imprisonment. Any person convicted of a second or
17 subsequent domestic abuse as defined in subsection C of this section
18 that was committed in the presence of a child shall be punished by
19 imprisonment in the custody of the Department of Corrections for not
20 less than one (1) year nor more than five (5) years, or by a fine
21 not exceeding Seven Thousand Dollars (\$7,000.00), or by both such
22 fine and imprisonment. The provisions of Section 51.1 of this title
23 shall apply to any second or subsequent offense. For every
24 conviction of a domestic abuse crime in violation of any provision

1 of this section committed against an intimate partner or a family or
2 household member as defined by Section 60.1 of Title 22 of the
3 Oklahoma Statutes, the court shall:

4 1. Specifically order as a condition of a suspended or deferred
5 sentence that a defendant participate in counseling or undergo
6 treatment to bring about the cessation of domestic abuse as
7 specified in paragraph 2 of this subsection;

8 2. a. The court shall require the defendant to complete an
9 assessment and follow the recommendations of a
10 batterers' intervention program certified by the
11 Attorney General. If the defendant is ordered to
12 participate in a batterers' intervention program, the
13 order shall require the defendant to attend the
14 program for a minimum of fifty-two (52) weeks,
15 complete the program, and be evaluated before and
16 after attendance of the program by program staff.
17 Three unexcused absences in succession or seven
18 unexcused absences in a period of fifty-two (52) weeks
19 from any court-ordered batterers' intervention program
20 shall be prima facie evidence of the violation of the
21 conditions of probation for the district attorney to
22 seek acceleration or revocation of any probation
23 entered by the court.

24

1 b. A program for anger management, couples counseling, or
2 family and marital counseling shall not solely qualify
3 for the counseling or treatment requirement for
4 domestic abuse pursuant to this subsection. The
5 counseling may be ordered in addition to counseling
6 specifically for the treatment of domestic abuse or
7 per evaluation as set forth below. If, after
8 sufficient evaluation and attendance at required
9 counseling sessions, the domestic violence treatment
10 program or licensed professional determines that the
11 defendant does not evaluate as a perpetrator of
12 domestic violence or does evaluate as a perpetrator of
13 domestic violence and should complete other programs
14 of treatment simultaneously or prior to domestic
15 violence treatment, including but not limited to
16 programs related to the mental health, apparent
17 substance or alcohol abuse or inability or refusal to
18 manage anger, the defendant shall be ordered to
19 complete the counseling as per the recommendations of
20 the domestic violence treatment program or licensed
21 professional;

22 3. a. The court shall set a review hearing no more than one
23 hundred twenty (120) days after the defendant is
24 ordered to participate in a domestic abuse counseling

1 program or undergo treatment for domestic abuse to
2 assure the attendance and compliance of the defendant
3 with the provisions of this subsection and the
4 domestic abuse counseling or treatment requirements.
5 The court may suspend sentencing of the defendant
6 until the defendant has presented proof to the court
7 of enrollment in a program of treatment for domestic
8 abuse by an individual licensed practitioner or a
9 domestic abuse treatment program certified by the
10 Attorney General and attendance at weekly sessions of
11 such program. Such proof shall be presented to the
12 court by the defendant no later than one hundred
13 twenty (120) days after the defendant is ordered to
14 such counseling or treatment. At such time, the court
15 may complete sentencing, beginning the period of the
16 sentence from the date that proof of enrollment is
17 presented to the court, and schedule reviews as
18 required by subparagraphs a and b of this paragraph
19 and paragraphs 4 and 5 of this subsection. Three
20 unexcused absences in succession or seven unexcused
21 absences in a period of fifty-two (52) weeks from any
22 court-ordered domestic abuse counseling or treatment
23 program shall be prima facie evidence of the violation
24 of the conditions of probation for the district

1 attorney to seek acceleration or revocation of any
2 probation entered by the court.

3 b. The court shall set a second review hearing after the
4 completion of the counseling or treatment to assure
5 the attendance and compliance of the defendant with
6 the provisions of this subsection and the domestic
7 abuse counseling or treatment requirements. The court
8 shall retain continuing jurisdiction over the
9 defendant during the course of ordered counseling
10 through the final review hearing;

11 4. The court may set subsequent or other review hearings as the
12 court determines necessary to assure the defendant attends and fully
13 complies with the provisions of this subsection and the domestic
14 abuse counseling or treatment requirements;

15 5. At any review hearing, if the defendant is not
16 satisfactorily attending individual counseling or a domestic abuse
17 counseling or treatment program or is not in compliance with any
18 domestic abuse counseling or treatment requirements, the court may
19 order the defendant to further or continue counseling, treatment, or
20 other necessary services. The court may revoke all or any part of a
21 suspended sentence, deferred sentence, or probation pursuant to
22 Section 991b of Title 22 of the Oklahoma Statutes and subject the
23 defendant to any or all remaining portions of the original sentence;

24

1 6. At the first review hearing, the court shall require the
2 defendant to appear in court. Thereafter, for any subsequent review
3 hearings, the court may accept a report on the progress of the
4 defendant from individual counseling, domestic abuse counseling, or
5 the treatment program. There shall be no requirement for the victim
6 to attend review hearings; and

7 7. If funding is available, a referee may be appointed and
8 assigned by the presiding judge of the district court to hear
9 designated cases set for review under this subsection. Reasonable
10 compensation for the referees shall be fixed by the presiding judge.
11 The referee shall meet the requirements and perform all duties in
12 the same manner and procedure as set forth in Sections 1-8-103 and
13 2-2-702 of Title 10A of the Oklahoma Statutes pertaining to referees
14 appointed in juvenile proceedings.

15 The defendant may be required to pay all or part of the cost of
16 the counseling or treatment, in the discretion of the court.

17 H. As used in subsection G of this section, "in the presence of
18 a child" means in the physical presence of a child; or having
19 knowledge that a child is present and may see or hear an act of
20 domestic violence. For the purposes of subsections C and G of this
21 section, "child" may be any child whether or not related to the
22 victim or the defendant.

23 I. For the purposes of subsections C and G of this section, any
24 conviction for assault and battery against an intimate partner or a

1 family or household member as defined by Section 60.1 of Title 22 of
2 the Oklahoma Statutes shall constitute a sufficient basis for a
3 felony charge:

4 1. If that conviction is rendered in any state, county or
5 parish court of record of this or any other state; or

6 2. If that conviction is rendered in any municipal court of
7 record of this or any other state for which any jail time was
8 served; provided, no conviction in a municipal court of record
9 entered prior to November 1, 1997, shall constitute a prior
10 conviction for purposes of a felony charge.

11 J. Any person who commits any assault and battery ~~with intent~~
12 ~~to cause great bodily harm~~ by strangulation or attempted
13 strangulation against an intimate partner or a family or household
14 member as defined by Section 60.1 of Title 22 of the Oklahoma
15 Statutes shall, upon conviction, be guilty of domestic abuse by
16 strangulation and shall be punished by imprisonment in the custody
17 of the Department of Corrections for a period of not less than one
18 (1) year nor more than three (3) years, or by a fine of not more
19 than Three Thousand Dollars (\$3,000.00), or by both such fine and
20 imprisonment. Upon a second or subsequent conviction for a
21 violation of this section, the defendant shall be punished by
22 imprisonment in the custody of the Department of Corrections for a
23 period of not less than three (3) years nor more than ten (10)
24 years, or by a fine of not more than Twenty Thousand Dollars

1 (\$20,000.00), or by both such fine and imprisonment. The provisions
2 of Section 51.1 of this title shall apply to any second or
3 subsequent conviction of a violation of this subsection. As used in
4 this subsection, "strangulation" means any form of asphyxia;
5 including, but not limited to, asphyxia characterized by closure of
6 the blood vessels or air passages of the neck as a result of
7 external pressure on the neck or the closure of the nostrils or
8 mouth as a result of external pressure on the head.

9 K. Any district court of this state and any judge thereof shall
10 be immune from any liability or prosecution for issuing an order
11 that requires a defendant to:

12 1. Attend a treatment program for domestic abusers certified by
13 the Attorney General;

14 2. Attend counseling or treatment services ordered as part of
15 any suspended or deferred sentence or probation; and

16 3. Attend, complete, and be evaluated before and after
17 attendance by a treatment program for domestic abusers, certified by
18 the Attorney General.

19 L. There shall be no charge of fees or costs to any victim of
20 domestic violence, stalking, or sexual assault in connection with
21 the prosecution of a domestic violence, stalking, or sexual assault
22 offense in this state.

23 M. In the course of prosecuting any charge of domestic abuse,
24 stalking, harassment, rape, or violation of a protective order, the

1 prosecutor shall provide the court, prior to sentencing or any plea
2 agreement, a local history and any other available history of past
3 convictions of the defendant within the last ten (10) years relating
4 to domestic abuse, stalking, harassment, rape, violation of a
5 protective order, or any other violent misdemeanor or felony
6 convictions.

7 N. Any plea of guilty or finding of guilt for a violation of
8 subsection C, F, G, I or J of this section shall constitute a
9 conviction of the offense for the purpose of this act or any other
10 criminal statute under which the existence of a prior conviction is
11 relevant for a period of ten (10) years following the completion of
12 any court imposed probationary term; provided, the person has not,
13 in the meantime, been convicted of a misdemeanor involving moral
14 turpitude or a felony.

15 O. For purposes of subsection F of this section, "great bodily
16 injury" means bone fracture, protracted and obvious disfigurement,
17 protracted loss or impairment of the function of a body part, organ
18 or mental faculty, or substantial risk of death.

19 P. Any pleas of guilty or nolo contendere or finding of guilt
20 to a violation of any provision of this section shall constitute a
21 conviction of the offense for the purpose of any subsection of this
22 section under which the existence of a prior conviction is relevant
23 for a period of ten (10) years following the completion of any
24 sentence or court imposed probationary term.

1 SECTION 7. REPEALER 21 O.S. 2021, Section 644, as last
2 amended by Section 1, Chapter 212, O.S.L. 2023 (21 O.S. Supp. 2023,
3 Section 644), is hereby repealed.

4 SECTION 8. AMENDATORY 21 O.S. 2021, Section 1111, as
5 last amended by Section 2, Chapter 260, O.S.L. 2022 (21 O.S. Supp.
6 2023, Section 1111) is amended to read as follows:

7 Section 1111. A. Rape is an act of sexual intercourse
8 involving vaginal or anal penetration accomplished with a male or
9 female ~~who is not the spouse of the perpetrator and~~ within or
10 without the bonds of matrimony who may be of the same or the
11 opposite sex as the perpetrator under any of the following
12 circumstances:

- 13 1. Where the victim is under sixteen (16) years of age;
- 14 2. Where the victim is incapable through mental illness or any
15 other unsoundness of mind, whether temporary or permanent, of giving
16 legal consent;
- 17 3. Where force or violence is used or threatened, accompanied
18 by apparent power of execution to the victim or to another person;
- 19 4. Where the victim is intoxicated by a narcotic or anesthetic
20 agent, administered by or with the privity of the accused as a means
21 of forcing the victim to submit;
- 22 5. Where the victim is at the time unconscious of the nature of
23 the act and this fact is known to the accused;

24

1 6. Where the victim submits to sexual intercourse under the
2 belief that the person committing the act is a spouse, and this
3 belief is induced by artifice, pretense, or concealment practiced by
4 the accused or by the accused in collusion with the spouse with
5 intent to induce that belief. In all cases of collusion between the
6 accused and the spouse to accomplish such act, both the spouse and
7 the accused, upon conviction, shall be deemed guilty of rape;

8 7. Where the victim is under the legal custody or supervision
9 of a state agency, a federal agency, a county, a municipality or a
10 political subdivision and engages in sexual intercourse with a
11 state, federal, county, municipal or political subdivision employee
12 or an employee of a contractor of the state, the federal government,
13 a county, a municipality or a political subdivision that exercises
14 authority over the victim, or the subcontractor or employee of a
15 subcontractor of the contractor of the state or federal government,
16 a county, a municipality or a political subdivision that exercises
17 authority over the victim;

18 8. Where the victim is at least sixteen (16) years of age and
19 is less than twenty (20) years of age and is a student, or under the
20 legal custody or supervision of any public or private elementary or
21 secondary school, junior high or high school, or public vocational
22 school, and engages in sexual intercourse with a person who is
23 eighteen (18) years of age or older and is an employee of a school
24 system;

1 9. Where the victim is nineteen (19) years of age or younger
2 and is in the legal custody of a state agency, federal agency or
3 tribal court and engages in sexual intercourse with a foster parent
4 or foster parent applicant; or

5 10. Where the victim is a student at a secondary school, is
6 concurrently enrolled at an institution of higher education, and
7 engages in acts pursuant to this subsection with a perpetrator who
8 is an employee of the institution of higher education of which the
9 victim is enrolled.

10 B. "Employee of an institution of higher education", for
11 purposes of this section, means faculty, adjunct faculty,
12 instructors, volunteers, or an employee of a business contracting
13 with an institution of higher education who may exercise, at any
14 time, institutional authority over the victim. Employee of an
15 institution of higher education shall not include an enrolled
16 student who is not more than three (3) years of age or older than
17 the concurrently enrolled student and who is employed or
18 volunteering, in any capacity, for the institution of higher
19 education.

20 ~~C. Rape is an act of sexual intercourse accomplished with a~~
21 ~~male or female who is the spouse of the perpetrator if force or~~
22 ~~violence is used or threatened, accompanied by apparent power of~~
23 ~~execution to the victim or to another person.~~

24

1 SECTION 9. REPEALER 21 O.S. 2021, Section 1111, as
2 amended by Section 5, Chapter 228, O.S.L. 2022 (21 O.S. Supp. 2023,
3 Section 1111), is hereby repealed.

4 SECTION 10. AMENDATORY 21 O.S. 2021, Section 1176, as
5 last amended by Section 1, Chapter 170, O.S.L. 2023 (21 O.S. Supp.
6 2023, Section 1176), is amended to read as follows:

7 Section 1176. A. Whoever, with the intent to threaten,
8 intimidate or harass, or facilitate another to threaten, intimidate
9 or harass, uses an electronic communication device to knowingly
10 publish, post or otherwise make publicly available personally
11 identifiable information of a peace officer, public official,
12 election official, medical care provider, or crime victim, and as a
13 result places that peace officer, public official, election
14 official, medical care provider, or crime victim in reasonable fear
15 of death or serious bodily injury shall, upon conviction, be guilty
16 of a misdemeanor punishable by imprisonment in the county jail for a
17 term not to exceed six (6) months, or by a fine not to exceed One
18 Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.
19 Upon conviction for a second or subsequent violation, the person
20 shall be punished by imprisonment in the county jail for a term not
21 to exceed one (1) year, or by a fine not to exceed Two Thousand
22 Dollars (\$2,000.00), or by both such fine and imprisonment.

23

24

1 B. To the extent the provisions of Section A apply to medical
2 care providers, the protections provided herein shall not apply when
3 the incident is unrelated to the provider's professional duties.

4 C. As used in this section:

5 1. "Crime victim" shall have the same meaning as ~~that term is~~
6 defined in Section 142A-1 of this title;

7 2. "Election Official" means a member or employee of the State
8 Election Board or a county election board, the Secretary of the
9 State Election Board or a county election board, or a person serving
10 as a precinct official or absentee voting board member appointed as
11 required by law;

12 3. "Electronic communication" shall have the same meaning as
13 ~~that term is~~ defined in Section 1172 of this title. Electronic
14 communication does not include broadcast transmissions or similar
15 communications that are not targeted at any specific individual;

16 ~~3.~~ 4. "Electronic communication device" means any cellular
17 telephone, facsimile, pager, computer, or any device capable of
18 electronic communication;

19 ~~4.~~ 5. "Medical care provider" means a doctor, resident, intern,
20 nurse, nurse practitioner, nurses' aide, ambulance attendant or
21 operator, paramedic, emergency medical technician, laboratory
22 technician, radiologic technologist, physical therapist, physician
23 assistant, chaplain of a health care facility, volunteer of a health
24 care facility, pharmacist, nursing student, medical student, member

1 of a hospital security force, and any other employee or contractor
2 working in or for a health care facility;

3 ~~5.~~ 6. "Peace officer" shall have the same meaning as that term
4 is defined in Section 99 of this title;

5 ~~6.~~ 7. "Personally identifiable information" means information
6 which can identify an individual including, but not limited to,
7 name, birth date, place of birth, mother's maiden name, biometric
8 records, Social Security number, official state- or government-
9 issued driver license or identification number, government passport
10 number, employer or taxpayer identification number or any other
11 information that is linked or linkable to an individual, such as
12 medical, educational, financial or employment information;

13 ~~7.~~ 8. "Public official" means any person elected or appointed
14 to a state office in the executive, legislative, or judicial branch
15 of state government or other political subdivision of the state; and

16 ~~8.~~ 9. "Publish" means to circulate, deliver, distribute,
17 disseminate, transmit, or otherwise make available to another
18 person.

19 SECTION 11. REPEALER 21 O.S. 2021, Section 1176, as last
20 amended by Section 1, Chapter 147, O.S.L. 2023 (21 O.S. Supp. 2023,
21 Section 1176), is hereby repealed.

22 SECTION 12. AMENDATORY 22 O.S. 2021, Section 18, as
23 amended by Section 1, Chapter 50, O.S.L. 2022 (22 O.S. Supp. 2023,
24 Section 18), is amended to read as follows:

1 Section 18. A. Persons authorized to file a motion for
2 expungement, as provided herein, must be within one of the following
3 categories:

4 1. The person has been acquitted;

5 2. The conviction was reversed with instructions to dismiss by
6 an appellate court of competent jurisdiction, or an appellate court
7 of competent jurisdiction reversed the conviction and the
8 prosecuting agency subsequently dismissed the charge;

9 3. The factual innocence of the person was established by the
10 use of deoxyribonucleic acid (DNA) evidence subsequent to
11 conviction, including a person who has been released from prison at
12 the time innocence was established;

13 4. The person has received a full pardon by the Governor for
14 the crime for which the person was sentenced;

15 5. The person was arrested and no charges of any type,
16 including charges for an offense different than that for which the
17 person was originally arrested, are filed and the statute of
18 limitations has expired or the prosecuting agency has declined to
19 file charges;

20 6. The person was under eighteen (18) years of age at the time
21 the offense was committed and the person has received a full pardon
22 for the offense;

23 7. The person was charged with one or more misdemeanor or
24 felony crimes, all charges have been dismissed, the person has never

1 | been convicted of a felony, no misdemeanor or felony charges are
2 | pending against the person and the statute of limitations for
3 | refiling the charge or charges has expired or the prosecuting agency
4 | confirms that the charge or charges will not be refiled; provided,
5 | however, this category shall not apply to charges that have been
6 | dismissed following the completion of a deferred judgment or delayed
7 | sentence;

8 | 8. The person was charged with a misdemeanor, the charge was
9 | dismissed following the successful completion of a deferred judgment
10 | or delayed sentence, the person has never been convicted of a
11 | felony, no misdemeanor or felony charges are pending against the
12 | person and at least one (1) year has passed since the charge was
13 | dismissed;

14 | 9. The person was charged with a nonviolent felony offense not
15 | listed in Section 571 of Title 57 of the Oklahoma Statutes, the
16 | charge was dismissed following the successful completion of a
17 | deferred judgment or delayed sentence, the person has never been
18 | convicted of a felony, no misdemeanor or felony charges are pending
19 | against the person and at least five (5) years have passed since the
20 | charge was dismissed;

21 | 10. The person was convicted of a misdemeanor offense, the
22 | person was sentenced to a fine of less than Five Hundred One Dollars
23 | (\$501.00) without a term of imprisonment or a suspended sentence,
24 | the fine has been paid or satisfied by time served in lieu of the

1 fine, the person has not been convicted of a felony and no felony or
2 misdemeanor charges are pending against the person;

3 11. The person was convicted of a misdemeanor offense, the
4 person was sentenced to a term of imprisonment, a suspended sentence
5 or a fine in an amount greater than Five Hundred Dollars (\$500.00),
6 the person has not been convicted of a felony, no felony or
7 misdemeanor charges are pending against the person and at least five
8 (5) years have passed since the end of the last misdemeanor
9 sentence;

10 12. The person was convicted of a nonviolent felony offense not
11 listed in Section 571 of Title 57 of the Oklahoma Statutes, the
12 person has not been convicted of any other felony, the person has
13 not been convicted of a separate misdemeanor in the last seven (7)
14 years, no felony or misdemeanor charges are pending against the
15 person and at least five (5) years have passed since the completion
16 of the sentence for the felony conviction;

17 13. The person was convicted of not more than two felony
18 offenses, none of which is a felony offense listed in Section 13.1
19 of Title 21 of the Oklahoma Statutes or any offense that would
20 require the person to register pursuant to the provisions of the Sex
21 Offenders Registration Act, no felony or misdemeanor charges are
22 pending against the person, and at least ten (10) years have passed
23 since the completion of the sentence for the felony conviction;

24

1 14. The person was charged with not more than two felony
2 offenses and the charges were dismissed following the successful
3 completion of a deferred judgment or delayed sentence, none of which
4 were felony offenses listed in Section 13.1 of Title 21 of the
5 Oklahoma Statutes or would require the person to register pursuant
6 to the provisions of the Sex Offenders Registration Act, no felony
7 or misdemeanor charges are pending against the person, and at least
8 ten (10) years have passed since the charges were dismissed;

9 15. The person has been charged or arrested or is the subject
10 of an arrest warrant for a crime that was committed by another
11 person who has appropriated or used the person's name or other
12 identification without the person's consent or authorization; or

13 16. The person was convicted of a nonviolent felony offense not
14 listed in Section 571 of Title 57 of the Oklahoma Statutes which was
15 subsequently reclassified as a misdemeanor under Oklahoma law, the
16 person is not currently serving a sentence for a crime in this state
17 or another state, at least thirty (30) days have passed since the
18 completion or commutation of the sentence for the crime that was
19 reclassified as a misdemeanor, any restitution ordered by the court
20 to be paid by the person has been satisfied in full, and any
21 treatment program ordered by the court has been successfully
22 completed by the person, including any person who failed a treatment
23 program which resulted in an accelerated or revoked sentence that
24 has since been successfully completed by the person or the person

1 can show successful completion of a treatment program at a later
2 date. Persons seeking an expungement of records under the
3 provisions of this paragraph may utilize the expungement forms
4 provided in Section 18a of this title.

5 B. For purposes of Section 18 et seq. of this title,
6 "expungement" shall mean the sealing of criminal records, as well as
7 any public civil record, involving actions brought by and against
8 the State of Oklahoma arising from the same arrest, transaction or
9 occurrence.

10 C. Beginning three (3) years after the effective date of this
11 act and subject to the availability of funds, individuals with clean
12 slate eligible cases shall be eligible to have their criminal
13 records sealed automatically. For purposes of Section 18 et seq. of
14 this title, "clean slate eligible case" shall mean a case where each
15 charge within the case is pursuant to paragraph 1, 2, 3, 5, 6, 7, 8,
16 10, 11, 15, or 16 of subsection A of this section.

17 D. For purposes of seeking an expungement under the provisions
18 of paragraph 10, 11, 12 or 13 of subsection A of this section,
19 offenses arising out of the same transaction or occurrence shall be
20 treated as one conviction and offense.

21 ~~D.~~ E. Records expunged pursuant to paragraphs 4, 8, 9, 10, 11,
22 12, 13, 14, 15 and 16 of subsection A of this section shall be
23 sealed to the public but not to law enforcement agencies for law
24 enforcement purposes. Records expunged pursuant to paragraphs 8, 9,

1 10, 11, 12, 13 and 14 of subsection A of this section shall be
2 admissible in any subsequent criminal prosecution to prove the
3 existence of a prior conviction or prior deferred judgment without
4 the necessity of a court order requesting the unsealing of the
5 records. Records expunged pursuant to paragraph 4 or 6 of
6 subsection A of this section may also include the sealing of Pardon
7 and Parole Board records related to an application for a pardon.
8 Such records shall be sealed to the public but not to the Pardon and
9 Parole Board.

10 SECTION 13. REPEALER 22 O.S. 2021, Section 18, as last
11 amended by Section 1, Chapter 143, O.S.L. 2022 (22 O.S. Supp. 2023,
12 Section 18), is hereby repealed.

13 SECTION 14. AMENDATORY 22 O.S. 2021, Section 60.1, as
14 last amended by Section 5, Chapter 318, O.S.L. 2022 (22 O.S. Supp.
15 2023, Section 60.1), is amended to read as follows:

16 Section 60.1. As used in the Protection from Domestic Abuse Act
17 and in the Domestic Abuse Reporting Act, Sections 40.5 through 40.7
18 of this title, and Section 150.12B of Title 74 of the Oklahoma
19 Statutes:

20 1. "Dating relationship" means intimate association, primarily
21 characterized by affectionate or sexual involvement. For purposes
22 of this act, a casual acquaintance or ordinary fraternization
23 between persons in a business or social context shall not constitute
24 a dating relationship;

1 2. "Domestic abuse" means any act of physical harm or the
2 threat of imminent physical harm which is committed by an adult,
3 emancipated minor, or minor child thirteen (13) years of age or
4 older against another adult, emancipated minor or minor child who is
5 currently or was previously an intimate partner or family or
6 household member;

7 3. "Family or household members" means:

- 8 a. parents, including grandparents, stepparents, adoptive
9 parents and foster parents,
- 10 b. children, including grandchildren, stepchildren,
11 adopted children and foster children,
- 12 c. persons otherwise related by blood or marriage living
13 in the same household, ~~and~~
- 14 d. persons otherwise related by blood or marriage, or
- 15 e. persons not related by blood or marriage living in the
16 same household;

17 4. "Foreign protective order" means any valid order of
18 protection issued by a court of another state or a tribal court;

19 5. "Harassment" means a knowing and willful course or pattern
20 of conduct by a family or household member or an individual who is
21 or has been involved in a dating relationship with the person,
22 directed at a specific person which seriously alarms or annoys the
23 person, and which serves no legitimate purpose. The course of
24 conduct must be such as would cause a reasonable person to suffer

1 substantial emotional distress and must actually cause substantial
2 distress to the person. "Harassment" shall include, but not be
3 limited to, harassing or obscene telephone calls in violation of
4 Section 1172 of Title 21 of the Oklahoma Statutes and fear of death
5 or bodily injury;

6 6. "Intimate partner" means:

- 7 a. current or former spouses,
- 8 b. persons who are or were in a dating relationship,
- 9 c. persons who are the biological parents of the same
10 child, regardless of their marital status or whether
11 they have lived together at any time, and
- 12 d. persons who currently or formerly lived together in an
13 intimate way, primarily characterized by affectionate
14 or sexual involvement. A sexual relationship may be
15 an indicator that a person is an intimate partner, but
16 is never a necessary condition;

17 7. "Living in the same household" means:

- 18 a. persons who regularly reside in the same single-
19 dwelling unit,
- 20 b. persons who resided in the same single-dwelling unit
21 within the past year, or
- 22 c. persons who have individual lease agreements whereby
23 each person has his or her own private bedroom and
24 shares the common areas;

1 8. "Mutual protective order" means a final protective order or
2 orders issued to both a plaintiff who has filed a petition for a
3 protective order and a defendant included as the defendant in the
4 plaintiff's petition restraining the parties from committing
5 domestic violence, stalking, harassment or rape against each other.
6 If both parties allege domestic abuse, violence, stalking,
7 harassment or rape against each other, the parties shall do so by
8 separate petition pursuant to Section 60.4 of this title;

9 ~~8.~~ 9. "Rape" means rape and rape by instrumentation in
10 violation of Sections 1111 and 1111.1 of Title 21 of the Oklahoma
11 Statutes;

12 ~~9.~~ 10. "Stalking" means the willful, malicious, and repeated
13 following or harassment of a person by an adult, emancipated minor,
14 or minor thirteen (13) years of age or older, in a manner that would
15 cause a reasonable person to feel frightened, intimidated,
16 threatened, harassed, or molested and actually causes the person
17 being followed or harassed to feel terrorized, frightened,
18 intimidated, threatened, harassed or molested. Stalking also means
19 a course of conduct composed of a series of two or more separate
20 acts over a period of time, however short, evidencing a continuity
21 of purpose or unconsented contact with a person that is initiated or
22 continued without the consent of the individual or in disregard of
23 the expressed desire of the individual that the contact be avoided

24

1 or discontinued. Unconsented contact or course of conduct includes,
2 but is not limited to:

- 3 a. maintaining a visual or physical proximity to the
4 individual,
- 5 b. approaching or confronting that individual in a public
6 place or on private property,
- 7 c. appearing at the workplace of the individual or
8 contacting the employer or coworkers of the
9 individual,
- 10 d. appearing at the residence of the individual or
11 contacting the neighbors of the individual,
- 12 e. entering onto or remaining on property owned, leased
13 or occupied by the individual,
- 14 f. contacting the individual by telephone, text message,
15 electronic message, electronic mail, or other means of
16 electronic communication or causing the telephone or
17 electronic device of the individual or the telephone
18 or electronic device of any other person to ring or
19 generate notifications repeatedly or continuously,
20 regardless of whether a conversation ensues,
- 21 g. photographing, videotaping, audiotaping, or, through
22 any other electronic means, monitoring or recording
23 the activities of the individual. This subparagraph
24 applies regardless of where the act occurs,

- 1 h. sending any physical or electronic material or
2 contacting the individual by any means, including any
3 message, comment, or other content posted on any
4 Internet site or web application,
- 5 i. sending to a family member or member of the household
6 of the individual, or any current or former employer
7 of the individual, or any current or former coworker
8 of the individual, or any friend of the individual,
9 any physical or electronic material or contacting such
10 person by any means, including any message, comment,
11 or other content posted on any Internet site or web
12 application, for the purpose of obtaining information
13 about, disseminating information about, or
14 communicating with the individual,
- 15 j. placing an object on, or delivering an object to,
16 property owned, leased or occupied by the individual,
- 17 k. delivering an object to a family member or member of
18 the household of the individual, or an employer,
19 coworker, or friend of the individual, or placing an
20 object on, or delivering an object to, property owned,
21 leased, or occupied by such a person with the intent
22 that the object be delivered to the individual, or
23
24

1 1. causing a person to engage in any of the acts
2 described in subparagraphs a through k of this
3 paragraph; and

4 ~~10.~~ 11. "Victim support person" means a person affiliated with
5 a domestic violence, sexual assault or adult human sex trafficking
6 program, certified by the Attorney General or operating under a
7 tribal government, who provides support and assistance for a person
8 who files a petition under the Protection from Domestic Abuse Act.

9 SECTION 15. REPEALER 22 O.S. 2021, Section 60.1, as
10 amended by Section 2, Chapter 246, O.S.L. 2022 (22 O.S. Supp. 2023,
11 Section 60.1), is hereby repealed.

12 SECTION 16. REPEALER 26 O.S. 2021, Section 4-120.2, as
13 amended by Section 19, Chapter 282, O.S.L. 2022 (26 O.S. Supp. 2023,
14 Section 4-120.2), is hereby repealed.

15 SECTION 17. AMENDATORY 26 O.S. 2021, Section 14-101.1,
16 as last amended by Section 4, Chapter 291, O.S.L. 2022 (26 O.S.
17 Supp. 2023, Section 14-101.1), is amended to read as follows:

18 Section 14-101.1. A. For the purposes of this section,
19 "absentee ballot harvesting" means:

20 1. Collecting or obtaining an absentee ballot from another
21 person with the intent to submit, transmit or return the ballot to
22 election officials on behalf of that person;

23 2. Submitting, returning or transmitting an absentee ballot to
24 election officials on behalf of another person;

1 3. Collecting or obtaining an absentee ballot from another
2 person under a false pretense or promise of transmitting, returning
3 or submitting it to election officials on behalf of that person;

4 4. Requesting or receiving an absentee ballot on behalf of
5 another person;

6 5. Distributing an absentee ballot application or request to a
7 voter using the official letterhead of a candidate or elected
8 official;

9 6. Partially or fully completing an application for an absentee
10 ballot on behalf of another person without that person's prior
11 consent; or

12 7. Notarizing or witnessing more absentee ballots than allowed
13 by law.

14 B. Absentee ballot harvesting shall be unlawful at any election
15 conducted by a county election board, the State Election Board or
16 any political subdivision of this state; provided, the following
17 shall not be deemed to be ballot harvesting:

18 1. A voter's assistant or agent acting pursuant to law as
19 otherwise allowed by this title;

20 2. An absentee voting board member, as described in this title,
21 who assists a voter confined to a nursing home or ~~veterans center~~
22 State Veterans Home pursuant to law;

23 3. An employee of the Federal Voting Assistance Program, the
24 United States Department of Defense or the Oklahoma National Guard

1 who assists a uniformed-services voter in returning or transmitting
2 an absentee ballot;

3 4. A spouse, relative in the first or second degree of
4 consanguinity or affinity or cohabitant of a voter who forwards an
5 absentee ballot to the voter when absent from the home;

6 5. A voter's spouse who, with the voter's consent, returns the
7 voter's absentee ballot by mail; or

8 6. An official action by an election official that is required
9 or authorized by law.

10 SECTION 18. REPEALER 26 O.S. 2021, Section 14-101.1, as
11 amended by Section 2, Chapter 83, O.S.L. 2022 (26 O.S. Supp. 2023,
12 Section 14-101.1), is hereby repealed.

13 SECTION 19. AMENDATORY 26 O.S. 2021, Section 14-115, as
14 last amended by Section 1, Chapter 305, O.S.L. 2022 (26 O.S. Supp.
15 2023, Section 14-115), is amended to read as follows:

16 Section 14-115. A. If the secretary of a county election board
17 receives a request from an incapacitated elector confined to a
18 nursing facility, as defined in Section 1-1902 of Title 63 of the
19 Oklahoma Statutes, or a State Veterans Home established pursuant to
20 Title 72 of the Oklahoma Statutes within the county of the
21 jurisdiction of the secretary, and such request satisfies the
22 requirements for matching of name, birth date, and identification
23 number established pursuant to Section 14-105 of this title, the
24 secretary shall cause to be implemented the following procedures:

1 1. On any day following the deadline to request an absentee
2 ballot as provided in Section 14-103 of this title, but prior to the
3 date of the election, the absentee voting board shall deliver to
4 each registered voter who is confined to a nursing facility, as
5 defined in Section 1-1902 of Title 63 of the Oklahoma Statutes, or a
6 State Veterans Home established pursuant to Title 72 of the Oklahoma
7 Statutes and who requested ballots for an incapacitated voter the
8 ballots and materials as may be necessary to vote same.

9 2. The voter must mark the ballots in the manner hereinbefore
10 provided in the presence of the absentee voting board, but in such a
11 manner as to make it impossible for any person other than the voter
12 to ascertain how the ballots are marked. Insofar as is possible,
13 the voting procedure shall be the same as if the voter were casting
14 a vote in person at a precinct.

15 3. The voter shall then seal the ballots in the plain opaque
16 envelope and shall seal the plain opaque envelope in the envelope
17 bearing an affidavit. The voter must complete the affidavit, and
18 the signature of the voter on same must be witnessed by both members
19 of the absentee voting board.

20 4. The envelope bearing an affidavit then must be sealed in the
21 return envelope, which shall be returned by the absentee voting
22 board to the secretary of the county election board on the same day
23 the affidavit was executed.

1 5. Ballots cast in such manner shall be counted in the same
2 manner as regular mail absentee ballots.

3 B. The voter may request the assistance of the absentee voting
4 board members to mark a ballot, complete the affidavit or seal the
5 envelopes as described in this section.

6 C. 1. An administrator or employee of a nursing facility or
7 State Veterans Home who attempts to coerce or influence the vote of
8 a person residing in or confined to that facility shall be deemed to
9 be in violation of Section 16-109 of this title.

10 2. An administrator or employee of a nursing facility or State
11 Veterans Home who prevents or attempts to prevent a person residing
12 in or confined to that facility from voting pursuant to this section
13 shall be deemed to be in violation of Section 16-113 of this title.

14 SECTION 20. REPEALER 26 O.S. 2021, Section 14-115, as
15 amended by Section 4, Chapter 292, O.S.L. 2022 (26 O.S. Supp. 2023,
16 Section 14-115), is hereby repealed.

17 SECTION 21. AMENDATORY 26 O.S. 2021, Section 14-115.1,
18 as last amended by Section 2, Chapter 305, O.S.L. 2022 (26 O.S.
19 Supp. 2023, Section 14-115.1), is amended to read as follows:

20 Section 14-115.1. A. A registered voter who becomes physically
21 incapacitated after the deadline to request an absentee ballot as
22 provided in Section 14-103 of this title and is unable to vote in
23 person at the appropriate precinct on the day of the election may
24 make a written request for an absentee ballot. Requirements for

1 matching of name, birth date, and identification number established
2 pursuant to Section 14-105 of this title shall apply to a request
3 for absentee ballots under this section.

4 B. 1. The request shall be signed by the voter or signed by a
5 witness at the voter's direction if the voter is unable to sign his
6 or her name, and shall be transmitted to the secretary of the county
7 election board.

8 2. The person transmitting the request on behalf of the voter
9 may be anyone of the voter's choosing who is at least sixteen (16)
10 years of age; provided, the person is not employed by nor related
11 within the third degree of consanguinity or affinity to any person
12 whose name appears on the ballot.

13 3. The person becomes the voter's agent for purposes of voting
14 by absentee ballot. The voter's request must be accompanied by a
15 sworn statement by a duly licensed physician. Expected or likely
16 confinement for childbirth on election day is sufficient cause to
17 entitle a voter to vote absentee pursuant to this section. The
18 physician's statement must attest to the fact that the voter is in
19 fact unable to vote in person at the appropriate precinct on the day
20 of the election because of a physical incapacity and that the
21 physical incapacity originated after the deadline to request an
22 absentee ballot as provided in Section 14-103 of this title.

23 4. Upon receipt of the voter's request and accompanying sworn
24 statement, the secretary of the county election board shall issue to

1 the voter's agent the appropriate ballots and envelopes required for
2 voting by incapacitated voters.

3 5. The ballots must be returned by the agent to the secretary
4 of the county election board no later than 7:00 p.m. on the day of
5 the election. No person may be the agent for more than one voter at
6 any election. Upon return of the absentee ballots, the secretary of
7 the county election board shall cause the ballots to be processed in
8 the same manner as is prescribed for other absentee ballots.

9 SECTION 22. REPEALER 26 O.S. 2021, Section 14-115.1, as
10 amended by Section 5, Chapter 292, O.S.L. 2022 (26 O.S. Supp. 2023,
11 Section 14-115.1), is hereby repealed.

12 SECTION 23. AMENDATORY 26 O.S. 2021, Section 14-115.6,
13 as amended by Section 6, Chapter 292, O.S.L. 2022 (26 O.S. Supp.
14 2023, Section 14-115.6), is amended to read as follows:

15 Section 14-115.6. A. A registered voter who, ~~within ten (10)~~
16 ~~days preceding an election~~ after the deadline to request an absentee
17 ballot as provided in Section 14-103 of this title, is deployed as a
18 first responder or emergency worker to assist with the rescue,
19 recovery, or relief efforts of a declared natural disaster or state
20 of emergency, may make a written request for an emergency absentee
21 ballot in a form prescribed by the Secretary of the State Election
22 Board. The request shall be signed by the voter and shall be
23 provided by the voter to the secretary of the county election board
24 in the county where the voter is registered. Requirements for

1 matching of name, birth date, and identification number established
2 pursuant to Section 14-105 of this title shall apply to a request
3 for an absentee ballot under this section.

4 B. Upon receipt of the voter's request, the secretary of the
5 county election board shall issue to the voter the appropriate
6 ballots and envelopes required for voting an emergency absentee
7 ballot. Provided, the voter shall present proof of identity as
8 required by Section 7-114 of this title.

9 C. The ballots must be returned in person by the voter, by
10 United States mail, or by other means of delivery approved by the
11 Secretary of the State Election Board, to the secretary of the
12 county election board no later than 7:00 p.m. on the day of the
13 election.

14 D. Upon return of the absentee ballots, the secretary of the
15 county election board shall cause the ballots to be processed in the
16 same manner as is prescribed for other absentee ballots.

17 E. The Secretary of the State Election Board shall promulgate
18 rules to implement the procedures described in this section.

19 SECTION 24. REPEALER 26 O.S. 2021, Section 14-115.6, as
20 last amended by Section 3, Chapter 305, O.S.L. 2022 (26 O.S. Supp.
21 2023, Section 14-115.6), is hereby repealed.

22 SECTION 25. AMENDATORY 27A O.S. 2021, Section 2-6-103,
23 as last amended by Section 5, Chapter 185, O.S.L. 2022 (27A O.S.
24 Supp. 2023, Section 2-6-103), is amended to read as follows:

1 Section 2-6-103. A. The Department of Environmental Quality
2 shall have and is hereby authorized to exercise the power and duty
3 to:

4 1. Develop comprehensive programs for the prevention, control
5 and abatement of new or existing pollution of the waters of this
6 state;

7 2. Encourage, participate in, or conduct studies,
8 investigations, research and demonstrations relating to water
9 pollution and causes, prevention, control and abatement thereof as
10 it may deem advisable and necessary in the public interest for the
11 discharge of its duties under Section 2-6-101 et seq. of this title;

12 3. Collect and disseminate information relating to water
13 pollution and the prevention, control and abatement thereof;

14 4. Require the submission of and review plans, specifications
15 and other data relative to disposal or treatment systems or any part
16 thereof in connection with the issuance of such permits as are
17 required by this article;

18 5. Enforce the provisions of this article, rules promulgated
19 thereunder, and permits, licenses, and certifications issued
20 pursuant thereto and Oklahoma Water Quality Standards;

21 6. Establish, implement, amend and enforce the Water Quality
22 Management Plan, the continuing planning process documents, and
23 total maximum daily loads;

1 7. Require the submission of reports or laboratory analyses
2 performed by certified laboratories or operators for purposes of
3 compliance monitoring and testing or other purposes for which
4 laboratory reports or analyses are required pursuant to this
5 article;

6 8. Coordinate the preparation of the continuing planning
7 process documents and total maximum daily loads with other
8 environmental agencies and natural resource agencies; and

9 9. Issue swimming and fishing advisories related to human and
10 animal health hazards for waters of the state, based on available
11 data.

12 B. 1. The Environmental Quality Board shall have the authority
13 to promulgate such rules as may be necessary to implement the
14 policies and duties set forth in this article including, but not
15 limited to, rules pertaining to services, permits, licenses and
16 certifications including certifications under Section 401 of the
17 Clean Water Act, and, pursuant to Section 2-3-402 of this title, fee
18 schedules for such services, permits, licenses and certifications.

19 2. The Board may adopt by reference standards of quality of the
20 waters of the state and classifications of such waters as are
21 lawfully established by the Department of Environmental Quality and
22 the United States Environmental Protection Agency as Oklahoma Water
23 Quality Standards, may directly adopt variances and site-specific
24 criteria to such water quality standards, and promulgate other rules

1 to protect, maintain and improve the best uses of waters in this
2 state in the interest of the public under such conditions as may be
3 necessary or appropriate for the prevention, control and abatement
4 of pollution.

5 3. The Board shall promulgate rules which describe procedures
6 for amending and updating the Water Quality Management Plan or which
7 are otherwise consistent with the Continuing Planning Process and
8 its components. Such rules shall:

9 a. be in substantial conformance with any applicable
10 federal requirements and may incorporate appropriate
11 U.S. Environmental Protection Agency regulations by
12 reference, and

13 b. require public notice to be given of any major
14 amendment and of any update of the Water Quality
15 Management Plan and allow not less than a forty-five-
16 day opportunity for public comment thereon. Such
17 rules shall also authorize the Department, if it
18 determines public interest in the proposed amendment
19 or update is significant, to give notice of and
20 conduct a public meeting on the proposals in
21 accordance with federal requirements. The rules shall
22 provide that the notice, comment period, and public
23 meeting if any, related to an amendment or update
24 proposed in conjunction with the issuance,

1 modification or renewal of a discharge permit or
2 permits, may be combined with the notice, comment
3 period, and public meeting if any, held on the
4 proposed permit action or actions.

5 C. The Executive Director may:

6 1. Issue, modify, or revoke orders:

7 a. prohibiting or abating pollution of the waters of the
8 state,

9 b. requiring the construction of new disposal or
10 treatment systems or any parts thereof or the
11 modification, extension or alteration of existing
12 disposal or treatment systems or any part thereof, or
13 the adoption of other remedial measures to prevent,
14 control or abate pollution, and

15 c. requiring other actions such as the Executive Director
16 may deem necessary to enforce the provisions of this
17 article and rules promulgated thereunder;

18 2. Issue, continue in effect, revoke, amend, modify or deny,
19 renew, or refuse to renew under such conditions as the Department
20 may prescribe, permits, licenses and certifications including
21 certifications under Section 401 of the Clean Water Act, to prevent,
22 control or abate pollution of waters of the state; and

23 3. Exercise all incidental powers which are necessary and
24 proper to carry out the purposes of this article.

1 SECTION 26. REPEALER 27A O.S. 2021, Section 2-6-103, as
2 amended by Section 2, Chapter 113, O.S.L. 2022 (27A O.S. Supp. 2023,
3 Section 2-6-103), is hereby repealed.

4 SECTION 27. AMENDATORY 42 O.S. 2021, Section 91, as
5 amended by Section 1, Chapter 68, O.S.L. 2023 (42 O.S. Supp. 2023,
6 Section 91), is amended to read as follows:

7 Section 91. A. 1. a. This section applies to every vehicle,
8 all-terrain vehicle, utility vehicle, manufactured home, motorcycle,
9 boat, outboard motor, or trailer that has a certificate of title
10 issued by ~~the Oklahoma Tax Commission~~ Service Oklahoma or by a
11 federally recognized Indian tribe in the State of Oklahoma, except
12 as otherwise provided in subsection D of this section. This section
13 does not apply to farm equipment as defined in Section 91.2 of this
14 title. The items of personal property to which this section applies
15 are collectively referred to as "Section 91 Personal Property". If
16 personal property is apparently covered both by this section and by
17 Sections 191 through 200 of this title, the procedures set out in
18 this section shall apply instead of Sections 191 through 200 of this
19 title.

20 b. Salvage pools as defined in Section 591.2 of Title 47
21 of the Oklahoma Statutes and class AA licensed wrecker
22 services taking possession of a vehicle pursuant to an
23 agreement with or at the direction of, or dispatched
24 by, a state or local law enforcement or government

1 agency, or pursuant to the abandoned vehicle renewal
2 provisions of Section 954A of Title 47 of the Oklahoma
3 Statutes, shall not be subject to the provisions of
4 this section, but shall be subject to the provisions
5 of Section 91A of this title. Unless otherwise
6 provided by this subparagraph, class AA licensed
7 wrecker services performing consensual tows shall be
8 subject to the provisions of this section.

9 2. Any person who, while lawfully in possession of an article
10 of Section 91 Personal Property, renders any service to the owner
11 thereof by furnishing storage, rental space, material, labor or
12 skill for the protection, improvement, safekeeping, towing, right to
13 occupy space, storage or carriage thereof, has a special lien
14 thereon, dependent on possession, for the compensation, if any,
15 which is due to such person from the owner for such service.

16 3. This special lien shall be subordinate to any perfected
17 security interest unless the claimant complies with the requirements
18 of this section. Failure to comply with any requirements of this
19 section shall result in denial of any title application and cause
20 the special lien to be subordinate to any perfected lien. Upon such
21 denial, the applicant shall be entitled to one resubmission of the
22 title application within fifteen (15) business days of receipt of
23 the denial, and proceed to comply with the requirements of this
24 section. In the event of a denial, the Notice of Possessory Lien

1 and the Notice of Sale may be mailed on the same day in separate
2 envelopes and storage charges shall only be charged from the date of
3 resubmission; however, before a Notice of Sale is to be mailed, the
4 personal property must have been possessed by the possessory lien
5 claimant for at least twenty-one (21) days. Furthermore, if the
6 denial was due to error by the party submitting the title
7 application, then no additional fee for the resubmission shall be
8 charged to the property owner. "Failure to comply" includes, but is
9 not limited to:

- 10 a. failure to timely provide additional documentation
11 supporting or verifying any entry on submitted forms
12 as requested by ~~the Tax Commission~~ Service Oklahoma,
13 including but not limited to United States Postal
14 Service proof of return receipt requested such as Form
15 3811 or United States Postal Service electronic
16 equivalent,
- 17 b. failure to provide the documentation supporting lawful
18 possession as defined in paragraph 3 of subsection H
19 of this section,
- 20 c. claimant or the agent being other than the individual
21 who provided the service giving rise to the special
22 lien, as in paragraph 2 of this subsection,
- 23 d. claimant not being in possession of the vehicle,

24

- e. notice of lien not filed in accordance with paragraph 4 of this subsection, or
- f. foreclosure notification and proceedings not accomplished in accordance with paragraph 6 of this section.

4. Any person claiming the special lien provided in paragraph 2 of this subsection shall mail a notice of such lien, no later than sixty (60) days after the first services are rendered, by regular, first-class United States mail, and by certified mail, return receipt requested, to all interested parties who reside at separate locations. If services provided are pursuant to a contract primarily for the purpose of storage or rental of space, the beginning date of the sixty-day period provided in the previous sentence shall be the first day of the first period or partial period for which rental or storage charges remain unpaid. The notice shall be in writing and shall contain, but not be limited to, the following:

- a. a statement that the notice is a Notice of Possessory Lien,
- b. the complete legal name, physical and mailing address, and telephone number of the claimant,
- c. the complete legal name, physical and mailing address of the person who requested that the claimant render service to the owner by furnishing material, labor or

1 skill, storage, or rental space, or the date the
2 property was abandoned if the claimant did not render
3 any other service,

4 d. a description of the article of personal property,
5 including a photograph if the property is Section 91
6 Personal Property, and the complete physical and
7 mailing address of the location of the article of
8 personal property,

9 e. an itemized statement describing the date or dates the
10 labor or services were performed and material
11 furnished, and the charges claimed for each item, the
12 totals of which shall equal the total compensation
13 claimed,

14 f. a statement by the claimant that the materials, labor
15 or skill furnished, or arrangement for storage or
16 rental of space, was authorized by the owner of the
17 personal property and was in fact provided or
18 performed, and written proof of authority to perform
19 the work, labor or service, or that the property was
20 abandoned by the owner if the claimant did not render
21 any other service, and that storage or rental fees
22 will accrue as allowed by law, and

23 g. the signature of the claimant which shall be notarized
24 and, if applicable, the signature of the claimant's

1 attorney. If the claimant is a business, then the
2 name of the contact person representing the business
3 must be shown. In place of an original signature and
4 notary seal, a digital or electronic signature or seal
5 shall be accepted.

6 5. For services rendered or vehicles abandoned on or after
7 November 1, 2005, storage charges or charges for rental of space,
8 unless agreed to by contract as part of an overall transaction or
9 arrangement that was primarily for the purpose of storage of the
10 Section 91 Personal Property or rental of space, may only be
11 assessed beginning with the day that the Notice of Possessory Lien
12 is mailed as evidenced by certified mail. Provided, however, in the
13 case of contractual charges incurred for storage or rental of space
14 in an overall transaction primarily for the purpose of storage or
15 rental, charges subject to the special lien may only be assessed
16 beginning with a date not more than sixty (60) days prior to the day
17 that the Notice of Possessory Lien is mailed, and shall accrue only
18 at the regular periodic rate for storage or rental as provided in
19 the contract, adjusted for partial periods of storage or rental.
20 The maximum allowable compensation for storage shall not exceed the
21 fees established by the Corporation Commission for nonconsensual
22 tows.
23
24

1 6. The lien may be foreclosed by a sale of such personal
2 property upon the notice and in the manner following: The Notice of
3 Sale shall be in writing and shall contain, but not be limited to:

4 a. a statement that the notice is a Notice of Sale,

5 b. the names of all interested parties known to the
6 claimant,

7 c. a description of the property to be sold, including a
8 photograph if the property is Section 91 Personal
9 Property and if the condition of such property has
10 materially changed since the mailing of Notice of
11 Possessory Lien required pursuant to paragraph 4 of
12 this subsection,

13 d. a notarized statement of the nature of the work, labor
14 or service performed, material furnished, or storage
15 or rental of space, and the date thereof, and the name
16 of the person who authorized the work, labor or
17 service performed, or the storage or rental
18 arrangement, and written proof of authority to perform
19 the work, labor or service, or that the property was
20 abandoned if the claimant did not render any other
21 service,

22 e. the date, time, and exact physical location of sale,

23 f. the name, complete physical address, mailing address,
24 and telephone number of the party foreclosing such

1 lien. If the claimant is a business, then the name of
2 the contact person representing the business must be
3 shown. In place of an original signature and notary
4 seal, a digital or electronic signature or seal shall
5 be accepted, and

6 g. itemized charges which shall equal the total
7 compensation claimed.

8 7. Such Notice of Sale shall be posted in two public places in
9 the county where the property is to be sold at least ten (10) days
10 before the time therein specified for such sale, and a copy of the
11 notice shall be mailed to all interested parties at their last-known
12 post office address by regular, first-class United States mail and
13 by certified mail, return receipt requested, at least ten (10) days
14 before the date of the sale. If the item of personal property is a
15 manufactured home, notice shall also be sent by certified mail to
16 the county treasurer and to the county assessor of the county where
17 the manufactured home is located.

18 8. Interested parties shall include all owners of the article
19 of personal property as indicated by the certificate of title issued
20 by ~~the Tax Commission~~ Service Oklahoma or by a federally recognized
21 Indian tribe in the State of Oklahoma; lien debtors, if any, other
22 than the owners; any lienholder whose lien is noted on the face of
23 the certificate of title; and any other person having any interest
24

1 in the article of personal property, of whom the claimant has actual
2 notice.

3 9. Any interested party shall be permitted to inspect and
4 verify the services rendered by the claimant prior to the sale of
5 the article of personal property during normal business hours. The
6 lienholder shall be allowed to retrieve the Section 91 Personal
7 Property without being required to bring the title into the
8 lienholder's name, if the lienholder provides proof it is a
9 lienholder and any payment due the claimant for lawful charges where
10 the claimant has complied with the requirements of this section.
11 Upon the release of personal property to an insurer or
12 representative of the insurer, wrecker operators shall be exempt
13 from all liability and shall be held harmless for any losses or
14 claims of loss.

15 10. The claimant or any other person may in good faith become a
16 purchaser of the property sold.

17 11. Proceedings for foreclosure under this act shall be
18 commenced no sooner than ten (10) days and no later than thirty (30)
19 days after the Notice of Possessory Lien has been mailed as
20 evidenced by certified mail. The date actually sold shall be within
21 sixty (60) days from the date of the Notice of Sale as evidenced by
22 certified mail.

23 B. 1. a. Any person who is induced by means of a check or other
24 form of written order for immediate payment of money

1 to deliver up possession of an article of personal
2 property on which the person has a special lien
3 created by subsection A of this section, which check
4 or other written order is dishonored, or is not paid
5 when presented, shall have a lien for the amount
6 thereof upon the personal property.

7 b. The person claiming such lien shall, within thirty
8 (30) days from the date of dishonor of the check or
9 other written order for payment of money, file in the
10 office of the county clerk of the county in which the
11 property is situated a sworn statement that:

12 (1) the check or other written order for immediate
13 payment of money, copy thereof being attached,
14 was received for labor, material or supplies for
15 producing or repairing an article of personal
16 property, or for other specific property-related
17 services covered by this section,

18 (2) the check or other written order was not paid,
19 and

20 (3) the uttering of the check or other written order
21 constituted the means for inducing the person,
22 one possessed of a special lien created by
23 subsection A of this section upon the described
24

1 article of personal property, to deliver up the
2 article of personal property.

3 2. a. Any person who renders service to the owner of an
4 article of personal property by furnishing storage,
5 rental space, material, labor, or skill for the
6 protection, improvement, safekeeping, towing, right to
7 occupy space, storage, or carriage thereof shall have
8 a special lien on such property pursuant to this
9 section if such property is removed from the person's
10 possession, without such person's written consent or
11 without payment for such service.

12 b. The person claiming such lien shall, within five (5)
13 days of such nonauthorized removal, file in the office
14 of the county clerk of the county in which the
15 property is located, a sworn statement including:

16 (1) that services were rendered on or in relation to
17 the article of personal property by the person
18 claiming such lien,

19 (2) that the property was in the possession of the
20 person claiming the lien but such property was
21 removed without his or her written consent,

22 (3) an identifying description of the article of
23 personal property on which the service was
24 rendered, and

1 (4) that the debt for the services rendered on or in
2 relation to the article of personal property was
3 not paid. Provided, if the unpaid total amount
4 of the debt for services rendered on or in
5 relation to the article of personal property is
6 unknown, an approximated amount of the debt due
7 and owing shall be included in the sworn
8 statement but such approximated debt may be
9 amended within thirty (30) days of such filing to
10 reflect the actual amount of the debt due and
11 owing.

12 3. The enforcement of the lien shall be within sixty (60) days
13 after filing the lien in the manner provided by law for enforcing
14 the lien of a security agreement and provided that the lien shall
15 not affect the rights of innocent, intervening purchasers without
16 notice.

17 C. If the person who renders service to the owner of an article
18 of personal property to which this section applies relinquishes or
19 loses possession of the article due to circumstances described in
20 subparagraph a of paragraph 1 or subparagraph a of paragraph 2 of
21 subsection B of this section, the person claiming the lien shall be
22 entitled to possession of the article until the amount due is paid,
23 unless the article is possessed by a person who became a bona fide
24

1 purchaser. Entitlement to possession shall be in accordance with
2 the following:

3 1. The claimant may take possession of an article pursuant to
4 this subsection only if the person obligated under the contract for
5 services has signed an acknowledgement of receipt of a notice that
6 the article may be subject to repossession. The notice and
7 acknowledgement pursuant to this subsection shall be:

8 a. in writing and separate from the written contract for
9 services, or

10 b. printed on the written contract for services, credit
11 agreement or other document which displays the notice
12 in bold-faced, capitalized and underlined type, or is
13 separated from surrounding written material so as to
14 be conspicuous with a separate signature line;

15 2. The claimant may require the person obligated under the
16 contract for services to pay the costs of repossession as a
17 condition for reclaiming the article only to the extent of the
18 reasonable fair market value of the services required to take
19 possession of the article;

20 3. The claimant shall not transfer to a third party or to a
21 person who performs repossession services, a check, money order, or
22 credit card transaction that is received as payment for services
23 with respect to an article and that is returned to the claimant
24 because of insufficient funds or no funds, because the person

1 writing the check, issuing the money order, or credit cardholder has
2 no account or because the check, money order, or credit card account
3 has been closed. A person violating this paragraph shall be guilty
4 of a misdemeanor; and

5 4. An article that is repossessed pursuant to this subsection
6 shall be promptly delivered to the location where the services were
7 performed. The article shall remain at the services location at all
8 times until the article is lawfully returned to the record owner or
9 a lienholder or is disposed of pursuant to this section.

10 D. 1. If a vehicle, all-terrain vehicle, utility vehicle,
11 manufactured home, motorcycle, boat, outboard motor, or trailer has
12 a certificate of title issued by ~~the Tax Commission~~ Service Oklahoma
13 or by a federally recognized Indian tribe in the State of Oklahoma,
14 but there is no active lien recorded on the certificate of title,
15 Section 91A of this title will apply instead of this section.
16 Likewise, if there is an active lien recorded on the certificate of
17 title but the lien is over fifteen (15) years old and the property
18 is not a manufactured home, Section 91A of this title will apply
19 instead of this section.

20 2. If personal property that otherwise would be covered by this
21 section has been registered by ~~the Tax Commission~~ Service Oklahoma
22 or by a federally recognized Indian tribe in the State of Oklahoma,
23 and there is a lien of record but no certificate of title has been
24

1 issued, Section 91A of this title will apply instead of this
2 section.

3 3. If personal property otherwise would be covered by this
4 section, but the services were rendered or the property was
5 abandoned prior to November 1, 2005, Section 91A of this title will
6 apply instead of this section.

7 E. A person who knowingly makes a false statement of a material
8 fact regarding the furnishing of storage, rental space, material,
9 labor or skill for the protection, improvement, safekeeping, towing,
10 right to occupy space, storage or carriage thereof in a proceeding
11 under this section, or attempts to use or uses the provisions of
12 this section to foreclose an owner or lienholder's interest in a
13 vehicle knowing that any of the statements made in the proceeding
14 are false, upon conviction, shall be guilty of a felony.

15 F. Upon receipt of notice of legal proceedings, ~~the Tax~~
16 ~~Commission~~ Service Oklahoma shall cause the sale process to be put
17 on hold until notice of resolution of court proceedings is received
18 from the court. If such notice of commencement of court proceedings
19 is not filed with ~~the Tax Commission~~ Service Oklahoma, the
20 possessory lien sale process may continue.

21 G. No possessory lien sale shall be held on a Sunday.

22 H. For purposes of this section:

23 1. "Possession" includes actual possession and constructive
24 possession;

1 2. "Constructive possession" means possession by a person who,
2 although not in actual possession, does not have an intention to
3 abandon property, knowingly has both power and the intention at a
4 given time to exercise dominion or control over the property, and
5 who holds claim to such thing by virtue of some legal right;

6 3. "Lawfully in possession" means a person has documentation
7 from the owner or the owner's authorized agent, or an insurance
8 company or its authorized agent, authorizing the furnishing of
9 material, labor or storage, or that the property was authorized to
10 be towed to a repair facility. If the person lacks such
11 documentation, he or she shall not be lawfully in possession of the
12 Section 91 Personal Property and shall not be entitled to a special
13 lien as set forth in this section; and

14 4. "Itemized charges" means total parts, total labor, total
15 towing fees, total storage fees, total processing fees and totals of
16 any other fee groups, the sum total of which shall equal the
17 compensation claimed.

18 I. For purposes of this section, the United States Postal
19 Service approved electronic equivalent of proof of return receipt
20 requested Form 3811 shall satisfy return receipt requested
21 documentation requirements.

22 J. If a person claiming a special lien pursuant to this section
23 fails to comply with any of the requirements of this section, any
24 interested party may proceed against the person claiming such lien

1 for all damages arising therefrom, including conversion, if the
2 article of personal property has been sold. If the notice or
3 notices required by this section shall be shown to be knowingly
4 false or fraudulent, the interested party shall be entitled to
5 treble damages. The prevailing party shall be entitled to all
6 costs, including reasonable attorney fees.

7 K. This section shall apply to all actions or proceedings that
8 commence on or after the effective date of this act.

9 SECTION 28. REPEALER 42 O.S. 2021, Section 91, as last
10 amended by Section 10, Chapter 310, O.S.L. 2023 (42 O.S. Supp. 2023,
11 Section 91), is hereby repealed.

12 SECTION 29. AMENDATORY 42 O.S. 2021, Section 91A, as
13 amended by Section 2, Chapter 68, O.S.L. 2023 (42 O.S. Supp. 2023,
14 Section 91A), is amended to read as follows:

15 Section 91A.

16 A. 1. a. This section applies to all types of personal property
17 other than:

18 (1) farm equipment as defined in Section 91.2 of this
19 title, and

20 (2) "Section 91 Personal Property" as defined in
21 Section 91 of this title.

22 b. This section applies to any vehicle, all-terrain
23 vehicle, utility vehicle, manufactured home,
24 motorcycle, boat, outboard motor, or trailer that is

1 excluded from coverage under subsection A of Section
2 91 of this title because the personal property:

- 3 (1) does not have a certificate of title,
4 (2) has a certificate of title but does not have an
5 active lien recorded on the certificate of title,
6 (3) has a certificate of title that is not issued by
7 ~~the Oklahoma Tax Commission~~ Service Oklahoma or
8 by a federally recognized Indian tribe in the
9 State of Oklahoma, or
10 (4) is otherwise excluded by subparagraph b of
11 paragraph 1 of subsection A of Section 91 of this
12 title or subsection D of Section 91 of this
13 title.

14 c. If personal property has a certificate of title, or
15 would be required to have a certificate of title under
16 Oklahoma law, and is apparently covered both by this
17 section and by Sections 191 through 200 of this title,
18 the procedures set out in this section shall apply
19 instead of Sections 191 through 200 of this title. If
20 personal property without a certificate of title and
21 not required to be titled under Oklahoma law is
22 covered both by this section and Sections 191 through
23 200 of this title, the procedures set out in Sections
24

1 191 through 200 of this title shall apply instead of
2 this section.

3 2. a. Any person who, while lawfully in possession of an
4 article of personal property to which this section
5 applies, renders any service to the owner thereof by
6 furnishing storage, rental space, material, labor or
7 skill for the protection, improvement, safekeeping,
8 towing, right to occupy space, storage or carriage
9 thereof, has a special lien thereon, dependent on
10 possession, for the compensation, if any, which is due
11 to such person from the owner for such service.
12 Charges owed under a contract primarily for the
13 purpose of storage or rental of space shall be accrued
14 only at the regular periodic rate for storage or
15 rental as provided in the contract, adjusted for
16 partial periods of storage or rental.

17 b. Except for Class AA licensed wrecker towing charges,
18 the special lien shall be subordinate to any perfected
19 security interest unless the claimant complies with
20 the requirements of this section. Failure to comply
21 with any requirements of this section shall result in
22 denial of any title application and cause the special
23 lien to be subordinate to any perfected lien. Upon
24 such denial, the applicant shall be entitled to one

1 resubmission of the title application within thirty
2 (30) business days of receipt of the denial, and
3 proceed to comply with the requirements of this
4 section. In the event of a denial, the Notice of
5 Possessory Lien and the Notice of Sale may be mailed
6 on the same day in separate envelopes and storage
7 charges shall only be charged from the date of
8 resubmission; however, before a Notice of Sale is to
9 be mailed, the personal property must have been
10 possessed by the possessory lien claimant for at least
11 twenty-one (21) days. Furthermore, if the denial was
12 due to error by the party submitting the title
13 application, then no additional fee for the
14 resubmission shall be charged to the property owner.
15 "Failure to comply" includes, but is not limited to:
16 (1) failure to timely provide additional
17 documentation supporting or verifying any entry
18 on submitted forms as requested by ~~the Tax~~
19 ~~Commission~~ Service Oklahoma,
20 (2) failure to provide the documentation supporting
21 lawful possession as outlined in paragraph 3 of
22 subsection H of this section,
23
24

- 1 (3) claimant being other than the individual who
2 provided the service giving rise to the special
3 lien, as in subparagraph a of this paragraph,
4 (4) claimant not being in possession of the vehicle,
5 or
6 (5) notification and proceedings not accomplished in
7 accordance with subparagraph c of this paragraph,
8 and paragraph 3 of this subsection.

9 c. Any person claiming a lien under this section shall
10 request, within five (5) business days of performing
11 any service or work on the property, ~~the Tax~~
12 ~~Commission~~ Service Oklahoma or other appropriate
13 license agency to furnish the name and address of the
14 current owner of and any lienholder upon the property.
15 ~~The Motor Vehicle Division of the Tax Commission~~
16 Service Oklahoma or an appropriate license agency
17 shall respond in person or by mail to the lien
18 claimant within ten (10) business days of the receipt
19 of the request for information. ~~The Tax Commission~~
20 Service Oklahoma shall render assistance to ascertain
21 ownership, if needed. The lien claimant shall send,
22 within seven (7) business days of receipt of the
23 requested information from ~~the Oklahoma Tax Commission~~
24 Service Oklahoma or other license agency, a notice of

1 the location of the property by certified mail with
2 return receipt requested, postage prepaid, to the
3 owner and any lienholder of the vehicle at the
4 addresses furnished. The lien claimant may charge
5 ~~Twenty Dollars (\$20.00)~~ not more than Fifty Dollars
6 (\$50.00) for processing plus the cost of postage if
7 the notice is timely sent pursuant to the requirements
8 of this subparagraph in addition to fees regulated by
9 the ~~Oklahoma~~ Corporation Commission for licensed
10 wreckers. If the lien claimant is unable to meet the
11 time requirements due to a lack of or an altered
12 vehicle identification number on the property, the
13 lien claimant shall proceed diligently to obtain the
14 proper vehicle identification number and shall meet
15 the time requirements on the notice once the vehicle
16 identification number is known. If the lien claimant
17 is required to send additional notices because of
18 change of ownership or lienholder after it has timely
19 complied with the requirements of this subparagraph,
20 the lien claimant shall remain in compliance if such
21 additional notices are sent within the required time
22 periods from the date of discovery of the new owners
23 or lienholders. The notice shall be in writing and
24 shall contain, but not be limited to, the following:

- 1 (1) a statement that the notice is a Notice of
2 Possessory Lien,
- 3 (2) the complete legal name, physical and mailing
4 address, and telephone number of the claimant,
- 5 (3) the complete legal name, physical and mailing
6 address of the person who requested that the
7 claimant render service to the owner by
8 furnishing material, labor or skill, storage, or
9 rental space, or the date the property was
10 abandoned if the claimant did not render any
11 other service,
- 12 (4) a description of the article of personal
13 property, and the complete physical and mailing
14 address of the location of the article of
15 personal property,
- 16 (5) the nature of the work, labor or service
17 performed, material furnished, or the storage or
18 rental arrangement, and the date thereof, and
19 written proof of authority to perform the work,
20 labor or service provided that, in the case of a
21 law enforcement directed tow, the logbook entry
22 prescribed in OAC 595:25-5-5 or the tow ticket as
23 defined by the Corporation Commission shall serve
24 as written proof of authority,

1 (6) the signature of the claimant which shall be
2 notarized and, if applicable, the signature of
3 the claimant's attorney. If the claimant is a
4 business, the name of the contact person
5 representing the business shall be shown. In
6 place of an original signature and notary seal, a
7 digital or electronic signature or seal shall be
8 accepted, and

9 (7) an itemized statement describing the date or
10 dates the labor or services were performed and
11 material furnished and the charges claimed for
12 each item, the totals of which shall equal the
13 total compensation claimed.

14 The lien claimant shall not be required to send the
15 notice required in this subparagraph if the property
16 is released to an interested party before the notice
17 is mailed and no additional charges or fees continue
18 to accrue. If a law enforcement agency has the
19 property towed to a law enforcement facility, the
20 person claiming a lien under this section shall not be
21 required to send notice until the property is released
22 by law enforcement to the claimant or the date which
23 claimant starts charging storage, whichever is
24 earlier. A lien claimant shall have an extension of

1 ten (10) business days to send the notice required in
2 this subparagraph if a state of emergency has been
3 declared in the county in which the property is
4 located.

5 d. Subparagraphs b and c of this paragraph shall not
6 apply to salvage pools as defined in Section 591.2 of
7 Title 47 of the Oklahoma Statutes.

8 3. The lien may be foreclosed by a sale of such personal
9 property upon the notice and in the manner following: The notice
10 shall be in writing and shall contain, but not be limited to:

11 a. the names of the owner and any other known party or
12 parties who may claim any interest in the property,

13 b. a description of the property to be sold, including a
14 visual inspection or a photograph if the property is a
15 motor vehicle, and the physical location of the
16 property,

17 c. the nature of the work, labor or service performed,
18 material furnished, or the storage or rental
19 arrangement, and the date thereof, and written proof
20 of authority to perform the work, labor or service
21 provided. In the case of a law enforcement directed
22 tow, the logbook entry prescribed in OAC 595:25-5-5 or
23 the tow ticket as defined by the Corporation
24 Commission, shall serve as written proof of authority,

- 1 d. the time and place of sale,
- 2 e. the name, telephone number, physical address and
- 3 mailing address of the claimant, and agent or
- 4 attorney, if any, foreclosing such lien. If the
- 5 claimant is a business, then the name of the contact
- 6 person representing the business must be shown. In
- 7 place of an original signature and notary seal, a
- 8 digital or electronic signature or seal shall be
- 9 accepted, and
- 10 f. itemized charges which shall equal the total
- 11 compensation claimed.

- 12 4. a. Such Notice of Sale shall be posted in two public
- 13 places in the county where the property is to be sold
- 14 at least ten (10) days before the time therein
- 15 specified for such sale, and a copy of the notice
- 16 shall be mailed to the owner and any other party
- 17 claiming any interest in the property, if known, at
- 18 their last-known post office address, by certified
- 19 mail, return receipt requested, at least ten (10) days
- 20 before the time therein specified for such sale. If
- 21 the item of personal property is a manufactured home,
- 22 notice shall also be sent by certified mail to the
- 23 county treasurer and to the county assessor of the
- 24 county where the manufactured home is located.

1 b. In the case of any item of personal property without a
2 certificate of title and not required to be titled
3 under Oklahoma law, a party who claims any interest in
4 the property shall include all owners of the property;
5 any secured party who has an active financing
6 statement on file with the county clerk of Oklahoma
7 County listing one or more owners of the property by
8 legal name as debtors and indicating a collateral
9 description that would include the property; and any
10 other person having any interest in the personal
11 property, of whom the claimant has actual notice.

12 c. In the case of personal property subject to this
13 section for which a certificate of title has been
14 issued by any jurisdiction, a party who claims any
15 interest in the property shall include all owners of
16 the article of personal property as indicated by the
17 certificate of title; lien debtors, if any, other than
18 the owners; any lienholder whose lien is noted on the
19 face of the certificate of title; and any other person
20 having any interest in the article of personal
21 property, of whom the claimant has actual notice.

22 d. When the jurisdiction of titling for a vehicle, all-
23 terrain vehicle, motorcycle, boat, outboard motor, or
24 trailer that is five (5) model years old or newer, or

1 a manufactured home that is fifteen (15) model years
2 old or newer, cannot be determined by ordinary means,
3 the claimant, the agent of the claimant, or the
4 attorney of the claimant, shall request, in writing,
5 that ~~the Oklahoma Tax Commission Motor Vehicle~~
6 ~~Division~~ Service Oklahoma ascertain the jurisdiction
7 where the vehicle or manufactured home is titled. ~~The~~
8 ~~Oklahoma Tax Commission Motor Vehicle Division~~ Service
9 Oklahoma shall, within fourteen (14) days from the
10 date the request is received, provide information as
11 to the jurisdiction where the personal property is
12 titled. If ~~the Oklahoma Tax Commission Motor Vehicle~~
13 ~~Division~~ Service Oklahoma is unable to provide the
14 information, it shall provide notice that the record
15 is not available.

16 e. When personal property is of a type that Oklahoma law
17 requires to be titled, the owner of record of that
18 property is unknown, and the jurisdiction of titling
19 and owner of record cannot be determined by ordinary
20 means and also, if applicable, cannot be determined in
21 accordance with the preceding subparagraph, then the
22 special lien may be foreclosed by publication of a
23 legal notice in a legal newspaper in the county where
24 the personal property is located, as defined in

1 Section 106 of Title 25 of the Oklahoma Statutes.
2 Such notice shall include the description of the
3 property by year, make, vehicle identification number
4 if available from the property, the name of the
5 individual who may be contacted for information, and
6 the telephone number of that person or the address
7 where the vehicle is located. The legal notice shall
8 be published once per week for three (3) consecutive
9 weeks. As soon as circumstances exist as described in
10 the first sentence of this subparagraph, the first
11 date of publication may occur even if the special lien
12 has not accrued for over thirty (30) days. The first
13 date available for public sale of the vehicle is the
14 day following publication of the final notice, but no
15 fewer than thirty (30) days after the lien has
16 accrued. When the owner of record is unknown, the
17 Notice of Sale nevertheless must be completed and
18 mailed to any known interested party by certified
19 mail. For purposes of this paragraph, interested
20 parties shall include all persons described in
21 subparagraph b or subparagraph c of this paragraph,
22 whichever is applicable, with the exception of any
23 owner who is unknown. Except in circumstances
24 described in paragraph 7 of this subsection that

1 provide for a shorter time period, the Notice of Sale
2 shall be posted in two public places in the county
3 where the property is to be sold at least ten (10)
4 days before the time therein specified for such sale,
5 and the Notice of Sale shall not be mailed until at
6 least thirty (30) days after the lien has accrued.

7 5. The lienor or any other person may in good faith become a
8 purchaser of the property sold.

9 6. Proceedings for foreclosure under this act shall commence in
10 twenty (20) days after the lien has accrued, except as provided
11 elsewhere in Oklahoma law.

12 7. Notwithstanding any other provision of law, proceedings for
13 foreclosures for the storage of junk vehicles towed and stored
14 pursuant to Section 955 of Title 47 of the Oklahoma Statutes by
15 Class AA wreckers listed with the Motor Vehicle Division of the
16 Department of Public Safety, may be commenced five (5) days after
17 the lien has accrued. For purposes of this paragraph, "junk
18 vehicles" means any vehicle that is more than ten (10) years old if
19 the cost of a comparable vehicle would be less than Three Hundred
20 Dollars (\$300.00) as quoted in the latest edition of the National
21 Automobile Dealers Association Official Used Car Guide or latest
22 monthly edition of any other nationally recognized published
23 guidebook, adjusting to the condition of the vehicle.

1 B. 1. a. Any person who is induced by means of a check or other
2 form of written order for immediate payment of money
3 to deliver up possession of an article of personal
4 property on which the person has a special lien
5 created by subsection A of this section, which check
6 or other written order is dishonored, or is not paid
7 when presented, shall have a lien for the amount
8 thereof upon the personal property.

9 b. The person claiming such lien shall, within thirty
10 (30) days from the date of dishonor of the check or
11 other written order for payment of money, file in the
12 office of the county clerk of the county in which the
13 property is situated a sworn statement that:

14 (1) the check or other written order for immediate
15 payment of money, copy thereof being attached,
16 was received for labor, material or supplies for
17 producing or repairing an article of personal
18 property, or for other specific property-related
19 services covered by this section,

20 (2) the check or other written order was not paid,
21 and

22 (3) the uttering of the check or other written order
23 constituted the means for inducing the person,
24 one possessed of a special lien created by

1 subsection A of this section upon the described
2 article of personal property, to deliver up the
3 article of personal property.

4 2. a. Any person who renders service to the owner of an
5 article of personal property by furnishing storage,
6 rental space, material, labor, or skill for the
7 protection, improvement, safekeeping, towing, right to
8 occupy space, storage, or carriage thereof shall have
9 a special lien on such property pursuant to this
10 section if such property is removed from the person's
11 possession, without such person's written consent or
12 without payment for such service.

13 b. The person claiming such lien shall, within five (5)
14 days of such nonauthorized removal, file in the office
15 of the county clerk of the county in which the
16 property is located, a sworn statement including:

17 (1) that services were rendered on or in relation to
18 the article of personal property by the person
19 claiming such lien,

20 (2) that the property was in the possession of the
21 person claiming the lien but such property was
22 removed without his or her written consent,
23
24

1 (3) an identifying description of the article of
2 personal property on or in relation to which the
3 service was rendered, and

4 (4) that the debt for the services rendered on or in
5 relation to the article of personal property was
6 not paid. Provided, if the unpaid total amount
7 of the debt for services rendered on or in
8 relation to the article of personal property is
9 unknown, an approximated amount of the debt due
10 and owing shall be included in the sworn
11 statement but such approximated debt may be
12 amended within thirty (30) days of such filing to
13 reflect the actual amount of the debt due and
14 owing.

15 3. The enforcement of the lien shall be within sixty (60) days
16 after filing the lien in the manner provided by law for enforcing
17 the lien of a security agreement and provided that the lien shall
18 not affect the rights of innocent, intervening purchasers without
19 notice.

20 C. If the person who renders service to the owner of an article
21 of personal property to which this section applies relinquishes or
22 loses possession of the article due to circumstances described in
23 subparagraph a of paragraph 1 or subparagraph a of paragraph 2 of
24 subsection B of this section, the person claiming the lien shall be

1 entitled to possession of the article until the amount due is paid,
2 unless the article is possessed by a person who became a bona fide
3 purchaser. Entitlement to possession shall be in accordance with
4 the following:

5 1. The claimant may take possession of an article pursuant to
6 this subsection only if the person obligated under the contract for
7 services has signed an acknowledgment of receipt of a notice that
8 the article may be subject to repossession. The notice and
9 acknowledgment pursuant to this subsection shall be:

- 10 a. in writing and separate from the written contract for
11 services, or
12 b. printed on the written contract for services, credit
13 agreement or other document which displays the notice
14 in bold-faced, capitalized and underlined type, or is
15 separated from surrounding written material so as to
16 be conspicuous with a separate signature line;

17 2. The claimant may require the person obligated under the
18 contract for services to pay the costs of repossession as a
19 condition for reclaiming the article only to the extent of the
20 reasonable fair market value of the services required to take
21 possession of the article;

22 3. The claimant shall not transfer to a third party or to a
23 person who performs repossession services, a check, money order, or
24 credit card transaction that is received as payment for services

1 with respect to an article and that is returned to the claimant
2 because of insufficient funds or no funds, because the person
3 writing the check, issuing the money order, or credit cardholder has
4 no account or because the check, money order, or credit card account
5 has been closed. A person violating this paragraph shall be guilty
6 of a misdemeanor; and

7 4. An article that is repossessed pursuant to this subsection
8 shall be promptly delivered to the location where the services were
9 performed. The article shall remain at the services location at all
10 times until the article is lawfully returned to the record owner or
11 a lienholder or is disposed of pursuant to this section.

12 D. 1. This section applies if a vehicle, all-terrain vehicle,
13 manufactured home, motorcycle, boat, outboard motor, or trailer has
14 a certificate of title issued by ~~the Tax Commission~~ Service Oklahoma
15 or by a federally recognized Indian tribe in Oklahoma, but there is
16 no active lien recorded on the certificate of title.

17 2. This section applies if a vehicle, all-terrain vehicle,
18 utility vehicle, motorcycle, boat, outboard motor or trailer has a
19 certificate of title issued by ~~the Tax Commission~~ Service Oklahoma
20 or by a federally recognized Indian tribe in Oklahoma, and there is
21 an active lien recorded on the certificate of title, but the lien is
22 over fifteen (15) years old.

23 3. This section applies if personal property to which Section
24 91 of this title otherwise would apply has been registered by ~~the~~

1 ~~Tax Commission~~ Service Oklahoma or by a federally recognized Indian
2 tribe in the State of Oklahoma, and there is a lien of record but no
3 certificate of title has been issued.

4 4. This section applies if personal property to which Section
5 91 of this title otherwise would apply has not been registered by
6 either ~~the Tax Commission~~ Service Oklahoma or a federally recognized
7 Indian tribe in the State of Oklahoma, and no certificate of title
8 has been issued, but there is a lien of record.

9 5. This section applies to personal property that otherwise
10 would be covered by Section 91 of this title, except that the
11 services were rendered or the property was abandoned prior to
12 November 1, 2005.

13 6. This section applies to a vehicle, all-terrain vehicle,
14 utility vehicle, manufactured home, motorcycle, boat, outboard
15 motor, or trailer for which ownership cannot be determined by
16 ordinary means or by ~~the Oklahoma Tax Commission~~ Service Oklahoma
17 Motor Vehicle Division, as provided in subparagraphs d and e of
18 paragraph 4 of subsection A of this section, as applicable.

19 7. This section applies to items of personal property that are
20 not required by Oklahoma law to be titled, and that do not have a
21 certificate of title.

22 8. This section applies to salvage pools as defined in Section
23 591.2 of Title 47 of the Oklahoma Statutes.

24

1 9. This section applies to class AA licensed wrecker services
2 taking possession of a vehicle pursuant to an agreement with, or at
3 the direction of, or dispatched by a state or local law enforcement
4 or government agency, or pursuant to the abandoned vehicle removal
5 provisions of Section 954A of Title 47 of the Oklahoma Statutes with
6 respect to all types of personal property, regardless of whether
7 that personal property has a certificate of title.

8 10. For a vehicle abandoned at a salvage pool, if the cost of
9 repairing the vehicle for safe operation on the highway does not
10 exceed sixty percent (60%) of the fair market value of the vehicle
11 as defined in Section 1111 of Title 47 of the Oklahoma Statutes, a
12 salvage title shall not be required.

13 E. A person who knowingly makes a false statement of a material
14 fact regarding the furnishing of storage, rental space, material,
15 labor or skill for the protection, improvement, safekeeping, towing,
16 right to occupy space, storage or carriage thereof in a proceeding
17 under this section, or attempts to use or uses the provisions of
18 this section to foreclose an owner or lienholder's interest in a
19 vehicle knowing that any of the statements made in the proceeding
20 are false, upon conviction, shall be guilty of a felony.

21 F. Upon receipt of notice of legal proceedings, ~~the Tax~~
22 ~~Commission~~ Service Oklahoma shall cause the sale process to be put
23 on hold until notice of resolution of court proceedings is received
24 from the court. If such notice of commencement of court proceedings

1 is not filed with ~~the Tax Commission~~ Service Oklahoma, the
2 possessory lien sale process may continue.

3 G. No possessory lien sale shall be held on a Sunday.

4 H. For purposes of this section:

5 1. "Possession" includes actual possession and constructive
6 possession;

7 2. "Constructive possession" means possession by a person who,
8 although not in actual possession, does not have an intention to
9 abandon property, knowingly has both power and the intention at a
10 given time to exercise dominion or control over the property, and
11 who holds claim to such thing by virtue of some legal right;

12 3. "Lawfully in possession" means a person has documentation
13 from the owner or the owner's authorized agent, or an insurance
14 company or its authorized agent, authorizing the furnishing of
15 material, labor or storage, or that the property was authorized to
16 be towed to a repair facility.

17 Class AA wrecker services taking possession of a vehicle
18 pursuant to an agreement with, or at the direction of, or dispatched
19 by, a state or local law enforcement or government agency, or
20 pursuant to the abandoned vehicle removal provisions of Section 954A
21 of Title 47 of the Oklahoma Statutes, shall be considered lawfully
22 in possession of the vehicle. If the person lacks such
23 documentation, the procedures established by this section shall not
24 apply; and

1 4. "Itemized charges" means total parts, total labor, total
2 towing fees, total storage fees, total processing fees and totals of
3 any other fee groups, the sum total of which shall equal the
4 compensation claimed.

5 I. For purposes of this section, the United States Postal
6 Service approved electronic equivalent of proof of return receipt
7 requested Form 3811 shall satisfy return receipt requested
8 documentation requirements.

9 J. If a person claiming a special lien pursuant to this section
10 fails to comply with any of the requirements of this section, any
11 interested party may proceed against the person claiming such lien
12 for all damages arising therefrom, including conversion, if the
13 article of personal property has been sold. If the notice or
14 notices required by this section shall be shown to be knowingly
15 false or fraudulent, the interested party shall be entitled to
16 treble damages. The prevailing party shall be entitled to all
17 costs, including reasonable attorney fees.

18 K. Any interested party shall be permitted to visually inspect
19 and verify the services rendered by the claimant prior to the sale
20 of the article of property during normal business hours. If the
21 claimant fails to allow any interested party to inspect the
22 property, the interested party shall mail a request for inspection
23 by certified mail, return receipt requested, to the claimant.
24 Within three (3) business days of receipt of the request for

1 inspection, the claimant shall mail a photograph of the property, by
2 certified mail, return receipt requested, and a date of inspection
3 within five (5) business days from the date of the notice to
4 inspect. The lienholder shall be allowed to retrieve the property
5 without being required to bring the title into the lienholder's
6 name, if the lienholder provides proof it is a lienholder and any
7 payment due the claimant for lawful charges where the claimant has
8 complied with this section. Upon the release of personal property
9 to an insurer or representative of the insurer, wrecker operators
10 shall be exempt from all liability and shall be held harmless for
11 any losses or claims of loss. In the event any law enforcement
12 agency places a hold on the property, the party wanting to inspect
13 or photograph the property shall obtain permission from the law
14 enforcement agency that placed the hold on the property before
15 inspecting or photographing.

16 L. This section shall apply to all actions or proceedings that
17 commence on or after ~~the effective date of this act~~ August 22, 2014.

18 SECTION 30. REPEALER 42 O.S. 2021, Section 91A, as last
19 amended by Section 1, Chapter 102, O.S.L. 2023 (42 O.S. Supp. 2023,
20 Section 91A), is hereby repealed.

21 SECTION 31. REPEALER 42 O.S. 2021, Section 91A, as last
22 amended by Section 11, Chapter 310, O.S.L. 2023 (42 O.S. Supp. 2023,
23 Section 91A), is hereby repealed.

24

1 SECTION 32. AMENDATORY Section 6, Chapter 282, O.S.L.
2 2022, as last amended by Section 4, Chapter 47, 1st Extraordinary
3 Session, O.S.L. 2023 (47 O.S. Supp. 2023, Section 3-106), is amended
4 to read as follows:

5 Section 3-106. A. There is hereby created in the State
6 Treasury a revolving fund for Service Oklahoma to be designated the
7 "Service Oklahoma Revolving Fund". The fund shall be a continuing
8 fund, not subject to fiscal year limitations. All monies accruing
9 to the credit of the fund are hereby appropriated and shall be
10 budgeted and expended by Service Oklahoma for the restricted
11 purposes of the monies as prescribed by law. Expenditures from the
12 fund shall be made upon warrants issued by the State Treasurer
13 against claims filed as prescribed by law with the Director of the
14 Office of Management and Enterprise Services for approval and
15 payment.

16 B. There is hereby created in the State Treasury a revolving
17 fund for Service Oklahoma to be designated the "Service Oklahoma
18 Reimbursement Fund". The fund shall be a continuing fund, not
19 subject to fiscal year limitations. All monies accruing to the
20 credit of the fund are hereby appropriated and shall be budgeted and
21 expended by Service Oklahoma for the restricted purposes of the
22 monies as prescribed by law. Expenditures from the fund shall be
23 made upon warrants issued by the State Treasurer against claims
24

1 filed as prescribed by law with the Director of the Office of
2 Management and Enterprise Services for approval and payment.

3 C. There is hereby created in the State Treasury a revolving
4 fund for Service Oklahoma, to be designated the "Service Oklahoma
5 Computer Imaging System Revolving Fund". The fund shall be a
6 continuing fund not subject to fiscal year limitations. All monies
7 accruing to the credit of the fund are hereby appropriated and shall
8 be budgeted and expended by Service Oklahoma for the purpose of
9 implementing, developing, administering, and maintaining the
10 computer imaging system of Service Oklahoma. Expenditures from the
11 fund shall be made upon warrants issued by the State Treasurer
12 against claims filed as prescribed by law with the Director of the
13 Office of Management and Enterprise Services for approval and
14 payment.

15 D. There is hereby created in the State Treasury a revolving
16 fund for Service Oklahoma to be designated the "Licensed Operator
17 Performance Fund". This fund shall be a continuing fund not subject
18 to fiscal year limitations. All monies accruing to the credit of
19 the fund are hereby appropriated and shall be budgeted and expended
20 by Service Oklahoma for the restricted purposes of the monies as
21 prescribed by law. Expenditures from the fund shall be made upon
22 warrants issued by the State Treasurer against claims filed as
23 prescribed by law with the Director of the Office of Management and
24 Enterprise Services for approval and payment.

1 1. The Licensed Operator Performance Fund shall be distributed
2 to licensed operators in accordance with the applicable metrics
3 determined by Service Oklahoma.

4 2. In the event that excess funds exist in the Licensed
5 Operator Performance Fund after distribution to licensed operators
6 pursuant to this subsection, the remaining funds are authorized to
7 be expended for the purpose of purchasing back a licensed operator
8 license from a licensed operator, pursuant to Section 1140 of this
9 title.

10 E. There is hereby created a Petty Cash Fund for Service
11 Oklahoma. The fund shall be used by Service Oklahoma to operate
12 cash drawers as necessary. The amount of the Petty Cash Fund shall
13 be determined by the Director of Service Oklahoma and the Director
14 of the Office of Management and Enterprise Services. Purchases from
15 the Petty Cash Fund shall be prohibited. The Director of Management
16 and Enterprise Services shall be authorized to prescribe forms,
17 systems, and procedures for the administration of the Petty Cash
18 Fund.

19 SECTION 33. REPEALER Section 6, Chapter 282, O.S.L.
20 2022, as amended by Section 12, Chapter 310, O.S.L. 2023 (47 O.S.
21 Supp. 2023, Section 3-106), is hereby repealed.

22 SECTION 34. AMENDATORY 47 O.S. 2021, Section 6-101, as
23 last amended by Section 5, Chapter 47, 1st Extraordinary Session,
24

1 O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-101), is amended to read
2 as follows:

3 Section 6-101. A. No person, except those hereinafter
4 expressly exempted in Sections 6-102 and 6-102.1 of this title,
5 shall operate any motor vehicle upon a highway in this state unless
6 the person has a valid Oklahoma driver license for the class of
7 vehicle being operated under the provisions of this title. No
8 person shall be permitted to possess more than one valid license at
9 any time, except as provided in paragraph 4 of subsection F of this
10 section.

11 B. 1. No person shall operate a Class A commercial motor
12 vehicle unless the person is eighteen (18) years of age or older and
13 holds a valid Class A commercial license, except as provided in
14 paragraph 5 of this subsection and subsection F of this section.
15 Any person holding a valid Class A commercial license shall be
16 permitted to operate motor vehicles in Classes A, B, C and D, except
17 as provided for in paragraph 4 of this subsection.

18 2. No person shall operate a Class B commercial motor vehicle
19 unless the person is eighteen (18) years of age or older and holds a
20 valid Class B commercial license, except as provided in paragraph 5
21 of subsection F of this section. Any person holding a valid Class B
22 commercial license shall be permitted to operate motor vehicles in
23 Classes B, C and D, except as provided for in paragraph 4 of this
24 subsection.

1 3. No person shall operate a Class C commercial motor vehicle
2 unless the person is eighteen (18) years of age or older and holds a
3 valid Class C commercial license, except as provided in subsection F
4 of this section. Any person holding a valid Class C commercial
5 license shall be permitted to operate motor vehicles in Classes C
6 and D, except as provided for in paragraph 4 of this subsection.

7 4. No person under twenty-one (21) years of age shall be
8 licensed to operate any motor vehicle which is required to be
9 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,
10 subpart F, except as provided in subsection F of this section;
11 provided, a person eighteen (18) years of age or older may be
12 licensed to operate a farm vehicle which is required to be placarded
13 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,
14 except as provided in subsection F of this section.

15 5. A person at least seventeen (17) years of age who
16 successfully completes all examinations required by law may be
17 issued by Service Oklahoma:

18 a. a restricted Class A commercial license which shall
19 grant to the licensee the privilege to operate a Class
20 A or Class B commercial motor vehicle for harvest
21 purposes or a Class D motor vehicle, or

22 b. a restricted Class B commercial license which shall
23 grant to the licensee the privilege to operate a Class
24

1 B commercial motor vehicle for harvest purposes or a
2 Class D motor vehicle.

3 6. No person shall operate a Class D motor vehicle unless the
4 person is sixteen (16) years of age or older and holds a valid Class
5 D license, except as provided for in Section 6-102 or 6-105 of this
6 title. Any person holding a valid Class D license shall be
7 permitted to operate motor vehicles in Class D only.

8 C. Any person issued a driver license pursuant to this section
9 may exercise the privilege thereby granted upon all streets and
10 highways in this state.

11 D. No person shall operate a motorcycle or motor-driven cycle
12 without having a valid Class A, B, C or D license with a motorcycle
13 endorsement. Except as otherwise provided by law, any new applicant
14 for an original driver license shall be required to successfully
15 complete a written examination, vision examination and driving
16 examination for a motorcycle as prescribed by the Department of
17 Public Safety, in conjunction with Service Oklahoma, and a certified
18 state-approved motorcycle basic rider course approved by the
19 Department, in conjunction with Service Oklahoma, if the applicant
20 is seventeen (17) years of age or younger to be eligible for a
21 motorcycle endorsement thereon. The written examination and driving
22 examination for a motorcycle shall be waived by Service Oklahoma
23 upon verification that the person has successfully completed a
24

1 certified Motorcycle Safety Foundation rider course approved by the
2 Department, in conjunction with Service Oklahoma.

3 E. Except as otherwise provided by law, any person who lawfully
4 possesses a valid Oklahoma driver license which is eligible for
5 renewal shall be required to successfully complete a written
6 examination, vision examination and driving examination for a
7 motorcycle as prescribed by the Department, in conjunction with
8 Service Oklahoma, and a certified state-approved motorcycle basic
9 rider course approved by the Department, in conjunction with Service
10 Oklahoma, if the person is seventeen (17) years of age or younger to
11 be eligible for a motorcycle endorsement. The written examination
12 and driving examination for a motorcycle shall be waived by Service
13 Oklahoma upon verification that the person has successfully
14 completed a certified Motorcycle Safety Foundation rider course
15 approved by the Department, in conjunction with Service Oklahoma.

16 F. 1. Any person eighteen (18) years of age or older may apply
17 for a restricted Class A, B or C commercial learner permit. Service
18 Oklahoma, after the applicant has passed all parts of the
19 examination for a Class D license and has successfully passed all
20 parts of the examination for a Class A, B or C commercial license
21 other than the driving examination, may issue to the applicant a
22 commercial learner permit which shall entitle the person having
23 immediate lawful possession of the commercial learner permit and a
24 valid Oklahoma driver license or provisional driver license pursuant

1 to Section 6-212 of this title to operate a Class A, B or C
2 commercial motor vehicle upon the public highways solely for the
3 purpose of behind-the-wheel training in accordance with rules
4 promulgated by the Department.

5 2. This commercial learner permit shall be issued for a period
6 as provided in Section 6-115 of this title of ~~one hundred eighty~~
7 ~~(180) days, which may be renewed one time for an additional one~~
8 ~~hundred eighty (180) days~~ one year; provided, such commercial
9 learner permit may be suspended, revoked, canceled, denied or
10 disqualified at the discretion of the Department, with notice to
11 Service Oklahoma, for violation of the restrictions, for failing to
12 give the required or correct information on the application or for
13 violation of any traffic laws of this state pertaining to the
14 operation of a motor vehicle. Except as otherwise provided, the
15 lawful possessor of a commercial learner permit who has been issued
16 a commercial learner permit for a minimum of fourteen (14) days may
17 have the restriction requiring an accompanying driver removed by
18 satisfactorily completing a driver's examination; provided, the
19 removal of a restriction shall not authorize the operation of a
20 Class A, B or C commercial motor vehicle if such operation is
21 otherwise prohibited by law.

22 3. No person shall apply for and Service Oklahoma shall not
23 issue an original Class A, B or C driver license until the person
24 has been issued a commercial learner permit and held the permit for

1 at least fourteen (14) days. Any person who currently holds a Class
2 B or C license and who wishes to apply for another class of
3 commercial driver license shall be required to apply for a
4 commercial learner permit and to hold the permit for at least
5 fourteen (14) days before applying for the Class A or B license, as
6 applicable. Any person who currently holds a Class A, B or C
7 license and who wishes to add an endorsement or remove a restriction
8 for which a skills examination is required shall be required to
9 apply for a commercial learner permit and to hold the permit for at
10 least fourteen (14) days before applying for the endorsement.

11 4. A commercial learner permit shall be issued by Service
12 Oklahoma as a separate and unique document which shall be valid only
13 in conjunction with a valid Oklahoma driver license or provisional
14 driver license pursuant to Section 6-212 of this title, both of
15 which shall be in the possession of the person to whom they have
16 been issued whenever that person is operating a commercial motor
17 vehicle as provided in this subsection.

18 5. After one renewal of a commercial learner permit, as
19 provided in paragraph 2 of this subsection, a commercial permit
20 shall not be renewed again. Any person who has held a commercial
21 learner permit for the initial issuance period and one renewal
22 period shall not be eligible for and Service Oklahoma shall not
23 issue another renewal of the permit; provided, the person may
24

1 reapply for a new commercial learner permit, as provided for in this
2 subsection.

3 G. 1. For purposes of this title:

4 a. "REAL ID Compliant Driver License" or "Identification
5 Card" means a driver license or identification card
6 issued by this state that has been certified by the
7 United States Department of Homeland Security (USDHS)
8 as compliant with the requirements of the REAL ID Act
9 of 2005, Public Law No. 109-13. A REAL ID Compliant
10 Driver License or Identification Card and the process
11 through which it is issued incorporate a variety of
12 security measures designed to protect the integrity
13 and trustworthiness of the license or card. A REAL ID
14 Compliant Driver License or Identification Card will
15 be clearly marked on the face indicating that it is a
16 compliant document, and

17 b. "REAL ID Noncompliant Driver License" or
18 "Identification Card" means a driver license or
19 identification card issued by this state that has not
20 been certified by the United States Department of
21 Homeland Security (USDHS) as being compliant with the
22 requirements of the REAL ID Act of 2005. A REAL ID
23 Noncompliant Driver License or Identification Card
24 will be clearly marked on the face indicating that it

1 is not compliant with the federal REAL ID Act of 2005
2 and is not acceptable for official federal purposes.
3 The driver license or identification card will have a
4 unique design or color indicator that clearly
5 distinguishes it from a compliant license or card.

6 2. Original Driver License and Identification Card Issuance:

7 a. Application for an original REAL ID Compliant or REAL
8 ID Noncompliant Driver License or Identification Card
9 shall be made to Service Oklahoma or a licensed
10 operator provided such licensed operator is authorized
11 to process application for REAL ID Compliant Driver
12 Licenses and Identification Cards. Application for a
13 REAL ID Noncompliant Driver License or Identification
14 Card shall be made to Service Oklahoma.

15 b. Service Oklahoma employees or authorized licensed
16 operators shall perform all document recognition and
17 other requirements needed for approval of an original
18 REAL ID Compliant Driver License or Identification
19 Card application. Service Oklahoma employees shall
20 perform all document recognition and other
21 requirements needed for approval of a REAL ID
22 Noncompliant Driver License or Identification Card
23 application.
24

1 c. Upon approval of an original REAL ID Compliant or REAL
2 ID Noncompliant Driver License or Identification Card
3 application, the applicant may take the approved
4 application document to a licensed operator to receive
5 a temporary driver license or identification card.

6 d. The licensed operator shall process the approved REAL
7 ID Compliant or REAL ID Noncompliant Driver License or
8 Identification Card application and upon payment shall
9 provide the applicant a temporary driver license or
10 identification card. A temporary driver license or
11 identification card shall afford the holder the
12 privileges otherwise granted by the specific class of
13 driver license or identification card for the period
14 of time listed on the temporary driver license or
15 identification card or the period of time prior to the
16 applicant receiving a REAL ID Compliant or REAL ID
17 Noncompliant Driver License or Identification Card,
18 whichever time period is shorter.

19 3. REAL ID Compliant Driver License and Identification Card

20 Renewal and Replacement:

21 a. Application for renewal or replacement of a REAL ID
22 Compliant Driver License or Identification Card may be
23 made to Service Oklahoma or to a licensed operator;
24 provided, such licensed operator is authorized to

1 process application for REAL ID Compliant Driver
2 Licenses and Identification Cards. A licensed
3 operator may process the voluntary downgrade of a REAL
4 ID Compliant Commercial Driver License to any lower
5 class license upon request of the licensee; provided,
6 no additional endorsements or restrictions are placed
7 on the license.

8 b. Service Oklahoma employees or authorized licensed
9 operators shall perform all document recognition and
10 other requirements needed for approval of a renewal or
11 replacement REAL ID Compliant Driver License or
12 Identification Card application.

13 c. Upon approval of a renewal or replacement REAL ID
14 Compliant Driver License or Identification Card
15 application, the applicant may receive a temporary
16 driver license or identification card from Service
17 Oklahoma or an authorized licensed operator.

18 d. A temporary driver license or identification card
19 acquired under the provisions of this paragraph shall
20 afford the holder the privileges otherwise granted by
21 the specific class of driver license or identification
22 card being renewed or replaced for the period of time
23 listed on the temporary driver license or
24 identification card or the period of time prior to the

1 applicant receiving a REAL ID Compliant Driver License
2 or Identification Card, whichever time period is
3 shorter.

- 4 e. For purposes of this title, an application for a REAL
5 ID Compliant Driver License or Identification Card by
6 an individual with a valid Oklahoma-issued driver
7 license or identification card shall be considered a
8 renewal of a REAL ID Compliant Driver License or
9 Identification Card.

10 4. REAL ID Noncompliant Driver License and Identification Card

11 Renewal and Replacement:

- 12 a. Application for renewal or replacement of a REAL ID
13 Noncompliant Driver License or Identification Card may
14 be made to Service Oklahoma or to a licensed operator.
15 A licensed operator may process the voluntary
16 downgrade of a REAL ID Noncompliant Commercial Driver
17 License to any lower class license upon request of the
18 licensee; provided, no additional endorsements or
19 restrictions are added to the license.
- 20 b. Service Oklahoma employees or licensed operators shall
21 perform all document recognition and other
22 requirements needed for approval of a renewal or
23 replacement REAL ID Noncompliant Driver License or
24 Identification Card application.

1 c. Upon approval of a renewal or replacement REAL ID
2 Noncompliant Driver License or Identification Card
3 application, the applicant may receive a temporary
4 driver license or identification card from Service
5 Oklahoma or a licensed operator.

6 d. A temporary driver license or identification card
7 acquired under the provisions of this paragraph shall
8 afford the holder the privileges otherwise granted by
9 the specific class of driver license or identification
10 card being renewed or replaced for the period of time
11 listed on the temporary driver license or
12 identification card or the period of time prior to the
13 applicant receiving a REAL ID Noncompliant Driver
14 License or Identification Card, whichever time period
15 is shorter.

16 H. 1. The fee charged for an approved application for an
17 original Oklahoma REAL ID Compliant or REAL ID Noncompliant Driver
18 License or an approved application for the addition of an
19 endorsement to a current valid Oklahoma REAL ID Compliant or REAL ID
20 Noncompliant Driver License shall be assessed in accordance with the
21 following schedule:

22	Class A Commercial Learner	
23	Permit	\$25.00
24	Class A Commercial License	\$25.00

1	Class B Commercial Learner	
2	Permit	\$15.00
3	Class B Commercial License	\$15.00
4	Class C Commercial Learner	
5	Permit	\$15.00
6	Class C Commercial License	\$15.00
7	Class D License	\$ 4.00
8	Motorcycle Endorsement	\$ 4.00

9 2. Notwithstanding the provisions of Section 1104 of this
10 title, all monies collected from the fees charged for Class A, B and
11 C commercial licenses pursuant to the provisions of this subsection
12 shall be deposited in the General Revenue Fund of this state.

13 I. The fee charged for any failed examination shall be Four
14 Dollars (\$4.00) for any license classification. Notwithstanding the
15 provisions of Section 1104 of this title, all monies collected from
16 such examination fees pursuant to the provisions of this subsection
17 shall be deposited in the General Revenue Fund of this state.

18 J. In addition to any fee charged pursuant to the provisions of
19 subsection H of this section, the fee charged for the issuance or
20 renewal of a REAL ID Noncompliant Driver License shall be in
21 accordance with the following schedule; provided, that any applicant
22 who has a CDL Learner Permit shall be charged only the replacement
23 fee for the issuance of the license:

24	License Class	4-year	8-year
----	---------------	--------	--------

1	Class A Commercial Learner		
2	Permit	\$56.50	\$113.00
3	Class A Commercial License	\$56.50	\$113.00
4	Class B Commercial Learner		
5	Permit	\$56.50	\$113.00
6	Class B Commercial License	\$56.50	\$113.00
7	Class C Commercial Learner		
8	Permit	\$46.50	\$93.00
9	Class C Commercial License	\$46.50	\$93.00
10	Class D License	\$38.50	\$77.00

11 K. In addition to any fee charged pursuant to the provisions of
12 subsection H of this section, the fee charged for the issuance or
13 renewal of a REAL ID Compliant Driver License shall be in accordance
14 with the following schedule; provided, that any applicant who has a
15 CDL Learner Permit shall be charged only the replacement fee for the
16 issuance of the license:

17	License Class	4-year	8-year
18	REAL ID Compliant Class A		
19	Commercial Learner Permit	\$56.50	\$113.00
20	REAL ID Compliant Class A		
21	Commercial License	\$56.50	\$113.00
22	REAL ID Compliant Class B		
23	Commercial Learner Permit	\$56.50	\$113.00

24

1	REAL ID Compliant Class B		
2	Commercial License	\$56.50	\$113.00
3	REAL ID Compliant Class C		
4	Commercial Learner Permit	\$46.50	\$93.00
5	REAL ID Compliant Class C		
6	Commercial License	\$46.50	\$93.00
7	REAL ID Compliant Class D		
8	License	\$38.50	\$77.00

9 L. A commercial learner permit may be renewed one time for a
10 period of one hundred eighty (180) days. The cost for the renewed
11 permit shall be the same as for the original permit.

12 M. Notwithstanding the provisions of Section 1104 of this
13 title, of each fee charged pursuant to the provisions of subsections
14 J, K and L of this section:

15 1. Five Dollars and fifty cents (\$5.50) of a 4-year license or
16 Eleven Dollars (\$11.00) of an 8-year license shall be deposited to
17 the Trauma Care Assistance Revolving Fund created in Section 1-
18 2530.9 of Title 63 of the Oklahoma Statutes;

19 2. Six Dollars and seventy-five cents (\$6.75) of a 4-year
20 license or Thirteen Dollars and fifty cents (\$13.50) of an 8-year
21 license shall be deposited to the Department of Public Safety
22 Computer Imaging System Revolving Fund to be used solely for the
23 purpose of administration and maintenance of the computerized
24 imaging system of the Department through October 31, 2022.

1 Beginning November 1, 2022, Six Dollars and seventy-five cents
2 (\$6.75) of a 4-year license or Thirteen Dollars and fifty cents
3 (\$13.50) of an 8-year license shall be deposited to the Service
4 Oklahoma Computer Imaging System Revolving Fund to be used solely
5 for the purpose of administration and maintenance of the
6 computerized imaging system of Service Oklahoma;

7 3. Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars
8 (\$20.00) of an 8-year license shall be deposited to the Department
9 of Public Safety Revolving Fund for all original or renewal
10 issuances of licenses through October 31, 2022. Beginning November
11 1, 2022, Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars
12 (\$20.00) of an 8-year license shall be deposited to the Service
13 Oklahoma Revolving Fund for all original or renewal issuances of
14 licenses; and

15 4. Five Dollars (\$5.00) of a 4-year license or Six Dollars
16 (\$6.00) of an 8-year license shall be deposited to the State Public
17 Safety Fund created in Section 2-147 of this title.

18 N. All original and renewal driver licenses shall expire as
19 provided in Section 6-115 of this title.

20 O. 1. Through May 31, 2025, any person sixty-two (62) to
21 sixty-four (64) years of age during the calendar year of issuance or
22 renewal of a Class D license or motorcycle endorsement shall be
23 charged the following prorated fee:

24

	4-year	8-year
--	--------	--------

1	Age 62	\$21.25	\$42.50
2	Age 63	\$17.50	\$35.00
3	Age 64	\$13.75	\$27.50

4 2. Any person sixty-five (65) years of age or older during the
5 calendar year of issuance or renewal of a Class D license or
6 motorcycle endorsement shall not be charged a fee.

7 P. No person who has been honorably discharged from active
8 service in any branch of the Armed Forces of the United States or
9 Oklahoma National Guard and who has been certified by the United
10 States Department of Veterans Affairs, its successor or the Armed
11 Forces of the United States to be a disabled veteran in receipt of
12 compensation at the one-hundred-percent rate for a permanent
13 disability sustained through military action or accident resulting
14 from disease contracted while in such active service and registered
15 with the veterans registry created by the Oklahoma Department of
16 Veterans Affairs shall be charged a fee for the issuance,
17 replacement or renewal of an Oklahoma driver license; provided, that
18 if a veteran has been previously exempt from a fee pursuant to this
19 subsection, no registration with the veterans registry shall be
20 required.

21 Q. In accordance with the provisions of subsection G of this
22 section, Service Oklahoma is authorized to promulgate rules for the
23 issuance and renewal of driver licenses authorized pursuant to the
24 provisions of Sections 6-101 through 6-309 of this title; provided,

1 that no such rules applicable to the issuance or renewal of REAL ID
2 Noncompliant Driver Licenses shall create more stringent standards
3 than such rules applicable as of January 1, 2017, unless directly
4 related to a specific change in statutory law concerning standards
5 for REAL ID Noncompliant Driver Licenses. Applications, upon forms
6 approved by Service Oklahoma, for such licenses shall be handled, in
7 accordance with the provisions of subsection G of this section, by
8 the licensed operator; provided, Service Oklahoma is authorized to
9 assume these duties in any county of this state. Each licensed
10 operator accepting applications for driver licenses shall receive
11 Six Dollars (\$6.00) for a 4-year REAL ID Noncompliant Driver License
12 or Twelve Dollars (\$12.00) for an 8-year REAL ID Noncompliant Driver
13 License or Ten Dollars (\$10.00) for a 4-year REAL ID Compliant
14 Driver License or Twenty Dollars (\$20.00) for an 8-year REAL ID
15 Compliant Driver License to be deducted from the total collected for
16 each license or renewal application accepted through June 30, 2023.
17 Beginning July 1, 2022, and ending on June 30, 2023, each motor
18 license agent or licensed operator accepting applications for driver
19 licenses for individuals over the age of sixty-five (65) years or
20 for applications for drivers pursuant to subsection P of this
21 section shall receive Six Dollars (\$6.00) for a 4-year driver
22 license or Twelve Dollars (\$12.00) for an 8-year driver license to
23 be deducted daily by the motor license agent or licensed operator
24 receipts. Beginning July 1, 2023, these fees shall be retained by

1 the licensed operator pursuant to subsection E of Section 1141.1 of
2 this title. The fees received by the licensed operator, authorized
3 by this subsection, shall be used for operating expenses. The
4 amount retained pursuant to this subsection shall not be retained by
5 any state agency. The fees received by the licensed operator,
6 authorized by this subsection, shall be used for operating expenses.
7 For purposes of this subsection, "licensed operator" shall mean an
8 individual who obtains a license from the Service Oklahoma Operator
9 Board to operate a designated Service Oklahoma location and offers
10 third-party fulfillment of designated services to be rendered by
11 Service Oklahoma.

12 R. Notwithstanding the provisions of Section 1104 of this title
13 and subsection Q of this section and except as provided in
14 subsections H and M of this section, the first Sixty Thousand
15 Dollars (\$60,000.00) of all monies collected pursuant to this
16 section shall be paid by the Oklahoma Tax Commission to the State
17 Treasurer to be deposited in the General Revenue Fund of the State
18 Treasury.

19 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
20 collected pursuant to this section shall be paid by the Tax
21 Commission to the State Treasurer to be deposited each fiscal year
22 under the provisions of this section to the credit of the Department
23 of Public Safety Restricted Revolving Fund for the purpose of the
24 Oklahoma Law Enforcement Telecommunications System. All other

1 monies collected in excess of Five Hundred Sixty Thousand Dollars
2 (\$560,000.00) each fiscal year shall be apportioned as provided in
3 Section 1104 of this title, except as otherwise provided in this
4 section.

5 S. Service Oklahoma shall retain the images displayed on
6 licenses and identification cards issued pursuant to the provisions
7 of Sections 6-101 through 6-309 of this title which may be used
8 only:

9 1. By a law enforcement agency for purposes of criminal
10 investigations, missing person investigations or any law enforcement
11 purpose which is deemed necessary by the Commissioner of Public
12 Safety;

13 2. By the driver licensing agency of another state for its
14 official purpose; and

15 3. As provided in Section 2-110 of this title.

16 All agencies approved by the Oklahoma Law Enforcement
17 Telecommunications System (OLETS) or the National Law Enforcement
18 Telecommunications System (NLETS) to receive photographs or
19 computerized images may obtain them through OLETS or through NLETS.
20 Photographs or computerized images may be obtained by law
21 enforcement one inquiry at a time.

22 The computer system and related equipment acquired for this
23 purpose must conform to industry standards for interoperability and
24

1 open architecture. The Department of Public Safety may promulgate
2 rules to implement the provisions of this subsection.

3 T. No person may hold more than one state-issued or territory-
4 issued REAL ID Compliant Driver License or REAL ID Compliant
5 Identification Card from Oklahoma or any other state or territory.
6 Service Oklahoma shall not issue a REAL ID Compliant Driver License
7 to a person who has been previously issued a REAL ID Compliant
8 Driver License or REAL ID Compliant Identification Card until such
9 license or identification card has been surrendered to Service
10 Oklahoma by the applicant. Service Oklahoma may promulgate rules
11 related to the issuance of replacement REAL ID Compliant Driver
12 Licenses in the event of loss or theft.

13 U. Beginning May 24, 2021, and ending on June 30, 2023, in
14 addition to the amounts provided in subsection Q of this section, a
15 licensed operator shall receive Five Dollars (\$5.00) for each
16 processed application for a REAL ID Compliant 4-year Driver License
17 and Ten Dollars (\$10.00) for each processed application for a REAL
18 ID Compliant 8-year Driver License. Any additional amounts provided
19 pursuant to this subsection shall not be retained by Service
20 Oklahoma.

21 SECTION 35. REPEALER 47 O.S. 2021, Section 6-101, as
22 amended by Section 1, Chapter 263, O.S.L. 2022 (47 O.S. Supp. 2023,
23 Section 6-101), is hereby repealed.

24

1 SECTION 36. AMENDATORY 47 O.S. 2021, Section 6-102, as
2 amended by Section 10, Chapter 132, O.S.L. 2022 (47 O.S. Supp. 2023,
3 Section 6-102), is amended to read as follows:

4 Section 6-102. A. A nonresident who is sixteen (16) years of
5 age or older may operate a motor vehicle in this state as authorized
6 by the class, restrictions, and endorsements specified on the
7 license, if the nonresident is:

8 1. Properly licensed in the home state or country to operate a
9 commercial or noncommercial motor vehicle and who has immediate
10 possession of a valid driver license issued by the home state or
11 country; or

12 2. A member of the Armed Forces of the United States or the
13 spouse or dependent of such member who has been issued and is in
14 possession of a valid driver license issued by an overseas component
15 of the Armed Forces of the United States.

16 B. A resident who is at least fifteen (15) years of age may
17 operate a vehicle in this state without a driver license, if the
18 resident is:

19 1. Operating a vehicle pursuant to subsection B of Section 6-
20 105 of this title; or

21 2. Taking the driving skills examination as required by Section
22 6-110 of this title, when accompanied by a Driver License Examiner
23 of the ~~Department of Public Safety~~ Service Oklahoma or by a
24

1 designated examiner approved and certified by ~~the Department~~ Service
2 Oklahoma.

3 C. Any person, while in the performance of official duties, may
4 operate any class of motor vehicle if the person possesses any class
5 of valid Oklahoma driver license or a valid driver license issued by
6 another state, if the person is:

7 1. A member of the Armed Forces of the United States who is on
8 active duty;

9 2. A member of the military reserves, not including United
10 States reserve technicians;

11 3. A member of the National Guard who is on active duty
12 including National Guard military technicians;

13 4. A member of the National Guard who is on part-time National
14 Guard training including National Guard military technicians; or

15 5. A member of the United States Coast Guard who is on active
16 duty.

17 D. ~~The Commissioner of Public Safety~~ Director of Service
18 Oklahoma is hereby authorized to adopt rules as may be necessary to
19 enter into reciprocity agreements with foreign countries. The rules
20 shall specify that the driver license standards of the foreign
21 country shall be comparable to those of this state. The rules shall
22 also require foreign drivers, who are operating a motor vehicle in
23 Oklahoma under such a reciprocity agreement, to comply with the
24

1 compulsory motor vehicle liability insurance and financial
2 responsibility laws of this state.

3 E. When an automated driving system, as defined by Section 1701
4 of this title, installed on a motor vehicle is engaged, the
5 following shall apply:

6 1. The automated driving system is considered the driver or
7 operator, for the purpose of assessing compliance with applicable
8 traffic or motor vehicle laws, and shall be deemed to satisfy
9 electronically all physical acts required by a driver or operator of
10 the vehicle; and

11 2. The automated driving system is considered to be licensed to
12 operate the vehicle.

13 SECTION 37. REPEALER 47 O.S. 2021, Section 6-102, as
14 last amended by Section 39, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
15 2023, Section 6-102), is hereby repealed.

16 SECTION 38. AMENDATORY 47 O.S. 2021, Section 6-105, as
17 last amended by Section 1, Chapter 229, O.S.L. 2023 (47 O.S. Supp.
18 2023, Section 6-105), is amended to read as follows:

19 Section 6-105. A. Unless a legal custodial parent or legal
20 guardian has filed an objection to licensure pursuant to Section 6-
21 103.1 of this title, any person under eighteen (18) years of age may
22 be permitted to operate:

23 1. A Class D motor vehicle under the graduated driver license
24 provisions prescribed in subsections B through E of this section;

1 2. A motorcycle under the provisions prescribed in subsection H
2 of this section; or

3 3. A farm vehicle under the provisions prescribed in subsection
4 I of this section.

5 B. Any person who is at least fifteen (15) years of age may
6 drive during a session in which the driver is being instructed in a
7 driver education course, as set out in subparagraphs a, b, c, d and
8 e of paragraph 1 of subsection C of this section, by a certified
9 driver education instructor who is seated in the right front seat of
10 the motor vehicle.

11 C. Any person:

12 1. Who is at least fifteen and one-half (15 1/2) years of age
13 and is currently receiving instruction in or has successfully
14 completed driver education. For purposes of this section, the term
15 "driver education" shall mean:

16 a. a prescribed secondary school driver education course,
17 as provided for in Sections 19-113 through 19-121 of
18 Title 70 of the Oklahoma Statutes,

19 b. a driver education course, certified by ~~the Department~~
20 ~~of Public Safety~~ Service Oklahoma, from a parochial,
21 private, or other nonpublic secondary school,

22 c. a commercial driver training course, as defined by
23 Sections 801 through 808 of this title,
24

1 d. a parent-taught driver education course, certified by
2 Service Oklahoma, in conjunction with the Department
3 of Public Safety. ~~The Department~~ Service Oklahoma
4 shall promulgate rules for any parent-taught driver
5 education course, or

6 e. a driver education course certified by a state other
7 than Oklahoma; or

8 2. Who is at least sixteen (16) years of age,
9 may, upon successfully passing all parts of the driver license
10 examination administered by Service Oklahoma, or an approved written
11 examination proctor, except the driving examination, be issued a
12 learner permit which will grant the permittee the privilege to
13 operate a Class D motor vehicle upon the public highways only
14 between the hours of 5:00 a.m. and 10:00 p.m. and while accompanied
15 by a licensed driver who is at least twenty-one (21) years of age
16 and who is actually occupying a seat beside the permittee; provided,
17 the written examination for a learner permit may be waived by
18 Service Oklahoma upon verification that the person has successfully
19 completed driver education.

20 D. 1. Any person:

21 a. who has applied for, been issued, and has possessed a
22 learner permit for a minimum of ~~six (6) months~~ one
23 hundred eighty (180) days, and

1 b. whose custodial legal parent or legal guardian
2 certifies to Service Oklahoma by sworn affidavit that
3 the person has received a minimum of fifty (50) hours
4 of actual behind-the-wheel training, of which at least
5 ten (10) hours of such training was at night, from a
6 licensed driver who was at least twenty-one (21) years
7 of age and who was properly licensed to operate a
8 Class D motor vehicle for a minimum of two (2) years,
9 and

10 c. who has completed a free course approved by the
11 Oklahoma Department of Transportation on teen driver
12 work zone and first responder safety,

13 may be issued an intermediate Class D license upon successfully
14 passing all parts of the driver license examinations administered by
15 Service Oklahoma; provided, the written examination, if it has not
16 previously been administered or waived, may be waived by Service
17 Oklahoma upon verification that the person has successfully
18 completed driver education or the driving examination may be waived
19 by Service Oklahoma upon successful passage of the examination
20 administered by a certified designated examiner, as provided for in
21 Section 6-110 of this title. However, notwithstanding the date of
22 issuance of the learner permit, if the person has been convicted of
23 a traffic offense which is reported on the driving record of that
24 person, the time period specified in subparagraph a of this

1 paragraph shall be recalculated to begin from the date of conviction
2 for the traffic offense, and must elapse before that person may be
3 issued an intermediate Class D license. If the person has been
4 convicted of more than one traffic offense which is reported on the
5 driving record of that person, the time period specified in
6 subparagraph a of this paragraph shall be recalculated to begin from
7 the most recent date of conviction, and must elapse before that
8 person may be issued an intermediate Class D license.

9 2. A person who has been issued an intermediate Class D license
10 under the provisions of this subsection:

11 a. shall be granted the privilege to operate a Class D
12 motor vehicle upon the public highways:

13 (1) only between the hours of 5:00 a.m. and 10:00
14 p.m., except for driving to and from work,
15 school, school activities, and church activities,
16 or

17 (2) at any time, if a licensed driver who is at least
18 twenty-one (21) years of age is actually
19 occupying a seat beside the intermediate Class D
20 licensee, or if the intermediate Class D licensee
21 is a farm or ranch resident, and is operating a
22 motor vehicle while engaged in farming or
23 ranching operations outside the limits of a
24 municipality, or driving to and from work,

1 school, school activities, or church activities,
2 and

3 b. shall not operate a motor vehicle with more than one
4 passenger unless:

5 (1) all passengers live in the same household as the
6 custodial legal parent or legal guardian, or

7 (2) a licensed driver at least twenty-one (21) years
8 of age is actually occupying a seat beside the
9 intermediate Class D licensee.

10 E. Any person who has been issued an intermediate Class D
11 license for a minimum of:

12 1. One (1) year; or

13 2. ~~Six (6) months~~ One hundred eighty (180) days, if the person
14 has completed both the driver education and the parent-certified
15 behind-the-wheel training provisions of subparagraph b of paragraph
16 1 of subsection D of this section,
17 may be issued a Class D license. However, notwithstanding the date
18 of issuance of the Class D license, if the person has been convicted
19 of a traffic offense which is reported on the driving record of that
20 person, the time periods specified in paragraph 1 or 2 of this
21 subsection, as applicable, shall be recalculated to begin from the
22 date of conviction for the traffic offense, and must elapse before
23 that person may be issued a Class D license. If the person has been
24 convicted of more than one traffic offense which is reported on the

1 driving record of that person, the time periods specified in
2 paragraph 1 or 2 of this subsection, as applicable, shall be
3 recalculated to begin from the most recent date of conviction, and
4 must elapse before that person may be issued a Class D license.

5 F. Learner permits and intermediate Class D licenses shall be
6 issued for the same period as all other driver licenses. The
7 licenses may be suspended or canceled at the discretion of the
8 Department, with notice to Service Oklahoma for violation of
9 restrictions, for failing to give the required or correct
10 information on the application, for knowingly giving false or
11 inaccurate information on the application or any subsequent
12 documentation related to the granting of driving privileges, for
13 using a hand-held electronic device while operating a motor vehicle
14 for non-life-threatening emergency purposes or for violation of any
15 traffic laws of this state pertaining to the operation of a motor
16 vehicle.

17 G. Service Oklahoma shall promulgate rules establishing
18 procedures for removal of learner permit and intermediate Class D
19 license restrictions from the permit or license upon the permittee
20 or licensee qualifying for a less restricted or an unrestricted
21 license.

22 H. Any person fourteen (14) years of age or older may apply for
23 a restricted Class D license with a motorcycle-only restriction.
24 After the person has successfully passed all parts of the motorcycle

1 examination other than the driving examination, has successfully
2 completed a certified state-approved motorcycle basic rider course
3 approved by the Department of Public Safety, in conjunction with
4 Service Oklahoma, and has met all requirements provided for in the
5 rules of the Department and Service Oklahoma, Service Oklahoma shall
6 issue to the person a restricted Class D license with a motorcycle-
7 only restriction which shall grant to the person, while having the
8 license in the person's immediate possession, the privilege to
9 operate a motorcycle or motor-driven cycle:

10 1. With a piston displacement not to exceed three hundred ~~(300)~~
11 cubic centimeters (300 cc) or a sixteen and eight-tenths (16.8)
12 kilowatt electric power source;

13 2. Between the hours of 4:30 a.m. to 9:00 p.m. only;

14 3. While wearing approved protective headgear; and

15 4. While accompanied by and receiving instruction from any
16 person who is at least twenty-one (21) years of age and who is
17 properly licensed pursuant to the laws of this state to operate a
18 motorcycle or motor-driven cycle, and who has visual contact with
19 the restricted licensee.

20 The restricted licensee may apply on or after thirty (30) days
21 from date of issuance of the restricted Class D license with a
22 motorcycle-only restriction to have the restriction of being
23 accompanied by a licensed driver removed by successfully completing
24 the driving portion of an examination.

1 The written examination and driving examination for a restricted
2 Class D license with a motorcycle-only endorsement shall be waived
3 by Service Oklahoma upon verification that the person has
4 successfully completed a certified state-approved motorcycle basic
5 rider course approved by the Department and Service Oklahoma.

6 I. 1. Any person who is less than seventeen (17) years of age
7 but is at least fourteen (14) years of age and who resides upon a
8 farm in this state or is employed for compensation upon a farm in
9 this state may apply to Service Oklahoma for a farm permit
10 authorizing such person, while possessing the permit, to operate any
11 Class D motor vehicle.

12 2. a. A farm permit shall entitle the licensee, who is at
13 least fourteen (14) years of age but less than sixteen
14 (16) years of age, to operate the appropriate motor
15 vehicles at any time:

- 16 (1) while going to or from or in connection with any
17 farm job, employment, or other farm-related work,
- 18 (2) on days while school is in session, over the most
19 direct and accessible route between the
20 licensee's residence and school of enrollment for
21 the purpose of school attendance; provided, that
22 the privilege shall only extend to those
23 licensees who reside on a farm and commute

24

1 directly from their place of residence to the
2 school in which they are enrolled, or

3 (3) when the licensee is operating a passenger car at
4 any time when accompanied by an adult who is the
5 holder of a valid commercial driver license,
6 Class A, B, C, or D driver license and who is
7 actually occupying a seat beside the driver.

8 b. For a period of six (6) months, a farm permit shall
9 entitle the licensee who is at least sixteen (16)
10 years of age to operate the appropriate motor vehicles
11 at any time:

12 (1) from 5:00 a.m. to 9:00 p.m.,

13 (2) while going to or from or in connection with any
14 farm job, employment, or other farm-related work,

15 (3) while going to or from authorized school
16 activities,

17 (4) while going directly to or from any religious
18 worship service held by a religious organization,
19 or

20 (5) while the licensee is operating a passenger car
21 at any time while accompanied by an adult who is
22 the holder of a valid commercial driver license,
23 Class A, B, or C driver license, and who is
24 actually occupying a seat beside the driver.

1 After such six-month period, if the licensee has complied with the
2 provisions of this subsection, such farm permit shall entitle the
3 licensee to operate the appropriate motor vehicles at any time
4 without the restrictions required by this subsection.

5 3. A farm permit shall be issued only if:

6 a. the applicant can prove that such applicant resides or
7 works on a farm by submitting the signed affidavit of
8 either a parent or guardian stating that the applicant
9 lives on a farm,

10 b. the applicant has successfully completed the
11 examination requirements in Section 6-110 of this
12 title, and

13 c. the applicant does not live on a farm but works on a
14 farm and the applicant submits the signed affidavit of
15 the applicant's employer and parent or guardian
16 attesting to such employment.

17 4. Any licensee issued a farm permit under this subsection:

18 a. who is less than sixteen (16) years of age shall not
19 operate any motor vehicle with nonsibling minor
20 passengers,

21 b. who is at least sixteen (16) years of age, for a
22 period of six (6) months after reaching sixteen (16)
23 years of age, shall not operate any motor vehicle with
24 more than one passenger who is less than eighteen (18)

1 years of age and who is not a member of the licensee's
2 immediate family, or

3 c. who is at least fourteen (14) years of age, but less
4 than sixteen (16) years of age, shall not operate any
5 motor vehicle on interstate or turnpike highway
6 systems, nor shall a licensee operate a motor vehicle
7 within the limits of a city with a population in
8 excess of one hundred thousand (100,000) persons
9 according to the latest Federal Decennial Census.

10 Any conviction for violating this paragraph shall be construed as a
11 moving traffic violation. Service Oklahoma may, in its discretion,
12 suspend the permit of an individual for violation of this paragraph.

13 5. Any licensee issued a farm permit under this subsection
14 shall not operate a wireless communication device while driving a
15 motor vehicle, except that a licensee may operate a wireless
16 communication device while driving a motor vehicle to report illegal
17 activity or to summon medical or other emergency help.

18 6. As used in this subsection, "farm" means any parcel of land
19 for which the owner has an agricultural exemption permit issued by
20 the Oklahoma Tax Commission.

21 7. a. A farm permit issued under this subsection is subject
22 to suspension or revocation in the same manner as any
23 other driver license.

1 b. A farm permit may be suspended in accordance with
2 Section 6-113 of this title for any violation of
3 restrictions under this subsection.

4 c. Service Oklahoma shall suspend the farm permit upon
5 receiving satisfactory evidence that the licensee has
6 been involved in two or more accidents chargeable to
7 the licensee and such suspended license shall not be
8 reinstated for one (1) year.

9 8. Any licensee issued a farm permit under this subsection
10 shall provide, prior to reaching sixteen (16) years of age, a signed
11 affidavit of either a parent or guardian stating that the applicant
12 has completed at least fifty (50) hours of adult-supervised driving
13 with at least ten (10) of those hours being at night. The adult-
14 supervised driving required by this paragraph shall be conducted by
15 an adult who is at least twenty-one (21) years of age and is the
16 holder of a valid commercial driver license, Class A, B, C, or D
17 driver license. Evidence of failure of any licensee who was
18 required to complete the fifty (50) hours of adult-supervised
19 driving under this subsection shall not be admissible in any action
20 for the purpose of determining any aspect of comparative negligence
21 or mitigation of damages.

22 9. Any licensee issued a farm permit under this subsection who:

23 a. is under sixteen (16) years of age and is convicted of
24 two or more moving traffic violations committed on

1 separate occasions shall not be eligible to receive a
2 driver license which is not restricted, in accordance
3 with the provisions of subparagraph a of paragraph 2
4 of this subsection, until the person reaches seventeen
5 (17) years of age,

6 b. is at least sixteen (16) years of age but less than
7 seventeen (17) years of age and is convicted of two or
8 more moving traffic violations committed on separate
9 occasions shall not be eligible to receive a driver
10 license which is not restricted, in accordance with
11 the provisions of subparagraph b of paragraph 2 of
12 this subsection, until the person reaches eighteen
13 (18) years of age, or

14 c. fails to provide the affidavit required under
15 paragraph 8 of this subsection shall not be eligible
16 to receive a driver license which is not restricted,
17 in accordance with the provisions of subparagraph a of
18 paragraph 2 of this subsection, until the person
19 provides such affidavit to Service Oklahoma or the
20 person reaches seventeen (17) years of age, whichever
21 occurs first.

22 J. As used in this section:

23 1. "Hand-held electronic device" means a mobile telephone or
24 electronic device with which a user engages in a telephone call,

1 plays or stores media, including but not limited to music and video,
2 or sends or reads a text message while requiring the use of at least
3 one hand; and

4 2. "Using a hand-held electronic device" means engaging any
5 function on an electronic device.

6 K. All driver education courses provided for in paragraph 1 of
7 subsection C of this section shall include education regarding the
8 dangers of texting while driving and the effects of being under the
9 influence of alcohol or other intoxicating substance while driving.

10 SECTION 39. REPEALER 47 O.S. 2021, Section 6-105, as
11 last amended by Section 1, Chapter 55, O.S.L. 2023 (47 O.S. Supp.
12 2023, Section 6-105), is hereby repealed.

13 SECTION 40. REPEALER 47 O.S. 2021, Section 6-105, as
14 last amended by Section 5, Chapter 169, O.S.L. 2023 (47 O.S. Supp.
15 2023, Section 6-105), is hereby repealed.

16 SECTION 41. REPEALER 47 O.S. 2021, Section 6-105, as
17 last amended by Section 14, Chapter 310, O.S.L. 2023 (47 O.S. Supp.
18 2023, Section 6-105), is hereby repealed.

19 SECTION 42. AMENDATORY 47 O.S. 2021, Section 6-105.3, as
20 amended by Section 44, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023,
21 Section 6-105.3), is amended to read as follows:

22 Section 6-105.3. A. In addition to the licenses to operate
23 motor vehicles, Service Oklahoma may issue cards to Oklahoma
24 residents for purposes of identification only. The identification

1 cards shall be issued, renewed, replaced, canceled and denied in the
2 same manner as driver licenses in this state. A licensee whose
3 record reflects a notation of the person's proof of legal presence,
4 verified by the U.S. Department of Homeland Security, or proof of
5 U.S. citizenship, may obtain a REAL ID Compliant Identification Card
6 or a Noncompliant Identification Card from a licensed operator or
7 Service Oklahoma, regardless of the status of the license held by
8 the licensee. Provided, the licensee must comply with all REAL ID
9 documentation requirements to obtain a REAL ID Compliant
10 Identification Card. A person shall not apply for or possess more
11 than one state-issued or territory-issued REAL ID Compliant
12 Identification Card pursuant to the provisions of Section 6-101 of
13 this title.

14 The application for an identification card by any person under
15 the age of eighteen (18) years shall be signed and verified by a
16 custodial legal parent or legal guardian, either in person before a
17 person authorized to administer oaths or electronically if
18 completing an online application, or a notarized affidavit signed by
19 a custodial legal parent or legal guardian submitted before a person
20 authorized to administer oaths by the person under the age of
21 eighteen (18) years with the application. Except as otherwise
22 provided in this section, the identification cards shall be valid
23 for a period of either four (4) years from the month of issuance or
24 eight (8) years from the month of issuance; however, the

1 identification cards issued to persons sixty-five (65) years of age
2 or older shall be valid indefinitely from the month of issuance.

3 B. 1. The Department of Corrections shall coordinate with
4 Service Oklahoma to provide REAL ID Noncompliant Identification
5 Cards to all inmates who do not have a current state-issued
6 identification card or driver license upon their release from
7 custody. The identification cards shall be issued, replaced,
8 canceled and denied in the same manner as driver licenses in this
9 state.

10 2. ~~If an inmate is unable to provide a valid identification~~
11 ~~document and no other form of identification is available,~~ Service
12 Oklahoma shall allow the use of a certified copy of a birth
13 certificate coupled with a Department of Corrections-issued
14 consolidated record card to serve as a valid form of photo
15 identification ~~document~~ documentation to obtain a REAL ID
16 Noncompliant Identification Card.

17 3. REAL ID Noncompliant Identification Cards issued with a
18 consolidated record card from the Department of Corrections for
19 inmates shall be valid for a period of four (4) years from the month
20 of issuance for an allowable fee to be determined by Service
21 Oklahoma and are nonrenewable and nontransferable.

22 4. The fee charged for the issuance or replacement of a REAL ID
23 Noncompliant Identification Card pursuant to this subsection shall
24 be deposited in the Department of Public Safety Revolving Fund

1 through October 31, 2022. Beginning November 1, 2022, this fee
2 shall be deposited in the Service Oklahoma Revolving Fund.
3 Provided, however, REAL ID Noncompliant Identification Cards issued
4 to individuals required to register pursuant to the Sex Offenders
5 Registration Act shall only be valid for a period of one (1) year.
6 No person sixty-five (65) years of age or older shall be charged a
7 fee for a REAL ID Noncompliant Identification Card.

8 5. Service Oklahoma is authorized to promulgate rules and
9 procedures to implement the provisions of this subsection.

10 C. No person shall hold more than one state-issued or
11 territory-issued REAL ID Compliant Driver License or REAL ID
12 Compliant Identification Card, as defined in subsection G of Section
13 6-101 of this title. Service Oklahoma shall not issue a REAL ID
14 Compliant Identification Card to any applicant who has been
15 previously issued a REAL ID Compliant Driver License or REAL ID
16 Compliant Identification Card unless such license or identification
17 card has been surrendered to the Department by the applicant.
18 Service Oklahoma may promulgate rules related to the issuance of
19 replacement REAL ID Compliant Identification Cards in the event of
20 loss or theft.

21 D. The fee charged for the issuance or renewal of a REAL ID
22 Compliant Identification Card shall be Twenty-five Dollars (\$25.00)
23 for a 4-year card and Fifty Dollars (\$50.00) for an 8-year card.
24 The fee charged for the issuance or renewal of a REAL ID

1 Noncompliant Identification Card pursuant to this section shall be
2 Twenty-five Dollars (\$25.00) for a 4-year card and Fifty Dollars
3 (\$50.00) for an 8-year card; however, no person sixty-five (65)
4 years of age or older, or one hundred percent (100%) disabled
5 veteran described in subsection P of Section 6-101 of this title
6 shall be charged a fee for an identification card. Of each fee
7 charged pursuant to the provisions of this subsection:

8 1. Seven Dollars (\$7.00) of a 4-year card and Fourteen Dollars
9 (\$14.00) of an 8-year card shall be apportioned as provided in
10 Section 1104 of this title;

11 2. Three Dollars (\$3.00) of a 4-year card and Six Dollars
12 (\$6.00) of an 8-year card shall be credited to the Department of
13 Public Safety Computer Imaging System Revolving Fund to be used
14 solely for the purpose of the administration and maintenance of the
15 computerized imaging system of the Department through October 31,
16 2022. Beginning November 1, 2022, Three Dollars (\$3.00) of a 4-year
17 card and Six Dollars (\$6.00) of an 8-year card shall be credited to
18 the Service Oklahoma Computer Imaging System Revolving Fund to be
19 used solely for the purpose of administration and maintenance of the
20 computerized imaging system of Service Oklahoma;

21 3. Ten Dollars (\$10.00) of a 4-year card and Twenty Dollars
22 (\$20.00) of an 8-year card shall be deposited in the Department of
23 Public Safety Revolving Fund through October 31, 2022. Beginning
24

1 November 1, 2022, this fee shall be deposited in the Service
2 Oklahoma Revolving Fund;

3 4. Three Dollars (\$3.00) of a 4-year card and Six Dollars
4 (\$6.00) of an 8-year card shall be deposited to the State Public
5 Safety Fund created in Section 2-147 of this title; and

6 5. Two Dollars (\$2.00) for a 4-year card and Four Dollars
7 (\$4.00) for an 8-year card of the fee authorized by this subsection
8 related to the issuance or renewal of an identification card by a
9 licensed operator that does process approved applications or
10 renewals for REAL ID Compliant and REAL ID Noncompliant Driver
11 Licenses or Identification Cards shall be retained by the licensed
12 operator pursuant to subsection E of Section 1141.1 of this title.

13 E. The fee charged for replacement of a REAL ID Compliant
14 Identification Card, or REAL ID Noncompliant Identification Card,
15 shall be Twenty-five Dollars (\$25.00); however, no person sixty-five
16 (65) years of age or older shall be charged a fee for an
17 identification card replacement. Of each fee charged pursuant to
18 the provisions of this subsection:

19 1. Seven Dollars (\$7.00) shall be apportioned as provided in
20 Section 1104 of this title;

21 2. Three Dollars (\$3.00) shall be credited to the Department of
22 Public Safety Computer Imaging System Revolving Fund to be used
23 solely for the purpose of the administration and maintenance of the
24 computerized imaging system of the Department through October 31,

1 2022. Beginning November 1, 2022, Three Dollars (\$3.00) shall be
2 credited to the Service Oklahoma Computer Imaging System Revolving
3 Fund to be used solely for the purpose of administration and
4 maintenance of the computerized imaging system of Service Oklahoma;

5 3. Ten Dollars (\$10.00) shall be deposited in the Department of
6 Public Safety Revolving Fund through October 31, 2022. Beginning
7 November 1, 2022, this fee shall be deposited in the Service
8 Oklahoma Revolving Fund;

9 4. Three Dollars (\$3.00) shall be deposited to the State Public
10 Safety Fund created in Section 2-147 of this title; and

11 5. Two Dollars (\$2.00) of the fee authorized by this subsection
12 related to the replacement of an identification card by a licensed
13 operator that does process approved applications or renewals for
14 REAL ID Compliant or REAL ID Noncompliant Driver Licenses or
15 Identification Cards shall be retained by the licensed operator
16 pursuant to subsection E of Section 1141.1 of this title.

17 F. The Oklahoma Tax Commission is hereby authorized to
18 reimburse, from funds available to that agency, each licensed
19 operator issuing an identification card to a person sixty-five (65)
20 years of age or older, an amount not to exceed One Dollar (\$1.00)
21 for each card or driver license so issued through June 30, 2023.
22 The Tax Commission shall develop procedures for claims for
23 reimbursement.

24

1 G. Notwithstanding any other provision of law, when a person
2 makes application for a new identification card, or makes
3 application to renew an identification card, and the person has been
4 convicted of, or received a deferred judgment for, any offense
5 required to register pursuant to the Sex Offenders Registration Act,
6 the identification card shall be valid for a period of one (1) year
7 from the month of issuance, but may be renewed yearly during the
8 time the person is subject to registration on the Sex Offender
9 Registry. The cost for such identification card shall be the same
10 as for other identification cards and renewals.

11 H. Nothing in this section requires or authorizes the
12 Department of Public Safety to issue a REAL ID Noncompliant
13 Identification Card without the documentation required by the
14 provisions of paragraph 9 of subsection A of Section 6-103 of this
15 title.

16 SECTION 43. REPEALER 47 O.S. 2021, Section 6-105.3, as
17 last amended by Section 6, Chapter 47, 1st Extraordinary Session,
18 O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-105.3), is hereby
19 repealed.

20 SECTION 44. AMENDATORY 47 O.S. 2021, Section 6-110, as
21 last amended by Section 1, Chapter 82, O.S.L. 2023 (47 O.S. Supp.
22 2023, Section 6-110), is amended to read as follows:

23 Section 6-110. A. 1. Service Oklahoma shall establish
24 procedures to ensure every applicant for an original Class A, B, C

1 or D license and for any endorsements thereon is examined by Service
2 Oklahoma, or an approved written examination proctor, except as
3 otherwise provided in Section 6-101 et seq. of this title or as
4 provided in paragraph 2 of this subsection or in subsections D and E
5 of this section. Service Oklahoma is authorized to approve and
6 enter into agreements with third parties to act as approved written
7 examination proctors with regard to any written examination required
8 by this section. The examination shall include a test of the
9 applicant's:

- 10 a. eyesight,
- 11 b. ability to read and understand highway signs
12 regulating, warning and directing traffic,
- 13 c. knowledge of the traffic laws of this state including
14 a portion on bicycle and motorcycle safety, and
- 15 d. ability, by actual demonstration, to exercise ordinary
16 and reasonable control in the operation of a motor
17 vehicle. The actual demonstration shall be conducted
18 in the type of motor vehicle for the class of driver
19 license being applied for.

20 The Department of Public Safety, in conjunction with Service
21 Oklahoma, may create a knowledge test that may be taken on the
22 Internet by an applicant applying for a Class D license.

23
24

1 Any licensee seeking to apply for a driver license of another class
2 which is not covered by the licensee's current driver license shall
3 be considered an applicant for an original license for that class.

4 2. Service Oklahoma shall have the authority to waive the
5 requirement of any part of the examination required in paragraph 1
6 of this subsection for those applicants whose driving record meets
7 the standards set by the Department of Public Safety and surrender
8 either of the following:

9 a. a valid unexpired driver license issued by any state
10 or country for the same type or types of vehicles, or

11 b. an expired driver license that:

12 (1) is not expired more than six (6) months past the
13 expiration date listed on the driver license, and

14 (2) is not a Class A, B or C commercial driver
15 license or commercial driver license permit.

16 3. Service Oklahoma shall accept skills test results from
17 another state for Class A, B or C license applicants who have
18 successfully completed commercial motor vehicle driver training in
19 that state and successfully passed the skills test in that state;
20 provided, Service Oklahoma shall not accept skills test results from
21 another state when the applicant has not successfully completed
22 commercial motor vehicle driver training in that state. Nothing in
23 this section shall be construed to prohibit Service Oklahoma from
24

1 administering the skills test to any applicant who has successfully
2 completed commercial vehicle driver training in another state.

3 4. All applicants requiring a hazardous materials endorsement
4 shall be required, for the renewal of the endorsement, to
5 successfully complete the examination and to submit to a security
6 threat assessment performed by the Transportation Security
7 Administration of the Department of Homeland Security as required by
8 and pursuant to 49 C.F.R., Part 1572, which shall be used to
9 determine whether the applicant is eligible for renewal of the
10 endorsement pursuant to federal law and regulation.

11 5. Service Oklahoma, or an approved written examination
12 proctor, shall give the complete examination as provided for in this
13 section within thirty (30) days from the date the application is
14 received, and the examination shall be given at a location within
15 one hundred (100) miles of the residence of the applicant. Service
16 Oklahoma shall make every effort to make the examination locations
17 and times convenient for applicants. Service Oklahoma shall
18 consider giving the examination at any public or private site, if
19 economically feasible and practicable, and if Service Oklahoma and
20 the owner or the governing body agree.

21 B. Any person holding a valid Oklahoma Class D license or
22 provisional driver license pursuant to Section 6-212 of this title
23 and applying for a Class A, B or C commercial license shall be
24 required to successfully complete all examinations as required for

1 the specified class. Failure to submit to Service Oklahoma
2 federally required medical certification information pursuant to 49
3 C.F.R., Part 391.41 et seq. shall result in an automatic downgrade
4 of a commercial license to a Class D license. Provided, however,
5 once the required medical certification information has been
6 received by Service Oklahoma, the license shall be reinstated to the
7 classification of the commercial license prior to the downgrade and
8 the holder of such a license shall not be required to reapply.

9 C. Except as provided in subsection E of Section 6-101 of this
10 title, any person holding a valid Oklahoma Class A, B or C
11 commercial license shall, upon time for renewal thereof, be entitled
12 to a Class D license without any type of testing or examination,
13 except for any endorsements thereon as otherwise provided for by
14 Section 6-110.1 of this title.

15 D. 1. Any certified driver education instructor who is
16 currently an operator or an employee of a commercial driver training
17 school in this state or any driver education instructor employed by
18 any school district in this state shall be eligible to apply to be a
19 designated examiner of Service Oklahoma for the purposes of
20 administering the Class D driving skills portion of the Oklahoma
21 driving examination to any person who has been issued a learner
22 permit.

23 2. The Department of Public Safety, in conjunction with Service
24 Oklahoma, shall adopt a curriculum of required courses and training

1 to be offered to applicants who are qualified to apply to be a
2 designated examiner. The courses and training for certification
3 shall meet the same standards as required for driver examiners of
4 Service Oklahoma.

5 3. Each person applying to be a designated examiner shall be
6 required to pay an initial designated examiner certification fee of
7 One Thousand Dollars (\$1,000.00). Upon successful completion of
8 training prescribed by paragraph 2 of this subsection, the person
9 shall be required to pay an annual designated examiner certification
10 fee of Five Hundred Dollars (\$500.00). If an applicant for the
11 designated examiner program is employed by an Oklahoma public school
12 system that offers driver education, and he or she administers the
13 skills test only to students enrolled in a public school driver
14 education program, the certification fee may be waived by Service
15 Oklahoma. Each designated examiner certification shall expire on
16 the last day of the calendar year and may be renewed upon
17 application to Service Oklahoma. The designated examiner
18 certification fees collected by Service Oklahoma pursuant to this
19 subsection shall be deposited to the credit of the Department of
20 Public Safety Restricted Revolving Fund to be used for the purposes
21 of this subsection, through October 31, 2022. Beginning November 1,
22 2022, the designated examiner certification fees collected by
23 Service Oklahoma pursuant to this subsection shall be deposited to
24 the credit of the Service Oklahoma Revolving Fund. No designated

1 examiner certification fee shall be refunded in the event that
2 certification is denied, suspended or revoked.

3 4. A designated examiner may charge a fee for each Class D
4 driving skills examination given, whether the person being examined
5 passes or fails the examination.

6 5. Service Oklahoma shall ~~conduct an annual complete nationwide~~
7 ~~criminal history background check on~~ require each designated
8 examiner and a ~~complete nationwide criminal history background check~~
9 ~~on each designated examiner applicant~~ and driver education
10 instructor applicant to submit to an electronic national criminal
11 history record check pursuant to Section 150.9 of Title 74 of the
12 Oklahoma Statutes. The fees for the ~~background~~ record check shall
13 be borne by the designated examiner, ~~or~~ designated examiner
14 applicant, driver education instructor, or driver education
15 instructor applicant.

16 6. The Department of Public Safety, in conjunction with Service
17 Oklahoma, shall promulgate rules to implement and administer the
18 provisions of this subsection.

19 E. 1. Upon application and approval of Service Oklahoma, any
20 public or private commercial truck driving school that has or
21 maintains a program instructing students for a Class A, B or C
22 license, public transit agency, state, county or municipal
23 government agency in this state, such as local school districts, the
24 Oklahoma Department of Career and Technology Education, or

1 institutions of higher education, or a private entity, shall be
2 authorized to hire or employ designated examiners approved by
3 Service Oklahoma to be third-party examiners of the Class A, B or C
4 driving skills portion and/or knowledge written portion, pursuant to
5 paragraph A of this section, of the Oklahoma driving examination.
6 All designated examiners must successfully have completed the
7 courses and training as outlined in paragraph 2 of this subsection.
8 Service Oklahoma shall be required to approve at least one public
9 transit agency that has or maintains a program instructing students
10 for a Class A, B or C license to hire or employ third-party
11 examiners pursuant to this section. It shall be permissible for any
12 public transit agency operating in the State of Oklahoma to utilize
13 the third-party examiners hired or employed by a public transit
14 agency approved by Service Oklahoma.

15 2. The Department of Public Safety, in conjunction with Service
16 Oklahoma, shall adopt a curriculum of required courses and training
17 to be offered to third-party examiners. The courses and training
18 for certification shall meet the same standards as required for
19 commercial driver examiners of Service Oklahoma.

20 3. Service Oklahoma shall require each third-party examiner
21 applicant and commercial school driver education instructor
22 applicant to submit to an electronic national criminal history
23 record check pursuant to Section 150.9 of Title 74 of the Oklahoma
24 Statutes. On or before December 1, 2022, Service Oklahoma shall

1 require each third-party examiner or commercial school driver
2 education instructor to submit to an electronic national criminal
3 history record check pursuant to Section 150.9 of Title 74 of the
4 Oklahoma Statutes. The fees for the background check shall be borne
5 by the third-party examiner, third-party examiner applicant,
6 commercial school driver education instructor or commercial school
7 driver education instructor applicant.

8 F. Service Oklahoma shall promulgate rules to:

9 1. Implement and administer the provisions of this section
10 based on requirements set forth in Section 383.75 of Title 49 of the
11 Code of Federal Regulations;

12 2. Establish a process to inform any school, public transit
13 agency, examiner, or state, county or municipal government agency,
14 who has been denied, within forty-five (45) days from the denial;

15 3. Create an appeal process for any school, public transit
16 agency, examiner, or state, county or municipal government agency
17 denied; and

18 4. If the initial application for approval was denied, limit
19 the number of times an individual school, public transit agency,
20 individual examiner applicant, or state, county or municipal
21 government agency may reapply in a calendar year to two
22 reapplications.

23

24

1 SECTION 45. REPEALER 47 O.S. 2021, Section 6-110, as
2 last amended by Section 15, Chapter 310, O.S.L. 2023 (47 O.S. Supp.
3 2023, Section 6-110), is hereby repealed.

4 SECTION 46. AMENDATORY 47 O.S. 2021, Section 6-111, as
5 last amended by Section 16, Chapter 310, O.S.L. 2023 (47 O.S. Supp.
6 2023, Section 6-111), is amended to read as follows:

7 Section 6-111. A. 1. Service Oklahoma shall, upon payment of
8 the required fee, issue to every applicant qualifying therefor a
9 Class A, B, C or D driver license or identification card as applied
10 for, which license or card shall bear thereon a distinguishing
11 alphanumeric identification assigned to the licensee or cardholder,
12 date of issuance and date of expiration of the license or card, the
13 full legal name, signature or computerized signature, date of birth,
14 residence address, unless specified as an exception in the Code of
15 Federal Regulations per 6 C.F.R., Section 37.17, sex, a computerized
16 color image of the licensee or cardholder taken in accordance with
17 Service Oklahoma rules and security features as determined by
18 Service Oklahoma. The image shall depict a full front unobstructed
19 view of the entire face of the licensee or cardholder; provided, a
20 commercial learner permit shall not bear the image of the licensee.
21 When any person is issued both a driver license and an
22 identification card, Service Oklahoma shall ensure the information
23 on both the license and the card are the same, unless otherwise
24 provided by law.

1 2. A driver license or identification card issued by Service
2 Oklahoma on or after March 1, 2004, shall bear thereon the county of
3 residence of the licensee or cardholder.

4 3. Service Oklahoma may cancel the distinguishing number, when
5 that distinguishing number is another person's Social Security
6 number, assign a new distinguishing alphanumeric identification, and
7 issue a new license or identification card without charge to the
8 licensee or cardholder.

9 4. Service Oklahoma may promulgate rules for inclusion of the
10 height and a brief description of the licensee or cardholder on the
11 face of the card or license identifying the licensee or cardholder
12 as deaf or hard-of-hearing.

13 5. It is unlawful for any person to apply, adhere, or otherwise
14 attach to a driver license or identification card any decal,
15 sticker, label, or other attachment. Any law enforcement officer is
16 authorized to remove and dispose of any unlawful decal, sticker,
17 label, or other attachment from the driver license of a person. The
18 law enforcement officer, the employing agency of the officer,
19 Service Oklahoma, and the State of Oklahoma shall be immune from any
20 liability for any loss suffered by the licensee, cardholder, or the
21 owner of the decal, sticker, label, or other attachment caused by
22 the removal and destruction of the decal, sticker, label, or other
23 attachment.

24

1 6. Service Oklahoma may develop by rule a procedure which
2 complies with the provisions of subsection G of Section 6-101 of
3 this title whereby a person may apply for a renewal or replacement
4 Oklahoma Class D license or Oklahoma identification card.

5 B. 1. Service Oklahoma may issue or authorize the issuance of
6 a temporary permit or license to an applicant for a driver license
7 permitting such applicant to operate a motor vehicle while Service
8 Oklahoma is completing its investigation and determination of all
9 facts relative to such applicant's privilege to receive a license,
10 or while a permanent driver license is being produced and delivered
11 to the applicant. Such permit or license must be in the immediate
12 possession of the driver while operating a motor vehicle, and it
13 shall be invalid when the applicant's permanent driver license has
14 been issued and delivered or for good cause has been refused.

15 2. Service Oklahoma may issue or authorize the issuance of a
16 temporary identification card to an applicant, permitting the holder
17 the privileges otherwise granted by identification cards, while a
18 permanent driver license is being provided and delivered to the
19 applicant. Such card shall be invalid when the applicant's
20 permanent identification card has been issued and delivered, or for
21 good cause has been refused.

22 C. 1. Service Oklahoma may issue a restricted commercial
23 driver license to drivers eighteen (18) years of age or older for
24 any of the following specific farm-related service industries:

- 1 a. farm retail outlets and suppliers,
- 2 b. agri-chemical businesses,
- 3 c. custom harvesters, and
- 4 d. livestock feeders.

5 The applicant shall have held a valid driver license for at
6 least one year. Applicants with more than two (2) years of driving
7 experience shall have a good driving record for the most recent two
8 (2) year period and shall meet all the requirements for a commercial
9 driver license. The restricted commercial driver license shall not
10 exceed the maximum total days that federal law allows. Applicants
11 for the restricted commercial driver license shall be exempt from
12 the knowledge and skills test. Application of the restricted
13 commercial driver license does not have to be used in consecutive
14 days. The use of the permit shall be declared at application.

15 2. A "good driving record" as used in this subsection shall
16 mean an applicant:

- 17 a. has not had more than one license,
- 18 b. has not had any license suspended, revoked, or
19 canceled,
- 20 c. has not had any conviction for any type of
21 disqualifying offenses or serious traffic violations,
22 or
- 23 d. has not had any conviction for a violation of state or
24 local law relating to motor vehicle traffic control,

1 other than a parking violation, arising in connection
2 with any traffic accident and has no record of an
3 accident in which they are at fault.

4 3. The restricted commercial driver license shall not be valid
5 for operators of commercial motor vehicles beyond one hundred fifty
6 (150) miles from the place of business or the farm currently being
7 served. Such license shall be limited to Class B or C vehicles.
8 Holders of such licenses who transport hazardous materials which are
9 required to be placarded shall be limited to the following:

- 10 a. diesel fuel in quantities of one thousand (1,000)
11 gallons or less,
12 b. liquid fertilizers in vehicles with total capacities
13 of three thousand (3,000) gallons or less, and
14 c. solid fertilizers that are not mixed with any organic
15 substance.

16 No other placarded hazardous materials shall be transported by
17 holders of such licenses.

18 D. Service Oklahoma may issue a non-domiciled commercial
19 learner permit or a non-domiciled commercial driver license ~~to:~~

20 ~~1. An H2A Temporary Agricultural worker lawfully present in the~~
21 ~~United States as indicated on an original, valid and unexpired I-94~~
22 ~~immigration status document issued by the United States Customs and~~
23 ~~Immigration Service; and~~

1 ~~2. A J-1 Exchange Visitor Program participant lawfully present~~
2 ~~in the United States as indicated on a valid and unexpired J-1~~
3 ~~Visitor Visa issued by the United States Customs and Immigration~~
4 ~~Service and who is enrolled in an agricultural education training~~
5 ~~program.~~

6 A person applying for such permit or license must comply with
7 all testing and licensing requirements in accordance with applicable
8 federal regulations, state laws and Service Oklahoma rules. The
9 issued license shall be valid until the expiration of the visa for
10 the non-domiciled worker. Service Oklahoma may promulgate rules for
11 the implementation of the process to carry out the provisions of
12 this section.

13 E. 1. Service Oklahoma shall develop a procedure whereby a
14 person applying for an original, renewal or replacement Class A, B,
15 C or D driver license or identification card who is required to
16 register as a convicted sex offender with the Department of
17 Corrections pursuant to the provisions of the Sex Offenders
18 Registration Act and who the Department of Corrections designates as
19 an aggravated or habitual offender pursuant to subsection J of
20 Section 584 of Title 57 of the Oklahoma Statutes shall be issued a
21 license or card bearing the words "Sex Offender".

22 2. Service Oklahoma shall notify every person subject to
23 registration under the provisions of Section 1-101 et seq. of this
24 title who holds a current Class A, B, C or D driver license or

1 identification card that such person is required to surrender the
2 license or card to Service Oklahoma within one hundred eighty (180)
3 days from the date of the notice.

4 3. Upon surrendering the license or card for the reason set
5 forth in this subsection, application may be made with Service
6 Oklahoma for a replacement license or card bearing the words "Sex
7 Offender".

8 4. Failure to comply with the requirements set forth in such
9 notice shall result in cancellation of the person's license or card.
10 Such cancellation shall be in effect for one (1) year, after which
11 time the person may make application with Service Oklahoma for a new
12 license or card bearing the words "Sex Offender". Continued use of
13 a canceled license or card shall constitute a misdemeanor and shall,
14 upon conviction thereof, be punishable by a fine of not less than
15 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars
16 (\$200.00). When an individual is no longer required to register as
17 a convicted sex offender with the Department of Corrections pursuant
18 to the provisions of the Sex Offenders Registration Act, the
19 individual shall be eligible to receive a driver license or
20 identification card which does not bear the words "Sex Offender".

21 F. Nothing in subsection E of this section shall be deemed to
22 impose any liability upon or give rise to a cause of action against
23 any employee, agent or official of the Department of Corrections for
24 failing to designate a sex offender as an aggravated or habitual

1 offender pursuant to subsection J of Section 584 of Title 57 of the
2 Oklahoma Statutes.

3 G. A person subject to an order for the installation of an
4 ignition interlock device shall be required by Service Oklahoma to
5 submit his or her driver license for a replacement. The replacement
6 driver license shall bear the words "Interlock Required" and such
7 designation shall remain on the driver license for the duration of
8 the order requiring the ignition interlock device. The replacement
9 license shall be subject to the same expiration and renewal
10 procedures provided by law. Upon completion of the requirements for
11 the interlock device, a person may apply for a replacement driver
12 license.

13 H. Service Oklahoma shall develop a procedure whereby a person
14 applying for an original, renewal or replacement Class D driver
15 license who has been granted modified driving privileges under this
16 title shall be issued a Class D driver license which identifies the
17 license as a modified license.

18 SECTION 47. REPEALER 47 O.S. 2021, Section 6-111, as
19 amended by Section 1, Chapter 200, O.S.L. 2022 (47 O.S. Supp. 2023,
20 Section 6-111), is hereby repealed.

21 SECTION 48. REPEALER 47 O.S. 2021, Section 6-111, as
22 last amended by Section 1, Chapter 152, O.S.L. 2023 (47 O.S. Supp.
23 2023, Section 6-111), is hereby repealed.

24

1 SECTION 49. AMENDATORY 47 O.S. 2021, Section 6-205.2, as
2 last amended by Section 2, Chapter 409, O.S.L. 2022 (47 O.S. Supp.
3 2023, Section 6-205.2), is amended to read as follows:

4 Section 6-205.2. A. As used in this section:

5 1. "Conviction" means:

- 6 a. a nonvacated adjudication of guilt,
- 7 b. a determination that a person has violated or failed
8 to comply with this section in any court or by ~~the~~
9 ~~Department of Public Safety~~ Service Oklahoma following
10 an administrative determination,
- 11 c. a nonvacated forfeiture of bail or collateral
12 deposited to secure a person's appearance in court,
- 13 d. a plea of guilty or nolo contendere accepted by the
14 court,
- 15 e. the payment of any fine or court costs, or
- 16 f. a violation of a condition of release without bail,
17 regardless of whether or not the penalty is rebated,
18 suspended or probated;

19 2. "Tribe" means a federally recognized Indian tribe within the
20 geographic boundaries of this state; and

21 3. "Qualified court" means those tribal court systems that have
22 adopted the Tribal Law and Order Act of 2010.

23 B. ~~The Department of Public Safety~~ Service Oklahoma shall
24 disqualify any person from operating a Class A, B or C commercial

1 motor vehicle for a period of not less than one (1) year upon
2 receiving a record of conviction of any of the following
3 disqualifying offenses, when the conviction has become final:

4 1. Driving, operating or being in actual physical control of a
5 Class A, B or C commercial motor vehicle while having a blood or
6 breath alcohol concentration, as defined in Section 756 of this
7 title, or as defined by the state in which the arrest occurred, of
8 four-hundredths (0.04) or more;

9 2. Refusing to submit to a test for determination of alcohol
10 concentration, as required by Section 751 of this title, or as
11 required by the state in which the arrest occurred, while operating
12 a Class A, B or C commercial motor vehicle, or if the person is the
13 holder of a commercial driver license, committing the offense while
14 operating any vehicle;

15 3. Driving or being in actual physical control of a Class A, B
16 or C commercial motor vehicle while under the influence of alcohol
17 or any other intoxicating substance or the combined influence of
18 alcohol and any other intoxicating substance, or if the person is
19 the holder of a commercial driver license, committing the offense
20 while operating any vehicle. Provided, ~~the Department~~ Service
21 Oklahoma shall not additionally disqualify, pursuant to this
22 subsection, if the person's driving privilege has been disqualified
23 in this state because of a test result or test refusal pursuant to
24

1 paragraph 1 or 2 of this subsection as a result of the same
2 violation arising from the same incident;

3 4. Knowingly leaving the scene of a collision which occurs
4 while operating a Class A, B or C commercial motor vehicle, or if
5 the person is the holder of a commercial driver license, committing
6 the offense while operating any vehicle;

7 5. Any felony during the commission of which a Class A, B or C
8 commercial motor vehicle is used, except a felony involving the
9 manufacture, distribution or dispensation of a controlled dangerous
10 substance, or if the person is the holder of a commercial driver
11 license, committing the offense while operating any vehicle;

12 6. Operating a commercial motor vehicle while the commercial
13 driving privilege is revoked, suspended, canceled, denied, or
14 disqualified;

15 7. Manslaughter homicide, or negligent homicide occurring as a
16 direct result of negligent operation of a commercial motor vehicle,
17 or, if the person is the holder of a commercial driver license,
18 committing the offense while operating any vehicle;

19 8. Fraud related to examination for or issuance of a commercial
20 learner permit or a Class A, B or C driver license; or

21 9. Failure to submit to skills or knowledge reexamination, or
22 both, for the purpose of issuance of a commercial learner permit or
23 a Class A, B or C driver license within thirty (30) days of receipt
24 of notification from the Department.

1 C. ~~The Department of Public Safety~~ Service Oklahoma shall
2 disqualify any person from operating a Class A, B or C commercial
3 motor vehicle for a period of not less than three (3) years upon
4 receiving a record of conviction of any of the disqualifying
5 offenses described in subsection B of this section, committed in
6 connection with the operation of a motor vehicle which is required
7 to be placarded for hazardous materials under 49 C.F.R., Part 172,
8 subpart F, when the conviction has become final.

9 D. ~~The Department of Public Safety~~ Service Oklahoma shall
10 disqualify any person from operating a Class A, B or C commercial
11 motor vehicle for life upon receiving a record of conviction in any
12 court of any of the disqualifying offenses described in subsection B
13 of this section after a former conviction of any of the following
14 disqualifying offenses, when the second conviction has become final.

15 ~~The Department of Public Safety~~ Service Oklahoma may promulgate
16 rules establishing conditions under which a disqualification for
17 life pursuant to the provisions of this subsection may be reduced to
18 a period of not less than ten (10) years provided a previous
19 lifetime disqualification has not been reduced.

20 E. ~~The Department of Public Safety~~ Service Oklahoma shall
21 disqualify any person from operating a Class A, B or C commercial
22 motor vehicle for life upon receiving a record of conviction for any
23 felony related to the manufacture, distribution or dispensation of a
24 controlled dangerous substance in the commission of which a Class A,

1 B or C commercial motor vehicle is used, or if the person is the
2 holder of a commercial driver license, committing the offense while
3 operating any vehicle, when the conviction has become final, or for
4 a felony conviction of human trafficking while operating a
5 commercial motor vehicle, when the conviction has become final.

6 F. ~~The Department of Public Safety~~ Service Oklahoma shall
7 disqualify any person from operating a Class A, B or C commercial
8 motor vehicle for sixty (60) days upon receiving a record of a
9 second conviction of the person for a serious traffic offense
10 arising out of separate transactions or occurrences within a three-
11 year period, when the convictions have become final. ~~The Department~~
12 ~~of Public Safety~~ Service Oklahoma shall disqualify any person from
13 operating a Class A, B or C commercial motor vehicle for one hundred
14 twenty (120) days upon receiving a record of a third conviction of a
15 person for a serious traffic offense arising out of separate
16 transactions or occurrences within a three-year period, when the
17 convictions have become final; provided, the one-hundred-twenty-day
18 period shall run in addition to and shall not run concurrently with
19 any other period disqualification imposed pursuant to this
20 subsection. As used in this subsection, "serious traffic offense"
21 shall mean any of the following offenses committed while operating a
22 commercial motor vehicle:

- 23 1. Speeding fifteen (15) miles per hour or more over the limit;
- 24 2. Reckless driving;

1 3. Any traffic offense committed that results in or in
2 conjunction with a motor vehicle collision resulting in a fatality;

3 4. Erratic or unsafe lane changes;

4 5. Following too closely;

5 6. Failure to obtain a commercial driver license;

6 7. Failure to have in possession of the person a commercial
7 driver license;

8 8. Failure to have:

9 a. the proper class of commercial driver license for the
10 class of vehicle being operated,

11 b. the proper endorsement or endorsements for the type of
12 vehicle being operated, including, but not limited to,
13 passengers or type of cargo being transported, or

14 c. both proper class and proper endorsement, as provided
15 in subparagraphs a and b of this paragraph;

16 9. Operating a commercial motor vehicle while using a cellular
17 telephone or electronic communication device to write, send or read
18 a text-based communication; or

19 10. Operating a commercial motor vehicle while using a hand-
20 held mobile telephone.

21 For the purposes of paragraphs 9 and 10 of this subsection,
22 operating a commercial motor vehicle and using an electronic
23 communication device or a hand-held mobile telephone is permissible
24 by the operator when necessary to communicate with law enforcement

1 officials or other emergency services. Further, for the purposes of
2 paragraphs 9 and 10 of this subsection, "operate" means operating on
3 a street or highway including while temporarily stationary because
4 of traffic, a traffic control device or other momentary delays.
5 Operating does not include when the driver of a commercial motor
6 vehicle has moved the vehicle to the side of or off a street or
7 highway and has halted in a location where the vehicle can safely
8 remain stationary.

9 G. Upon the receipt of a person's record of conviction of
10 violating a lawful out-of-service order, when the conviction becomes
11 final ~~the Department~~ Service Oklahoma shall disqualify the driving
12 privilege of the person as follows:

13 1. For a first conviction for violating an out-of-service
14 order:

15 a. except as provided in subparagraph b of this
16 paragraph, the period of disqualification shall be for
17 one hundred eighty (180) days, or

18 b. while transporting hazardous materials required to be
19 placarded under the Hazardous Materials Transportation
20 Act, ~~49 P. app. 180-1813~~ 49 U.S.C.A. Section 5103 et
21 seq., or while operating a motor vehicle designed for
22 transport of sixteen (16) or more passengers,
23 including the driver, the period of disqualification
24 shall be for one (1) year;

1 2. For a second conviction within ten (10) years for violating
2 an out-of-service order:

3 a. except as provided in subparagraph b of this
4 paragraph, the period of disqualification shall be for
5 two (2) years, or

6 b. while transporting hazardous materials required to be
7 placarded under the Hazardous Materials Transportation
8 Act, ~~49 P. app. 180-1813~~ 49 U.S.C.A. Section 5103 et
9 seq., or while operating a motor vehicle designed for
10 transport of sixteen (16) or more passengers,
11 including the driver, the period of disqualification
12 shall be for three (3) years; and

13 3. For a third or subsequent conviction within ten (10) years
14 for violating an out-of-service order, the period of
15 disqualification shall be for three (3) years.

16 H. Upon determination by ~~the Department~~ Service Oklahoma that
17 fraudulent information was used to apply for or obtain a Class A, B
18 or C driver license, ~~the Department~~ Service Oklahoma shall
19 disqualify the driving privilege of the applicant or licensee for a
20 period of sixty (60) days.

21 I. Any person who drives a Class A, B or C commercial motor
22 vehicle on any public roads, streets, highways, turnpikes or any
23 other public place of this state at a time when the person has been
24 disqualified or when the privilege to do so is canceled, denied,

1 suspended or revoked shall be guilty of a misdemeanor and upon
2 conviction shall be punished by a fine of not less than One Hundred
3 Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00),
4 or by imprisonment for not more than one (1) year, or by both such
5 fine and imprisonment. Each act of driving as prohibited shall
6 constitute a separate offense.

7 J. Upon the receipt of the record of a conviction of a person
8 of a railroad highway grade crossing offense in a commercial motor
9 vehicle, pursuant to Sections 11-701 or 11-702 of this title or
10 Section 11-1115 of this title, or upon receipt of an equivalent
11 conviction from any state, when the conviction becomes final, ~~the~~
12 ~~Department~~ Service Oklahoma shall disqualify the driving privileges
13 of the person convicted as follows:

14 1. The first conviction shall result in disqualification for
15 sixty (60) days;

16 2. The second conviction within three (3) years shall result in
17 disqualification for one hundred twenty (120) days; and

18 3. The third or subsequent conviction within three (3) years
19 shall result in disqualification for one (1) year.

20 K. ~~The Department~~ Service Oklahoma, upon receipt of a written
21 notice of immediate disqualification issued by the Federal Motor
22 Carrier Safety Administration under 49 CFR 383.52, shall immediately
23 disqualify the person's commercial driving privilege for the period
24 of time specified on the written notice.

1 L. The periods of disqualification as defined by this section
2 shall not be modified. A person may not be granted driving
3 privileges to operate a Class A, B or C commercial vehicle until the
4 disqualification is reinstated.

5 M. When any record of conviction, as specified in this section,
6 is received by the Department and pertains to a nonresident operator
7 of a Class A, B or C commercial motor vehicle, or if the nonresident
8 operator is the holder of a commercial driver license, a record of
9 the conviction pertaining to the nonresident operator of any
10 vehicle, ~~the Department~~ Service Oklahoma shall not disqualify the
11 person and shall report the conviction to the licensing jurisdiction
12 in which the license of the nonresident to operate the commercial
13 vehicle was issued.

14 N. Any person who is disqualified from driving under the
15 provisions of this section shall have the right of appeal, as
16 provided in Section 6-211 of this title.

17 SECTION 50. REPEALER 47 O.S. 2021, Section 6-205.2, as
18 amended by Section 1, Chapter 175, O.S.L. 2022 (47 O.S. Supp. 2023,
19 Section 6-205.2), is hereby repealed.

20 SECTION 51. REPEALER 47 O.S. 2021, Section 6-205.2, as
21 last amended by Section 68, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
22 2023, Section 6-205.2), is hereby repealed.

23
24

1 SECTION 52. REPEALER 47 O.S. 2021, Section 6-211, as
2 amended by Section 72, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023,
3 Section 6-211), is hereby repealed.

4 SECTION 53. AMENDATORY 47 O.S. 2021, Section 156, as
5 last amended by Section 1, Chapter 272, O.S.L. 2023 (47 O.S. Supp.
6 2023, Section 156), is amended to read as follows:

7 Section 156. A. Unless otherwise provided for by law, no state
8 board, commission, department, institution, official, or employee,
9 except the following, shall purchase any passenger automobile or bus
10 with public funds:

- 11 1. The Department of Public Safety;
- 12 2. The Department of Human Services;
- 13 3. The State Department of Rehabilitation Services;
- 14 4. The Department of Wildlife Conservation;
- 15 5. The Department of Corrections;
- 16 6. The State Department of Education;
- 17 7. The Oklahoma School of Science and Mathematics;
- 18 8. The Oklahoma State Bureau of Narcotics and Dangerous Drugs
19 Control;
- 20 9. The Oklahoma State Bureau of Investigation;
- 21 10. The Transportation Commission;
- 22 11. The Oklahoma Department of Agriculture, Food, and Forestry;
- 23 12. The State Department of Health;
- 24

- 1 13. The Department of Mental Health and Substance Abuse
2 Services;
- 3 14. The J.D. McCarty Center for Children with Developmental
4 Disabilities;
- 5 15. The Military Department of the State of Oklahoma;
- 6 16. The Oklahoma Tourism and Recreation Department;
- 7 17. The Oklahoma Conservation Commission;
- 8 18. The Oklahoma Water Resources Board;
- 9 19. The Department of Mines;
- 10 20. The Office of Juvenile Affairs;
- 11 21. The Oklahoma Department of Veterans Affairs;
- 12 22. The Oklahoma Supreme Court;
- 13 23. The District Attorneys Council and Oklahoma district
14 attorneys, provided adequate funding exists;
- 15 24. The Oklahoma Boll Weevil Eradication Organization;
- 16 25. The Oklahoma Horse Racing Commission; ~~and~~
- 17 26. The Council on Law Enforcement Education and Training; and
- 18 27. The Office of the Attorney General.
- 19 B. 1. The Oklahoma School for the Deaf at Sulphur, the
20 Oklahoma School for the Blind at Muskogee, and any state institution
21 of higher education may purchase, own, or keep if now owned, or
22 acquire by lease or gift, and use and maintain such station wagons,
23 automobiles, trucks, or buses as are reasonably necessary for the
24 implementation of the educational programs of said institutions.

1 2. No bus operated, owned, or used by such educational
2 institutions shall be permitted to carry any person other than
3 students, faculty members, employees, or volunteers of such
4 institutions. The provisions of this section shall not be construed
5 to prohibit:

6 a. the operation of intracampus buses or buses routed
7 directly between portions of the campus of any
8 institution not adjacent to each other, nor to
9 prohibit the collection of fares from such students,
10 faculty members, or employees of such institutions,
11 sufficient in amount to cover the reasonable cost of
12 such transportation, or

13 b. the Oklahoma School for the Blind or the Oklahoma
14 School for the Deaf from entering into agreements with
15 local public school districts pursuant to the
16 Interlocal Cooperation Act for the mutual use of the
17 schools' and the districts' vehicles. Such use may
18 include, but is not limited to, the transportation of
19 students from local school districts with students
20 from the Oklahoma School for the Blind or the Oklahoma
21 School for the Deaf in vehicles owned by the Oklahoma
22 School for the Blind or the Oklahoma School for the
23 Deaf when traveling to school-related activities.

1 C. The J.D. McCarty Center for Children with Developmental
2 Disabilities, the Oklahoma Department of Libraries, the Oklahoma
3 Department of Veterans Affairs, and the Oklahoma Veterans Centers
4 may own and maintain such passenger vehicles as those institutions
5 have acquired prior to May 1, 1981.

6 D. The use of station wagons, automobiles, and buses, other
7 than as provided for in this section, shall be permitted only upon
8 written request for such use by heads of departments of the
9 institution, approved in writing by the president of said
10 institution or by some administrative official of said institution
11 authorized by the president to grant said approval. Such use shall
12 be permitted only for official institutional business or activities
13 connected therewith. Such use shall be subject to the provisions of
14 Section 156.1 of this title forbidding personal use of such
15 vehicles, and to the penalties therein declared.

16 E. Any person convicted of violating the provisions of this
17 section shall be guilty of a misdemeanor and shall be punished by
18 fine or imprisonment, or both, as provided for in Section 156.1 of
19 this title.

20 F. For the purpose of this section and Section 156.3 of this
21 title, a station wagon is classified as a passenger automobile and
22 may not be purchased solely for the use of transporting property.
23 Such vehicles shall include, but not be limited to, all vehicles
24 which have no separate luggage compartment or trunk but which do not

1 have open beds, whether the same are called station wagons, vans,
2 suburbans, town and country, blazers, or any other names. All state
3 boards, commissions, departments, and institutions may own and
4 maintain station wagons purchased solely for the purpose of
5 transporting property if acquired prior to July 1, 1985.

6 G. The provisions of this section and Section 156.1 of this
7 title shall not apply to public officials who are statewide elected
8 commissioners.

9 SECTION 54. REPEALER 47 O.S. 2021, Section 156, as
10 amended by Section 2, Chapter 174, O.S.L. 2023 (47 O.S. Supp. 2023,
11 Section 156), is hereby repealed.

12 SECTION 55. AMENDATORY 47 O.S. 2021, Section 156.1, as
13 last amended by Section 21, Chapter 310, O.S.L. 2023 (47 O.S. Supp.
14 2023, Section 156.1), is amended to read as follows:

15 Section 156.1. A. It shall be unlawful for any state official,
16 officer or employee, except any essential employees approved by the
17 Governor and those officers or employees authorized in subsection B
18 of this section, to ride to or from the place of residence of the
19 employee in a state-owned or state-leased automobile, truck or
20 pickup, except in the performance of the official duty of the
21 employee, or to use or permit the use of any such automobile, truck,
22 ambulance or pickup for other personal or private purposes. Any
23 person convicted of violating the provisions of this section shall
24 be guilty of a misdemeanor and shall be punished by a fine of not

1 more than One Hundred Dollars (\$100.00) or by imprisonment in the
2 county jail for a period to not exceed thirty (30) days, or by both
3 said fine and imprisonment, and in addition thereto, shall be
4 discharged from state employment.

5 B. 1. Any state employee, other than the individuals provided
6 for in paragraph 2 of this subsection and any employee of the
7 Department of Public Safety who is a wrecker inspector or auditor of
8 the Wrecker Services Division as provided for in paragraph 3 of this
9 subsection, who receives emergency telephone calls regularly at the
10 residence of the employee when the employee is not on duty and is
11 regularly called upon to use a vehicle after normal work hours in
12 response to such emergency calls, may be permitted to use a vehicle
13 belonging to the state to provide transportation between the
14 residence of the employee and the assigned place of employment,
15 provided such distance does not exceed seventy-five (75) miles in
16 any round trip or is within the county where the assigned place of
17 employment is located. Provided further, an employee may be
18 permitted to use a state-owned or state-leased vehicle to provide
19 temporary transportation between a specific work location other than
20 the assigned place of employment and the residence of the employee,
21 if such use shall result in a monetary saving to the agency, and
22 such authorization shall not be subject to the distance or area
23 restrictions provided for in this paragraph. Authorization for
24 temporary use of a state-owned or state-leased vehicle for a

1 specific project shall be in writing stating the justification for
2 this use and the saving expected to result. Such authorization
3 shall be valid for not to exceed sixty (60) days. Any state entity
4 other than law enforcement that avails itself of this provision
5 shall keep a monthly record of all participating employees, the
6 number of emergency calls received and the number of times that a
7 state vehicle was used in the performance of such emergency calls.

8 2. Any employee of the Department of Public Safety, Oklahoma
9 Department of Corrections, Office of the Attorney General, Oklahoma
10 State Bureau of Narcotics and Dangerous Drugs Control, Oklahoma
11 State Bureau of Investigation, Alcoholic Beverage Laws Enforcement
12 Commission, Oklahoma Horse Racing Commission, Oklahoma Department of
13 Agriculture, Food, and Forestry, Office of the Inspector General
14 within the Department of Human Services or Office of the State Fire
15 Marshal, who is a law enforcement officer or criminalist, Public
16 Information officer, Special Investigator or Assistant Director of
17 the Oklahoma State Bureau of Investigation, the Executive Director
18 of CLEET, CLEET-certified Investigator for a state board or any
19 employee of a district attorney who is a law enforcement officer,
20 may be permitted to use a state-owned or state-leased vehicle to
21 provide transportation between the residence of the employee and the
22 assigned place of employment and between the residence and any
23 location other than the assigned place of employment to which the
24

1 employee travels in the performance of the official duty of the
2 employee.

3 3. Any employee of the Department of Public Safety who is a
4 wrecker inspector or auditor of the Wrecker Services Division, or a
5 noncommissioned pilot may be permitted, as determined by the
6 Commissioner, to use a state-owned or state-leased vehicle to
7 provide transportation between the residence of the employee and the
8 assigned place of employment and between the residence and any
9 location other than the assigned place of employment to which the
10 employee travels in the performance of the official duty of the
11 employee.

12 4. The Director, department heads and other essential employees
13 of the Department of Wildlife Conservation, as authorized by the
14 Wildlife Conservation Commission, may be permitted to use a state-
15 owned or state-leased vehicle to provide transportation between the
16 residence of the employee and the assigned place of employment and
17 between the residence and any location other than the assigned place
18 of employment to which the employee travels in the performance of
19 the official duty of the employee.

20 5. The Director, department heads, emergency responders and
21 other essential employees of the Department of Corrections, as
22 authorized by the Director, may be permitted to use a state-owned or
23 state-leased vehicle to provide transportation between the residence
24 of the employee and the assigned place of employment and between the

1 residence and any location other than the assigned place of
2 employment to which the employee travels in the performance of the
3 official duty of the employee.

4 6. Designated Examiner Auditors, Designated Examiner
5 Supervisors, Commercial Driver License Examiners, Commercial Driver
6 License Auditors, Commercial Driver License Supervisors, and Driver
7 License Supervisors, as an employee of Service Oklahoma may be
8 permitted, as determined by the Director of Service Oklahoma, to use
9 a state-owned or state-leased vehicle to provide transportation
10 between the residence of the employee and the assigned place of
11 employment and between the residence and any location other than the
12 assigned place.

13 7. The Attorney General, division heads, emergency responders,
14 agents, assistant attorneys general, and other essential employees
15 of the Office of the Attorney General, as authorized by the Attorney
16 General, may be permitted to use a state-owned or state-leased
17 vehicle to provide transportation between the residence of the
18 employee and the assigned place of employment and between the
19 residence and any location other than the assigned place of
20 employment to which the employee travels in the performance of the
21 official duty of the employee.

22 C. The principal administrator of the state agency with which
23 the employee is employed shall so designate the status of the
24 employee in writing or provide a copy of the temporary authorization

1 to the Governor, the President Pro Tempore of the Senate and the
2 Speaker of the House of Representatives. Such employee status
3 report shall also be provided to the State Fleet Manager of the
4 Division of Fleet Management if the motor vehicle for emergency use
5 is provided by said Division.

6 SECTION 56. REPEALER 47 O.S. 2021, Section 156.1, as
7 amended by Section 3, Chapter 174, O.S.L. 2023 (47 O.S. Supp. 2023,
8 Section 156.1), is hereby repealed.

9 SECTION 57. REPEALER 47 O.S. 2021, Section 156.1, as
10 last amended by Section 2, Chapter 272, O.S.L. 2023 (47 O.S. Supp.
11 2023, Section 156.1), is hereby repealed.

12 SECTION 58. AMENDATORY 47 O.S. 2021, Section 584, as
13 last amended by Section 4, Chapter 192, O.S.L. 2022 (47 O.S. Supp.
14 2023, Section 584), is amended to read as follows:

15 Section 584. A. The Oklahoma Used Motor Vehicle ~~and Parts,~~
16 Dismantler, and Manufactured Housing Commission may deny an
17 application for a license, impose a fine not to exceed One Thousand
18 Dollars (\$1,000.00) per occurrence and/or revoke or suspend a
19 license after it has been granted, when any provision of Sections
20 581 through 588 of this title is violated or for any of the
21 following reasons:

22 1. On satisfactory proof of unfitness of the applicant or the
23 licensee, as the case may be, under the standards established by
24 Sections 581 through 588 of this title;

1 2. For fraud practices or any material misstatement made by an
2 applicant in any application for license under the provisions of
3 Sections 581 through 588 of this title;

4 3. For any willful failure to comply with any provision of
5 Section 581 et seq. of this title or with any rule promulgated by
6 the Commission under authority vested in it by Sections 581 through
7 588 of this title;

8 4. Change of condition after license is granted resulting in
9 failure to maintain the qualifications for license;

10 5. Continued or flagrant violation of any of the rules of the
11 Commission;

12 6. Being a used motor vehicle dealer, a used motor vehicle
13 salesperson, a wholesale used motor vehicle dealer, or a
14 manufactured home dealer, a restricted manufactured home park
15 dealer, a manufactured home installer, a manufactured home
16 salesperson or a manufactured home manufacturer who:

17 a. resorts to or uses any false or misleading advertising
18 in connection with business as a used motor vehicle
19 dealer, wholesale used motor vehicle dealer or a
20 restricted manufactured home park dealer or
21 manufactured home dealer, installer or manufacturer,

22 b. has committed any unlawful act which resulted in the
23 revocation of any similar license in another state,
24

- 1 c. has been convicted of a felony crime that
2 substantially relates to the occupation of a used
3 motor vehicle dealer, a wholesale used motor vehicle
4 dealer, a manufactured home dealer, a restricted
5 manufactured home park dealer, a manufactured home
6 installer or a manufactured home manufacturer and
7 poses a reasonable threat to public safety,
- 8 d. has committed a fraudulent act in selling, purchasing
9 or otherwise dealing in motor vehicles or manufactured
10 homes or has misrepresented the terms and conditions
11 of a sale, purchase or contract for sale or purchase
12 of a motor vehicle or manufactured home or any
13 interest therein including an option to purchase such
14 motor vehicles or manufactured homes,
- 15 e. has engaged in business under a past or present
16 license issued pursuant to Sections 581 through 588 of
17 this title, in such a manner as to cause injury to the
18 public or to those with whom the licensee is dealing,
- 19 f. has failed to meet or maintain the conditions and
20 requirements necessary to qualify for the issuance of
21 a license,
- 22 g. has failed or refused to furnish and keep in force any
23 bond required under Sections 581 through 588 of this
24 title,

1 h. has installed or attempted to install a manufactured
2 home in an unworkmanlike manner, or

3 i. employs a person in connection with the sale of
4 manufactured homes without first obtaining a
5 certificate of registration for the person;

6 7. Being a used motor vehicle dealer who:

7 a. does not have an established place of business,

8 b. employs a person in connection with the sale of used
9 vehicles without first obtaining a certificate of
10 registration for the person,

11 c. fails or refuses to furnish or keep in force single
12 limit liability insurance on any vehicle offered for
13 sale and otherwise required under the financial
14 responsibility laws of this state, or

15 d. is not operating from the address shown on the license
16 if this change has not been reported to the
17 Commission; or

18 8. Being a manufactured home dealer or a restricted
19 manufactured home park dealer who:

20 a. does not have an established place of business,

21 b. fails or refuses to furnish or keep in force garage
22 liability and completed operations insurance, or
23
24

1 c. is not operating from the address shown on the license
2 if this change has not been reported to the
3 Commission.

4 B. 1. The Commission shall deny an application for a license,
5 or revoke or suspend a license after it has been granted, if a
6 manufactured home dealer does not meet the following guidelines and
7 restrictions:

8 a. a display area for manufactured homes which is easily
9 accessible, with sufficient parking for the public,

10 b. an office for conducting business where the books,
11 records, and files are kept, with access to a restroom
12 for the public,

13 c. a place of business which meets all zoning, occupancy
14 and other requirements of the appropriate local
15 government and regular occupancy by a person, firm, or
16 corporation engaged in the business of selling
17 manufactured homes, and

18 d. a place of business which is separate and apart from
19 any other dealer's location.

20 2. The Commission shall deny an application for a restricted
21 manufactured home park dealer license, or revoke or suspend a
22 license after it has been granted, if a manufactured home park
23 dealer does not satisfy the following guidelines and restrictions:
24

- a. only mobile or manufactured homes that are "ready for occupancy" are sold or offered for sale,
- b. maintains an office for conducting business where the books, records, and files are kept, with access to a restroom for the public,
- c. maintains a place of business which meets all zoning, occupancy and other requirements of the appropriate local government and regular occupancy by a person, firm or corporation engaged in the business of selling manufactured homes inside a park, and
- d. maintains a place of business which is separate and apart from any other dealer's location.

C. The Commission shall deny an application for a license, or revoke or suspend a license after it has been granted, if a manufactured home installer:

1. Installs or attempts to install a manufactured home in a manner that is not in compliance with installation standards as set by the Commission pursuant to rule; or
2. Violates or fails to comply with any applicable rule as promulgated by the Commission concerning manufactured home installers.

D. The Commission shall deny an application for a license, or revoke or suspend a license after it has been granted, if a manufactured home manufacturer violates or fails to comply with any

1 applicable rule as promulgated by the Commission concerning
2 manufactured home manufacturers.

3 E. The Commission shall deny an application for a license by a
4 motor vehicle manufacturer or factory if the application is for the
5 purpose of selling used motor vehicles to any retail consumer in the
6 state, other than through its retail franchised dealers, or acting
7 as a broker between a seller and a retail buyer. This subsection
8 does not prohibit a manufacturer from selling used motor vehicles
9 where the retail customer is a nonprofit organization or a federal,
10 state, or local government or agency. This subsection does not
11 prohibit a manufacturer from providing information to a consumer for
12 the purpose of marketing or facilitating the sale of used motor
13 vehicles or from establishing a program to sell or offer to sell
14 used motor vehicles through the manufacturer's retail franchised
15 dealers as provided for in Sections 561 through 580.2 of this title.
16 This subsection shall not prevent a factory from obtaining a
17 wholesale used motor vehicle dealer's license or the factory's
18 financing subsidiary from obtaining a wholesale used motor vehicle
19 dealer's license.

20 F. If the Commission denies issuance of a license the
21 Commission shall provide the grounds for the action to the applicant
22 in writing and allow the applicant sixty (60) days to resolve any
23 issues that are the grounds for the action.

24

1 G. Each of the aforementioned grounds for suspension,
2 revocation, or denial of issuance or renewal of license shall also
3 constitute a violation of Sections 581 through 588 of this title,
4 unless the person involved has been tried and acquitted of the
5 offense constituting such grounds.

6 The suspension, revocation or refusal to issue or renew a
7 license or the imposition of any other penalty by the Commission
8 shall be in addition to any penalty which might be imposed upon any
9 licensee upon a conviction at law for any violation of Sections 581
10 through 588 of this title.

11 H. As used in this section:

12 1. "Substantially relates" means the nature of criminal conduct
13 for which the person was convicted has a direct bearing on the
14 fitness or ability to perform one or more of the duties or
15 responsibilities necessarily related to the occupation; and

16 2. "Poses a reasonable threat" means the nature of criminal
17 conduct for which the person was convicted involved an act or threat
18 of harm against another and has a bearing on the fitness or ability
19 to serve the public or work with others in the occupation.

20 SECTION 59. REPEALER 47 O.S. 2021, Section 584, as
21 amended by Section 5, Chapter 107, O.S.L. 2022 (47 O.S. Supp. 2023,
22 Section 584), is hereby repealed.

23

24

1 SECTION 60. AMENDATORY 47 O.S. 2021, Section 1102, as
2 last amended by Section 106, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
3 2023, Section 1102), is amended to read as follows:

4 Section 1102. As used in the Oklahoma Vehicle License and
5 Registration Act:

6 1. "All-terrain vehicle" means a vehicle manufactured and used
7 exclusively for off-highway use traveling on four or more non-
8 highway tires, and being fifty (50) inches or less in width;

9 2. "Carrying capacity" means the carrying capacity of a vehicle
10 as determined or declared in tons of cargo or payload by the owner;
11 provided, that such declared capacity shall not be less than the
12 minimum tonnage capacity fixed, listed or advertised by the
13 manufacturer of any vehicle;

14 3. "Certificate of title" means a document which is proof of
15 legal ownership of a motor vehicle as described and provided for in
16 Section 1105 of this title;

17 4. "Chips and oil" or the term "road oil and crushed rock"
18 means, with respect to materials authorized for use in the surfacing
19 of roads or highways as provided for in this title or in any
20 equivalent statute pertaining to road or highway surfacing in the
21 State of Oklahoma, any asphaltic materials. Wherever chips and oil
22 or road oil and crushed rock are authorized for use in the surfacing
23 of roads or highways in this state, whether by the Department of
24 Transportation, or by the county commissioners, or other road

1 building authority subject to the Oklahoma Vehicle License and
2 Registration Act, asphaltic materials are also authorized for use in
3 such surfacing and construction;

4 5. "Combined laden weight" means the weight of a truck or
5 station wagon and its cargo or payload transported thereon, or the
6 weight of a truck or truck-tractor plus the weight of any trailers
7 or semitrailers together with the cargo or payload transported
8 thereon;

9 6. "Commercial trailer" means any trailer, as defined in
10 Section 1-180 of this title, or semitrailer, as defined in Section
11 1-162 of this title, when such trailer or semitrailer is used
12 primarily for business or commercial purposes;

13 7. "Commercial trailer dealer" means any person, firm or
14 corporation engaged in the business of selling any new and unused,
15 or used, or both new and used commercial trailers;

16 8. "Commercial vehicle" means any vehicle over eight thousand
17 (8,000) pounds combined laden weight used primarily for business or
18 commercial purposes. Each motor vehicle being registered pursuant
19 to the provisions of this section shall have the name of the
20 commercial establishment or the words "Commercial Vehicle"
21 permanently and prominently displayed upon the outside of the
22 vehicle in letters not less than two (2) inches high. Such letters
23 shall be in sharp contrast to the background and shall be of
24 sufficient shape and color as to be readily legible during daylight

1 hours, from a distance of fifty (50) feet while the vehicle is not
2 in motion;

3 9. "Commission" or "Tax Commission" means the Oklahoma Tax
4 Commission;

5 10. "Construction machinery" means machines or devices drawn as
6 trailers which are designed and used for construction, tree trimming
7 and waste maintenance projects, which derive no revenue from the
8 transportation of persons or property, whose use of the highway is
9 only incidental and which are not mounted or affixed to another
10 vehicle; provided, construction machinery shall not include
11 implements of husbandry as defined in Section 1-125 of this title;

12 11. "Dealer" means any person, firm, association, corporation
13 or trust who sells, solicits or advertises the sale of new and
14 unused motor vehicles and holds a bona fide contract or franchise in
15 effect with a manufacturer or distributor of a particular make of
16 new or unused motor vehicle or vehicles for the sale of same;

17 12. "Mini-truck" means a foreign-manufactured import or
18 domestic-manufactured vehicle powered by an internal combustion
19 engine with a piston or rotor displacement of one thousand cubic
20 centimeters (1,000 cc) or less, which is sixty-seven (67) inches or
21 less in width, with an unladen dry weight of three thousand four
22 hundred (3,400) pounds or less, traveling on four or more tires,
23 having a top speed of approximately fifty-five (55) miles per hour,

24

1 equipped with a bed or compartment for hauling, and having an
2 enclosed passenger cab;

3 13. "Interstate commerce" means any commerce moving between any
4 place in a state and any place in another state or between places in
5 the same state through another state;

6 14. "Laden weight" means the combined weight of a vehicle when
7 fully equipped for use and the cargo or payload transported thereon;
8 provided, that in no event shall the laden weight be less than the
9 unladen weight of the vehicle fully equipped for use, plus the
10 manufacturer's rated carrying capacity;

11 15. "Local authorities" means every county, municipality or
12 local board or body having authority to adopt police regulations
13 under the Constitution and laws of this state;

14 16. "Low-speed electrical vehicle" means any four-wheeled
15 electrical vehicle that is powered by an electric motor that draws
16 current from rechargeable storage batteries or other sources of
17 electrical current and whose top speed is greater than twenty (20)
18 miles per hour but not greater than twenty-five (25) miles per hour
19 and is manufactured in compliance with the National Highway Traffic
20 Safety Administration standards for low-speed vehicles in 49 C.F.R.
21 571.500;

22 17. "Manufactured home" means a residential dwelling built in
23 accordance with the National Manufactured Housing Construction and
24 Safety Standards Act of 1974, 42 U.S.C., Section 5401 et seq., and

1 rules promulgated pursuant thereto and the rules promulgated by the
2 Oklahoma Used Motor Vehicle ~~and Parts~~, Dismantler, and Manufactured
3 Housing Commission pursuant to Section 582 of this title.

4 Manufactured home shall not mean a park model recreational vehicle
5 as defined in this section;

6 18. "Manufactured home dealer" means any person, firm or
7 corporation engaged in the business of selling any new and unused,
8 or used, or both new and used manufactured homes. Such information
9 and a valid franchise letter as proof of authorization to sell any
10 such new manufactured home product line or lines shall be attached
11 to the application for a dealer license to sell manufactured homes.
12 "Manufactured home dealer" shall not include any person, firm or
13 corporation who sells or contracts for the sale of the dealer's own
14 personally titled manufactured home or homes. No person, firm or
15 corporation shall be considered a manufactured home dealer as to any
16 manufactured home purchased or acquired by such person, firm or
17 corporation for purposes other than resale; provided, that the
18 restriction set forth in this sentence shall not prevent an
19 otherwise qualified person, firm or corporation from utilizing a
20 single manufactured home as a sales office;

21 19. "Medium-speed electrical vehicle" means any self-propelled,
22 electrically powered four-wheeled motor vehicle, equipped with a
23 roll cage or crush-proof body design, whose speed attainable in one
24

1 (1) mile is more than thirty (30) miles per hour but not greater
2 than thirty-five (35) miles per hour;

3 20. "Licensed operator" means any person appointed, designated
4 or authorized by Service Oklahoma to collect the fees and to enforce
5 the provisions provided for in the Oklahoma Vehicle License and
6 Registration Act;

7 21. "New vehicle" or "unused vehicle" means a vehicle which has
8 been in the possession of the manufacturer, distributor or
9 wholesaler or has been sold only by the manufacturer, distributor or
10 wholesaler to a dealer;

11 22. "Nonresident" means any person who is not a resident of
12 this state;

13 23. "Off-road motorcycle" means any motorcycle, as defined in
14 Section 1-135 of this title, when such motorcycle has been
15 manufactured for and used exclusively off roads, highways and any
16 other paved surfaces;

17 24. "Owner" means any person owning, operating or possessing
18 any vehicle herein defined;

19 25. "Park model recreational vehicle" means a vehicle that is:
20 a. designed and marketed as temporary living quarters for
21 camping, recreational, seasonal or travel use,
22 b. not permanently affixed to real property for use as a
23 permanent dwelling,

24

- 1 c. built on a single chassis mounted on wheels with a
2 gross trailer area not exceeding four hundred (400)
3 square feet in the setup mode, and
4 d. certified by the manufacturer as complying with
5 standard A119.5 of the American National Standards
6 Institute, Inc.;

7 26. "Person" means any individual, copartner, joint venture,
8 association, corporation, limited liability company, estate, trust,
9 business trust, syndicate, the State of Oklahoma, or any county,
10 city, municipality, school district or other political subdivision
11 thereof, or any group or combination acting as a unit, or any
12 receiver appointed by the state or federal court;

13 27. "Rebodied vehicle" means a vehicle:

- 14 a. which has been assembled using a new body or new major
15 component which is of the identical type as the
16 original vehicle and is licensed by the manufacturer
17 of the original vehicle and other original, new or
18 reconditioned parts. For purposes of this paragraph,
19 "new body or new major component" means a new body,
20 cab, frame, front end clip or rear end clip,
21 b. which is not a salvage, rebuilt, or junked vehicle as
22 defined by paragraph 1, 2, or 6 of subsection A of
23 Section 1105 of this title, and
24

1 c. for which Service Oklahoma has assigned or will assign
2 a new identifying number;

3 28. "Recreational off-highway vehicle" means a vehicle
4 manufactured and used exclusively for off-highway use, traveling on
5 four or more non-highway tires, and being sixty-five (65) inches or
6 less in width;

7 29. "Recreational vehicle" means every vehicle which is built
8 on or permanently attached to a self-propelled motor chassis or
9 chassis cab which becomes an integral part of the completed vehicle
10 and is capable of being operated on the highways. In order to
11 qualify as a recreational vehicle pursuant to this paragraph such
12 vehicle shall be permanently constructed and equipped for human
13 habitation, having its own sleeping and kitchen facilities,
14 including permanently affixed cooking facilities, water tanks and
15 holding tank with permanent toilet facilities. Recreational vehicle
16 shall not include manufactured homes or any vehicle with portable
17 sleeping, toilet and kitchen facilities which are designed to be
18 removed from such vehicle. Recreational vehicle shall include park
19 model recreational vehicles as defined in this section;

20 30. "Remanufactured vehicle" means a vehicle which has been
21 assembled by a vehicle remanufacturer using a new body and which may
22 include original, reconditioned, or remanufactured parts, and which
23 is not a salvage, rebuilt, or junked vehicle as defined by
24

1 paragraphs 1, 2, and 6, respectively, of subsection A of Section
2 1105 of this title;

3 31. "Rental trailer" means all small or utility trailers or
4 semitrailers constructed and suitable for towing by a passenger
5 automobile and designed only for carrying property, when the
6 trailers or semitrailers are owned by, or are in the possession of,
7 any person engaged in renting or leasing such trailers or
8 semitrailers for intrastate or interstate use or combined intrastate
9 and interstate use;

10 32. "Special mobilized machinery" means special purpose
11 machines or devices, either self-propelled or drawn as trailers or
12 semitrailers, which derive no revenue from the transportation of
13 persons or property, whose use of the highway is only incidental,
14 and whose useful revenue producing service is performed at
15 destinations in an area away from the traveled surface of an
16 established open highway;

17 33. "State" means the State of Oklahoma;

18 34. "Station wagon" means any passenger vehicle which does not
19 have a separate luggage compartment or trunk and which does not have
20 open beds, and has one or more rear seats readily lifted out or
21 folded, whether same is called a station wagon or ranch wagon;

22 35. "Street-legal utility vehicle" means a vehicle meeting the
23 description and specifications of Section 1-171.1 of this title;

24

1 36. "Travel trailer" means any vehicular portable structure
2 built on a chassis, used as a temporary dwelling for travel,
3 recreational or vacation use, and, when factory-equipped for the
4 road, it shall have a body width not exceeding eight (8) feet and an
5 overall length not exceeding forty (40) feet, including the hitch or
6 coupling;

7 37. "Travel trailer dealer" means any person, firm or
8 corporation engaged in the business of selling any new and unused,
9 or used, or both new and used travel trailers. Such information and
10 a valid franchise letter as proof of authorization to sell any such
11 new travel trailer product line or lines shall be attached to the
12 application for a dealer license to sell travel trailers. "Travel
13 trailer dealer" shall not include any person, firm or corporation
14 who sells or contracts for the sale of his or her own personally
15 titled travel trailer or trailers. No person, firm or corporation
16 shall be considered as a travel trailer dealer as to any travel
17 trailer purchased or acquired by such person, firm or corporation
18 for purposes other than resale;

19 38. "Used motor vehicle dealer" means "used motor vehicle
20 dealer" as defined in Section 581 of this title;

21 39. "Used vehicle" means any vehicle which has been sold,
22 bargained, exchanged or given away, or used to the extent that it
23 has become what is commonly known, and generally recognized, as a
24 "secondhand" vehicle. This shall also include any vehicle other

1 than a remanufactured vehicle, regardless of age, owned by any
2 person who is not a dealer;

3 40. "Utility vehicle" means a vehicle powered by an internal
4 combustion engine, manufactured and used exclusively for off-highway
5 use, equipped with seating for two or more people and a steering
6 wheel, traveling on four or more wheels;

7 41. "Vehicle" means any type of conveyance or device in, upon
8 or by which a person or property is or may be transported from one
9 location to another upon the avenues of public access within the
10 state. "Vehicle" does not include bicycles, trailers except travel
11 trailers and rental trailers, or implements of husbandry as defined
12 in Section 1-125 of this title. All implements of husbandry used as
13 conveyances shall be required to display the owner's driver license
14 number or license plate number of any vehicle owned by the owner of
15 the implement of husbandry on the rear of the implement in numbers
16 not less than two (2) inches in height. The use of the owner's
17 Social Security number on the rear of the implement of husbandry
18 shall not be required; and

19 42. "Vehicle remanufacturer" means a commercial entity which
20 assembles remanufactured vehicles.

21 SECTION 61. REPEALER 47 O.S. 2021, Section 1102, as
22 amended by Section 19, Chapter 107, O.S.L. 2022 (47 O.S. Supp. 2023,
23 Section 1102), is hereby repealed.

24

1 SECTION 62. AMENDATORY 47 O.S. 2021, Section 1104, as
2 last amended by Section 10, Chapter 47, 1st Extraordinary Session,
3 O.S.L. 2023 (47 O.S. Supp. 2023, Section 1104), is amended to read
4 as follows:

5 Section 1104. A. Unless otherwise provided by law, all fees,
6 taxes and penalties collected or received pursuant to the Oklahoma
7 Vehicle License and Registration Act or Section 1-101 et seq. of
8 this title shall be apportioned and distributed monthly by the
9 Oklahoma Tax Commission in accordance with this section. Service
10 Oklahoma shall provide to the Oklahoma Tax Commission monthly
11 reports of motor vehicle collection information, including, but not
12 limited to, motor vehicle monthly apportionment information,
13 refunds, canceled vouchers, waste tire collections, organ donor
14 program amounts, driver license records, prorated amounts, and sales
15 tax amounts. The reports shall be delivered electronically pursuant
16 to the current calendar year apportionment disbursement schedule
17 provided to Service Oklahoma by the Oklahoma Tax Commission on or
18 before December 1st annually.

19 One percent (1%) of fees collected shall be apportioned to the
20 Licensed Operator Performance Fund created in Section 3-106 of this
21 title, in accordance with the applicable metrics determined by
22 Service Oklahoma.

23
24

1 B. 1. The following percentages of the monies referred to in
2 subsection A of this section shall be apportioned to the various
3 school districts in accordance with paragraph 2 of this subsection:

4 a. from October 1, 2000, until June 30, 2001, thirty-five
5 and forty-six one-hundredths percent (35.46%),

6 b. for the year beginning July 1, 2001, and ending June
7 30, 2002, thirty-five and ninety-one one-hundredths
8 percent (35.91%),

9 c. for the year beginning July 1, 2002, through the year
10 ending on June 30, 2015, thirty-six and twenty one-
11 hundredths percent (36.20%),

12 d. for the year beginning July 1, 2015, through the year
13 ending on June 30, 2019, thirty-six and twenty one-
14 hundredths percent (36.20%), but in no event shall the
15 amount apportioned in any fiscal year pursuant to this
16 subparagraph exceed the total amount apportioned for
17 the fiscal year ending on June 30, 2015. Any amounts
18 in excess of such limitation shall be placed to the
19 credit of the General Revenue Fund, and

20 e. for the year beginning July 1, 2019, and all
21 subsequent years, thirty-six and twenty one-hundredths
22 percent (36.20%), but in no event shall the amount
23 apportioned in any fiscal year pursuant to this
24 subparagraph exceed the total amount apportioned for

1 the fiscal year ending on June 30, 2015. Any amounts
2 in excess of such limitation shall be placed to the
3 credit of the Rebuilding Oklahoma Access and Driver
4 Safety Fund created in Section 1521 of Title 69 of the
5 Oklahoma Statutes.

6 2. The monies apportioned pursuant to subparagraphs a through e
7 of paragraph 1 of this subsection shall be apportioned to the
8 various school districts so that each district shall receive an
9 amount based upon the proportion that each district's average daily
10 attendance bears to the total average daily attendance of those
11 districts entitled to receive funds pursuant to this section as
12 certified by the State Department of Education.

13 Each district's allocation of funds shall be remitted to the
14 county treasurer of the county wherein the administrative
15 headquarters of the district are located.

16 No district shall be eligible for the funds herein provided
17 unless the district makes an ad valorem tax levy of fifteen (15)
18 mills and maintains nine (9) years of instruction and pursuant to
19 the rules of the State Board of Education, is authorized to maintain
20 ten (10) years of instruction.

21 C. The following percentages of the monies referred to in
22 subsection A of this section shall be remitted to the State
23 Treasurer to be credited to the General Revenue Fund of the State
24 Treasury:

- 1 1. From October 1, 2000, until June 30, 2001, forty-five and
2 ninety-seven one-hundredths percent (45.97%);
- 3 2. For the year beginning July 1, 2001, and ending June 30,
4 2002, forty-five and twenty-nine one-hundredths percent (45.29%);
- 5 3. For the year beginning July 1, 2002, and for the subsequent
6 fiscal years ending June 30, 2007, forty-four and eighty-four one-
7 hundredths percent (44.84%);
- 8 4. For the year beginning July 1, 2007, and ending June 30,
9 2008, thirty-nine and eighty-four one-hundredths percent (39.84%);
- 10 5. For the year beginning July 1, 2008, and ending June 30,
11 2009, thirty-four and eighty-four one-hundredths percent (34.84%);
- 12 6. For the period beginning July 1, 2009, and ending December
13 31, 2012, twenty-nine and eighty-four one-hundredths percent
14 (29.84%);
- 15 7. For the period beginning January 1, 2013, and ending June
16 30, 2013, twenty-nine and thirty-four one-hundredths percent
17 (29.34%);
- 18 8. For the year beginning July 1, 2013, and ending June 30,
19 2014, twenty-six and eighty-four one-hundredths percent (26.84%);
20 and
- 21 9. For the year beginning July 1, 2014, through the year ending
22 June 30, 2019, twenty-four and eighty-four one-hundredths percent
23 (24.84%).

24

1 D. The following percentages of the monies referred to in
2 subsection A of this section shall be remitted to the State
3 Treasurer to be credited to the State Transportation Fund:

4 1. From October 1, 2000, until June 30, 2001, thirty one-
5 hundredths percent (0.30%);

6 2. For the year beginning July 1, 2001, through the year ending
7 on June 30, 2015, thirty-one one-hundredths percent (0.31%);

8 3. For the year beginning July 1, 2015, through the year ending
9 on June 30, 2019, thirty-one one-hundredths percent (0.31%), but in
10 no event shall the amount apportioned in any fiscal year pursuant to
11 this paragraph exceed the total amount apportioned for the fiscal
12 year ending on June 30, 2015. Any amounts in excess of such
13 limitation shall be placed to the credit of the General Revenue
14 Fund; and

15 4. For the year beginning July 1, 2019, and all subsequent
16 years, thirty-one one-hundredths percent (0.31%), but in no event
17 shall the amount apportioned in any fiscal year pursuant to this
18 paragraph exceed the total amount apportioned for the fiscal year
19 ending on June 30, 2015. Any amounts in excess of such limitation
20 shall be placed to the credit of the Rebuilding Oklahoma Access and
21 Driver Safety Fund created in Section 1521 of Title 69 of the
22 Oklahoma Statutes.

1 E. 1. The following percentages of the monies referred to in
2 subsection A of this section shall be apportioned to the various
3 counties as set forth in paragraph 2 of this subsection:

4 a. from October 1, 2000, until June 30, 2001, seven and
5 nine one-hundredths percent (7.09%),

6 b. for the year beginning July 1, 2001, and ending June
7 30, 2002, seven and eighteen one-hundredths percent
8 (7.18%),

9 c. for the year beginning July 1, 2002, through the year
10 ending on June 30, 2015, seven and twenty-four one-
11 hundredths percent (7.24%),

12 d. for the year beginning July 1, 2015, through the year
13 ending on June 30, 2019, seven and twenty-four one-
14 hundredths percent (7.24%), but in no event shall the
15 amount apportioned in any fiscal year pursuant to this
16 subparagraph exceed the total amount apportioned for
17 the fiscal year ending on June 30, 2015. Any amounts
18 in excess of such limitation shall be placed to the
19 credit of the General Revenue Fund, and

20 e. for the year beginning July 1, 2019, and all
21 subsequent years, seven and twenty-four one-hundredths
22 percent (7.24%), but in no event shall the amount
23 apportioned in any fiscal year pursuant to this
24 subparagraph exceed the total amount apportioned for

1 the fiscal year ending on June 30, 2015. Any amounts
2 in excess of such limitation shall be placed to the
3 credit of the Rebuilding Oklahoma Access and Driver
4 Safety Fund created in Section 1521 of Title 69 of the
5 Oklahoma Statutes.

6 2. The monies apportioned pursuant to subparagraphs a through e
7 of paragraph 1 of this subsection shall be apportioned as follows:
8 forty percent (40%) of such sum shall be distributed to the various
9 counties in that proportion which the county road mileage of each
10 county bears to the entire state road mileage as certified by the
11 Transportation Commission and the remaining sixty percent (60%) of
12 such sum shall be distributed to the various counties on the basis
13 which the population and area of each county bears to the total
14 population and area of the state. The population shall be as shown
15 by the last Federal Decennial Census or the most recent annual
16 estimate provided by the United States Bureau of the Census. The
17 funds shall be used for the purpose of constructing and maintaining
18 county highways; provided, however, the county treasurer may deposit
19 so much of the funds in the sinking fund as may be necessary for the
20 retirement of interest and annual accrual of indebtedness created by
21 the issuance of county or township bonds for road purposes. Such
22 deposits to the sinking fund shall not exceed forty percent (40%) of
23 the funds allocated to a county pursuant to this paragraph.

1 F. 1. The following percentages of the monies referred to in
2 subsection A of this section shall be remitted to the county
3 treasurers of the respective counties and by them deposited in a
4 separate special revenue fund to be used by the county commissioners
5 in accordance with paragraph 2 of this subsection:

6 a. from October 1, 2000, until June 30, 2001, two and
7 fifty-three one-hundredths percent (2.53%),

8 b. for the year beginning July 1, 2001, and ending June
9 30, 2002, two and fifty-six one-hundredths percent
10 (2.56%),

11 c. for the year beginning July 1, 2002, through the year
12 ending on June 30, 2015, two and fifty-nine one-
13 hundredths percent (2.59%),

14 d. for the year beginning July 1, 2015, through the year
15 ending on June 30, 2019, two and fifty-nine one-
16 hundredths percent (2.59%), but in no event shall the
17 amount apportioned in any fiscal year pursuant to this
18 subparagraph exceed the total amount apportioned for
19 the fiscal year ending on June 30, 2015. Any amounts
20 in excess of such limitation shall be placed to the
21 credit of the General Revenue Fund, and

22 e. for the year beginning July 1, 2019, and all
23 subsequent years, two and fifty-nine one-hundredths
24 percent (2.59%), but in no event shall the amount

1 apportioned in any fiscal year pursuant to this
2 subparagraph exceed the total amount apportioned for
3 the fiscal year ending on June 30, 2015. Any amounts
4 in excess of such limitation shall be placed to the
5 credit of the Rebuilding Oklahoma Access and Driver
6 Safety Fund created in Section 1521 of Title 69 of the
7 Oklahoma Statutes.

8 2. The monies apportioned pursuant to subparagraphs a through e
9 of paragraph 1 of this subsection shall be used for the primary
10 purpose of matching federal funds for the construction of federal
11 aid projects on county roads, or constructing and maintaining county
12 or township highways and permanent bridges of such counties. The
13 distribution of monies apportioned by this paragraph shall be made
14 upon the basis of the current formula based upon road mileage, area
15 and population as related to county road improvement and maintenance
16 costs. Provided, however, the Department of Transportation may
17 update the formula factors from time to time as necessary to account
18 for changing conditions.

19 G. 1. The following percentages of the monies referred to in
20 subsection A of this section shall be transmitted by the Tax
21 Commission to the various counties as set forth in paragraph 2 of
22 this subsection:

23 a. from October 1, 2000, until June 30, 2001, three and
24 fifty-five one-hundredths percent (3.55%),

- 1 b. for the year beginning July 1, 2001, and ending June
2 30, 2002, three and fifty-nine one-hundredths percent
3 (3.59%),
- 4 c. for the year beginning July 1, 2002, through the year
5 ending on June 30, 2015, three and sixty-two one-
6 hundredths percent (3.62%),
- 7 d. for the year beginning July 1, 2015, through the year
8 ending on June 30, 2019, three and sixty-two one-
9 hundredths percent (3.62%), but in no event shall the
10 amount apportioned in any fiscal year pursuant to this
11 subparagraph exceed the total amount apportioned for
12 the fiscal year ending on June 30, 2015. Any amounts
13 in excess of such limitation shall be placed to the
14 credit of the General Revenue Fund, and
- 15 e. for the year beginning July 1, 2019, and all
16 subsequent years, three and sixty-two one-hundredths
17 percent (3.62%), but in no event shall the amount
18 apportioned in any fiscal year pursuant to this
19 subparagraph exceed the total amount apportioned for
20 the fiscal year ending on June 30, 2015. Any amounts
21 in excess of such limitation shall be placed to the
22 credit of the Rebuilding Oklahoma Access and Driver
23 Safety Fund created in Section 1521 of Title 69 of the
24 Oklahoma Statutes.

1 2. The monies apportioned pursuant to subparagraphs a through e
2 of paragraph 1 of this subsection shall be transmitted to the
3 various counties on the basis of a formula to be developed by the
4 Department of Transportation. Such formula shall be similar to that
5 currently used for the distribution of County Bridge Program Funds,
6 but also taking into consideration the effect of terrain and traffic
7 volume as related to county road improvement and maintenance costs.
8 Provided, however, the Department of Transportation may update the
9 formula factors from time to time as necessary to account for
10 changing conditions. The funds shall be transmitted to the various
11 county treasurers to be deposited in the county highway fund of
12 their respective counties.

13 H. 1. The following percentages of the monies referred to in
14 subsection A of this section shall be apportioned to the various
15 counties as set forth in paragraph 2 of this subsection:

- 16 a. from October 1, 2000, until June 30, 2001, eighty-one
17 one-hundredths percent (0.81%),
- 18 b. for the year beginning July 1, 2001, and ending June
19 30, 2002, eighty-two one-hundredths percent (0.82%),
- 20 c. for the year beginning July 1, 2002, through the year
21 ending on June 30, 2015, eighty-three one-hundredths
22 percent (0.83%),
- 23 d. for the year beginning July 1, 2015, through the year
24 ending on June 30, 2019, eighty-three one-hundredths

1 percent (0.83%), but in no event shall the amount
2 apportioned in any fiscal year pursuant to this
3 subparagraph exceed the total amount apportioned for
4 the fiscal year ending on June 30, 2015. Any amounts
5 in excess of such limitation shall be placed to the
6 credit of the General Revenue Fund, and

7 e. for the year beginning July 1, 2019, and all
8 subsequent years, eighty-three one-hundredths percent
9 (0.83%), but in no event shall the amount apportioned
10 in any fiscal year pursuant to this subparagraph
11 exceed the total amount apportioned for the fiscal
12 year ending on June 30, 2015. Any amounts in excess
13 of such limitation shall be placed to the credit of
14 the Rebuilding Oklahoma Access and Driver Safety Fund
15 created in Section 1521 of Title 69 of the Oklahoma
16 Statutes.

17 2. The monies apportioned pursuant to subparagraphs a through e
18 of paragraph 1 of this subsection shall be apportioned to the
19 various counties based upon the proportion that each county's
20 population bears to the total state population.

21 Each county's allocation of funds shall be remitted to the
22 various county treasurers to be deposited in the general fund of the
23 county and used for the support of county government.

1 I. 1. The following percentages of the monies referred to in
2 subsection A of this section shall be apportioned to the various
3 cities and incorporated towns as set forth in paragraph 2 of this
4 subsection:

5 a. from October 1, 2000, until June 30, 2001, three and
6 four one-hundredths percent (3.04%),

7 b. for the year beginning July 1, 2001, and ending June
8 30, 2002, three and eight one-hundredths percent
9 (3.08%),

10 c. for the year beginning July 1, 2002, through the year
11 ending on June 30, 2015, three and ten one-hundredths
12 percent (3.10%),

13 d. for the year beginning July 1, 2015, through the year
14 ending on June 30, 2019, three and ten one-hundredths
15 percent (3.10%), but in no event shall the amount
16 apportioned in any fiscal year pursuant to this
17 subparagraph exceed the total amount apportioned for
18 the fiscal year ending on June 30, 2015. Any amounts
19 in excess of such limitation shall be placed to the
20 credit of the General Revenue Fund, and

21 e. for the year beginning July 1, 2019, and all
22 subsequent years, three and ten one-hundredths percent
23 (3.10%), but in no event shall the amount apportioned
24 in any fiscal year pursuant to this subparagraph

1 exceed the total amount apportioned for the fiscal
2 year ending on June 30, 2015. Any amounts in excess
3 of such limitation shall be placed to the credit of
4 the Rebuilding Oklahoma Access and Driver Safety Fund
5 created in Section 1521 of Title 69 of the Oklahoma
6 Statutes.

7 2. The monies apportioned pursuant to subparagraphs a through e
8 of paragraph 1 of this subsection shall be apportioned to the
9 various cities and incorporated towns based upon the proportion that
10 each city or incorporated town's population bears to the total
11 population of all cities and incorporated towns in the state. Such
12 funds shall be remitted to the various county treasurers for
13 allocation to the various cities and incorporated towns. All such
14 funds shall be used for the construction, maintenance, repair,
15 improvement and lighting of streets and alleys. Provided, however,
16 the governing board of any city or town may, with the approval of
17 the county excise board, transfer any surplus funds to the general
18 revenue fund of such city or town whenever an emergency requires
19 such a transfer.

20 J. The following percentages of the monies referred to in
21 subsection A of this section shall be remitted to the State
22 Treasurer to be credited to the Oklahoma Law Enforcement Retirement
23 Fund:
24

1 1. From October 1, 2000, until June 30, 2001, one and twenty-
2 two one-hundredths percent (1.22%);

3 2. For the year beginning July 1, 2001, and ending June 30,
4 2002, one and twenty-three one-hundredths percent (1.23%); and

5 3. For the year beginning July 1, 2002, and all subsequent
6 years, one and twenty-four one-hundredths percent (1.24%).

7 K. Three one-hundredths of one percent (3/100 of 1%) of the
8 monies referred to in subsection A of this section shall be remitted
9 to the State Treasurer to be credited to the Wildlife Conservation
10 Fund. Seventy-five percent (75%) of the funds shall be used for
11 fish habitat restoration and twenty-five percent (25%) of the funds
12 shall be used in the fish hatchery system for fish production.

13 L. 1. For the year beginning July 1, 2007, and ending June 30,
14 2008, five percent (5%) of monies referred to in subsection A of
15 this section shall be remitted to the State Treasurer to be credited
16 to the County Improvements for Roads and Bridges Fund as created in
17 Section 507 of Title 69 of the Oklahoma Statutes.

18 2. For the year beginning July 1, 2008, and ending June 30,
19 2009, ten percent (10%) of monies referred to in subsection A of
20 this section shall be remitted to the State Treasurer to be credited
21 to the County Improvements for Roads and Bridges Fund as created in
22 Section 507 of Title 69 of the Oklahoma Statutes.

23 3. For the period beginning July 1, 2009, and ending December
24 31, 2012, fifteen percent (15%) of monies referred to in subsection

1 A of this section shall be remitted to the State Treasurer to be
2 credited to the County Improvements for Roads and Bridges Fund as
3 created in Section 507 of Title 69 of the Oklahoma Statutes.

4 4. For the period beginning January 1, 2013, and ending June
5 30, 2013, fifteen and fifty one-hundredths percent (15.50%) of
6 monies referred to in subsection A of this section shall be remitted
7 to the State Treasurer to be credited to the County Improvements for
8 Roads and Bridges Fund as created in Section 507 of Title 69 of the
9 Oklahoma Statutes.

10 5. For the year beginning July 1, 2013, and ending June 30,
11 2014, eighteen percent (18%) of monies referred to in subsection A
12 of this section shall be remitted to the State Treasurer to be
13 credited to the County Improvements for Roads and Bridges Fund as
14 created in Section 507 of Title 69 of the Oklahoma Statutes.

15 6. For the year beginning July 1, 2014, twenty percent (20%) of
16 monies referred to in subsection A of this section shall be remitted
17 to the State Treasurer to be credited to the County Improvements for
18 Roads and Bridges Fund as created in Section 507 of Title 69 of the
19 Oklahoma Statutes.

20 7. For the year beginning July 1, 2015, through the year ending
21 on June 30, 2019, twenty percent (20%) of monies referred to in
22 subsection A of this section shall be remitted to the State
23 Treasurer to be credited to the County Improvements for Roads and
24 Bridges Fund as created in Section 507 of Title 69 of the Oklahoma

1 Statutes, but in no event shall the total amount apportioned in any
2 fiscal year pursuant to this paragraph exceed One Hundred Twenty
3 Million Dollars (\$120,000,000.00). Any amounts in excess of One
4 Hundred Twenty Million Dollars (\$120,000,000.00) shall be placed to
5 the credit of the General Revenue Fund.

6 8. a. Except as provided in subparagraph b of this
7 paragraph, for the year beginning July 1, 2019, and
8 all subsequent years, twenty percent (20%) of monies
9 referred to in subsection A of this section shall be
10 remitted to the State Treasurer to be credited to the
11 County Improvements for Roads and Bridges Fund as
12 created in Section 507 of Title 69 of the Oklahoma
13 Statutes, but in no event shall the total amount
14 apportioned in any fiscal year pursuant to this
15 paragraph exceed the fiscal year limitations provided
16 in subparagraph c of this paragraph. Any amounts in
17 excess of the fiscal year limitations provided in
18 subparagraph c of this paragraph shall be placed to
19 the credit of the Rebuilding Oklahoma Access and
20 Driver Safety Fund created in Section 1521 of Title 69
21 of the Oklahoma Statutes,

22 b. (1) for the fiscal year beginning July 1, 2021,
23 through the fiscal year ending June 30, 2026, the
24 Oklahoma Tax Commission shall remit twenty-five

1 percent (25%) of the monthly allocation,
2 otherwise scheduled to be credited to the County
3 Improvements for Roads and Bridges Fund, to the
4 various counties of the state. The Commission
5 shall distribute such funds monthly to each
6 county treasurer as follows:

7 (a) one-third (1/3) of such funds shall be
8 distributed to the various counties in the
9 proportion which the area of each county
10 bears to the total area of the state,

11 (b) one-third (1/3) of such funds shall be
12 distributed to the various counties in the
13 proportion which the certified county road
14 miles of each county bear to the total sum
15 of county road miles in the state, and

16 (c) one-third (1/3) of such funds shall be
17 distributed to the various counties in the
18 proportion which the total replacement cost
19 for obsolete or deficient bridges according
20 to the most recent ODOT yearly Bridge
21 Summary Report for County Bridges for each
22 county bears to the total amount of such
23 cost for all such county bridges in the
24 state, and

1 (2) for the fiscal year beginning July 1, 2026, and
2 all subsequent fiscal years thereafter, the
3 Oklahoma Tax Commission shall remit twenty-five
4 percent (25%) of the monthly allocation,
5 otherwise scheduled to be credited to the County
6 Improvements for Roads and Bridges Fund, to the
7 various counties of the state. The Commission
8 shall distribute such funds monthly to each
9 county treasurer as follows:

10 (a) one-third (1/3) of such funds shall be
11 distributed to the various counties in the
12 proportion which the area of each county
13 bears to the total area of the state,

14 (b) one-third (1/3) of such funds shall be
15 distributed to the various counties in the
16 proportion which the certified county road
17 miles of each county bear to the total sum
18 of county road miles in the state, and

19 (c) one-third (1/3) of such funds shall be
20 distributed to the various counties in the
21 proportion which the number of county
22 bridges in each county according to the ODOT
23 2020 Bridge Summary Report for County
24 Bridges bears to the total sum of county

1 bridges in the state according to such
2 report.

3 Each county treasurer shall deposit such funds to the
4 county's county highway fund and such funds shall be used
5 for maintenance and operations. In no event shall the
6 total amount apportioned in any fiscal year pursuant to the
7 provisions of subparagraphs a and b of this paragraph
8 exceed the fiscal year limitations provided in subparagraph
9 c of this paragraph, and

10 c. the total amount apportioned each fiscal year pursuant
11 to this paragraph shall be limited as follows:

- | | | |
|----|----------------------------------|-------------------|
| 12 | (1) for fiscal years 2020 | |
| 13 | through 2022 | \$120,000,000.00, |
| 14 | (2) for fiscal year 2023 | \$125,000,000.00, |
| 15 | (3) for fiscal year 2024 | \$130,000,000.00, |
| 16 | (4) for fiscal year 2025 | \$135,000,000.00, |
| 17 | (5) for fiscal year 2026 | \$140,000,000.00, |
| 18 | (6) for fiscal year 2027 | \$145,000,000.00, |
| 19 | (7) for fiscal year 2028 and all | |
| 20 | subsequent fiscal years | |
| 21 | thereafter | \$150,000,000.00. |

22 M. Twenty-four and eighty-four one-hundredths percent (24.84%)
23 of the monies referred to in subsection A of this section shall be
24 remitted to the State Treasurer to be credited to the Rebuilding

1 Oklahoma Access and Driver Safety Fund created in Section 1521 of
2 Title 69 of the Oklahoma Statutes.

3 N. Monies allocated to counties by this section may be
4 estimated by the county excise board in the budget for the county as
5 anticipated revenue to the extent of ninety percent (90%) of the
6 previous year's income from such source; provided, not more than
7 fifteen percent (15%) can be encumbered during any month.

8 O. Notwithstanding any other provisions of this section, for
9 the fiscal year beginning July 1, 2003, the first One Hundred
10 Thousand Dollars (\$100,000.00) of the monies collected or received
11 by the Tax Commission pursuant to the registration of motorcycles
12 and mopeds in this state shall be placed to the credit of the
13 Oklahoma Tax Commission Revolving Fund. Beginning January 1, 2023,
14 the first One Hundred Thousand Dollars (\$100,000.00) of the monies
15 collected or received by Service Oklahoma pursuant to the
16 registration of motorcycles and mopeds in this state shall be placed
17 to the credit of the Service Oklahoma Revolving Fund.

18 SECTION 63. REPEALER 47 O.S. 2021, Section 1104, as
19 amended by Section 107, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
20 2023, Section 1104), is hereby repealed.

21 SECTION 64. AMENDATORY 47 O.S. 2021, Section 1105, as
22 last amended by Section 110, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
23 2023, Section 1105), is amended to read as follows:

24

1 Section 1105. A. As used in the Oklahoma Vehicle License and
2 Registration Act:

3 1. "Salvage vehicle" means any vehicle which is within the last
4 ten (10) model years and which has been damaged by collision or
5 other occurrence to the extent that the cost of repairing the
6 vehicle for safe operation on the highway exceeds sixty percent
7 (60%) of its fair market value, as defined by Section 1111 of this
8 title, immediately prior to the damage. For purposes of this
9 section, actual repair costs shall only include labor and parts for
10 actual damage to the suspension, motor, transmission, frame or
11 unibody and designated structural components;

12 2. "Rebuilt vehicle" means any salvage vehicle which has been
13 rebuilt and inspected for the purpose of registration and title;

14 3. "Flood-damaged vehicle" means a salvage or rebuilt vehicle
15 which was damaged by flooding or a vehicle which was submerged at a
16 level to or above the dashboard of the vehicle and on which an
17 amount of loss was paid by the insurer;

18 4. "Unrecovered-theft vehicle" means a vehicle which has been
19 stolen and not yet recovered;

20 5. "Recovered-theft vehicle" means a vehicle, including a
21 salvage or rebuilt vehicle, which was recovered from a theft; and

22 6. "Junked vehicle" means any vehicle which is incapable of
23 operation or use on the highway, has no resale value except as a
24

1 source of parts or scrap and has an eighty percent (80%) loss in
2 fair market value.

3 B. The owner of every vehicle in this state shall possess a
4 certificate of title as proof of ownership of such vehicle, except
5 those vehicles registered pursuant to Section 1120 of this title and
6 trailers registered pursuant to Section 1133 of this title,
7 previously titled by anyone in another state and engaged in
8 interstate commerce, and except as provided in subsection M of this
9 section. Except for owners that possess an agricultural exemption
10 permit pursuant to Section 1358.1 of Title 68 of the Oklahoma
11 Statutes, the owner of an all-terrain vehicle or a motorcycle used
12 exclusively off roads or highways in this state which is purchased
13 or the ownership of which is transferred on or after July 1, 2005,
14 and the owner of a utility vehicle used exclusively off roads and
15 highways in this state which is purchased or the ownership of which
16 is transferred on or after July 1, 2008, shall possess a certificate
17 of title as proof of ownership. Any person possessing an
18 agricultural exemption permit and owning an all-terrain vehicle or a
19 motorcycle used exclusively off roads or highways in this state
20 which is purchased or the ownership of which is transferred on or
21 after July 1, 2008, shall possess a certificate of title as proof of
22 ownership. Upon receipt of proper application information by such
23 owner, Service Oklahoma shall issue an original or transfer
24 certificate of title. Until July 1, 2008, any security interest in

1 an all-terrain vehicle that attached and was perfected before July
2 1, 2005, and that has not otherwise terminated shall remain
3 perfected, and shall take priority over any subsequently perfected
4 security interest in the same all-terrain vehicle, notwithstanding
5 that a certificate of title may have been issued with respect to the
6 same all-terrain vehicle on or after July 1, 2005, and that a lien
7 may have been recorded on said certificate of title. There shall be
8 eight types of certificates of title:

9 1. Original title for any motor vehicle which is not a
10 remanufactured, salvage, unrecovered-theft, rebuilt, rebodied or
11 junked vehicle;

12 2. Salvage title for any motor vehicle which is a salvage
13 vehicle or is specified as a salvage vehicle or the equivalent
14 thereof on a certificate of title from another state;

15 3. Rebuilt title for any motor vehicle which is a rebuilt
16 vehicle;

17 4. Junked title for any motor vehicle which is a junked vehicle
18 or is specified as a junked vehicle or the equivalent thereof on a
19 certificate of title from another state;

20 5. Classic title for any motor vehicle, except a junked
21 vehicle, which is twenty-five (25) model years or older;

22 6. Remanufactured title for any vehicle which is a
23 remanufactured vehicle;

24

1 7. Unrecovered-theft title for any motor vehicle which has been
2 stolen and not recovered; and

3 8. Rebodied title for any motor vehicle which is a rebodied
4 vehicle.

5 Application for a certificate of title, whether the initial
6 certificate of title or a duplicate, may be made to Service Oklahoma
7 or any licensed operator. When application is made with a licensed
8 operator, the application information shall be transmitted either
9 electronically or by mail to Service Oklahoma by the licensed
10 operator. If the application information is transmitted
11 electronically, the licensed operator shall forward the required
12 application along with evidence of ownership, where required, by
13 mail. Where the transmission of application information cannot be
14 performed electronically, Service Oklahoma is authorized to provide
15 postage paid envelopes to licensed operators for the purpose of
16 mailing the application along with evidence of ownership, where
17 required. Service Oklahoma shall upon receipt of proper application
18 information issue an Oklahoma certificate of title. The
19 certificates may be mailed to the applicant. Upon issuance of a
20 certificate of title, Service Oklahoma shall provide the appropriate
21 licensed operator with confirmation of such issuance.

22 C. 1. The application for certificate of title shall be upon a
23 blank form furnished by Service Oklahoma, containing:

24 a. a full description of the vehicle,

- b. the manufacturer's serial or other identification number,
- c. the motor number and the date on which first sold by the manufacturer or dealer to the owner,
- d. any distinguishing marks,
- e. a statement of the applicant's source of title,
- f. any security interest upon the vehicle, and
- g. such other information as Service Oklahoma may require.

2. The application for a certificate of title for a vehicle which is within the last seven (7) model years shall require a declaration as to whether the vehicle has been damaged by collision or other occurrence and whether the vehicle has been recovered from theft and the extent of the damage to the vehicle. The declaration shall be made by the owner of a vehicle if:

- a. the vehicle has been damaged or stolen,
- b. the owner did or did not receive any payment for the loss from an insurer, or
- c. the vehicle is titled or registered in a state that does not classify the vehicle or brand the title because of damage to or loss of the vehicle similar to the classifications or brands utilized by this state.

The declaration shall be based upon the best information and knowledge of the owner and shall be in addition to the requirements

1 specified in paragraph 1 of this subsection. Service Oklahoma shall
2 not issue a certificate of title for a vehicle which is subject to
3 the provisions of this paragraph without the required declaration,
4 completed and signed by the owner of the vehicle. Upon receipt of
5 an application without the properly completed declaration, Service
6 Oklahoma shall return the application to the applicant with notice
7 that the title may not be issued without the required declaration.
8 Nothing in this paragraph shall prohibit Service Oklahoma from
9 recognizing the type of or brand on a title or other ownership
10 document issued by another state or the inspection conducted in
11 another state and issuing the appropriate certificate of title for
12 the vehicle.

13 3. The certificate of title shall have the following security
14 features:

- 15 a. intaglio printing or security thread, with or without
- 16 watermark,
- 17 b. latent images,
- 18 c. fluorescent inks,
- 19 d. micro print,
- 20 e. void background, and
- 21 f. color coding.

22 4. Each title issued pursuant to the provisions of the Oklahoma
23 Vehicle License and Registration Act shall be color coded as
24 determined by Service Oklahoma.

1 5. The certificate of title shall be of such size and design
2 and color as Service Oklahoma may direct pursuant to the provisions
3 of this section. The title shall be on colored paper or other
4 material as designated by Service Oklahoma and be of such intensity
5 or hue as will allow easy identification as to whether the title is
6 an original title, a salvage title, a rebuilt title, remanufactured
7 title, rebodied title or a junked title. The type of title shall be
8 identified on the front of the certificate of title. The original
9 title, rebuilt title, remanufactured title, an unrecovered-theft
10 title, rebodied title or classic title shall be identified by the
11 word "Original", "Rebuilt", "Remanufactured", "Unrecovered Theft",
12 "Rebodied" or "Classic" printed in the upper right quadrant of the
13 certificate of title, in the space which is currently captioned
14 "type of title". A rebodied title shall also identify on the front
15 of the title the year, make and model of the originally manufactured
16 vehicle which has been rebodied and display a notation that reads as
17 follows: "This vehicle has been assembled with new major components
18 licensed by the original manufacturer."

19 D. 1. To obtain an original certificate of title for a vehicle
20 that is being registered for the first time in this state which has
21 not been previously registered in any other state, the applicant
22 shall be required to deliver, as evidence of ownership, a
23 manufacturer's certificate of origin properly assigned by the
24 manufacturer, distributor, or dealer licensed in this or any other

1 state shown thereon to be the last transferee to the applicant upon
2 a form to be prescribed and approved by Service Oklahoma. A
3 manufacturer's certificate of origin shall contain:

- 4 a. the manufacturer's serial or other identification
5 number,
- 6 b. date on which first sold by the manufacturer to the
7 dealer,
- 8 c. any distinguishing marks including model and the year
9 same was made,
- 10 d. a statement of any security interests upon the
11 vehicle, and
- 12 e. such other information as Service Oklahoma may
13 require.

14 2. The manufacturer's certificate of origin shall have the
15 following security features:

- 16 a. intaglio printing or security thread, with or without
17 watermark,
- 18 b. latent images,
- 19 c. fluorescent inks,
- 20 d. micro print, and
- 21 e. void background.

22 E. In the absence of a dealer's or manufacturer's number,
23 Service Oklahoma may assign such identifying number to the vehicle,
24 which shall be permanently stamped, burned or pressed or attached

1 into the vehicle, and a certificate of title shall be delivered to
2 the applicant upon payment of all fees and taxes, and the remaining
3 copies shall be permanently filed and indexed by Service Oklahoma.
4 Service Oklahoma shall assign an identifying number to any rebuilt
5 vehicle if the vehicle identification number displayed on the
6 rebuilt vehicle does not accurately describe the vehicle as rebuilt.
7 The licensed operator, at the time of inspection of the rebuilt
8 vehicle pursuant to Section 1111 of this title, shall identify the
9 make, model, and year for the body to accurately describe the
10 rebuilt vehicle. At the time of the inspection, an appropriate
11 identifying number shall be permanently stamped, burned, pressed, or
12 attached on the rebuilt vehicle. The assigned identifying number
13 shall be recorded on the certificate of title for the rebuilt
14 vehicle. The dealer's or manufacturer's vehicle identification
15 number on the rebuilt vehicle shall be preserved in the computer
16 files of Service Oklahoma for at least five (5) years.

17 F. When registering for the first time in this state a vehicle
18 which was not originally manufactured for sale in the United States,
19 to obtain a certificate of title, Service Oklahoma shall require the
20 applicant to deliver:

21 1. As evidence of ownership, if the vehicle has not previously
22 been titled in the United States, the documents constituting valid
23 proof of ownership in the country in which the vehicle was
24

1 originally purchased, together with a notarized translation of any
2 such documents; and

3 2. As evidence of compliance with federal law, copies of the
4 bond release letters for the vehicle issued by the United States
5 Environmental Protection Agency and the United States Department of
6 Transportation, together with a receipt issued by the Internal
7 Revenue Service indicating that the applicable federal gas guzzler
8 tax has been paid.

9 Service Oklahoma shall not issue a certificate of title for a
10 vehicle which is subject to the provisions of this paragraph without
11 the required documentation from agencies of the United States and
12 evidence of ownership. Upon receipt of an application without the
13 required documentation, Service Oklahoma shall return the
14 application to the applicant with notice that the certificate of
15 title may not be issued without the required documentation. Nothing
16 in this paragraph shall prohibit Service Oklahoma from issuing
17 certificates of title for antique or classic vehicles not driven
18 upon the public streets, roads, or highways, for mini-trucks
19 registered pursuant to Section 1151.3 of this title, or for medium-
20 speed electric vehicles.

21 G. When registering in this state a vehicle which was titled in
22 another state and which title contains the name of a secured party
23 on the face of the other state certificate of title, or such state
24 certificate is being held by the secured party in that state or any

1 other state, Service Oklahoma or the licensed operator shall
2 complete a lien entry form as prescribed by Service Oklahoma. The
3 owner of such vehicle shall file an affidavit with Service Oklahoma
4 or the licensed operator stating that title to the vehicle is being
5 held by a secured party, has not been issued pursuant to the laws of
6 the state where titled, and that there is an existing lien or
7 encumbrance on the vehicle. The current name and address of the
8 secured party or lienholder shall also be stated in the affidavit.
9 The form of the affidavit shall be prescribed by Service Oklahoma
10 and contain any other information deemed necessary by Service
11 Oklahoma. A statement of the lien or encumbrance shall be included
12 on the Oklahoma certificate of title and the lien or encumbrance
13 shall be deemed continuously perfected as though it had been
14 perfected pursuant to Section 1110 of this title. For completing
15 the lien entry form and recording the security interest on the
16 certificate of title, Service Oklahoma or the licensed operator
17 shall collect a fee of Three Dollars (\$3.00) which shall be in
18 addition to other fees provided by the Oklahoma Vehicle License and
19 Registration Act. The fee, if collected by the licensed operator
20 pursuant to this subsection, shall be retained by the licensed
21 operator.

22 H. The charge for each certificate of title issued, except for
23 junked titles as defined in paragraph 4 of subsection B of this
24 section, shall be Eleven Dollars (\$11.00), which charge shall be in

1 addition to any other fees or taxes imposed by law for such vehicle.
2 One Dollar (\$1.00) of each such charge shall be deposited in the
3 Oklahoma Tax Commission Reimbursement Fund through December 31,
4 2022, and beginning January 1, 2023, it shall be deposited in the
5 Service Oklahoma Reimbursement Fund. However, the charge shall not
6 apply to any vehicle which is to be registered in this state
7 pursuant to the provisions of Section 1120 or 1133 of this title and
8 which was registered in another state at least sixty (60) days prior
9 to the time it is required to be registered in this state. When an
10 insurer requests a salvage or junk title in the name of the insurer
11 resulting from the settlement of a total loss claim and upon
12 presentation of appropriate proof of loss documentation as required
13 by Service Oklahoma, such transfer may be processed as one title
14 transaction, without first requiring issuance of a replacement
15 certificate of title in the name of the vehicle owner. The fee
16 shall be Twenty-two Dollars (\$22.00). Two Dollars (\$2.00) of this
17 fee shall be deposited in the Oklahoma Tax Commission Reimbursement
18 Fund.

19 I. The vehicle identification number of a junked vehicle shall
20 be preserved in the computer files of Service Oklahoma for a period
21 of not less than five (5) years. The charge of junked titles as
22 defined in paragraph 4 of subsection B of this section shall be Four
23 Dollars (\$4.00). The fee remitted to the Tax Commission shall be
24 deposited in the Oklahoma Tax Commission Reimbursement Fund through

1 December 31, 2022, and beginning January 1, 2023, this fee shall be
2 deposited in the Service Oklahoma Reimbursement Fund.

3 J. If a vehicle is sold to a resident of another state
4 destroyed, dismantled, or ceases to be used as a vehicle, the owner
5 shall immediately notify Service Oklahoma. Absent evidence to the
6 contrary, failure to notify Service Oklahoma shall be prima facie
7 evidence that the vehicle has been in continuous operation in this
8 state.

9 K. If a vehicle is stolen, the owner shall immediately notify
10 the appropriate law enforcement agency. Immediately after receiving
11 such notification, the law enforcement agency shall notify Service
12 Oklahoma.

13 L. Except for all-terrain vehicles, utility vehicles and
14 motorcycles used exclusively for off-road use, no title for an out-
15 of-state vehicle, except any commercial truck or truck-tractor
16 registered pursuant to Section 1120 of this title which is engaged
17 in interstate commerce or any trailer or semitrailer registered
18 pursuant to Section 1133 of this title which is engaged in
19 interstate commerce, shall be issued without an inspection of such
20 vehicle and payment of a fee of Four Dollars (\$4.00) for such
21 inspection; provided, Service Oklahoma may enter into reciprocal
22 agreements with other states for such inspections to be performed at
23 locations outside the boundaries of this state for vehicles which:

24 1. Are offered for sale at auction;

1 2. Have been solely used as vehicles for rent under the
2 ownership of a licensed motor vehicle dealer or a person engaged in
3 the business of renting motor vehicles; or

4 3. Have not been registered in this or any other state for more
5 than one (1) year.

6 The inspection shall include a comparison of the vehicle
7 identification number on the vehicle with the number recorded on the
8 ownership records and the recording of the actual odometer reading
9 on the vehicle. An establishment engaged in vehicle rentals as
10 defined or classified in the NAICS Manual under Industry No. 532111,
11 shall be exempt from the inspection required pursuant to this
12 subsection; provided, the establishment shall be required to submit
13 payment of any fees required pursuant to this subsection when the
14 title is issued. The four-dollar fee shall be collected by the
15 licensed operator or Service Oklahoma when the title is issued. The
16 licensed operator shall retain Two Dollars (\$2.00). The remaining
17 Two Dollars (\$2.00) shall be deposited in the Oklahoma Tax
18 Commission Reimbursement Fund through December 31, 2022, and
19 beginning January 1, 2023, this fee shall be deposited in the
20 Service Oklahoma Reimbursement Fund.

21 Service Oklahoma may allow the inspection to be performed at a
22 location out-of-state by another state's department of motor
23 vehicles or state police.

1 M. No title for any out-of-state vehicle offered for sale at
2 salvage pools, salvage disposal sales, or an auction, or by a dealer
3 or a licensed automotive dismantler and parts recycler, shall be
4 issued without an inspection to compare the vehicle identification
5 number on the vehicle with the number recorded on the ownership
6 record and to record the actual odometer reading on the vehicle.
7 Upon request of the seller, person or entity conducting an auction,
8 dealer or licensed dismantler, the inspection shall be conducted at
9 the location or place of business of the sale, auction, dealer, or
10 the dismantler. The inspection shall be conducted by any licensed
11 operator or a duly authorized employee thereof; provided, if the
12 vehicle identification number on the vehicle offered for sale at
13 salvage pools, salvage disposal sales or a classic or antique
14 auction does not match the number recorded on the ownership record,
15 the inspection may be conducted at the location of or place of
16 business of such sale or auction by any state, county or city law
17 enforcement officer. Service Oklahoma may enter into reciprocal
18 agreements with other states for such inspections to be performed at
19 locations outside the boundaries of this state for vehicles which:
20 1. Are offered for sale at auction;
21 2. Have been solely used as vehicles for rent under the
22 ownership of a licensed motor vehicle dealer or a person engaged in
23 the business of renting motor vehicles; or
24

1 3. Have not been registered in this or any other state for more
2 than one (1) year.

3 The inspection shall be certified upon forms prescribed by Service
4 Oklahoma. The name and other identification of the authorized
5 person conducting the inspection shall be legibly printed or typed
6 on the form. Prior to any inspection by any employee of a licensed
7 operator, the licensed operator shall notify Service Oklahoma of the
8 name and any other identification information requested by Service
9 Oklahoma of the authorized person. A signature specimen of the
10 authorized person shall be submitted to Service Oklahoma by the
11 employing licensed operator. If the authorization to inspect
12 vehicles is withdrawn or the employer-employee relationship is
13 terminated, the licensed operator, immediately, shall notify Service
14 Oklahoma and return any remaining inspection forms to Service
15 Oklahoma. The fee for the inspection shall be Four Dollars (\$4.00).
16 The licensed operator shall retain Three Dollars (\$3.00) of the fee.
17 Fees received by a licensed operator or an authorized employee
18 thereof shall be handled and accounted for in the manner as
19 prescribed by law for any other fees paid to or received by a
20 licensed operator. Out-of-state vehicles brought into this state by
21 a person licensed in another state to sell new or used vehicles to
22 be sold within this state at a motor vehicle auction which is
23 limited to dealer-to-dealer transactions shall not be required to be
24 inspected, unless the vehicle is purchased by an Oklahoma dealer.

1 Any person licensed in another state to sell new or used motor
2 vehicles, who offers a motor vehicle for sale within this state at a
3 motor vehicle auction which is limited to dealer-to-dealer
4 transactions, shall not be within the definition of "owner" in
5 Section 1102 of this title, for purposes of Section 1101 et seq. of
6 this title.

7 N. A licensed motor vehicle dealer, upon payment of a fee of
8 Fifteen Dollars (\$15.00), may reassign an out-of-state certificate
9 of title to a used motor vehicle provided such dealer obtains the
10 appropriate inspection form required by either subsection L or M of
11 this section and attaches the form to the out-of-state certificate
12 of title. Licensed operators shall be allowed to retain Two Dollars
13 and twenty-five cents (\$2.25) of the fee plus an additional Two
14 Dollars (\$2.00) or Three Dollars (\$3.00) as provided in subsections
15 L and M of this section for performance of the inspection. Two
16 Dollars (\$2.00) of the fee shall be deposited in the Service
17 Oklahoma Reimbursement Fund. An out-of-state vehicle which has been
18 rebuilt shall be inspected pursuant to the provisions of Section
19 1111 of this title. Service Oklahoma shall train licensed operators
20 in interpreting vehicle identification numbers to assure that it
21 accurately describes the vehicle and to detect rollback or
22 alteration of the odometer. Failure of a licensed operator to
23 inspect the vehicle and make the required notations shall be a
24 misdemeanor punishable by a fine of not more than One Thousand

1 Dollars (\$1,000.00) for the first offense and Five Thousand Dollars
2 (\$5,000.00) for the second offense or subsequent offense, or by
3 imprisonment in the county jail for not more than six (6) months, or
4 by both such fine and imprisonment.

5 O. The ownership of any unrecovered vehicle which has been
6 declared a total loss by an insurer because of theft shall be
7 transferred to the insurer by an unrecovered-theft vehicle title;
8 provided, the ownership of any such vehicle which has been declared
9 a total loss by an insurer licensed by the Insurance Department of
10 the State of Oklahoma and maintaining a multi-state motor vehicle
11 salvage processing center in this state shall be transferred to the
12 insurer by a salvage or an unrecovered-theft title without the
13 requirement of a visual inspection of the vehicle identification
14 number by the insurer. Upon recovery of the vehicle, the ownership
15 shall be transferred by an original title, salvage title, or junked
16 title, as may be appropriate based upon an estimate of the amount of
17 loss submitted by the insurer.

18 P. When an insurance company makes a total loss settlement on a
19 total loss vehicle and the insurance company or a salvage pool
20 authorized by the insurance company is unable to obtain the properly
21 endorsed certificate of ownership or other evidence of ownership
22 acceptable to Service Oklahoma within thirty (30) days following
23 acceptance by the owner of an offer of an amount in settlement of a
24 total loss, that insurance company or salvage pool, on a form

1 provided by Service Oklahoma and signed under penalty of perjury,
2 may request Service Oklahoma to issue the applicable salvage title
3 for the vehicle. The request shall include information declaring
4 that the requester has made at least two written attempts to obtain
5 the certificate of ownership or other acceptable evidence of title.

6 Q. The owner of any vehicle which is incapable of operation or
7 use on the public roads and has no resale value, except as parts,
8 scrap, or junk, may deliver the certificate of title to the vehicle
9 to Service Oklahoma for cancellation. Upon verification that any
10 perfected lien against the vehicle has been released, the
11 certificate of title shall be canceled without any fee, charge, or
12 cost required from the owner. The vehicle identification numbers on
13 the certificates of title shall be preserved in the computer files
14 of Service Oklahoma for at least five (5) years from the date of
15 cancellation of the certificate of title. Service Oklahoma shall
16 prescribe and provide an affidavit form to be completed by the owner
17 of any vehicle for which the certificate of title is canceled. No
18 title or registration shall subsequently be issued for a vehicle for
19 which the certificate of title has been surrendered pursuant to this
20 subsection. Service Oklahoma shall prescribe a form for the
21 transfer of ownership of a vehicle for which the certificate of
22 title has been canceled.

23 R. The owner of a vehicle which is not within the last ten (10)
24 model years, not roadworthy and not capable of repair for operation

1 or use on the roads and highways, or a vehicle which is being sold
2 to a scrap metal dealer pursuant to Section 11-92 of Title 2 of the
3 Oklahoma Statutes, shall transfer the vehicle only upon a
4 certificate of ownership prescribed by Service Oklahoma, if the
5 certificate of title to the vehicle is lost, has been canceled, or
6 otherwise not available. The prescribed ownership form shall
7 include the names and addresses of the buyer and seller, the driver
8 license number or Social Security number of the seller, the make and
9 model of the vehicle, and the public vehicle identification number.
10 If there is no public vehicle identification number, the vehicle
11 shall be inspected by a law enforcement officer to verify the
12 absence of the number on the vehicle and the prescribed ownership
13 form shall include a signed statement, by such officer, verifying
14 the absence of the number.

15 The certificate of ownership shall be completed in triplicate.
16 The buyer and seller shall each retain a copy. Within thirty (30)
17 days of the transaction, the seller shall submit one copy to Service
18 Oklahoma or a licensed operator accompanied with a fee of Four
19 Dollars (\$4.00). One Dollar (\$1.00) shall be retained by the
20 licensed operator and Three Dollars (\$3.00) shall be deposited in
21 the Oklahoma Tax Commission Reimbursement Fund in the State Treasury
22 through December 31, 2022, and beginning January 1, 2023, this fee
23 shall be deposited in the Service Oklahoma Reimbursement Fund.

24

1 Upon receipt of the certificate, Service Oklahoma shall verify
2 that any perfected lien upon the vehicle has been released. If the
3 lien is not released, Service Oklahoma shall mail notice of the
4 transfer to the lienholder at the lienholder's last-known address.
5 If a certificate of title has been issued, it shall be canceled and
6 the vehicle identification number shall be preserved in the computer
7 of Service Oklahoma for at least five (5) years. The buyer of the
8 vehicle may not be sued and shall not be liable for monetary damages
9 to the lienholder, however, the vehicle shall be subject to a valid
10 repossession by a lienholder.

11 S. Service Oklahoma shall notify the chief administrative
12 officer of the agency or department responsible for issuing motor
13 vehicle certificates of title in each state in the United States of
14 the types of motor vehicle certificate of title effective in
15 Oklahoma on and after January 1, 1989.

16 T. When registering for the first time in this state a
17 remanufactured vehicle which has not been registered in any other
18 state since its remanufacture, before issuing a certificate of
19 title, Service Oklahoma shall require the applicant to deliver a
20 statement of origin from the remanufacturer.

21 U. If a vehicle is sold to a foreign buyer pursuant to the
22 provisions of the Automotive Dismantlers and Parts Recycler Act, the
23 licensed seller shall stamp the title with: "EXPORT ONLY.
24 NONTRANSFERABLE IN THE UNITED STATES." The licensed seller shall

1 supply Service Oklahoma the title number, the vehicle identification
2 number and the foreign buyer's bid identification number on a form
3 prescribed by Service Oklahoma. Service Oklahoma shall cancel the
4 title, and the vehicle identification number shall be preserved in
5 the computer files of Service Oklahoma for a period of not less than
6 five (5) years.

7 V. Service Oklahoma shall not be considered a necessary party
8 to any lawsuit which is instigated for the purpose of determining
9 ownership of a vehicle, wherein Service Oklahoma's only involvement
10 would be to issue title, and the court shall issue an order
11 dismissing Service Oklahoma from the pending action. In the event
12 no other party or lienholder can be identified as to ownership or
13 claim, Service Oklahoma shall accept an affidavit of ownership from
14 the party claiming ownership and issue proper title thereon.

15 SECTION 65. REPEALER 47 O.S. 2021, Section 1105, as
16 amended by Section 1, Chapter 47, O.S.L. 2022 (47 O.S. Supp. 2023,
17 Section 1105), is hereby repealed.

18 SECTION 66. AMENDATORY 47 O.S. 2021, Section 1105A, as
19 last amended by Section 1, Chapter 366, O.S.L. 2023 (47 O.S. Supp.
20 2023, Section 1105A), is amended to read as follows:

21 Section 1105A. A. On or before July 1, 2023, Service Oklahoma
22 shall implement a program which will permit the electronic filing,
23 storage, and delivery of motor vehicle certificates of title and
24 allow a lienholder to perfect, assign and release a lien on a motor

1 vehicle in lieu of submission and maintenance of paper documents as
2 otherwise provided in the provisions of Section 1101 et seq. of this
3 title. Service Oklahoma may:

4 1. Enter into a competitive contract with a qualified third-
5 party service provider (System Developer), subject to the provisions
6 of the Oklahoma Central Purchasing Act, Section 85.1 et seq. of
7 Title 74 of the Oklahoma Statutes;

8 2. Act as the service provider; or

9 3. Authorize proprietary provider systems by Oklahoma financial
10 institutions,

11 to provide necessary hardware, software and services facilitating
12 the interconnection between licensed operators and electronic title
13 service providers described in subsection B of this section for a
14 certificate of title and for filing or releasing a lien pursuant to
15 the procedures prescribed by Service Oklahoma. The provisions of
16 this section shall apply to ~~applications for~~ certificates of title
17 issued and liens filed after June 30, 2022. Service Oklahoma shall
18 promulgate rules to implement the provisions of this section.

19 B. The program authorized under subsection A of this section
20 shall include, but not be limited to, procedures:

21 1. For the delivery of a certificate of title, on a paper
22 document or in an electronic format, to the secured party having the
23 primary perfected security interest in a vehicle in lieu of delivery
24 to the record owner, notwithstanding the provisions of Section 1101

1 et seq. of this title. When there is no security interest, lien, or
2 other encumbrance on the vehicle, delivery of a certificate of
3 title, on a paper document or in an electronic format, shall be made
4 to the record owner. Provided, when electronic transmission of
5 liens and lien satisfactions is used, a certificate of title need
6 not be issued or printed until the last lien is satisfied and a
7 clear certificate of title is issued to the owner of the vehicle at
8 their request;

9 2. Establishing qualifications for third-party electronic title
10 service providers offering electronic lien services. The vendor
11 selected in subsection A of this section shall not be considered an
12 electronic title service provider and shall not operate or own an
13 electronic title service provider;

14 3. Establishing reasonable fees, if necessary, to be charged by
15 service providers or contractors for the establishment, maintenance
16 and operation of the electronic lien title program;

17 4. Providing access to the electronic certificate of title
18 records including liens on record, for licensed motor vehicle
19 dealers and lienholders who participate in the program
20 notwithstanding the provisions of Section 1109 of this title;

21 5. Allowing licensed operators to participate in the electronic
22 lien title program. Participating licensed operators shall receive
23 all fees provided by the Oklahoma Vehicle License and Registration
24 Act unless otherwise provided in Section 1132A of this title; and

1 6. For the acceptance and use of electronic or digital
2 signatures.

3 C. As used in this section and Section 1101 et seq. of this
4 title:

5 1. "Deliver" or "delivery" means, with respect to a certificate
6 of title or lien, either the physical delivery of a paper document
7 or the electronic delivery of a document in an electronic format;

8 2. "Electronic format" means an electronic or digital format or
9 medium of any document, record or other information; and

10 3. "Possess" or "possession" means, with respect to a
11 certificate of title or lien, to hold or otherwise exercise control
12 over a document which is in either a physical or electronic format.

13 D. Any documents created, stored or delivered under the
14 electronic lien title program as provided in this section shall be
15 ~~considered~~ presumed valid including any signatures which are
16 generated electronically or contained on a scanned copy. A
17 certified copy of Service Oklahoma's electronic record of a motor
18 vehicle certificate of title or lien is admissible in any civil,
19 criminal, or administrative proceeding in this state as evidence of
20 the existence and contents of the certificate of title or lien.

21 E. The Tax Commission is authorized to expend funds necessary
22 for the implementation of the program provided in subsection A of
23 this section from available monies in the Oklahoma Tax Commission
24 and Office of Management and Enterprise Services Joint Computer

1 Enhancement Fund created pursuant to Section 265 of Title 68 of the
2 Oklahoma Statutes.

3 F. In the development of the program provided in subsection A
4 of this section, the Oklahoma Tax Commission shall consult
5 interested parties including, but not limited to, representatives of
6 the Oklahoma Automobile Dealers Association, the Oklahoma Bankers
7 Association, the ~~Oklahoma~~ Credit Union Association of Oklahoma and
8 the ~~Oklahoma~~ Tag Agent Coalition.

9 G. All documents submitted electronically pursuant to the
10 provisions of subsection A shall not require notarization.

11 H. All documents submitted pursuant to the provisions of this
12 section shall be retained pursuant to the provision of subsection A
13 of this section.

14 I. Submission and maintenance of paper documents as otherwise
15 provided in this provisions of Section 1101 et seq. of this title
16 shall be accepted through June 30, 2025.

17 SECTION 67. REPEALER 47 O.S. 2021, Section 1105A, as
18 amended by Section 1, Chapter 179, O.S.L. 2022 (47 O.S. Supp. 2023,
19 Section 1105A), is hereby repealed.

20 SECTION 68. AMENDATORY 47 O.S. 2021, Section 1107, as
21 last amended by Section 2, Chapter 366, O.S.L. 2023 (47 O.S. Supp.
22 2023, Section 1107), is amended to read as follows:

23 Section 1107. A. In the event of the sale or transfer of the
24 ownership of a vehicle for which a certificate of title has been

1 issued as provided by Section 1105 of this title, the holder of such
2 certificate shall endorse on the back of same a complete assignment
3 thereof with warranty of title in form printed thereon with a
4 statement of all liens or encumbrances on the vehicle, sworn to
5 before a notary public or some other person authorized by law to
6 take acknowledgments, and deliver same to the purchaser or
7 transferee at the time of delivery to the purchaser or transferee of
8 the vehicle; provided, a transfer of the ownership of a vehicle to
9 an insurer resulting from the settlement of a total loss claim shall
10 not require a notarized signature on the certificate of title. In
11 the event that any other documents used for a transfer of the
12 ownership of a vehicle to an insurer resulting from the settlement
13 of a total loss claim require a notarized signature, the documents
14 shall be permitted to be signed electronically pursuant to Section
15 15-109 of Title 12A of the Oklahoma Statutes. These supporting
16 documents shall include but are not limited to vehicle powers of
17 attorney forms and an odometer statement. The purchaser or
18 transferee, unless such person is a bona fide used motor vehicle
19 dealer licensed by this state, a retail implement dealer in
20 connection with the purchase or transfer of off-road vehicles or a
21 charitable organization shall, within thirty (30) days from the time
22 of delivery to the purchaser or transferee of the vehicle, present
23 the assigned certificate of title and the insurance security
24 verification to the vehicle to Service Oklahoma, or one of its

1 licensed operators, accompanied by a fee of Eleven Dollars (\$11.00),
2 together with any motor vehicle excise tax or license fee that may
3 be due, whereupon a new certificate of title, shall be issued to the
4 assignee. One Dollar (\$1.00) of each fee shall be deposited in the
5 Oklahoma Tax Commission Reimbursement Fund through December 31,
6 2022, and beginning January 1, 2023, this fee shall be deposited in
7 the Service Oklahoma Reimbursement Fund. Any charitable
8 organization utilizing the exemption authorized by this subsection
9 shall receive training as prescribed by the Oklahoma Used Motor
10 Vehicle ~~and Parts~~, Dismantler, and Manufactured Housing Commission.

11 B. A licensed dealer, a retail implement dealer in connection
12 with the sale or disposal of off-road vehicles or a charitable
13 organization shall, on selling or otherwise disposing of a vehicle,
14 execute and deliver to the purchaser thereof the certificate of
15 title properly and completely reassigned. Thereupon, the purchaser
16 of the vehicle shall present the reassigned certificate to Service
17 Oklahoma, or a licensed operator, accompanied by a fee of Eleven
18 Dollars (\$11.00), and any motor vehicle excise tax or license fee
19 that may be due, whereupon a new certificate of title will be issued
20 to the purchaser. One Dollar (\$1.00) of each fee shall be deposited
21 in the Oklahoma Tax Commission Reimbursement Fund through December
22 31, 2022, and beginning January 1, 2023, this fee shall be deposited
23 in the Service Oklahoma Reimbursement Fund. The certificate, when
24 so assigned and returned to Service Oklahoma, together with any

1 subsequent assignment or reissue thereof, shall be appropriately
2 filed and indexed so that at all times it will be possible to trace
3 title to the vehicle designated therein. Provided, when the
4 ownership of any motor vehicle shall pass by operation of law, the
5 person owning the vehicle may, upon furnishing satisfactory proof to
6 Service Oklahoma of ownership, procure a title to the motor vehicle,
7 regardless of whether a certificate of title has ever been issued.
8 The dealer shall execute and deliver to the purchaser bills of sale
9 on forms prescribed by Service Oklahoma for all new vehicles sold by
10 the dealer. On presentation of a bill of sale executed on forms
11 prescribed by Service Oklahoma, by a manufacturer or dealer for a
12 new vehicle sold in this state, accompanied by remittance in the sum
13 of Eleven Dollars (\$11.00), together with any motor vehicle excise
14 tax or license fee that may be due, a certificate of title shall be
15 issued in accordance with the provisions of the Oklahoma Vehicle
16 License and Registration Act. One Dollar (\$1.00) of each fee shall
17 be deposited in the Oklahoma Tax Commission Reimbursement Fund
18 through December 31, 2022, and beginning January 1, 2023, this fee
19 shall be deposited in the Service Oklahoma Reimbursement Fund. For
20 purposes of this subsection, "charitable organization" shall mean
21 any organization which is exempt from taxation pursuant to the
22 provisions of the Internal Revenue Code, 26 U.S.C., Section
23 501(c)(3) and which is registered as a charitable organization with
24 the Oklahoma Secretary of State and the Oklahoma Attorney General's

1 office; "off-road vehicles" means all-terrain vehicles, utility
2 vehicles, and motorcycles used exclusively for off-road use; "retail
3 implement dealer" means a business engaged primarily in the sale of
4 farm tractors as defined in Section 1-118 of this title or
5 implements of husbandry as defined in Section 1-125 of this title or
6 a combination thereof.

7 C. Any person violating the provisions of this section shall be
8 guilty of a misdemeanor and upon the first conviction thereof shall
9 be punished by a fine not to exceed Five Hundred Dollars (\$500.00),
10 with impoundment of the vehicle until all taxes and fees are paid.
11 A second or subsequent conviction shall be punished by a fine not to
12 exceed One Thousand Dollars (\$1,000.00), with impoundment of the
13 vehicle until all taxes and fees are paid. If a vehicle is
14 impounded pursuant to the provisions of this section, the vehicle
15 shall not be released to the owner until the owner provides proof of
16 security or an affidavit that the vehicle will not be used on public
17 highways or public streets, as required pursuant to Section 7-600 et
18 seq. of this title. Each vehicle involved in a violation of this
19 section shall be considered a separate offense.

20 SECTION 69. REPEALER 47 O.S. 2021, Section 1107, as last
21 amended by Section 1, Chapter 199, O.S.L. 2023 (47 O.S. Supp. 2023,
22 Section 1107), is hereby repealed.

23
24

1 SECTION 70. AMENDATORY 47 O.S. 2021, Section 1110, as
2 last amended by Section 122, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
3 2023, Section 1110), is amended to read as follows:

4 Section 1110. A. 1. Except for a security interest in
5 vehicles held by a dealer for sale or lease, a vehicle registered by
6 a federally recognized Indian tribe as provided in subsection G of
7 this section, and a vehicle being registered in this state which was
8 previously registered in another state and which title contains the
9 name of a secured party on the face of the other state certificate
10 or title, and except as otherwise provided in subsection B of
11 Section 1105 of this title, a security interest in a vehicle as to
12 which a certificate of title may be properly issued by Service
13 Oklahoma shall be perfected only when a lien entry form, and the
14 existing certificate of title, if any, or application for a
15 certificate of title and manufacturer's certificate of origin
16 containing the name and address of the secured party and the date of
17 the security agreement and the required fee are delivered to Service
18 Oklahoma or to a licensed operator. As used in this section, the
19 term "dealer" shall be defined as provided in Section 1-112 of this
20 title and the term "security interest" shall be defined as provided
21 in paragraph (35) of Section 1-201 of Title 12A of the Oklahoma
22 Statutes. When a vehicle title is presented to a licensed operator
23 for transferring or registering and the documents reflect a
24 lienholder, the licensed operator shall perfect the lien pursuant to

1 subsection G of Section 1105 of this title. For the purposes of
2 this section, the term "vehicle" shall not include special mobilized
3 machinery, machinery used in highway construction or road material
4 construction and rubber-tired road construction vehicles including
5 rubber-tired cranes. The filing and duration of perfection of a
6 security interest, pursuant to the provisions of Title 12A of the
7 Oklahoma Statutes, including, but not limited to, Section 1-9-311 of
8 Title 12A of the Oklahoma Statutes, shall not be applicable to
9 perfection of security interests in vehicles as to which a
10 certificate of title may be properly issued by Service Oklahoma,
11 except as to vehicles held by a dealer for sale or lease and except
12 as provided in subsection D of this section. In all other respects
13 Title 12A of the Oklahoma Statutes shall be applicable to such
14 security interests in vehicles as to which a certificate of title
15 may be properly issued by Service Oklahoma.

16 2. Whenever a person creates a security interest in a vehicle,
17 the person shall surrender to the secured party the certificate of
18 title or the signed application for a new certificate of title, on
19 the form prescribed by Service Oklahoma, and the manufacturer's
20 certificate of origin. The secured party shall deliver the lien
21 entry form and the required lien filing fee within twenty-five (25)
22 days as provided hereafter with certificate of title or the
23 application for certificate of title and the manufacturer's
24 certificate of origin to Service Oklahoma or to a licensed operator.

1 If the lien entry form, the lien filing fee and the certificate of
2 title or application for certificate of title and the manufacturer's
3 certificate of origin are delivered to Service Oklahoma or to a
4 licensed operator within twenty-five (25) days after the date of the
5 lien entry form, perfection of the security interest shall begin
6 from the date of the execution of the lien entry form, but
7 otherwise, perfection of the security interest shall begin from the
8 date of the delivery to Service Oklahoma or to a licensed operator.

9 3. a. For each security interest recorded on a certificate
10 of title, or manufacturer's certificate of origin,
11 such person shall pay a fee of Ten Dollars (\$10.00),
12 which shall be in addition to other fees provided for
13 in the Oklahoma Vehicle License and Registration Act.
14 Upon the receipt of the lien entry form and the
15 required fees with either the certificate of title or
16 an application for certificate of title and
17 manufacturer's certificate of origin, a licensed
18 operator shall, by placement of a clearly
19 distinguishing mark, record the date and number shown
20 in a conspicuous place, on each of these instruments.
21 Of the ten-dollar fee, the licensed operator shall
22 retain Two Dollars (\$2.00) for recording the security
23 interest lien.

24

1 b. It shall be unlawful for any person to solicit, accept
2 or receive any gratuity or compensation for acting as
3 a messenger and for acting as the agent or
4 representative of another person in applying for the
5 recording of a security interest or for the
6 registration of a motor vehicle and obtaining the
7 license plates or for the issuance of a certificate of
8 title therefor unless Service Oklahoma has appointed
9 and approved the person to perform such acts; and
10 before acting as a messenger, any such person shall
11 furnish to Service Oklahoma a surety bond in such
12 amount as Service Oklahoma shall determine
13 appropriate.

14 4. The certificate of title or the application for certificate
15 of title and manufacturer's certificate of origin with the record of
16 the date of receipt clearly marked thereon shall be returned to the
17 debtor together with a notice that the debtor is required to
18 register and pay all additional fees and taxes due within thirty
19 (30) days from the date of purchase of the vehicle.

20 5. Any person creating a security interest in a vehicle that
21 has been previously registered in the debtor's name and on which all
22 taxes due the state have been paid shall surrender the certificate
23 of ownership to the secured party. The secured party shall have the
24 duty to record the security interest as provided in this section and

1 shall, at the same time, obtain a new certificate of title which
2 shall show the secured interest on the face of the certificate of
3 title.

4 6. The lien entry form with the date and assigned number
5 thereof clearly marked thereon shall be returned to the secured
6 party. If the lien entry form is received and authenticated, as
7 herein provided, by a licensed operator, the licensed operator shall
8 make a report thereof to Service Oklahoma upon the forms and in the
9 manner as may be prescribed by Service Oklahoma.

10 7. Service Oklahoma shall have the duty to record the lien upon
11 the face of the certificate of title issued at the time of
12 registering and paying all fees and taxes due on the vehicle.

13 8. When there is an active lien from a commercial lender in
14 place on a vehicle, licensed operators shall be prohibited from
15 transferring the certificate of title on that vehicle until the lien
16 is satisfied, except when the title is transferred:

17 a. to a person whose name is included on the loan for
18 which the lien is placed pursuant to an agreement by
19 the lender and any party to the title,

20 b. to a trust created by a person whose name is included
21 on the loan for which the lien is placed, or

22 c. from a person who has died, upon the submission of a
23 death certificate.

24

1 The provisions of this paragraph shall not be construed to release
2 any lien or debt based solely upon a transfer of certificate of
3 title.

4 B. 1. A secured party shall, within seven (7) business days
5 after the satisfaction of the security interest, furnish directly or
6 by mail a release of a security interest to Service Oklahoma and
7 mail a copy thereof to the last-known address of the debtor. If the
8 security interest has been satisfied by payment from a licensed used
9 motor vehicle dealer to whom the motor vehicle has been transferred,
10 the secured party shall also, within seven (7) business days after
11 such satisfaction, mail an additional copy of the release to the
12 dealer. If the secured party fails to furnish the release as
13 required, the secured party shall be liable to the debtor for a
14 penalty of One Hundred Dollars (\$100.00). Following the seven (7)
15 business days after satisfaction of the lien and upon receipt by the
16 lienholder of written communication demanding the release of the
17 lien, thereafter the penalty shall increase to One Hundred Dollars
18 (\$100.00) per day for each additional day beyond seven (7) business
19 days until accumulating to One Thousand Five Hundred Dollars
20 (\$1,500.00) or the value of the vehicle, whichever is less, and, in
21 addition, any loss caused to the debtor by such failure.

22 2. Upon release of a security interest the owner may obtain a
23 new certificate of title omitting reference to the security
24

1 interest, by submitting to Service Oklahoma or to a licensed
2 operator:

- 3 a. a release signed by the secured party, an application
4 for new certificate of title and the proper fees, or
- 5 b. by submitting to Service Oklahoma or the licensed
6 operator an affidavit, supported by such documentation
7 as Service Oklahoma may require, by the owner on a
8 form prescribed by Service Oklahoma stating that the
9 security interest has been satisfied and stating the
10 reasons why a release cannot be obtained, an
11 application for a new certificate of title and the
12 proper fees.

13 Upon receiving such affidavit that the security interest has been
14 satisfied, Service Oklahoma shall issue a new certificate of title
15 eliminating the satisfied security interest and the name and address
16 of the secured parties who have been paid and satisfied. Service
17 Oklahoma shall accept a release of a security interest in any form
18 that identifies the debtor, the secured party, and the vehicle, and
19 contains the signature of the secured party. Service Oklahoma shall
20 not require any particular form for the release of a security
21 interest.

22 The words "security interest" when used in the Oklahoma Vehicle
23 License and Registration Act do not include liens dependent upon
24 possession.

1 C. Service Oklahoma shall file and index certificates of title
2 so that at all times it will be possible to trace a certificate of
3 title to the vehicle designated therein, identify the lien entry
4 form, and the names and addresses of secured parties, or their
5 assignees, so that all or any part of such information may be made
6 readily available to those who make legitimate inquiry of Service
7 Oklahoma as to the existence or nonexistence of security interest in
8 the vehicle.

9 D. 1. Any security interest in a vehicle properly perfected
10 prior to July 1, 1979, may be continued as to its effectiveness or
11 duration as provided by Sections 1-9-510 and 1-9-515 of Title 12A of
12 the Oklahoma Statutes, or may be terminated, assigned or released as
13 provided by Sections 1-9-512, 1-9-513 and 1-9-514 of Title 12A of
14 the Oklahoma Statutes, as fully as if this section had not been
15 enacted, or, at the option of the secured party, may also be
16 perfected under this section, and, if so perfected, the time of
17 perfection under this section shall be the date the security
18 interest was originally perfected under the prior law.

19 2. Upon request of the secured party, the debtor or any other
20 holder of the certificate of title shall surrender the certificate
21 of title to the secured party and shall do such other acts as may be
22 required to perfect the security interest under this section.

23 E. If a manufactured home is permanently affixed to real
24 estate, an Oklahoma certificate of title may be surrendered to

1 Service Oklahoma or a licensed operator for cancellation. When the
2 document of title is surrendered, the owner shall provide the legal
3 description or the appropriate tract or parcel number of the real
4 estate and other information as may be required on a form provided
5 by Service Oklahoma. Service Oklahoma may not cancel a document of
6 title if a lien has been registered or recorded. Service Oklahoma
7 or the licensed operator shall notify the owner and any lienholder
8 that the title has been surrendered to Service Oklahoma and that
9 Service Oklahoma may not cancel the title until the lien is
10 released. Such notification shall include a description of the lien
11 and such notification to the owner shall be accompanied by the
12 return of title surrendered. Permanent attachment to real estate
13 does not affect the validity of a lien recorded or registered with
14 Service Oklahoma before the document of title is canceled pursuant
15 to this section. The rights of a prior lienholder pursuant to a
16 security agreement or the provisions of a credit transaction and the
17 rights of the state pursuant to a tax lien are preserved. Service
18 Oklahoma or the licensed operator shall forward the information to
19 the county assessor of the county where the real estate is located
20 and indicate whether the original document of title has been
21 canceled. A fee of Five Dollars (\$5.00) shall accompany the
22 application for cancellation of title. When the fee is paid by a
23 person making an application directly with Service Oklahoma, the fee
24 shall be deposited in the Oklahoma Tax Commission Revolving Fund.

1 Beginning January 1, 2023, the fee shall be deposited in the Service
2 Oklahoma Revolving Fund. A fee paid to a licensed operator shall be
3 retained by the licensed operator. The owner of a manufactured home
4 upon which the document of title has been properly surrendered may
5 apply to Service Oklahoma for issuance of a new original certificate
6 of title upon submission of:

7 1. An attestation from the homeowner indicating ownership of
8 the manufactured home and the nonexistence of any security interest
9 or lien of record in the manufactured home; and

10 2. A title opinion by a licensed attorney, determining that the
11 owner of the manufactured home has marketable title to the real
12 property upon which the manufactured home is located and that no
13 documents filed of record in the county clerk's office concerning
14 the real property contain a mortgage, recorded financial statement,
15 judgment, or lien of record. Persons or entities to whom the title
16 opinion is addressed may rely on the title opinion. A security
17 interest in a manufactured home perfected pursuant to this section
18 shall have priority over a conflicting interest of a mortgagee or
19 other lien encumbrancer, or the owner of the real property upon
20 which the manufactured home became affixed or otherwise permanently
21 attached. The holder of the security interest in the manufactured
22 home, upon default, may remove the manufactured home from such real
23 property. The holder of the security interest in the manufactured
24 home shall reimburse the owner of the real property who is not the

1 debtor and who has not otherwise agreed to access the real property
2 for the cost of repair of any physical injury to the real property,
3 but shall not be liable for any diminution in value to the real
4 property caused by the removal of the manufactured home, trespass,
5 or any other damages caused by the removal. The debtor shall notify
6 the holder of the security interest in the manufactured home of the
7 street address, if any, and the legal description of the real
8 property upon which the manufactured home is affixed or otherwise
9 permanently attached and shall sign such other documents, including
10 any appropriate mortgage, as may reasonably be requested by the
11 holder of such security interest.

12 F. In the case of motor vehicles or trailers, notwithstanding
13 any other provision of law, a transaction does not create a sale or
14 security interest merely because it provides that the rental price
15 is permitted or required to be adjusted under the agreement either
16 upward or downward by reference to the amount realized upon sale or
17 other disposition of the motor vehicle or trailer.

18 G. A security interest in vehicles registered by a federally
19 recognized Indian tribe shall be deemed valid under Oklahoma law if
20 validly perfected under the applicable tribal law and the lien is
21 noted on the face of the tribal certificate of title.

22 SECTION 71. REPEALER 47 O.S. 2021, Section 1110, as
23 amended by Section 1, Chapter 204, O.S.L. 2022 (47 O.S. Supp. 2023,
24 Section 1110), is hereby repealed.

1 SECTION 72. AMENDATORY 47 O.S. 2021, Section 1113, as
2 last amended by Section 127, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
3 2023, Section 1113), is amended to read as follows:

4 Section 1113. A. 1. Except for all-terrain vehicles, utility
5 vehicles and motorcycles used exclusively off roads and highways,
6 upon the filing of a registration application and the payment of the
7 fees provided for in the Oklahoma Vehicle License and Registration
8 Act, Service Oklahoma or the Corporation Commission, as applicable,
9 shall assign to the vehicle described in the application a
10 distinctive number, and issue to the owner of the vehicle a
11 certificate of registration, one license plate and a yearly decal.
12 Service Oklahoma shall assign an all-terrain vehicle, utility
13 vehicle or motorcycle used exclusively off roads and highways a
14 distinctive number and issue to the owner a certificate of
15 registration and a decal but not a license plate. For each
16 subsequent registration year, Service Oklahoma shall issue a yearly
17 decal to be affixed to the license plate, except for an all-terrain
18 vehicle, utility vehicle or motorcycle used exclusively off roads
19 and highways. The initial decal for an all-terrain vehicle, utility
20 vehicle or motorcycle shall be attached to the front of the vehicle
21 and shall be in clear view. The decal shall be on the front or on
22 the front fork of the motorcycle used exclusively off roads and
23 highways and the decal shall be in clear view. The yearly decal
24 shall have an identification number and the last two numbers of the

1 registration year for which it shall expire. Except as provided by
2 Section 1113A of this title, the license plate shall be affixed to
3 the exterior of the vehicle until a replacement license plate is
4 applied for. If the owner applies for a replacement license plate,
5 Service Oklahoma shall charge the fee provided for in Section 1114
6 of this title. The yearly decal will validate the license plate for
7 each registration period other than the year the license plate is
8 issued. The license plate and decal shall be of such size, color,
9 design and numbering as Service Oklahoma may direct. However,
10 yearly decals issued to the owner of a vehicle who has filed an
11 affidavit with the appropriate licensed operator in accordance with
12 Section 7-607 of this title shall be a separate and distinct color
13 from all other decals issued under this section. Before the
14 effective date of this act, Service Oklahoma shall also issue a
15 monthly decal which shall include a two-letter abbreviation
16 corresponding to the county in which the vehicle is registered.
17 Service Oklahoma shall issue all decals in the possession of Service
18 Oklahoma on the effective date of this act before issuing any decals
19 which do not contain the county abbreviation.

20 2. a. The operation of a street-legal utility vehicle on the
21 streets and highways of this state requires the
22 vehicle be issued a certificate of registration and
23 license plate to be renewed annually. Upon the filing
24 of a registration application and the payment of the

1 fees provided for in the Oklahoma Vehicle License and
2 Registration Act, Service Oklahoma or the Corporation
3 Commission, as applicable, shall assign to the vehicle
4 described in the application a distinctive number, and
5 issue to the owner of the vehicle a certificate of
6 registration, one license plate and a yearly decal.
7 For each subsequent registration year, Service
8 Oklahoma shall issue a yearly decal to be affixed to
9 the license plate. The initial decal for a street-
10 legal utility vehicle shall be attached to the front
11 of the vehicle and shall be in clear view. The yearly
12 decal shall have an identification number and the last
13 two numbers of the registration year for which it
14 shall expire. Except as provided by Section 1113A of
15 this title, the license plate shall be affixed to the
16 exterior of the vehicle until a replacement license
17 plate is issued. If the owner applies for a
18 replacement license plate, Service Oklahoma shall
19 charge the fee provided for in Section 1114 of this
20 title. The yearly decal will validate the license
21 plate for each registration period other than the year
22 the license plate is issued. The license plate and
23 decal shall be of such size, color, design and
24 numbering as Service Oklahoma may direct. However,

1 yearly decals issued to the owner of a vehicle who has
2 filed an affidavit with the appropriate licensed
3 operator in accordance with Section 7-607 of this
4 title shall be a separate and distinct color from all
5 other decals issued under this section.

6 b. Service Oklahoma shall design and issue a temporary
7 tag to out-of-state owners of street-legal utility
8 vehicles. The temporary tag shall be recognized in
9 lieu of registration in this state. The temporary tag
10 shall clearly indicate the date of issuance and the
11 date of expiration, which shall be five (5) days,
12 including the day of issuance. Upon application for a
13 temporary tag, the out-of-state owner shall show proof
14 of insurance coverage that satisfies the requirements
15 of the Compulsory Insurance Law pursuant Section 7-600
16 et seq. of this title. Service Oklahoma is authorized
17 to promulgate rules and procedures to implement the
18 provisions of this paragraph.

19 3. a. The operation of a military surplus vehicle, as
20 defined by Section 1-133.1a of this title, on the
21 streets and highways of this state requires that the
22 vehicle be issued a certificate of registration and
23 license plate to be renewed annually. Upon the filing
24 of a registration application and the payment of the

1 fees provided for in the Oklahoma Vehicle License and
2 Registration Act, Service Oklahoma or the Corporation
3 Commission, as applicable, shall design and assign
4 license plates of a distinctive design in lieu of the
5 usual license plates that shall show, in addition to
6 the identification number, that the vehicle meets the
7 qualifications of a military surplus vehicle, as the
8 case may be, owned by an Oklahoma military surplus
9 vehicle collector. The registration shall be valid
10 for one (1) year and may be renewed by payment of such
11 annual fee. The yearly decal shall have an
12 identification number and the last two numbers of the
13 registration year for which it shall expire. Except
14 as provided by Section 1113A of this title, the
15 license plate shall be affixed to the exterior of the
16 vehicle until a replacement license plate is issued.
17 If the owner applies for a replacement license plate,
18 Service Oklahoma shall charge the fee provided for in
19 Section 1114 of this title. The yearly decal will
20 validate the license plate for each registration
21 period other than the year the license plate is
22 issued. The license plate and decal shall be of such
23 size, color, design, and numbering as Service Oklahoma
24 may direct. However, yearly decals issued to the

1 owner of a vehicle who has filed an affidavit with the
2 appropriate licensed operator in accordance with
3 Section 7-607 of this title shall be a separate and
4 distinct color from all other decals issued under this
5 section.

6 b. Each military surplus vehicle collector, as defined by
7 Section 1-133.1b of this title, who applies for
8 military surplus vehicle license plates will be issued
9 a military surplus collector's identification number
10 that will appear on each license plate. Second and
11 all subsequent registrations under this section by the
12 same collector will bear the same collector's
13 identification number followed by a suffix letter for
14 vehicle identification.

15 c. A military surplus vehicle collector must own and have
16 registered one or more vehicles with regular Oklahoma
17 license plates that are used for regular
18 transportation.

19 d. There shall be a one-time processing fee of Twenty
20 Dollars (\$20.00) to defray the cost of issuing the
21 original military surplus vehicle collector's military
22 surplus vehicle designation license plates to ensure
23 that each collector will be issued only one
24 collector's identification number.

1 4. The license plate shall be securely attached to the rear of
2 the vehicle, except truck-tractor plates which shall be attached to
3 the front of the vehicle. Service Oklahoma may, with the
4 concurrence of the Department of Public Safety, by Joint Rule,
5 change and direct the manner, place and location of display of any
6 vehicle license plate when such action is deemed in the public
7 interest. The license plate, decal and all letters and numbers
8 shall be clearly visible at all times. The operation of a vehicle
9 in this state, regardless of where such vehicle is registered, upon
10 which the license plate is covered, overlaid or otherwise screened
11 with any material, whether such material be clear, translucent,
12 tinted or opaque, shall be a violation of this paragraph.

13 ~~4.~~ 5. Upon payment of the annual registration fee provided in
14 Section 1133 of this title, Service Oklahoma or the Corporation
15 Commission, as applicable, or a licensed operator may issue a
16 permanent nonexpiring license plate to an owner of one hundred or
17 more commercial motor vehicles and for vehicles registered under the
18 provisions of Section 1120 of this title. Upon payment of the
19 annual registration fee, Service Oklahoma or the Corporation
20 Commission shall issue a certificate of registration that shall be
21 carried at all times in the vehicle for which it is issued.
22 Provided, if the registrant submits its application through
23 electronic means, such qualified owners of one hundred or more
24 commercial motor vehicles, properly registered pursuant to the

1 provisions of Section 1133 of this title, may elect to receive a
2 permanent certificate of registration that shall be carried at all
3 times in the vehicle for which it is issued.

4 ~~5.~~ 6. Every vehicle owned by an agency of this state shall be
5 exempt from the payment of registration fees required by this title.
6 Provided, such vehicle shall be registered and shall otherwise
7 comply with the provisions of the Oklahoma Vehicle License and
8 Registration Act.

9 B. The license plates required under the provisions of this
10 title shall conform to the requirements and specifications listed
11 hereinafter:

12 1. Each license plate shall have a space for the placement of
13 the yearly decals for each succeeding year of registration after the
14 initial issue;

15 2. The provisions of the Oklahoma Vehicle License and
16 Registration Act regarding the issuance of yearly decals shall not
17 apply to the issuance of apportioned license plates, including
18 license plates for state vehicles, and exempt plates for
19 governmental entities and fire departments organized pursuant to
20 Section 592 of Title 18 of the Oklahoma Statutes;

21 3. All license plates and decals shall be made with
22 reflectorized material as a background to the letters, numbers and
23 characters displayed thereon. The reflectorized material shall be
24 of such a nature as to provide effective and dependable brightness

1 during the service period for which the license plate or decal is
2 issued;

3 4. Except as otherwise provided in this subsection, Service
4 Oklahoma shall design appropriate official license plates for all
5 state vehicles. Such license plates shall be permanent in nature
6 and designed in such manner as to remain with the vehicle for the
7 duration of the vehicle's life span or until the title is
8 transferred to a nongovernmental owner;

9 5. Within the limits prescribed in this section, Service
10 Oklahoma shall design appropriate official license plates for
11 vehicles of the Oklahoma Highway Patrol. The license plates shall
12 have the legend "Oklahoma OK" and shall contain the letters "OHP"
13 followed by the state seal and the badge number of the Highway
14 Patrol officer to whom the vehicle is assigned. The words "Oklahoma
15 Highway Patrol" shall also be included on such license plates;

16 6. Within the limits prescribed in this section, Service
17 Oklahoma shall design appropriate official license plates for
18 vehicles of the Oklahoma Military Department. Such license plates
19 shall have the legend "Oklahoma OK" and shall contain the letters
20 "OMD" followed by the state seal and three numbers or letters as
21 designated by the Adjutant General. The words "Oklahoma Military
22 Department" shall also be included on such license plates;

23 7. Within the limits prescribed in this section, Service
24 Oklahoma shall design appropriate official license plates for

1 vehicles of the Oklahoma Department of Corrections. Such license
2 plates shall contain the letters "DOC" followed by the Department of
3 Corrections badge and three numbers or letters or combination of
4 both as designated by the Director of the agency. The words
5 "Department of Corrections" shall also be included on such license
6 plates; and

7 8. Within the limits prescribed in this section, the Oklahoma
8 Tourism and Recreation Department shall design any license plates
9 required by the initiation of a license plate reissuance by Service
10 Oklahoma at the request of the Department of Public Safety pursuant
11 to the provisions of Section 1113.2 of this title. Any such new
12 designs shall be submitted by the Oklahoma Tourism and Recreation
13 Department to the Department of Public Safety for its approval prior
14 to being issued by Service Oklahoma.

15 C. Where the applicant has satisfactorily shown that the
16 applicant owns the vehicle sought to be registered but is unable to
17 produce documentary evidence of the ownership, a license plate may
18 be issued upon approval by Service Oklahoma or the Corporation
19 Commission, as applicable. In such instances the reason for not
20 issuing a certificate of title shall be indicated on the receipt
21 given to the applicant. It shall still be the duty of the applicant
22 to immediately take all necessary steps to obtain the Oklahoma
23 certificate of title and it shall be unlawful for the applicant to

24

1 sell the vehicle until the certificate has been obtained in the
2 applicant's name.

3 D. The certificate of registration provided for in this section
4 shall be in convenient form, and the certificate of registration, or
5 a certified copy or photostatic copy thereof, duly authenticated by
6 Service Oklahoma or the Corporation Commission, as applicable, shall
7 be carried at all times in or upon all vehicles so registered, in
8 such manner as to permit a ready examination thereof upon demand by
9 any peace officer of the state or duly authorized employee of the
10 Department of Public Safety. Any such officer or agent may seize
11 and hold such vehicle when the operator of the same does not have
12 the registration certificate in the operator's possession or when
13 any such officer or agent determines that the registration
14 certificate has been obtained by misrepresentation of any essential
15 or material fact or when any number or identifying information
16 appearing on such certificate has been changed, altered, obliterated
17 or concealed in any way, until the proper registration or
18 identification of such vehicle has been made or produced by the
19 owner thereof.

20 E. The purchaser of a new or used manufactured home shall,
21 within thirty (30) days of the date of purchase, register the home
22 with Service Oklahoma or a licensed operator pursuant to the
23 provisions of Section 1117 of this title. For a new manufactured
24 home, it shall be the responsibility of the dealer selling the home

1 to place a temporary license plate on the home in the same manner as
2 provided in Section 1128 of this title for other new motor vehicles.
3 For the first year that any manufactured home is registered in this
4 state, Service Oklahoma shall issue a metal license plate which
5 shall be affixed to the manufactured home. The temporary dealer
6 license plate or the metal license plate shall be displayed on the
7 manufactured home at all times when upon a public roadway; provided,
8 a repossession affidavit issued pursuant to Sections 1110 and 1126
9 of this title shall be permissible in lieu of a current license
10 plate and decal for the purposes of removing a repossessed
11 manufactured home to a secure location. Manufactured homes
12 previously registered and subject to ad valorem taxation as provided
13 by law shall have a decal affixed at the time ad valorem taxes are
14 paid for such manufactured home; provided, for a manufactured home
15 permanently affixed to real estate, no decal or license plate shall
16 be required to be affixed and the owner thereof shall be given a
17 receipt upon payment of ad valorem taxes due on the home. Service
18 Oklahoma shall make sufficient plates and decals available to the
19 various licensed operators of the state in order for an owner of a
20 manufactured home to acquire the plate or decal. A one-dollar fee
21 shall be charged for issuance of any plate or decal. The fee shall
22 be apportioned each month to the General Revenue Fund of the State
23 Treasury.

24

1 F. The decal shall be easily visible for purposes of
2 verification by a county assessor that the manufactured home is
3 properly assessed for ad valorem taxation. In the first year of
4 registration, a decal shall be issued for placement on the license
5 plate indicating payment of applicable registration fees and excise
6 taxes. A duplicate manufactured home registration decal shall be
7 affixed inside the window nearest the front door of the manufactured
8 home. In the second and all subsequent years for which the
9 manufactured home is subject to ad valorem taxation, an annual decal
10 shall be affixed inside the window nearest the front door as
11 evidence of payment of ad valorem taxes. Service Oklahoma shall
12 issue decals to the various county treasurers of the state in order
13 for a manufactured home owner to obtain such decal each year. Upon
14 presentation of a valid ad valorem tax receipt, the manufactured
15 home owner shall be issued the annual decal.

16 G. Upon the registration of a manufactured home in this state
17 for the first time or upon discovery of a manufactured home
18 previously registered within this state for which the information
19 required by this subsection is not known, Service Oklahoma shall
20 obtain:

- 21 1. The name of the owner of the manufactured home;
- 22 2. The serial number or identification number of the
23 manufactured home;
- 24 3. A legal description or address of the location for the home;

- 1 4. The actual retail selling price of the manufactured home
- 2 excluding Oklahoma taxes;
- 3 5. The certificate of title number for the home; and
- 4 6. Any other information which Service Oklahoma deems to be
- 5 necessary.

6 The application for registration shall also include the school
7 district in which the manufactured home is located or is to be
8 located. The information shall be entered into a computer data
9 system which shall be used by Service Oklahoma to provide
10 information to county assessors upon request by the assessor. The
11 assessor may request any information from the system in order to
12 properly assess a manufactured home for ad valorem taxation.

13 SECTION 73. REPEALER 47 O.S. 2021, Section 1113, as
14 amended by Section 3, Chapter 214, O.S.L. 2022 (47 O.S. Supp. 2023,
15 Section 1113), is hereby repealed.

16 SECTION 74. REPEALER 47 O.S. 2021, Section 1128, as
17 amended by Section 21, Chapter 107, O.S.L. 2022 (47 O.S. Supp. 2023,
18 Section 1128), is hereby repealed.

19 SECTION 75. AMENDATORY 47 O.S. 2021, Section 1132, as
20 last amended by Section 146, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
21 2023, Section 1132), is amended to read as follows:

22 Section 1132. A. For all vehicles, unless otherwise
23 specifically provided by the Oklahoma Vehicle License and
24 Registration Act, a registration fee shall be assessed at the time

1 of initial registration by the owner and annually thereafter, for
2 the use of the avenues of public access within this state in the
3 following amounts:

4 1. For the first through the fourth year of registration in
5 this state or any other state, Eighty-five Dollars (\$85.00);

6 2. For the fifth through the eighth year of registration in
7 this state or any other state, Seventy-five Dollars (\$75.00);

8 3. For the ninth through the twelfth year of registration in
9 this state or any other state, Fifty-five Dollars (\$55.00);

10 4. For the thirteenth through the sixteenth year of
11 registration in this state or any other state, Thirty-five Dollars
12 (\$35.00); and

13 5. For the seventeenth and any following year of registration
14 in this state or any other state, Fifteen Dollars (\$15.00).

15 The registration fee provided for in this subsection shall be in
16 lieu of all other taxes, general or local, unless otherwise
17 specifically provided.

18 On and after January 1, 2022, if a physically disabled license
19 plate is issued pursuant to paragraph 3 of subsection B of Section
20 1135.1 of this title, any registration fee required for such license
21 plate and the fee required pursuant to this subsection shall be
22 remitted at the same time and subject to a single registration
23 period. Upon receipt of a physically disabled license plate, the
24 standard issue license plate must be surrendered to Service Oklahoma

1 or the licensed operator. The physically disabled license plate
2 must be properly displayed as required for a standard issue license
3 plate and will be the sole license plate issued and assigned to the
4 vehicle. Service Oklahoma shall determine, by rule, a method for
5 making required fee adjustments when a physically disabled license
6 plate is obtained during a twelve-month period for which a
7 registration fee has already been remitted pursuant to this
8 subsection. The combination of fees in a single remittance shall
9 not alter the apportionment otherwise provided for by law.

10 B. For all-terrain vehicles and motorcycles used exclusively
11 for use off roads or highways purchased on or after July 1, 2005,
12 and for all-terrain vehicles and motorcycles used exclusively for
13 use off roads or highways purchased prior to July 1, 2005, which the
14 owner chooses to register pursuant to the provisions of Section
15 1115.3 of this title, an initial and nonrecurring registration fee
16 of Eleven Dollars (\$11.00) shall be assessed at the time of initial
17 registration by the owner. Nine Dollars (\$9.00) of the registration
18 fee shall be deposited in the Oklahoma Tax Commission Reimbursement
19 Fund through December 31, 2022, and beginning January 1, 2023, this
20 fee shall be deposited in the Service Oklahoma Reimbursement Fund.
21 Two Dollars (\$2.00) of the registration fee shall be retained by the
22 licensed operator. The fees required by subsection A of this
23 section shall not be required for all-terrain vehicles or
24 motorcycles used exclusively off roads and highways.

1 C. For utility vehicles used exclusively for use off roads or
2 highways purchased on or after July 1, 2008, and for utility
3 vehicles used exclusively for use off roads or highways purchased
4 prior to July 1, 2008, which the owner chooses to register pursuant
5 to the provisions of Section 1115.3 of this title, an initial and
6 nonrecurring registration fee of Eleven Dollars (\$11.00) shall be
7 assessed at the time of initial registration by the owner. Nine
8 Dollars (\$9.00) of the registration fee shall be deposited in the
9 Oklahoma Tax Commission Reimbursement Fund through December 31,
10 2022, and beginning January 1, 2023, this fee shall be deposited in
11 the Service Oklahoma Reimbursement Fund. Two Dollars (\$2.00) of the
12 registration fee shall be retained by the licensed operator. The
13 fees required by subsection A of this section shall not be required
14 for utility vehicles used exclusively off roads and highways.

15 D. There shall be a credit allowed with respect to the fee for
16 registration of a new vehicle which is a replacement for:

17 1. A new original vehicle which is stolen from the
18 purchaser/registant within ninety (90) days of the date of purchase
19 of the original vehicle as certified by a police report or other
20 documentation as required by Service Oklahoma; or

21 2. A defective new original vehicle returned by the
22 purchaser/registant to the seller within six (6) months of the date
23 of purchase of the defective new original vehicle as certified by
24 the manufacturer.

1 The credit shall be in the amount of the fee for registration
2 which was paid for the new original vehicle and shall be applied to
3 the registration fee for the replacement vehicle. In no event will
4 the credit be refunded.

5 E. Upon every transfer or change of ownership of a vehicle, the
6 new owner shall obtain title for and, except in the case of salvage
7 vehicles and manufactured homes, register the vehicle within thirty
8 (30) days of change of ownership and pay a transfer fee of Fifteen
9 Dollars (\$15.00) in addition to any other fees provided for in the
10 Oklahoma Vehicle License and Registration Act. No new decal shall
11 be issued to the registrant. Thereafter, the owner shall register
12 the vehicle annually on the anniversary date of its initial
13 registration in this state and shall pay the fees provided in
14 subsection A of this section and receive a decal evidencing such
15 payment. Provided, used motor vehicle dealers shall be exempt from
16 the provisions of this section.

17 F. In the event a new or used vehicle is not registered, titled
18 and tagged within thirty (30) days from the date of transfer of
19 ownership, the penalty for the failure of the owner of the vehicle
20 to register the vehicle within thirty (30) days shall be One Dollar
21 (\$1.00) per day, provided that in no event shall the penalty exceed
22 One Hundred Dollars (\$100.00). No penalty shall be waived by
23 Service Oklahoma or any licensed operator except as provided in
24 subsection C of Section 1127 of this title, or when it can be shown

1 the vehicle was stolen as certified by a police report or other
2 documentation as required by the Oklahoma Tax Commission. Of each
3 dollar penalty collected pursuant to this subsection:

4 1. Twenty-one cents (\$0.21) shall be apportioned as provided in
5 Section 1104 of this title;

6 2. Twenty-one cents (\$0.21) shall be retained by the licensed
7 operator; and

8 3. Fifty-eight cents (\$0.58) shall be deposited in the General
9 Revenue Fund.

10 SECTION 76. REPEALER 47 O.S. 2021, Section 1132, as
11 amended by Section 14, Chapter 228, O.S.L. 2022 (47 O.S. Supp. 2023,
12 Section 1132), is hereby repealed.

13 SECTION 77. AMENDATORY 47 O.S. 2021, Section 1135.1, as
14 last amended by Section 1, Chapter 392, O.S.L. 2022 (47 O.S. Supp.
15 2023, Section 1135.1), is amended to read as follows:

16 Section 1135.1. A. ~~The Oklahoma Tax Commission~~ Service
17 Oklahoma is hereby authorized to design and issue appropriate
18 official special license plates to persons as provided by this
19 section.

20 Special license plates shall not be transferred to any other
21 person but shall be removed from the vehicle upon transfer of
22 ownership and retained. The special license plate may then be used
23 on another vehicle but only after such other vehicle has been
24 registered for the current year.

1 Except as provided in subsection B of this section, special
2 license plates shall be renewed each year by ~~the Tax Commission~~
3 Service Oklahoma or a ~~motor license agent~~ licensed operator. ~~The~~
4 ~~Tax Commission~~ Service Oklahoma shall annually notify by mail all
5 persons issued special license plates. The notice shall contain all
6 necessary information and shall contain instructions for the renewal
7 procedure upon presentation to a ~~motor license agent~~ licensed
8 operator or ~~the Tax Commission~~ Service Oklahoma. The license plates
9 shall be issued on a staggered system. The ~~motor license agent~~
10 licensed operator fees shall be paid out of the Oklahoma Tax
11 Commission Reimbursement Fund. Beginning January 1, 2023, the
12 licensed operator fees shall be paid out of the Service Oklahoma
13 Reimbursement Fund.

14 On and after January 1, 2022, if a special license plate is
15 issued pursuant to this section, except for Legislative License
16 Plates issued pursuant to paragraph 30 of subsection B of Section
17 1135.2 of this title, any registration fee required for such plate
18 pursuant to this section and the fee required pursuant to Section
19 1132 of this title shall be remitted at the same time and subject to
20 a single registration period. ~~The Oklahoma Tax Commission~~ Service
21 Oklahoma shall determine, by rule, a method for making required fee
22 and registration period adjustments if a special license plate is
23 obtained during a twelve-month period for which a registration fee
24 has already been remitted pursuant to Section 1132 of this title.

1 The combination of fees in a single remittance shall not alter the
2 apportionment otherwise provided for in this section.

3 On and after January 1, 2022, if a physically disabled license
4 plate is issued pursuant to paragraph 3 of subsection B of this
5 section, any registration fee required for such plate pursuant to
6 this section and the fee required pursuant to Section 1132 of this
7 title shall be remitted at the same time and subject to a single
8 registration period. ~~The Oklahoma Tax Commission~~ Service Oklahoma
9 shall determine, by rule, a method for making required fee and
10 registration period adjustments when a physically disabled license
11 plate is obtained during a twelve-month period for which a
12 registration fee has already been remitted pursuant to Section 1132
13 of this title. The combination of fees in a single remittance shall
14 not alter the apportionment otherwise provided for in this section.

15 B. The special license plates provided by this section are as
16 follows:

17 1. Political Subdivision Plates - such plates shall be designed
18 for any vehicle owned by any political subdivision of this state
19 having obtained a proper Oklahoma certificate of title. Such
20 political subdivisions shall file an annual report with the Tax
21 Commission stating the agency where such vehicle is located. Such
22 license plates shall be permanent in nature and designed in such a
23 manner as to remain with the vehicle for the duration of the life
24

1 span of the vehicle or until the title is transferred to an owner
2 who is not a political subdivision.

3 The registration fee shall be Eight Dollars (\$8.00) and shall be
4 in addition to all other registration fees provided by law, except
5 the registration fees levied by Section 1132 of this title;

6 2. Tax-Exempt or Nonprofit License Plates - such plates shall
7 be designed for:

- 8 a. any motor bus, manufactured home, or mobile chapel and
9 power unit owned and operated by a religious
10 corporation or society of this state holding a valid
11 exemption from taxation issued pursuant to Section
12 501(a) of the Internal Revenue Code, 26 U.S.C.,
13 Section 501(a), and listed as an exempt organization
14 in Section 501(c)(3) of the Internal Revenue Code, as
15 amended, 26 U.S.C., Section 501(c)(3), and that is
16 used by the corporation or society solely for the
17 furtherance of its religious functions,
- 18 b. any vehicle owned and operated only by nonprofit
19 organizations devoted exclusively to youth programs
20 including, but not limited to, the Girl Scouts and Boy
21 Scouts of America,
- 22 c. any vehicle, except passenger automobiles, owned or
23 operated by nonprofit organizations actually involved
24 in programs for the employment of the handicapped and

1 used exclusively in the transportation of goods or
2 materials for such organization,

3 d. any vehicle owned and operated by a nonprofit
4 organization that provides older persons
5 transportation to and from medical, dental and
6 religious services and relief from business and social
7 isolation,

8 e. any vehicle owned and operated by a private nonprofit
9 organization that:

10 (1) warehouses and distributes surplus foods to other
11 nonprofit agencies and organizations, and

12 (2) holds a valid exemption from taxation issued
13 pursuant to Section 501(c) of the Internal
14 Revenue Code, as amended, 26 U.S.C., Section
15 501(c), and listed as an exempt organization in
16 Section 501(c)(3) of the Internal Revenue Code,
17 as amended, and

18 (3) uses such vehicle exclusively for the
19 transportation of such surplus foods,

20 f. any vehicle which:

21 (1) is owned and operated by a private, nonprofit
22 organization which is exempt from taxation
23 pursuant to the provisions of Section 501(c)(3)
24 of the Internal Revenue Code, 26 U.S.C., Section

1 501(c)(3), and which is primarily funded by a
2 fraternal or civic service organization with at
3 least one hundred local chapters or clubs, and
4 (2) is designed and used to provide mobile health
5 screening services to the general public at no
6 cost to the recipient, and for which no
7 reimbursement of any kind is received from any
8 health insurance provider, health maintenance
9 organization or governmental program, or

10 g. any vehicle owned and operated by the Civil Air
11 Patrol, a congressionally chartered corporation that
12 also serves an auxiliary of the United States Air
13 Force and which is exempt from taxation pursuant to
14 the provisions of Section 501(c)(3) of the Internal
15 Revenue Code, 26 U.S.C., Section 501(c)(3), and is
16 used exclusively for its corporate missions of
17 aerospace education, cadet programs and emergency
18 services. Such license plates shall be permanent in
19 nature and designed in such a manner as to remain with
20 the vehicle for the duration of the life span of the
21 vehicle or until the title to such vehicle is
22 transferred to an owner who is not subject to this
23 exemption. Such vehicles shall be exempt from the
24 registration fees levied under Section 1132 of this

1 title, except that an initial registration fee of
2 Twenty-five Dollars (\$25.00) shall apply to each
3 vehicle.

4 Any person claiming to be eligible for a tax-exempt or nonprofit
5 license plate under the provisions of this paragraph must have the
6 name of the tax-exempt or nonprofit organization prominently
7 displayed upon the outside of the vehicle, except those vehicles
8 registered pursuant to the provisions of subparagraph b of this
9 paragraph, unless such display is prohibited by federal or state law
10 or by state agency rules. No vehicle shall be licensed as a tax-
11 exempt or nonprofit vehicle unless the vehicle has affixed on each
12 side thereof, in letters not less than two (2) inches high and two
13 (2) inches wide, the name of the tax-exempt or nonprofit
14 organization or the insignia or other symbol of such organization
15 which shall be of sufficient size, shape and color as to be readily
16 legible during daylight hours from a distance of fifty (50) feet
17 while the vehicle is not in motion.

18 Except as provided in subparagraph g of this paragraph, the
19 registration fee shall be Eight Dollars (\$8.00) and shall be in
20 addition to all other registration fees provided by law, except the
21 registration fees levied by Section 1132 of this title;

22 3. Physically Disabled License Plates - such plates shall be
23 designed for persons who are eligible for a physically disabled
24 placard under the provisions of Section 15-112 of this title. It

1 shall prominently display the international accessibility symbol,
2 which is a stylized human figure in a wheelchair. ~~The Tax~~
3 ~~Commission~~ Service Oklahoma shall also design physically disabled
4 license plates for motorcycles owned by persons who are eligible for
5 a physically disabled placard pursuant to the provisions of Section
6 15-112 of this title. Upon the death of the physically disabled
7 person, the disabled license plate shall be returned to ~~the Tax~~
8 ~~Commission~~ Service Oklahoma. There shall be no fee for such plate
9 in addition to the rate provided by the Oklahoma Vehicle License and
10 Registration Act for the registration of the vehicle. For an
11 additional fee of Ten Dollars (\$10.00), a person eligible for a
12 physically disabled license plate shall have the option of
13 purchasing a duplicate physically disabled special license plate
14 which shall be securely attached to the front of the vehicle. The
15 original physically disabled special license plate shall be securely
16 attached to the rear of the vehicle at all times.

17 Any person who is eligible for a physically disabled license
18 plate and whose vehicle has had modifications because of the
19 physical disability of the owner or of a family member within the
20 second degree of consanguinity of the owner, may register the
21 vehicle for a flat fee of Twenty-five Dollars (\$25.00). This fee
22 shall be in lieu of all other registration fees provided by the
23 Oklahoma Vehicle License and Registration Act;

24

1 4. Indian Tribal License Plates - such plates shall be designed
2 for any vehicle of a native American Indian Tribal Association
3 exempted in Sections 201 through 204 of Public Law 97-473 and used
4 by the tribal association exclusively for the furtherance of its
5 tribal functions.

6 The registration fee shall be Eight Dollars (\$8.00) and shall be
7 in addition to all other registration fees provided by law, except
8 the registration fees levied by Section 1132 of this title;

9 5. Hearing Impaired License Plates - such plates shall be
10 designed for persons who are hearing impaired. Such persons may
11 apply for a hearing-impaired license plate for each vehicle with a
12 rated carrying capacity of one (1) ton or less upon the presentment
13 of an application on a form furnished by ~~the Tax Commission~~ Service
14 Oklahoma and certified by a physician holding a valid license to
15 practice pursuant to the licensing provisions of Title 59 of the
16 Oklahoma Statutes, attesting that the person is hearing impaired.
17 The license plate shall be designed so that such persons may be
18 readily identified as being hearing impaired. There shall be no
19 additional fee for the plate, but all other registration fees
20 provided by the Oklahoma Vehicle License and Registration Act shall
21 apply;

22 6. Antique or Classic Vehicles License Plates - such plates
23 shall be designed and issued for any vehicle twenty-five (25) years
24 of age or older, based upon the date of manufacture thereof and

1 which travels on the highways of this state primarily incidental to
2 historical or exhibition purposes only.

3 The registration fee shall be Eight Dollars (\$8.00) and shall be
4 in addition to all other registration fees provided by law, except
5 the registration fees levied by Section 1132 of this title. Any
6 person registering an antique or classic vehicle may elect to have
7 the vehicle registered for a ten-year period. The registration fee
8 for the elected ten-year registration shall be Seventy-five Dollars
9 (\$75.00). The ~~motor license agent~~ licensed operator registering the
10 antique or classic vehicle for a ten-year period shall receive one
11 hundred percent (100%) of the fees the ~~motor license agent~~ licensed
12 operator would have otherwise received pursuant to subsection A of
13 Section 1141.1 of this title if the antique or classic vehicle had
14 been registered on an annual basis; and

15 7. Honorary Consul License Plates - such plates shall be
16 designed to include the words "Honorary Consul" and issued to
17 persons who are honorary consuls authorized by the United States to
18 perform consular duties. Persons applying for such license plates
19 must show proof of standing as an honorary consul. The fee for such
20 plate shall be Eight Dollars (\$8.00) and shall be in addition to all
21 other registration fees required by the Oklahoma Vehicle License and
22 Registration Act. The owner of the vehicle that possesses such
23 license plates shall return the special license plates to ~~the~~
24 ~~Oklahoma Tax Commission~~ Service Oklahoma if the owner disposes of

1 the vehicle during the registration year or ceases to be authorized
2 to perform consular duties.

3 C. Special license plates provided by this section shall be
4 designed in such a manner as to identify the use or ownership of the
5 vehicle. Use of any vehicle possessing a special license plate
6 provided by this section for any purpose not specified herein shall
7 be grounds for revocation of the special license plate and
8 registration certificate.

9 D. The fees provided by this section shall be deposited in the
10 Oklahoma Tax Commission Reimbursement Fund. Beginning January 1,
11 2023, the fees provided by this section shall be deposited in the
12 Service Oklahoma Reimbursement Fund.

13 SECTION 78. REPEALER 47 O.S. 2021, Section 1135.1, as
14 amended by Section 160, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
15 2023, Section 1135.1), is hereby repealed.

16 SECTION 79. REPEALER 47 O.S. 2021, Section 1135.1, as
17 amended by Section 2, Chapter 188, O.S.L. 2021, is hereby repealed.

18 SECTION 80. AMENDATORY 47 O.S. 2021, Section 1135.2, as
19 last amended by Section 1, Chapter 294, O.S.L. 2023 (47 O.S. Supp.
20 2023, Section 1135.2), is amended to read as follows:

21 Section 1135.2. A. Service Oklahoma is hereby authorized to
22 design and issue appropriate official special license plates to
23 persons in recognition of their service or awards as provided by
24 this section.

1 Special license plates shall not be transferred to any other
2 person but shall be removed from the vehicle upon transfer of
3 ownership and retained. The special license plate may then be used
4 on another vehicle but only after such other vehicle has been
5 registered for the current year.

6 Special license plates shall be renewed each year by Service
7 Oklahoma or a licensed operator. Service Oklahoma shall annually
8 notify ~~by mail~~ all persons issued special license plates. Service
9 Oklahoma shall send the notifications to the electronic mail address
10 provided by the person. If a person does not provide an electronic
11 mail address, Service Oklahoma shall notify the person by mail. The
12 notice shall contain all necessary information and shall contain
13 instructions for the renewal procedure upon presentation to a
14 licensed operator or Service Oklahoma. The license plates shall be
15 issued on a staggered system except for legislative plates and
16 amateur radio operator license plates.

17 On and after January 1, 2022, if a special license plate is
18 issued pursuant to this section, any registration fee required for
19 such plate pursuant to this section and the fee required pursuant to
20 Section 1132 of this title shall be remitted at the same time and
21 subject to a single registration period. Service Oklahoma shall
22 determine, by rule, a method for making required fee and
23 registration period adjustments if a special license plate is
24 obtained during a twelve-month period for which a registration fee

1 has already been remitted pursuant to Section 1132 of this title.
2 The combination of fees in a single remittance shall not alter the
3 apportionment otherwise provided for in this section.

4 Service Oklahoma is hereby directed to develop and implement a
5 system whereby licensed operators are permitted to accept
6 applications for special license plates authorized under this
7 section. The licensed operator shall confirm the applicant's
8 eligibility, if applicable, collect and deposit any amount
9 specifically authorized by law, accept and process the necessary
10 information directly into such system and generate a receipt
11 accordingly. For performance of these duties, licensed operators
12 shall retain the fee provided in Section 1141.1 of this title for
13 registration of a motor vehicle. The licensed operator fees for
14 acceptance of applications and renewals shall be paid out of the
15 Oklahoma Tax Commission Reimbursement Fund. Beginning January 1,
16 2023, the licensed operator fees for acceptance of applications and
17 renewals shall be paid out of the Service Oklahoma Reimbursement
18 Fund.

19 B. The special license plates provided by this section are as
20 follows:

21 1. Prisoner of War License Plates - such plates shall be
22 designed for honorably discharged or present members of the United
23 States Armed Forces and civilians who were former prisoners of war
24 held by a foreign country and who can provide proper certification

1 of that status. Such persons may apply for a prisoner of war
2 license plate for no more than two vehicles with each vehicle having
3 a rated carrying capacity of one (1) ton or less. The surviving
4 spouse of any deceased former prisoner of war, if the spouse has not
5 since remarried, or if remarried, the remarriage is terminated by
6 death, divorce, or annulment, may apply for a prisoner of war
7 license plate for one vehicle with a rated carrying capacity of one
8 (1) ton or less. The fee provided by this section for the special
9 license plate authorized by this paragraph shall be in addition to
10 all other registration fees provided by law, except the registration
11 fees levied by Section 1132 of this title;

12 2. National Guard License Plates - such plates shall be
13 designed for active or retired members of the Oklahoma National
14 Guard. Retirees who are eligible for such plates shall provide
15 proof of eligibility upon initial application, but shall not be
16 required to provide proof of eligibility annually;

17 3. Air National Guard License Plates - such plates shall be
18 designed for active or retired members of the Oklahoma Air National
19 Guard. Retirees who are eligible for such plates shall provide
20 proof of eligibility upon initial application, but shall not be
21 required to provide proof of eligibility annually;

22 4. United States Armed Forces License Plates - such plates
23 shall be designed for active, retired, former or reserve members of
24 the United States Armed Forces, and shall identify which branch of

1 service, and carry the emblem and name of either the Army, Navy, Air
2 Force, Marines or Coast Guard, according to the branch of service to
3 which the member belongs or did belong. Former members who have
4 been dishonorably discharged shall not be eligible for such plates.
5 Persons applying for such license plate must show proof of present
6 or past military service by presenting a valid Uniformed Services
7 Identity Card or the United States Department of Defense ~~Form~~
8 ~~(DD)~~214 form DD 214. Retired or former members who are eligible for
9 such plates shall provide proof of eligibility upon initial
10 application, but shall not be required to provide proof of
11 eligibility annually;

12 5. Congressional Medal of Honor Recipient License Plates - such
13 plates shall be designed for any resident of this state who has been
14 awarded the Congressional Medal of Honor. Such persons may apply
15 for a Congressional Medal of Honor recipient license plate for each
16 vehicle with a rated carrying capacity of one (1) ton or less.
17 There shall be no registration fee for the issuance of this plate;

18 6. Missing In Action License Plates - such plates shall be
19 designed to honor members of the United States Armed Forces who are
20 missing in action. The spouse of such missing person, if the spouse
21 has not since remarried, or if remarried, the remarriage is
22 terminated by death, divorce, or annulment, and each parent of the
23 missing person may apply for a missing in action license plate upon
24 presenting proper certification that the person is missing in action

1 and that the person making the application is the qualifying spouse
2 or the parent of the missing person. The qualifying spouse and each
3 parent of the missing person may each apply for the missing in
4 action license plate for each vehicle with a rated carrying capacity
5 of one (1) ton or less;

6 7. Purple Heart Recipient License Plates - such plates shall be
7 designed for any resident of this state presenting proper
8 certification from the United States Department of Veterans Affairs
9 or the Armed Forces of the United States certifying that such
10 resident has been awarded the Purple Heart military decoration.
11 Such persons may apply for a Purple Heart recipient license plate
12 for vehicles having a rated carrying capacity of one (1) ton or
13 less. The surviving spouse of any deceased veteran who has been
14 awarded the Purple Heart military decoration, if such spouse has not
15 since remarried, or if remarried, the remarriage has been terminated
16 by death, divorce or annulment, may apply for such plate for one
17 vehicle with a rated carrying capacity of one (1) ton or less. The
18 license plate created by this paragraph shall be exempt from the fee
19 provided by this section for special license plates;

20 8. Pearl Harbor Survivor License Plates - such plates shall be
21 designed for any resident of this state who can be verified by the
22 United States Department of Veterans Affairs or the Armed Forces of
23 the United States as being:

24

- 1 a. a member of the United States Armed Forces on December
2 7, 1941,
3 b. stationed on December 7, 1941, during the hours of
4 7:55 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor,
5 the island of Oahu, or offshore at a distance not to
6 exceed three (3) miles, and
7 c. a recipient of an honorable discharge from the United
8 States Armed Forces.

9 Such person may apply for a Pearl Harbor Survivor license plate
10 for each vehicle with a rated carrying capacity of one (1) ton or
11 less;

12 9. Iwo Jima License Plates - such plates shall be designed for
13 any resident of this state who can be verified by the United States
14 Department of Veterans Affairs or the Armed Forces of the United
15 States as being:

- 16 a. a member of the United States Armed Forces in February
17 of 1945,
18 b. stationed in February of 1945 on or in the immediate
19 vicinity of the island of Iwo Jima, and
20 c. a recipient of an honorable discharge from the United
21 States Armed Forces.

22 Such person may apply for an Iwo Jima license plate for each
23 vehicle with a rated carrying capacity of one (1) ton or less.
24

1 Such license plate shall have the legend "Oklahoma OK" and shall
2 contain three letters and three numbers. Between the letters and
3 numbers shall be a logo of the flag-raising at Iwo Jima. Below the
4 letters, logo and numbers, the plate shall contain the words "FEB."
5 at the left, "Iwo Jima" in the center and "1945" at the right. Such
6 plates shall not be subject to the design requirements of any other
7 license plates prescribed by law other than the space for the
8 placement of the yearly decals for each succeeding year of
9 registration after the initial issue;

10 10. D-Day Survivor License Plates - such plates shall be
11 designed for any resident of this state who can be verified by the
12 United States Department of Veterans Affairs or the Armed Forces of
13 the United States as being:

- 14 a. a member of the United States Armed Forces on June 6,
15 1944,
- 16 b. a participant in the Allied invasion of the coast of
17 Normandy on June 6, 1944; provided, if such
18 participation cannot be verified by the United States
19 Department of Veterans Affairs or the Armed Forces of
20 the United States, the Tax Commission may, in its
21 discretion, accept evidence of such participation from
22 the person applying for the license plate, and
- 23 c. a recipient of an honorable discharge from the United
24 States Armed Forces.

1 Such person may apply for a D-Day Survivor license plate for
2 each vehicle with a rated carrying capacity of one (1) ton or less;

3 11. Killed in Action License Plates - such plates shall be
4 designed to honor members of the United States Armed Forces who were
5 killed in action. The spouse of the deceased person, if the spouse
6 has not remarried, or if remarried, the remarriage is terminated by
7 death, divorce, or annulment, may apply for a killed in action
8 license plate upon presenting proper certification that the person
9 was killed in action and that the person making the application is
10 the qualifying spouse of the deceased person. The qualifying spouse
11 may apply for a killed in action license plate for no more than two
12 vehicles with each vehicle with a rated carrying capacity of one (1)
13 ton or less. The fee provided by this section for the special
14 license plate authorized by this paragraph shall be in addition to
15 all other registration fees provided by law, except the registration
16 fees levied by Section 1132 of this title. Beginning November 1,
17 2021, the killed in action license plate shall be designed to honor
18 members of the United States Armed Forces who were killed in action
19 while engaged in combat with a hostile force. The parents,
20 siblings, half-siblings, grandparents or spouse of the deceased
21 person, if the spouse has not remarried, or if remarried, the
22 remarriage is terminated by death, divorce or annulment, may apply
23 for a killed in action license plate upon presenting proper
24 certification that the person was killed in action and that the

1 person making the application is the qualifying spouse or family
2 member of the deceased person. The qualifying spouse or family
3 member may apply for a killed in action license plate for no more
4 than two vehicles with each vehicle with a rated carrying capacity
5 of one (1) ton or less. The license plate shall have a white
6 background and the legend "Killed in Action" and shall contain any
7 combination of numbers and letters from one to a maximum of seven in
8 black, as for personalized license plates. To the left of the
9 numbers and letters shall be the Battlefield Cross in gold. The
10 killed in action license plate shall be exempt from any minimum
11 issuance criteria related to license plate applications;

12 12. Gold Star Families License Plates - such plates shall be
13 designed to honor members of the United States Armed Forces who were
14 killed while on active duty. The parents, siblings, half-siblings
15 or grandparents of the deceased person may apply for a gold star
16 license plate upon presenting proper certification that the person
17 was killed while on active duty and that the person making the
18 application is the parent, sibling, half-sibling or grandparent of
19 the deceased person. The family member may apply for a gold star
20 families license plate for no more than two vehicles with each
21 vehicle having a rated carrying capacity of one (1) ton or less.
22 The fee provided by this section for the special license plate
23 authorized by this paragraph shall be in addition to all other

24

1 registration fees provided by law, except the registration fees
2 levied by Section 1132 of this title;

3 13. Military Decoration License Plates - such plates shall be
4 designed for any resident of this state who has been awarded the
5 Distinguished Service Medal, the Distinguished Service Cross, the
6 Distinguished Flying Cross, the Bronze Star military decoration or
7 the Silver Star military decoration. Such persons may apply for a
8 military decoration license plate for each vehicle with a rated
9 carrying capacity of one (1) ton or less;

10 14. Vietnam Veteran License Plates - such plates shall be
11 designed for honorably discharged or present members of the United
12 States Armed Forces who served in the Vietnam Conflict. Such
13 persons may apply for a Vietnam veteran license plate for each
14 vehicle with a rated carrying capacity of one (1) ton or less;

15 15. Police Officer License Plates - such plates shall be
16 designed for any currently employed, reserve or retired municipal
17 police officer or full-time, reserve or retired university police
18 officer certified by the Council on Law Enforcement Education and
19 Training or common education police officer certified by the Council
20 on Law Enforcement Education and Training. Police officers may
21 apply for police officer license plates for vehicles with a rated
22 capacity of one (1) ton or less or for a motorcycle upon proof of
23 employment by or retirement from a municipal, university or common
24 education police department by either an identification card or

1 letter from the chief of the police department or the Oklahoma
2 Police Pension and Retirement Board. Retirees who are eligible for
3 such plates shall provide proof of eligibility upon initial
4 application but shall not be required to provide proof of
5 eligibility annually. The license plates shall be designed in
6 consultation with municipal police departments of this state;
7 provided, the license plate for motorcycles may be of similar design
8 to the license plate for motor vehicles or may be a new design in
9 order to meet space requirements for a motorcycle license plate;

10 16. World War II Veteran License Plates - such plates shall be
11 designed to honor honorably discharged former members of the United
12 States Armed Forces who are residents of this state and who can be
13 verified by the Military Department of the State of Oklahoma, the
14 Department of Veterans Affairs or the Armed Forces of the United
15 States as having served on federal active duty anytime during the
16 period from September 16, 1940, to December 7, 1945. The former
17 members may apply for a World War II Veteran license plate for
18 vehicles with a rated carrying capacity of one (1) ton or less.

19 The license plate shall have the legend "Oklahoma" and shall
20 contain, in the center of the plate, either the Thunderbird Insignia
21 of the 45th Infantry Division in the prescribed red and gold
22 coloring or the emblem of the Army, Navy, U.S. Army Air Corps,
23 Marines or Coast Guard according to the branch of service to which
24 the member belonged. For the purpose of license plate

1 identification, the plate shall contain four digits, two digits at
2 the left and two digits at the right of the insignia or emblem.
3 Centered on the bottom of the license plate shall be the words
4 "WORLD WAR II";

5 17. Korean War Veteran License Plates - such plates shall be
6 designed to honor honorably discharged former members of the United
7 States Armed Forces who are residents of this state and who can be
8 verified by the Military Department of the State of Oklahoma, the
9 Department of Veterans Affairs or the Armed Forces of the United
10 States as having served on federal active duty anytime during the
11 period from June 27, 1950, to January 31, 1955, both dates
12 inclusive. The former members may apply for a Korean War Veteran
13 license plate for vehicles with a rated carrying capacity of one (1)
14 ton or less.

15 The license plate shall have the legend "OKLAHOMA" and shall
16 contain, in the center of the plate, either the Thunderbird Insignia
17 of the 45th Infantry Division in the prescribed red and gold
18 coloring or the emblem of the Army, Navy, Air Force, Marines or
19 Coast Guard according to the branch of service to which the member
20 belonged. For the purpose of license plate identification, the
21 plate shall contain four digits, two digits at the left and two
22 digits at the right of the insignia or emblem. Centered on the
23 bottom of the license plate shall be the word "KOREA";

24

1 18. Municipal Official License Plates - such plates shall be
2 designed for persons elected to a municipal office in this state and
3 shall designate the name of the municipality and the district or
4 ward in which the municipal official serves. The plates shall only
5 be produced upon application;

6 19. Red Cross Volunteer License Plates - such plates shall be
7 designed to honor American Red Cross volunteers and staff who are
8 residents of this state. Such persons must present an
9 identification card issued by the American Red Cross and bearing a
10 photograph of the person. The license plate shall be designed with
11 the assistance of the American Red Cross and shall have the legend
12 "Oklahoma OK!" in the color Pantone 186C Red. Below the legend the
13 symbol of the American Red Cross and no more than three letters and
14 three numbers shall be in the color Pantone 186C Red. Below the
15 symbol and letters and numbers shall be the words "American Red
16 Cross" in black. The plates shall not be subject to the design
17 requirements of any other license plates prescribed by law other
18 than the space for the placement of the yearly decals for each
19 succeeding year of registration after the initial issue;

20 20. Desert Storm License Plates - such plates shall be designed
21 and issued to any honorably discharged or present member of the
22 United States Armed Forces who served in the Persian Gulf Crisis and
23 the Desert Storm operation. Such persons may apply for a Desert
24

1 Storm license plate for each vehicle with a rated carrying capacity
2 of one (1) ton or less;

3 21. Military Reserve Unit License Plates - such plates shall be
4 designed and issued to any honorably discharged or present member of
5 a reserve unit of the United States Armed Forces. Such persons may
6 apply for a Military Reserve Unit license plate for each vehicle
7 with a rated carrying capacity of one (1) ton or less;

8 22. Oklahoma City Bombing Victims and Survivors License Plates
9 - such plates shall be designed and issued to any victim or survivor
10 of the bombing attack on the Alfred P. Murrah Federal Building in
11 downtown Oklahoma City on April 19, 1995;

12 23. Civil Air Patrol License Plates - such plates shall be
13 designed and issued to any person who is a member of the Civil Air
14 Patrol. Such persons may apply for a Civil Air Patrol license plate
15 for each vehicle with a rated carrying capacity of one (1) ton or
16 less upon proof of membership in the Civil Air Patrol. The license
17 plate shall be designed in consultation with the Civil Air Patrol;

18 24. Ninety-Nines License Plates - such plates shall be designed
19 and issued to members of the Ninety-Nines. Persons applying for
20 such license plate must show proof of membership in the Ninety-
21 Nines. The license plates shall be designed in consultation with
22 the Ninety-Nines;

23 25. Combat Infantryman Badge License Plates - such plates shall
24 be designed to honor recipients of the Combat Infantryman Badge.

1 The plate shall have the legend "Oklahoma OK". Below the legend
2 shall be the Combat Infantryman Badge and three numbers. Below the
3 badge and the numbers shall be the words "Combat Infantryman Badge".
4 Such persons may apply for a Combat Infantryman Badge license plate
5 for each vehicle with a rated carrying capacity of one (1) ton or
6 less;

7 26. Somalia Combat Veterans License Plates - such plates shall
8 be designed and issued to any honorably discharged or present member
9 of the United States Armed Forces who saw combat in the United
10 Nations relief effort. Such persons may apply for a Somalia Combat
11 Veteran license plate for each vehicle with a rated carrying
12 capacity of one (1) ton or less;

13 27. Police Chaplain License Plates - such plates shall be
14 designed and issued to members of the International Conference of
15 Police Chaplains (ICPC) who have completed the ICPC requirements for
16 basic certification as a police chaplain. The license plates shall
17 be designed in consultation with the ICPC;

18 28. Joint Service Commendation Medal License Plates - such
19 plates shall be designed and issued to any resident of this state
20 who has been awarded the Joint Service Commendation Medal by the
21 United States Secretary of Defense;

22 29. Merchant Marine License Plates - such plates shall be
23 designed, subject to criteria to be presented to Service Oklahoma by
24 the Oklahoma Department of Veterans Affairs, and issued to any

1 person who during combat was a member of the Merchant Marines as
2 certified by the Oklahoma Department of Veterans Affairs. Such
3 license plate may be issued for each vehicle with a rated carrying
4 capacity of one (1) ton or less;

5 30. Legislative License Plates - such plates shall be designed
6 for persons elected to the Oklahoma Legislature and shall designate
7 the house of the Legislature in which the legislator serves and the
8 district number;

9 31. Disabled Veterans License Plates - such plates shall be
10 designed for persons presenting proper certification from the United
11 States Department of Veterans Affairs or the Armed Forces of the
12 United States certifying such veteran has a service-connected
13 disability rating of fifty percent (50%) or more, regardless which
14 agency pays the disability benefits, or that such veteran has been
15 awarded a vehicle by the United States government or receives a
16 grant from the United States Department of Veterans Affairs for the
17 purchase of an automobile due to a service-connected disability
18 rating or due to the loss of use of a limb or an eye. Such persons
19 may apply to Service Oklahoma for a disabled veterans license plate
20 or to a licensed operator for a regular license plate for no more
21 than two vehicles with each vehicle having a rated carrying capacity
22 of one (1) ton or less. The surviving spouse of any deceased
23 disabled veteran, if the spouse has not since remarried, or if
24 remarried, the remarriage is terminated by death, divorce, or

1 annulment, or a surviving spouse in receipt of Dependency and
2 Indemnity Compensation from the United States Department of Veterans
3 Affairs, may apply for a disabled veterans license plate for one
4 vehicle with a rated carrying capacity of one (1) ton or less. The
5 fee provided by this section for the special license plate
6 authorized by this paragraph shall be in addition to all other
7 registration fees provided by law, except the registration fees
8 levied by Section 1132 of this title. The total expense of this
9 license plate shall not exceed Five Dollars (\$5.00).

10 If the person qualifies for a disabled veterans license plate
11 and is also eligible for a physically disabled placard under the
12 provisions of Section 15-112 of this title, the person shall be
13 eligible to receive a disabled veterans license plate that also
14 displays the international accessibility symbol, which is a stylized
15 human figure in a wheelchair. Upon the death of the disabled
16 veteran with a disabled veterans license plate with the
17 international accessibility symbol, the plate shall be returned to
18 Service Oklahoma;

19 32. United States Air Force Association License Plates - such
20 plates shall be designed for members of the United States Air Force
21 Association. Persons applying for such license plate must show
22 proof of membership in the Association. The license plates shall be
23 designed in consultation with the Association;

24

1 33. Oklahoma Military Academy Alumni License Plates - such
2 plates shall be designed and issued to any resident of this state
3 who is an alumnus of the Oklahoma Military Academy. Such persons
4 may apply for an Oklahoma Military Academy Alumnus license plate for
5 each vehicle with a rated carrying capacity of one (1) ton or less.
6 The license plates shall be designed in consultation with the
7 Oklahoma Military Academy and shall contain the shield of the
8 Academy;

9 34. Amateur Radio Operator License Plates - such plates shall
10 be designed and issued to any person, holding a valid operator's
11 license, technician class or better, issued by the Federal
12 Communications Commission, and who is also the owner of a motor
13 vehicle currently registered in Oklahoma, in which has been
14 installed amateur mobile transmitting and receiving equipment.
15 Eligible persons shall be entitled to two special vehicle
16 identification plates as herein provided. Application for such
17 identification plates shall be on a form prescribed by Service
18 Oklahoma and the plates issued to such applicant shall have stamped
19 thereon the word "Oklahoma" and bear the official call letters of
20 the radio station assigned by the Federal Communications Commission
21 to the individual amateur operator thereof. All applications for
22 such plates must be made to Service Oklahoma on or before the first
23 day of October of any year for such plates for the following
24 calendar year and must be accompanied by the fee required in this

1 section together with a certificate, or such other evidence as
2 Service Oklahoma may require, of proof that applicant has a valid
3 technician class or better amateur operator's license and proof of
4 applicant's ownership of a vehicle in which radio receiving and
5 transmitting equipment is installed. Applicants shall only be
6 entitled to one set of special identification plates in any one (1)
7 year, and such calendar year shall be stamped thereon. The right to
8 such special identification plates herein provided for shall
9 continue until the amateur radio operator's license of the person to
10 whom such plates are issued expires or is revoked;

11 35. American Legion License Plates - such plates shall be
12 designed for members of the American Legion. Persons applying for
13 such license plate must show proof of membership. The license
14 plates shall be designed in consultation with the American Legion of
15 Oklahoma;

16 36. Deputy Sheriff License Plates - such plates shall be
17 designed for any currently employed or retired county sheriff or
18 deputy sheriff. County sheriffs or deputy sheriffs may apply for
19 such plates for vehicles with a rated capacity of one (1) ton or
20 less upon proof of employment by or retirement from a county
21 sheriff's office by either an identification card or letter from the
22 county sheriff or a government-sponsored retirement board from which
23 the county sheriff or deputy sheriff may be receiving a pension.
24 Retirees who are eligible for such plates shall provide proof of

1 eligibility upon initial application but shall not be required to
2 provide proof of eligibility annually. The license plates shall be
3 designed in consultation with the county sheriff offices of this
4 state;

5 37. Gold Star Surviving Spouse License Plates - such plates
6 shall be designed to honor the surviving spouses and children of
7 qualified veterans. As used in this paragraph, "qualified veteran"
8 shall mean:

9 a. any person honorably discharged from any branch of the
10 United States Armed Forces or as a member of the
11 Oklahoma National Guard, who died as a direct result
12 of the performance of duties for any branch of the
13 United States Armed Forces or Oklahoma National Guard
14 while on active military duty, or

15 b. any person honorably discharged from any branch of the
16 United States Armed Forces or as a member of the
17 Oklahoma National Guard, who died as a result of
18 injury, illness or disease caused by the performance
19 of such duties while on active duty, whether the death
20 occurred while on active duty or after the honorable
21 discharge of such person.

22 The fee provided by this section for the special license plate
23 authorized by this paragraph shall be in addition to all other
24

1 registration fees provided by law, except the registration fees
2 levied by Section 1132 of this title;

3 38. Korea Defense Service Medal License Plates - such plates
4 shall be designed and issued to any resident of this state who has
5 been awarded the Korea Defense Service Medal by the United States
6 Secretary of Defense. Such persons may apply for a Korea Defense
7 Service Medal license plate for each vehicle with a rated carrying
8 capacity of one (1) ton or less;

9 39. 180th Infantry License Plates - such plates shall be
10 designed for members and prior members of the 180th Infantry.
11 Persons applying for such license plate must obtain and provide
12 proof of their membership from the 180th Infantry Association. The
13 license plates shall be designed in consultation with the 180th
14 Infantry;

15 40. Operation Iraqi Freedom Veteran License Plates - such
16 plates shall be designed and issued to any honorably discharged or
17 present member of the United States Armed Forces who served in
18 Operation Iraqi Freedom. Such person may apply for an Operation
19 Iraqi Freedom Veteran license plate for each vehicle with a rated
20 carrying capacity of one (1) ton or less, or for a motorcycle;
21 provided, the license plate for motorcycles may be of similar design
22 to the license plate for motor vehicles or may be a new design in
23 order to meet space requirements for a motorcycle license plate;

24

1 41. United States Air Force Academy Alumni License Plates -
2 such plates shall be designed and issued to any resident of this
3 state who is an alumnus of the United States Air Force Academy.
4 Such persons may apply for a United States Air Force Academy Alumnus
5 license plate for each vehicle with a rated carrying capacity of one
6 (1) ton or less;

7 42. Operation Enduring Freedom Veteran License Plate - such
8 plates shall be designed and issued to any honorably discharged or
9 present member of the United States Armed Forces who served in
10 Operation Enduring Freedom on or after September 11, 2001. The
11 license plate shall be designed in consultation with the Military
12 Department of the State of Oklahoma. Such person may apply for an
13 Operation Enduring Freedom Veteran license plate for each vehicle
14 with a rated carrying capacity of one (1) ton or less, or for a
15 motorcycle; provided, the license plate for motorcycles may be of
16 similar design to the license plate for motor vehicles or may be a
17 new design in order to meet space requirements for a motorcycle
18 license plate;

19 43. Military Multi-Decoration License Plate - such plates shall
20 be designed and issued to any honorably discharged or present member
21 of the United States Armed Forces who qualifies for more than one
22 military decoration license plate pursuant to the provisions of this
23 section. Service Oklahoma shall develop and implement a system
24 whereby the designs of the eligible license plates can be included

1 together on a single license plate. Such person may apply for a
2 Military Multi-Decoration license plate for each vehicle with a
3 rated carrying capacity of one (1) ton or less;

4 44. Global War on Terror Expeditionary License Plate - such
5 plates shall be designed and issued to any honorably discharged or
6 present member of the United States Armed Forces who has earned a
7 Global War on Terror Expeditionary decoration. The license plate
8 shall be designed in consultation with the United States Institute
9 of Heraldry and the Military Department of the State of Oklahoma.
10 Such person may apply for a Global War on Terror Expeditionary
11 license plate for each vehicle with a rated carrying capacity of one
12 (1) ton or less;

13 45. Legion of Merit Medal Recipient License Plates - such
14 plates shall be designed for any resident of this state presenting
15 proper certification from the United States Department of Veterans
16 Affairs or the Armed Forces of the United States certifying that
17 such resident has been awarded the Legion of Merit military
18 decoration. Such persons may apply for a Legion of Merit recipient
19 license plate for vehicles having a rated carrying capacity of one
20 (1) ton or less. The license plate shall be designed in
21 consultation with the Military Department of the State of Oklahoma;

22 46. 1-179th License Plates - such plates shall be designed for
23 members, prior members and members of the household of a member or
24 former member of the 1-179th Infantry. Persons applying for such

1 license plate must obtain and provide proof of their membership
2 association with the 1-179th Infantry Association. The license
3 plate shall be designed in consultation with the 1-179th Infantry;

4 47. 2-179th License Plates - such plates shall be designed for
5 members, prior members and members of the household of a member or
6 former member of the 2-179th Infantry. Persons applying for such
7 license plate must obtain and provide proof of their membership
8 association with the 2-179th Infantry Association. The license
9 plate shall be designed in consultation with the 2-179th Infantry;

10 48. Combat Action Ribbon Recipient License Plates - such plates
11 shall be designed to honor recipients of the Combat Action Ribbon
12 who present proper certification from the United States Department
13 of the Navy. The license plate shall include the Combat Action
14 Ribbon earned by the recipient. Such persons may apply for a Combat
15 Action Ribbon Recipient license plate for vehicles having a rated
16 carrying capacity of one (1) ton or less;

17 49. Oklahoma Submarine Veterans License Plate - such plates
18 shall be designed for any resident of this state who is a United
19 States submarine veteran and presents either a Department of Defense
20 form 214 or other documentation certifying such service. Such
21 persons may apply for an Oklahoma Submarine Veterans license plate
22 for vehicles having a rated capacity of one (1) ton or less. The
23 license plate design shall include both gold and silver dolphins to
24 represent both officer and enlisted service members;

1 50. United States Navy Seabees and Civil Engineer Corps License
2 Plate - such plates shall be designed and issued to any honorably
3 discharged or present member of the United States Navy Seabees or
4 Civil Engineer Corps. Such persons may apply for a United States
5 Navy Seabees and Civil Engineer Corps license plate for vehicles
6 having a rated carrying capacity of one (1) ton or less. The
7 license plate shall be designed in consultation with the Military
8 Department of the State of Oklahoma;

9 51. Combat Action Badge Recipient License Plate - such plates
10 shall be designed to honor recipients of the Combat Action Badge who
11 present proper certification from the United States Army. The
12 license plate shall include the Combat Action Badge earned by the
13 recipient. Such persons may apply for a Combat Action Badge
14 Recipient license plate for vehicles having a rated carrying
15 capacity of one (1) ton or less, or for a motorcycle; provided, the
16 license plate for motorcycles may be of similar design to the
17 license plate for motor vehicles or may be a new design in order to
18 meet space requirements for a motorcycle license plate;

19 52. Iraq Combat Veteran License Plate - such plates shall be
20 designed and issued to any honorably discharged or present member of
21 the United States Armed Forces who saw combat in Operation Iraqi
22 Freedom. Such persons may apply for an Iraq Combat Veteran license
23 plate for each vehicle with a rated carrying capacity of one (1) ton
24 or less, or for a motorcycle; provided, the license plate for

1 motorcycles may be of similar design to the license plate for motor
2 vehicles or may be a new design in order to meet space requirements
3 for a motorcycle license plate;

4 53. Afghanistan Combat Veteran License Plate - such plates
5 shall be designed and issued to any honorably discharged or present
6 member of the United States Armed Forces who saw combat in Operation
7 Enduring Freedom. Such persons may apply for an Afghanistan Combat
8 Veteran license plate for each vehicle with a rated carrying
9 capacity of one (1) ton or less, or for a motorcycle; provided, the
10 license plate for motorcycles may be of similar design to the
11 license plate for motor vehicles or may be a new design in order to
12 meet space requirements for a motorcycle license plate;

13 54. Special Forces Association License Plates - such plates
14 shall be designed and issued to any honorably discharged or present
15 member of the Army Special Forces qualified and authorized to wear
16 upon the person's United States military uniform the Army Special
17 Forces Tab. Persons applying for the Special Forces Association
18 license plate must provide a copy of the orders awarding the Special
19 Forces Tab or authorizing its wear upon a United States military
20 uniform. The license plate shall be designed in consultation with
21 the Special Forces Association, Chapter 32-50. Service Oklahoma
22 shall produce up to two distinct designs for the Special Forces
23 Association license plate. Qualified persons may select one design
24 at the time of application. The plates shall be issued to any

1 qualified person in any combination of numbers and letters from one
2 to a maximum of seven, as for personalized license plates;

3 55. Veterans of the United States Armed Forces License Plates -
4 such plates shall be designed for veterans of the United States
5 Armed Forces, and shall identify the branch of service, carry the
6 emblem and name of either the Army, Navy, Air Force, Marines or
7 Coast Guard, according to the branch of service to which the member
8 belonged, and shall reflect veteran status. Former members who have
9 been dishonorably discharged shall not be eligible for such plates.
10 Persons applying for such license plates must show proof of past
11 military service by presenting a valid United States Department of
12 Defense Form (DD)214 upon initial application but shall not be
13 required to provide proof of eligibility annually;

14 56. Navy Chief License Plates - such plates shall be designed
15 and issued to any resident of this state who has achieved the rank
16 of E7 through E9 in the United States Navy and presents proper
17 certification that the resident has achieved such rank and was
18 either honorably discharged or is an active or retired member of the
19 United States Navy. Such persons may apply for a Navy Chief license
20 plate for vehicles having a rated carrying capacity of one (1) ton
21 or less, or for a motorcycle; provided, the license plate for
22 motorcycles may be of similar design to the license plate for motor
23 vehicles or may be a new design in order to meet space requirements
24 for a motorcycle license plate;

1 57. Air Medal License Plate - such plates shall be designed and
2 issued to any resident of this state who has earned the Air Medal
3 and presents proper certification that the resident has been awarded
4 such medal. The license plate shall include an image of the Air
5 Medal earned by the recipient. Such persons may apply for an Air
6 Medal license plate for vehicles having a rated carrying capacity of
7 one (1) ton or less, or for a motorcycle; provided, the license
8 plate for motorcycles may be of similar design to the license plate
9 for motor vehicles or may be a new design in order to meet space
10 requirements for a motorcycle license plate;

11 58. a. U.S. Army Ranger License Plate - such plates shall be
12 designed and issued to any resident of this state who
13 is an active, retired, or honorably discharged member
14 of a U.S. Army Ranger unit, or who is a graduate of
15 the U.S. Army Ranger School. Persons applying for the
16 U.S. Army Ranger License Plate shall provide military
17 orders or official documentation proving the
18 applicant's eligibility, including:

- 19 (1) military orders detailing a past or current
20 assignment to a U.S. Army Ranger unit,
21 (2) military orders awarding the Ranger Tab
22 authorized by the U.S. Army,
23 (3) certificate of release or discharge from active
24 duty, DD Form 214, or report of separation and

1 record of service, NGB form 22, indicating the
2 awarding of the Ranger Tab, or
3 (4) diploma issued to the applicant from the U.S.
4 Army Ranger School.

5 b. In addition to the documentation listed above, an
6 active military member shall present a valid military
7 identification card or a document that shows
8 sufficient proof that the applicant is an active
9 member of the military. A retired or honorably
10 discharged member of the military shall present:

11 (1) a certified copy of the member's release or
12 discharge from active duty, DD Form 214,
13 honorable discharge certificate, United States
14 Department of Defense Form 256, or report of
15 separation and record of service, NGB form 22,
16 which has an honorable discharge
17 characterization, or

18 (2) a valid form DD2 (retired) military
19 identification card. Such persons may apply for
20 a U.S. Army Ranger License Plate for vehicles
21 having a rated carrying capacity of one (1) ton
22 or less, or for a motorcycle; provided, the
23 license plate for motorcycles may be of similar
24 design to the license plate for motor vehicles or

1 may be a new design in order to meet space
2 requirements for a motorcycle license plate. The
3 license plate shall be designed in consultation
4 with the Military Department of the State of
5 Oklahoma;

6 59. 45th Infantry Brigade Combat Team License Plate - such
7 plates shall be designed for members, former members, and members of
8 the household of a member or former member of the 45th Infantry
9 Brigade Combat Team. Persons applying for such license plate shall
10 obtain and provide suitable proof of their membership association
11 with the 45th Infantry Brigade Combat Team. Such persons may apply
12 for a 45th Infantry Brigade Combat Team License Plate for vehicles
13 having a rated carrying capacity of one (1) ton or less, or for a
14 motorcycle; provided, the license plate for motorcycles may be of
15 similar design to the license plate for motor vehicles or may be a
16 new design in order to meet space requirements for a motorcycle
17 license plate. The license plate shall be designed in consultation
18 with the Military Department of the State of Oklahoma; and

19 60. Meritorious Service Medal License Plate - such plates shall
20 be designed and issued to any resident of this state who has earned
21 the Meritorious Service Medal and presents proper certification that
22 the resident has been awarded such medal. The license plate shall
23 include an image of the Meritorious Service Medal earned by the
24 recipient. Such persons may apply for a Meritorious Service Medal

1 license plate for vehicles having a rated carrying capacity of one
2 (1) ton or less, or for a motorcycle; provided, the license plate
3 for motorcycles may be of similar design to the license plate for
4 motor vehicles or may be a new design in order to meet space
5 requirements for a motorcycle license plate.

6 C. Unless otherwise provided by this section, the fee for such
7 plates shall be Eight Dollars (\$8.00) and shall be in addition to
8 all other registration fees provided by the Oklahoma Vehicle License
9 and Registration Act. Such fees shall be deposited in the Oklahoma
10 Tax Commission Reimbursement Fund to be used for the administration
11 of the Oklahoma Vehicle License and Registration Act. Beginning
12 January 1, 2023, such fees shall be deposited in the Service
13 Oklahoma Reimbursement Fund to be used for the administration of the
14 Oklahoma Vehicle License and Registration Act.

15 SECTION 81. REPEALER 47 O.S. 2021, Section 1135.2, as
16 last amended by Section 1, Chapter 275, O.S.L. 2023 (47 O.S. Supp.
17 2023, Section 1135.2), is hereby repealed.

18 SECTION 82. REPEALER 47 O.S. 2021, Section 1135.2, as
19 last amended by Section 2, Chapter 392, O.S.L. 2022 (47 O.S. Supp.
20 2023, Section 1135.2), is hereby repealed.

21 SECTION 83. REPEALER 47 O.S. 2021, Section 1135.2, as
22 amended by Section 3, Chapter 188, O.S.L. 2021, is hereby repealed.

23

24

1 SECTION 84. REPEALER 47 O.S. 2021, Section 1135.2, as
2 amended by Section 161, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
3 2023, Section 1135.2), is hereby repealed.

4 SECTION 85. AMENDATORY 47 O.S. 2021, Section 1135.3, as
5 last amended by Section 2, Chapter 275, O.S.L. 2023 (47 O.S. Supp.
6 2023, Section 1135.3), is amended to read as follows:

7 Section 1135.3. A. Service Oklahoma is hereby authorized to
8 design and issue appropriate official special license plates to
9 persons wishing to demonstrate support, interest or membership to or
10 for an organization, occupation, cause or other subject as provided
11 by this section.

12 Special license plates shall not be transferred to any other
13 person but shall be removed from the vehicle upon transfer of
14 ownership and retained. The special license plate may then be used
15 on another vehicle but only after such other vehicle has been
16 registered for the current year.

17 Special license plates shall be renewed each year by Service
18 Oklahoma or a licensed operator, unless authorized by Service
19 Oklahoma to be renewed for a period greater than one (1) year.
20 Service Oklahoma shall notify by mail all persons issued special
21 license plates. The notice shall contain all necessary information
22 and shall contain instructions for the renewal procedure upon
23 presentation to a licensed operator or Service Oklahoma. The
24 license plates shall be issued on a staggered system.

1 On and after January 1, 2022, if a special license plate is
2 issued pursuant to this section, any registration fee required for
3 such plate pursuant to this section and the fee required pursuant to
4 Section 1132 of this title shall be remitted at the same time and
5 subject to a single registration period. Service Oklahoma shall
6 determine, by rule, a method for making required fee and
7 registration period adjustments if a special license plate is
8 obtained during a twelve-month period for which a registration fee
9 has already been remitted pursuant to Section 1132 of this title.
10 The combination of fees in a single remittance shall not alter the
11 apportionment otherwise provided for in this section.

12 Service Oklahoma is hereby directed to develop and implement a
13 system whereby licensed operators are permitted to accept
14 applications for special license plates authorized under this
15 section. The licensed operator shall confirm the applicant's
16 eligibility, if applicable, collect and deposit any amount
17 specifically authorized by law, accept and process the necessary
18 information directly into such system and generate a receipt
19 accordingly. For performance of these duties, licensed operators
20 shall retain the fee provided in Section 1141.1 of this title for
21 registration of a motor vehicle. The licensed operator fees for
22 acceptance of applications and renewals shall be paid out of the
23 Oklahoma Tax Commission Reimbursement Fund. Beginning January 1,
24 2023, the licensed operator fees for acceptance of applications and

1 renewals shall be paid out of the Service Oklahoma Reimbursement
2 Fund.

3 If fewer than one hundred of any type of special license plates
4 authorized prior to January 1, 2004, are issued prior to January 1,
5 2006, Service Oklahoma shall discontinue issuance and renewal of
6 that type of special license plate. Any such authorized special
7 license plate registrant shall be allowed to display the license
8 plate upon the designated vehicle until the registration expiration
9 date. After such time the expired special license plate shall be
10 removed from the vehicle.

11 Except as otherwise provided in law, for special license plates
12 authorized on or after July 1, 2004, no special license plates shall
13 be developed or issued by Service Oklahoma until Service Oklahoma
14 receives one hundred (100) prepaid applications therefor. The
15 prepaid applications must be received by Service Oklahoma within one
16 hundred eighty (180) days of the effective date of the authorization
17 or the authority to issue shall be null and void. In the event one
18 hundred (100) prepaid applications are not received by Service
19 Oklahoma within such prescribed time period any payment so received
20 shall be refunded accordingly.

21 B. The special license plates provided by this section are as
22 follows:

23
24

1 1. Round and Square Dance License Plate - such plates shall be
2 designed and issued to any person wishing to demonstrate support for
3 round and square dancing;

4 2. National Association for the Advancement of Colored People
5 License Plate - such plates shall be designed, subject to the
6 criteria to be presented to Service Oklahoma by the NAACP, and
7 issued to any person wishing to demonstrate support for the NAACP;

8 3. National Rifle Association License Plate - such plates shall
9 be designed, subject to the criteria to be presented to Service
10 Oklahoma by the National Rifle Association, and issued to any person
11 wishing to demonstrate support for the National Rifle Association;

12 4. Masonic Fraternity License Plate - such plates shall be
13 designed and issued to any resident of this state who is a member of
14 a Masonic Fraternity of Oklahoma. Such persons may apply for a
15 Masonic Fraternity license plate for each vehicle with a rated
16 carrying capacity of one (1) ton or less upon proof of a Masonic
17 Fraternity membership or upon the presentment of an application for
18 a Masonic Fraternity license plate authorized and approved by the
19 Grand Lodge of Oklahoma. The license plates shall be designed in
20 consultation with the Masonic Fraternities of Oklahoma and shall
21 contain the Masonic emblem;

22 5. Shriners Hospitals for Children License Plate - such plates
23 shall be designed to demonstrate support for Shriners Hospitals for
24 Children and shall be issued to any resident of this state who is a

1 member of a Shriners Temple in Oklahoma. The license plate shall be
2 designed in consultation with the Shriners Temples in Oklahoma and
3 shall contain the Shriners emblem;

4 6. Balloonists License Plate - such plates shall be designed
5 and issued to any person wishing to demonstrate support for hot air
6 ballooning in this state;

7 7. Order of the Eastern Star License Plate - such plates shall
8 be designed and issued to any resident of this state who is a member
9 of an Order of the Eastern Star. Such persons may apply for an
10 Order of the Eastern Star license plate for each vehicle with a
11 rated carrying capacity of one (1) ton or less upon proof of an
12 Order of the Eastern Star membership or upon the presentment of an
13 application for an Order of the Eastern Star license plate
14 authorized and approved by the organization. The license plate
15 shall be designed in consultation with the Order of the Eastern Star
16 and shall contain the Order of the Eastern Star emblem;

17 8. Knights of Columbus License Plate - such plates shall be
18 designed and issued to any resident of this state who is a member of
19 the Knights of Columbus. Such persons may apply for a Knights of
20 Columbus license plate for each vehicle with a rated carrying
21 capacity of one (1) ton or less upon proof of a Knights of Columbus
22 membership or upon the presentment of an application for a Knights
23 of Columbus license plate authorized and approved by the
24 organization. The license plate shall be designed in consultation

1 with the Knights of Columbus and shall contain the Knights of
2 Columbus emblem;

3 9. Jaycees License Plate - such plates shall be designed and
4 issued to members of the Jaycees. Persons applying for such license
5 plate must show proof of membership in the Jaycees. The license
6 plates shall be designed in consultation with the Jaycees;

7 10. Kiwanis International License Plate - such plates shall be
8 designed and issued to members of Kiwanis International. Persons
9 applying for such license plate must show proof of membership in
10 Kiwanis International. The license plates shall be designed in
11 consultation with Kiwanis International;

12 11. Certified Public Accountants License Plate - such plates
13 shall be designed and issued to any resident of this state who is a
14 Certified Public Accountant. Such persons may apply for a Certified
15 Public Accountant license plate for each vehicle with a rated
16 carrying capacity of one (1) ton or less upon proof of status as a
17 Certified Public Accountant. The license plates shall be designed
18 in consultation with the Oklahoma Society of Certified Public
19 Accountants;

20 12. Civil Emergency Management License Plate - such plates
21 shall be designed and issued to persons wishing to demonstrate
22 support for the state civil emergency management system. Persons
23 applying for such license plate must show proof of official
24 affiliation by presenting a nonexpired proof of employment,

1 affiliation or retirement in the form of an identification card or
2 letter on official letterhead from a municipal, county or state
3 emergency management department head;

4 13. Civilian Conservation Corps License Plate - such plates
5 shall be designed, subject to criteria to be presented to Service
6 Oklahoma, by the Civilian Conservation Corps Association, and issued
7 to any person wishing to demonstrate support of the Civilian
8 Conservation Corps;

9 14. Rotarian License Plate - such plates shall be designed and
10 issued to any resident of this state who is a member of a Rotary
11 Club of Oklahoma. Such persons may apply for a Rotarian license
12 plate for each vehicle with a rated carrying capacity of one (1) ton
13 or less upon proof of a Rotary Club membership or upon the
14 presentment of an application for a Rotarian license plate
15 authorized and approved by a Rotary Club of Oklahoma. The license
16 plates shall be designed in consultation with the five Rotarian
17 District Governors and shall contain the Rotarian emblem;

18 15. Benevolent and Protective Order of Elks License Plate -
19 such plates shall be designed, subject to criteria to be presented
20 to Service Oklahoma, by the Benevolent and Protective Order of Elks,
21 and issued to any resident of this state who is a member of the
22 Benevolent and Protective Order of Elks;

23 16. Humane Society License Plate - such plates shall be
24 designed and issued to any person wishing to demonstrate support for

1 the Humane Society of the United States. The plates shall be issued
2 to any person in any combination of numbers and letters from one to
3 a maximum of seven, as for personalized license plates. The plate
4 shall contain the official Humane Society logo;

5 17. Oklahoma Mustang Club License Plate - such plates shall be
6 designed, subject to criteria to be presented to Service Oklahoma,
7 by the Oklahoma Mustang Club, and issued to any resident of this
8 state who is a member of the Oklahoma Mustang Club. Such persons
9 may apply for an Oklahoma Mustang Club license plate upon
10 presentment of proof of membership in the Oklahoma Mustang Club.
11 The plates shall be issued to any person in any combination of
12 numbers and letters from one to a maximum of seven, as for
13 personalized license plates;

14 18. American Business Clubs (AMBUCS) License Plate - such
15 plates shall be designed and issued to members of American Business
16 Clubs. Persons applying for such license plate must show proof of
17 membership in AMBUCS. The license plates shall be designed in
18 consultation with American Business Clubs;

19 19. West Point 200th Anniversary License Plate - such plates
20 shall be designed and issued to any person wishing to commemorate
21 the Two Hundredth Anniversary of the founding of the United States
22 Military Academy at West Point, New York. The license plates shall
23 be designed in consultation with the West Point Society of Central
24 Oklahoma;

1 20. Oklahoma Aquarium License Plate - such plates shall be
2 designed and issued to persons wishing to demonstrate support for
3 the Oklahoma Aquarium. The license plates shall be designed in
4 consultation with the Oklahoma Aquarium. Subject to the provisions
5 of subsection A of this section, the Oklahoma Aquarium ~~license plate~~
6 License Plate is hereby reauthorized effective November 1, 2021;

7 21. The Pride of Broken Arrow License Plate - such plates shall
8 be designed and issued to any person wishing to demonstrate support
9 for The Pride of Broken Arrow marching band. The plates shall be
10 designed in consultation with the Broken Arrow Public School System;

11 22. Fellowship of Christian Athletes License Plate - such
12 plates shall be designed in consultation with the Fellowship of
13 Christian Athletes and issued to members and supporters of the
14 Fellowship of Christian Athletes;

15 23. Parrothead Club License Plate - such plates shall be
16 designed and issued to members and supporters of the Parrothead
17 Club. The license plate shall be issued to any person in any
18 combination of numbers and letters from one to a maximum of seven as
19 for personalized license plates;

20 24. Oklahoma Bicycling Coalition License Plate - such plates
21 shall be designed and issued to any person who is a member of the
22 Oklahoma Bicycling Coalition. The license plates shall be designed
23 in consultation with the Oklahoma Bicycling Coalition;

24

1 25. Electric Lineman License Plate - such plates shall be
2 designed and issued to persons wishing to demonstrate support for
3 Oklahoma's electric linemen. The license plates shall be designed
4 in consultation with the Oklahoma Electric Superintendent's
5 Association;

6 26. Alpha Kappa Alpha License Plate - such plates shall be
7 designed and issued to any person who is a member of Alpha Kappa
8 Alpha Sorority. The license plates shall be designed in
9 consultation with the Oklahoma Chapter of Alpha Kappa Alpha
10 Sorority;

11 27. The National Pan-Hellenic Council Incorporated License
12 Plate - such plates shall be designed and issued to any person
13 wishing to demonstrate support to any of the nine sororities and
14 fraternities recognized by the National Pan-Hellenic Council
15 Incorporated. The license plates shall be designed in consultation
16 with the Oklahoma Chapter of the National Pan-Hellenic Council
17 Incorporated;

18 28. Organ, Eye and Tissue License Plate - such plates shall be
19 designed and issued to persons wishing to demonstrate support and
20 increase awareness for organ, eye and tissue donation. The license
21 plates shall be designed in consultation with the State Department
22 of Health;

23 29. Central Oklahoma Habitat for Humanity License Plate - such
24 plates shall be designed and issued to persons wishing to

1 demonstrate support and increase awareness for Habitat for Humanity.
2 The license plate shall be designed in consultation with Central
3 Oklahoma Habitat for Humanity;

4 30. Family Career and Community Leaders of America Incorporated
5 License Plate - such plates shall be designed and issued to persons
6 wishing to demonstrate support for Family Career and Community
7 Leaders of America Incorporated. The license plates shall be
8 designed in consultation with Family Career and Community Leaders of
9 America Incorporated;

10 31. Delta Sigma Theta License Plate - such plates shall be
11 designed and issued to any person who is a member of Delta Sigma
12 Theta Sorority. The license plates shall be designed in
13 consultation with the Oklahoma Chapter of Delta Sigma Theta Sorority
14 Incorporated;

15 32. Omega Psi Phi License Plate - such plates shall be designed
16 and issued to any person who is a member of Omega Psi Phi
17 Fraternity. The license plates shall be designed in consultation
18 with the Oklahoma Chapter of Omega Psi Phi Fraternity Incorporated;

19 33. Alpha Phi Alpha License Plate - such plates shall be
20 designed and issued to any person who is a member of Alpha Phi Alpha
21 Fraternity. The license plates shall be designed in consultation
22 with the Oklahoma Chapter of Alpha Phi Alpha Fraternity
23 Incorporated;

24

1 34. 50th Anniversary of the Interstate System of Highways
2 License Plate - such plates shall be designed and issued to persons
3 wishing to commemorate the 50th Anniversary of the Interstate System
4 of Highways. The license plates shall be designed in consultation
5 with the American Association of State Highway and Transportation
6 Officials;

7 35. Kappa Alpha Psi License Plate - such plates shall be
8 designed and issued to any person who is a member of Kappa Alpha Psi
9 Fraternity. The license plates shall be designed in consultation
10 with the Oklahoma Chapter of Kappa Alpha Psi Fraternity
11 Incorporated;

12 36. Sigma Gamma Rho License Plate - such plates shall be
13 designed and issued to any person who is a member of Sigma Gamma Rho
14 Sorority. The license plates shall be designed in consultation with
15 the Oklahoma Chapter of Sigma Gamma Rho Sorority Incorporated.
16 Subject to the provisions of subsection A of this section, the Sigma
17 Gamma Rho License Plate is hereby reauthorized effective November 1,
18 2013;

19 37. Multiple Sclerosis License Plate - such plates shall be
20 designed and issued to persons wishing to demonstrate support for
21 and increase awareness of multiple sclerosis. The license plates
22 shall be designed in consultation with the Oklahoma Chapter of the
23 National Multiple Sclerosis Society;

24

1 38. Frederick A. Douglass High School License Plate - such
2 plates shall be designed and issued to any person wishing to
3 demonstrate support for Frederick A. Douglass High School located in
4 Oklahoma City. The plates shall be designed in consultation with
5 representatives of Frederick A. Douglass High School National Alumni
6 Association;

7 39. United States Air Force Academy License Plate - such plates
8 shall be designed and issued to any person wishing to demonstrate
9 support for the United States Air Force Academy;

10 40. In God We Trust License Plate - such plates shall be
11 designed to include the motto, "In God We Trust", and shall be
12 issued to any person wishing to demonstrate support for the motto;

13 41. National Weather Center License Plate - such plates shall
14 be designed and issued to any person wishing to demonstrate support
15 for the National Weather Center in Norman. The plates shall be
16 designed in consultation with representatives of the National
17 Weather Center Directors;

18 42. Make-A-Wish Foundation License Plate - such plates shall be
19 designed and issued to persons wishing to demonstrate support for
20 the Make-A-Wish Foundation. The license plates shall be designed in
21 consultation with the Oklahoma Chapter of the National Make-A-Wish
22 Foundation;

23 43. South Central Section of the PGA Foundation License Plate -
24 such plates shall be designed and issued to persons wishing to

1 demonstrate support for the South Central Section of the PGA
2 Foundation. The license plates shall be designed in consultation
3 with the South Central Section of the PGA Foundation;

4 44. Putnam City High School License Plate - such plates shall
5 be designed and issued to any person wishing to demonstrate support
6 for Putnam City High School. The plates shall be designed in
7 consultation with representatives of Putnam City High School Alumni
8 Association, Inc.;

9 45. Autism Awareness License Plate - such plates shall be
10 designed and issued to any person wishing to increase awareness of
11 autism. The license plate shall be designed in consultation with
12 the Oklahoma Autism Network;

13 46. Oklahoma Blood Institute License Plate - such plates shall
14 be designed and issued to any person wishing to demonstrate support
15 for the Oklahoma Blood Institute. The license plates shall be
16 designed in consultation with the Oklahoma Blood Institute;

17 47. Zeta Phi Beta and Phi Beta Sigma License Plate - such
18 plates shall be designed and issued to any person who is a member of
19 Zeta Phi Beta Sorority or Phi Beta Sigma Fraternity. The license
20 plates shall be designed in consultation with the Oklahoma chapters
21 of Zeta Phi Beta Sorority Incorporated and Phi Beta Sigma Fraternity
22 Incorporated;

23 48. Star Spencer High School License Plate - such plates shall
24 be designed and issued to any person wishing to demonstrate support

1 for Star Spencer High School located in Oklahoma City. The plates
2 shall be designed in consultation with representatives of the Star
3 Spencer High School Alumni Association. Subject to the provisions
4 of subsection A of this section, the Star Spencer High School
5 License Plate is hereby reauthorized effective November 1, 2015;

6 49. Northeast High School License Plate - such plates shall be
7 designed and issued to any person wishing to demonstrate support for
8 Northeast High School located in Oklahoma City. The plates shall be
9 designed in consultation with representatives of the Northeast High
10 School Alumni Association;

11 50. Oklahoma City Central High School License Plate - such
12 plates shall be designed and issued to any person wishing to
13 demonstrate support for the Oklahoma City Central High School Alumni
14 Association. The plates shall be designed in consultation with
15 representatives of the Oklahoma City Central High School Alumni
16 Association;

17 51. Oklahoma Rifle Association License Plate - such plates
18 shall be designed and issued to any person wishing to demonstrate
19 support for the Oklahoma Rifle Association. The plates shall be
20 designed in consultation with representatives of the Oklahoma Rifle
21 Association;

22 52. Oklahoma City Thunder License Plate - such plates shall be
23 designed and issued to any person wishing to demonstrate support for
24

1 the Oklahoma City Thunder. The license plate shall be designed in
2 consultation with the Oklahoma City Thunder organization;

3 53. Ovarian Cancer Awareness License Plate - such plates shall
4 be designed and issued to any person wishing to increase awareness
5 of ovarian cancer. The license plate shall be designed in
6 consultation with the HOPE in Oklahoma organization;

7 54. BMW Car Club of America License Plate - such plates shall
8 be designed and issued to any person wishing to demonstrate support
9 for the BMW Car Club of America. The plates shall be issued to any
10 person in any combination of numbers and letters from one to a
11 maximum of seven, as for personalized license plates. The license
12 plate shall be designed in consultation with the Sunbelt Chapter of
13 the BMW Car Club of America. Subject to the provisions of
14 subsection A of this section, the BMW Car Club of America License
15 Plate is hereby reauthorized effective November 1, 2013;

16 55. Don't Tread On Me License Plate - such plates shall be
17 designed to include the yellow background and rattlesnake emblem
18 above the motto "DON'T TREAD ON ME" as found on the historic Gadsden
19 flag, and shall be issued to any person wishing to demonstrate
20 support for the freedom and liberty of the Republic;

21 56. Oklahomans for the Arts License Plate - such plates shall
22 be designed and issued to any person wishing to demonstrate support
23 for arts, culture and creative industries as well as arts education.

24

1 The plates shall be designed in consultation with Oklahomans for the
2 Arts;

3 57. Tulsa Oilers License Plate - such plates shall be designed
4 and issued to any person wishing to demonstrate support for the
5 Tulsa Oilers. The license plate shall be designed in consultation
6 with the Tulsa Oilers organization;

7 58. Tulsa Drillers License Plate - such plates shall be
8 designed and issued to any person wishing to demonstrate support for
9 the Tulsa Drillers. The license plate shall be designed in
10 consultation with the Tulsa Drillers organization;

11 59. Millwood School District License Plate - such plates shall
12 be designed and issued to any person wishing to demonstrate support
13 for the Millwood School District. The license plate shall be
14 designed in consultation with representatives of the Millwood School
15 District;

16 60. Booker T. Washington High School License Plate - such
17 plates shall be issued to persons wishing to demonstrate support for
18 Booker T. Washington High School and shall be designed in
19 consultation with the Booker T. Washington High School National
20 Alumni Association;

21 61. Oklahoma Current State Flag License Plate - such plates
22 shall be designed to include the current Oklahoma state flag and
23 issued to any person wishing to demonstrate support for the current
24

1 Oklahoma state flag. The plates shall be designed in consultation
2 with the Friends of the Oklahoma History Center;

3 62. Oklahoma Original State Flag License Plate - such plates
4 shall be designed to include the original Oklahoma state flag and
5 issued to any person wishing to demonstrate support for the original
6 Oklahoma state flag. The plates shall be designed in consultation
7 with the Friends of the Oklahoma History Center. The plates shall
8 be issued to any person in any combination of numbers and letters
9 from one to a maximum of seven, as for personalized license plates.
10 Subject to the provisions of subsection A of this section, the
11 Oklahoma Original State Flag ~~license plate~~ License Plate is hereby
12 reauthorized effective November 1, 2015;

13 63. Tulsa 66ers License Plate - such plates shall be designed
14 and issued to any person wishing to demonstrate support for the
15 Tulsa 66ers. The plates shall be designed in consultation with the
16 Tulsa 66ers Organization;

17 64. Frederick Bombers License Plate - such plates shall be
18 issued to persons wishing to demonstrate support for the Frederick
19 School District and shall be designed in consultation with
20 representatives of the Frederick School District;

21 65. 911 Dispatcher License Plate - such plates shall be issued
22 to persons wishing to demonstrate support for 911 dispatchers.
23 Persons applying for such license plate must show proof of current
24

1 employment as a 911 dispatcher or sign an attestation that they are
2 a currently employed or retired 911 dispatcher;

3 66. Oklahoma Fosters License Plate - such plates shall be
4 issued to persons wishing to demonstrate support for the Oklahoma
5 Fosters Initiative and shall be designed in consultation with the
6 Oklahoma Fosters Initiative;

7 67. Red Dirt Jeep License Plate - such plates shall be designed
8 and issued to any person wishing to demonstrate support for Red Dirt
9 Jeep and such plates shall be designed in consultation with Red Dirt
10 Jeep, L.L.C.;

11 68. Sons of the American Revolution License Plate - such plates
12 shall be issued to persons wishing to demonstrate support for the
13 Sons of the American Revolution for a vehicle or motorcycle in any
14 combination of numbers and letters from one to a maximum of seven,
15 as for personalized license plates. Such plates shall be designed
16 in consultation with the Oklahoma Society of the Sons of the
17 American Revolution. The license plate for a motorcycle may be of
18 similar design as space permits or a new design in order to meet the
19 space requirements of a motorcycle license plate;

20 69. Daughters of the American Revolution License Plate - such
21 plates shall be issued to persons wishing to demonstrate support for
22 the Daughters of the American Revolution for a vehicle or motorcycle
23 in any combination of numbers and letters from one to a maximum of
24 seven, as for personalized license plates. Such plates shall be

1 designed in consultation with the Oklahoma Society of the Daughters
2 of the American Revolution. The license plate for a motorcycle may
3 be of similar design as space permits or a new design in order to
4 meet the space requirements of a motorcycle license plate;

5 70. Air Medal License Plate - such plates shall be designed and
6 issued to Air Medal recipients. An individual requesting the
7 license plate is required, at the time of application, to show proof
8 he or she is a recipient of the Air Medal or sign an attestation
9 stating that he or she is a medal recipient. The plates shall be
10 designed to include the Air Medal emblem and shall include the words
11 "Air Medal" on the plate;

12 71. Oklahoma Institute for Child Advocacy License Plate - such
13 plates shall be designed and issued to any person wishing to
14 demonstrate support for the Oklahoma Institute for Child Advocacy.
15 The plates shall be issued to any person in any combination of
16 numbers and letters from one to a maximum of seven, as for
17 personalized license plates. The plates shall be designed in
18 consultation with the Oklahoma Institute for Child Advocacy.
19 Subject to the provisions of subsection A of this section, the
20 Oklahoma Institute for Child Advocacy ~~license plate~~ License Plate is
21 hereby reauthorized effective November 1, 2021;

22 72. The Pride of Oklahoma Marching Band License Plate - such
23 plates shall be designed and issued to any person wishing to
24 demonstrate support for the Pride of Oklahoma marching band. The

1 plates shall be designed in consultation with the University of
2 Oklahoma;

3 73. The Spirit of Oklahoma State Marching Band License Plate -
4 such plates shall be designed and issued to any person wishing to
5 demonstrate support for the Spirit of Oklahoma State marching band.
6 The plates shall be designed in consultation with Oklahoma State
7 University;

8 74. Southeast Spartans License Plate - such plates shall be
9 designed and issued to any person wishing to demonstrate support for
10 Southeast High School Spartans and such plates shall be designed in
11 consultation with the Southeast High School Alumni Association;

12 75. Catoosa High School License Plate - such plates shall be
13 designed and issued to any person wishing to demonstrate support for
14 Catoosa High School located in Catoosa. The plates shall bear the
15 image of the Catoosa High School mascot and be designed in
16 consultation with representatives of Catoosa High School;

17 76. Toastmasters International License Plate - such plates
18 shall be issued to persons wishing to demonstrate support for
19 Toastmasters International and shall be designed in consultation
20 with District 16 of Toastmasters International;

21 77. Millwood High School Alumni License Plate - such plates
22 shall be designed and issued to any person wishing to demonstrate
23 support for Millwood High School Alumni. The license plate shall be
24

1 designed in consultation with representatives of the Millwood High
2 School Alumni Association;

3 78. Patriot Guard Riders License Plate - such plates shall be
4 issued to persons wishing to demonstrate support for Patriot Guard
5 Riders and shall be designed in consultation with the Patriot Guard
6 Riders of Oklahoma;

7 79. Bixby School District License Plate - such plates shall be
8 designed and issued to any person wishing to demonstrate support for
9 the Bixby School District. The license plate shall be designed in
10 consultation with representatives of the Bixby School District;

11 80. Oklahoma Renewable Energy License Plate - such plates shall
12 be designed in consultation with the Advanced Power Alliance and
13 issued to any person wishing to demonstrate support for renewable
14 energy;

15 81. Scottish Rite Masons License Plate - such plates shall be
16 designed and issued to any resident of this state who is a member of
17 the Scottish Rite Masons. Such persons may apply for a Scottish
18 Rite Masons license plate for each vehicle with a rated carrying
19 capacity of one (1) ton or less upon proof of a Scottish Rite
20 membership. The license plates shall be designed in consultation
21 with the Scottish Rite Masons in Oklahoma and shall contain the
22 Scottish Rite emblem;

23 82. New State Brand License Plate - such plates shall be
24 designed, subject to the criteria to be presented to Service

1 Oklahoma by the Oklahoma Tourism and Recreation Department, and
2 issued to any person wishing to demonstrate support for the new
3 Oklahoma brand. The license plates shall contain the new state
4 brand;

5 83. Tulsa Flag License Plate - such plates shall be designed
6 and issued to any person wishing to demonstrate support for the City
7 of Tulsa. The license plates shall be designed in consultation with
8 the Tulsa Community Foundation;

9 84. ROAD License Plate - such plates shall be designed and
10 issued to any person wishing to demonstrate support for Recovering
11 Oklahomans After Disaster. The license plates shall be designed in
12 consultation with the Recovering Oklahomans After Disaster
13 organization;

14 85. Tulsa Icon License Plate - such plates shall be designed
15 and issued to any person wishing to demonstrate support for the
16 Tulsa community for a vehicle or motorcycle in a pre-numbered format
17 or any combination of numbers and letters from one to a maximum of
18 six for vehicles or one to a maximum of five for motorcycles, as for
19 personalized plates. The plate design for vehicles will include
20 Tulsa's iconic Golden Driller and Route 66 Rising sculpture. The
21 license plate for a motorcycle may be of similar design as space
22 permits or a new design in order to meet the space requirements of a
23 motorcycle license plate; and

24

1 86. ORA License Plate - such plates shall be designed and
2 issued to any person wishing to demonstrate support for the Oklahoma
3 Rifle Association. The license plates shall be designed in
4 consultation with the Oklahoma Rifle Association;

5 87. Hallett Motor Racing Circuit License Plate - such plates
6 shall be designed and issued to any person wishing to demonstrate
7 support for the Hallett Motor Racing Circuit. The license plates
8 shall be designed in consultation with the Hallett Motor Racing
9 Circuit;

10 88. University of Kansas License Plate - such plates shall be
11 designed and issued to any person wishing to demonstrate support for
12 the University of Kansas. The license plates shall be designed in
13 consultation with the University of Kansas and/or the University of
14 Kansas Alumni Association; and

15 89. Clinton Red Tornadoes License Plate - such plates shall be
16 designed and issued to any person wishing to demonstrate support for
17 the Clinton Red Tornadoes. The license plates shall be designed in
18 consultation with the Clinton Public School System.

19 C. The fee for such plates shall be Fifteen Dollars (\$15.00)
20 per year of renewal and shall be in addition to all other
21 registration fees provided by the Oklahoma Vehicle License and
22 Registration Act. Unless otherwise provided in this section, the
23 fee shall be apportioned as follows: Eight Dollars (\$8.00) per year
24 of renewal of the special license plate fee shall be deposited in

1 the Tax Commission Reimbursement Fund to be used for the
2 administration of the Oklahoma Vehicle License and Registration Act
3 and the remaining Seven Dollars (\$7.00) per year of renewal of the
4 special license plate fee shall be apportioned as provided in
5 Section 1104 of this title. Beginning January 1, 2023, Eight
6 Dollars (\$8.00) per year of renewal of the special license plate fee
7 shall be deposited in the Service Oklahoma Reimbursement Fund to be
8 used for the administration of the Oklahoma Vehicle License and
9 Registration Act and the remaining Seven Dollars (\$7.00) per year of
10 renewal of the special license plate fee shall be apportioned as
11 provided in Section 1104 of this title.

12 SECTION 86. REPEALER 47 O.S. 2021, Section 1135.3, as
13 amended by Section 5, Chapter 276, O.S.L. 2021, is hereby repealed.

14 SECTION 87. REPEALER 47 O.S. 2021, Section 1135.3, as
15 amended by Section 4, Chapter 188, O.S.L. 2021, is hereby repealed.

16 SECTION 88. REPEALER 47 O.S. 2021, Section 1135.3, as
17 last amended by Section 2, Chapter 294, O.S.L. 2023 (47 O.S. Supp.
18 2023, Section 1135.3), is hereby repealed.

19 SECTION 89. AMENDATORY 47 O.S. 2021, Section 1135.4, as
20 amended by Section 163, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
21 2023, Section 1135.4), is amended to read as follows:

22 Section 1135.4. A. Service Oklahoma is hereby authorized to
23 design and issue personalized license plates. The personalized
24

1 license plates shall be issued on a staggered system except for
2 vintage decals.

3 Personalized special license plates shall not be transferred to
4 any other person but shall be removed from the vehicle upon transfer
5 of ownership and retained. The personalized special license plate
6 may then be used on another vehicle but only after such other
7 vehicle has been registered for the current year.

8 Personalized special license plates shall be renewed each year
9 by Service Oklahoma or a licensed operator, unless authorized by
10 Service Oklahoma to be renewed for a period greater than one (1)
11 year. Service Oklahoma shall notify by mail all persons issued
12 special license plates. Service Oklahoma shall send the
13 notifications to the electronic mail address provided by the person.
14 If a person does not provide an electronic mail address, Service
15 Oklahoma shall notify the person by mail. The notice shall contain
16 all necessary information and shall contain instructions for the
17 renewal procedure upon presentation to a licensed operator or
18 Service Oklahoma. The licensed operator fees for renewals shall be
19 paid out of the Oklahoma Tax Commission Reimbursement Fund.
20 Beginning January 1, 2023, the licensed operator fees for acceptance
21 of applications and renewals shall be paid out of the Service
22 Oklahoma Reimbursement Fund.

23 On and after January 1, 2022, if a personalized license plate is
24 issued pursuant to this section, any registration fee required for

1 such plate pursuant to this section and the fee required pursuant to
2 Section 1132 of this title shall be remitted at the same time and
3 subject to a single registration period. Service Oklahoma shall
4 determine, by rule, a method for making required fee and
5 registration period adjustments if a special license plate is
6 obtained during a twelve-month period for which a registration fee
7 has already been remitted pursuant to Section 1132 of this title.
8 The combination of fees in a single remittance shall not alter the
9 apportionment otherwise provided for in this section.

10 B. Such plates shall be designed and issued for the following:

11 1. Any person in any combination of numbers or letters from one
12 to a maximum of seven;

13 2. Persons eligible for two or more of the military decoration
14 special license plates provided for in this title. Such plates may
15 be issued in any combination of emblems. However, such plates shall
16 only display up to three emblems and shall also display any
17 combination of letters or numbers from one to a maximum of three;

18 3. Motorcycles in any combination of numbers or letters from
19 one to a maximum of six;

20 4. Persons eligible for Korean War Veteran license plates
21 provided for in this title. Such plates may display any combination
22 of letters or numbers up to three on each side of the insignia or
23 emblem;

24

1 5. Persons eligible for World War II Veteran license plates
2 provided for in this title. Such plates may display any combination
3 of letters or numbers up to three on each side of the insignia or
4 emblem; and

5 6. Persons owning vehicles which are twenty-one (21) years and
6 older are qualified to submit for approval by Service Oklahoma or a
7 licensed operator a vintage but expired official Oklahoma license
8 plate which is twenty-one (21) years and older. Upon approval of
9 such personalized plate, the owner shall be issued the annual
10 registration decal which Service Oklahoma or the licensed operator
11 shall direct to be affixed.

12 C. The fee for such plates shall be Twenty Dollars (\$20.00) per
13 year of renewal and shall be in addition to all other registration
14 fees provided by the Oklahoma Vehicle License and Registration Act.
15 Eight Dollars (\$8.00) per year of renewal of the personalized tag
16 fee shall be deposited in the Oklahoma Tax Commission Reimbursement
17 Fund to be used for the administration of the Oklahoma Vehicle
18 License and Registration Act. Twelve Dollars (\$12.00) per year of
19 renewal of the personalized tag fee shall be apportioned as provided
20 in Section 1104 of this title. Beginning January 1, 2023, Eight
21 Dollars (\$8.00) per year of renewal of the personalized tag fee
22 shall be deposited in the Service Oklahoma Reimbursement Fund to be
23 used for the administration of the Oklahoma Vehicle License and
24 Registration Act. Twelve Dollars (\$12.00) per year of renewal of

1 the personalized tag fee shall be apportioned as provided in Section
2 1104 of this title.

3 SECTION 90. REPEALER 47 O.S. 2021, Section 1135.4, as
4 last amended by Section 3, Chapter 392, O.S.L. 2022 (47 O.S. Supp.
5 2023, Section 1135.4), is hereby repealed.

6 SECTION 91. REPEALER 47 O.S. 2021, Section 1135.4, as
7 amended by Section 5, Chapter 188, O.S.L. 2021, is hereby repealed.

8 SECTION 92. AMENDATORY 47 O.S. 2021, Section 1135.5, as
9 last amended by Section 32, Chapter 310, O.S.L. 2023 (47 O.S. Supp.
10 2023, Section 1135.5), is amended to read as follows:

11 Section 1135.5. A. Service Oklahoma is hereby authorized to
12 design and issue appropriate official special license plates to
13 persons wishing to demonstrate support and provide financial
14 assistance as provided by this section.

15 Special license plates shall not be transferred to any other
16 person but shall be removed from the vehicle upon transfer of
17 ownership and retained. The special license plate may then be used
18 on another vehicle but only after such other vehicle has been
19 registered for the current year with a licensed operator.

20 Special license plates shall be renewed each year by Service
21 Oklahoma or a licensed operator, unless authorized by Service
22 Oklahoma to be renewed for a period greater than one (1) year.
23 Service Oklahoma shall notify by mail all persons issued special
24 license plates. The notice shall contain all necessary information

1 and shall contain instructions for the renewal procedure upon
2 presentation to a licensed operator or Service Oklahoma. The
3 license plates shall be issued on a staggered system.

4 On and after January 1, 2022, if a special license plate is
5 issued pursuant to this section, any registration fee required for
6 such plate pursuant to this section and the fee required pursuant to
7 Section 1132 of this title shall be remitted at the same time and
8 subject to a single registration period. Service Oklahoma shall
9 determine, by rule, a method for making required fee and
10 registration period adjustments if a special license plate is
11 obtained during a twelve-month period for which a registration fee
12 has already been remitted pursuant to Section 1132 of this title.
13 The combination of fees in a single remittance shall not alter the
14 apportionment otherwise provided for in this section.

15 Service Oklahoma is hereby directed to develop and implement a
16 system whereby licensed operators are permitted to accept
17 applications for special license plates authorized under this
18 section. The licensed operator shall confirm the applicant's
19 eligibility, if applicable, collect and deposit any amount
20 specifically authorized by law, accept and process the necessary
21 information directly into such system and generate a receipt
22 accordingly. For performance of these duties, licensed operators
23 shall retain the fee provided in Section 1141.1 of this title for
24 registration of a motor vehicle through June 30, 2025. ~~The licensed~~

1 ~~operator fees for acceptance of applications and renewals shall be~~
2 ~~paid out of the Tax Commission Reimbursement Fund. Beginning~~
3 ~~January 1, 2023,~~ Through June 30, 2025, the licensed operator fees
4 for acceptance of applications and renewals shall be paid out of the
5 Service Oklahoma Reimbursement Fund. Beginning July 1, 2023, fees
6 shall not be retained by the licensed operator pursuant to
7 subsection E of Section 1141.1 of this title.

8 If fewer than fifty (50) of any type of special license plates
9 authorized prior to January 1, 2004, are issued prior to January 1,
10 2006, Service Oklahoma shall discontinue issuance and renewal of
11 that type of special license plate. Any such authorized special
12 license plate registrant shall be allowed to display the license
13 plate upon the designated vehicle until the registration expiration
14 date. After such time the expired special license plate shall be
15 removed from the vehicle.

16 For special license plates authorized on or after July 1, 2004,
17 no special license plates shall be developed or issued by Service
18 Oklahoma until Service Oklahoma receives one hundred prepaid
19 applications therefor. The prepaid applications must be received by
20 Service Oklahoma within one hundred eighty (180) days of the
21 effective date of the authorization or the authority to issue shall
22 be null and void. In the event one hundred prepaid applications are
23 not received by Service Oklahoma within such prescribed time period
24 any payment so received shall be refunded accordingly.

1 B. The special license plates provided by this section are as
2 follows:

3 1. University or College Supporter License Plate - such plates
4 shall be designed and issued to any person wishing to demonstrate
5 support to any state-supported or private university or college. As
6 provided in this section, an amount of the fee collected shall be
7 apportioned as provided in Section 1104.1 of this title;

8 2. Environmental Awareness License Plate - such plates shall be
9 designed, subject to the criteria to be presented to Service
10 Oklahoma by the Department of Environmental Quality in consultation
11 with the Oklahoma Arts Council, and issued to any person wishing to
12 demonstrate support to implement the statewide general public
13 Environmental Education Program created pursuant to the provisions
14 of the Oklahoma Environmental Quality Code. Such plates shall be
15 designed and issued to any person in any combination of numbers and
16 letters from one to a maximum of seven, as for personalized license
17 plates. A dealer's license plate issued pursuant to Section 1116.1
18 or 1128 of this title may be designated an Environmental Awareness
19 License Plate upon payment of the fee imposed by this section and
20 any other registration fees required by the Oklahoma Vehicle License
21 and Registration Act. As provided in this section, an amount of the
22 fee collected shall be apportioned pursuant to Section 1104.2 of
23 this title;

24

1 3. Firefighter License Plate - such plates shall be designed
2 for any career or retired firefighter, volunteer or paid.
3 Firefighters may apply for firefighter plates for up to four
4 vehicles with a rated capacity of one (1) ton or less or for a
5 motorcycle upon proof of a fire department membership by either an
6 identification card or letter from the chief of the fire department.
7 Retirees who are eligible for such plates shall provide proof of
8 eligibility upon initial application, but shall not be required to
9 provide proof of eligibility annually. The surviving spouse of any
10 deceased firefighter, if the spouse has not since remarried, may
11 apply for a firefighter license plate for one vehicle with a rated
12 carrying capacity of one (1) ton or less or for a motorcycle upon
13 proof that the deceased firefighter was a member of a fire
14 department by either an identification card or letter from the chief
15 of the fire department. The license plate shall be designed in
16 consultation with the Oklahoma State Firefighters Association.

17 As provided in this section, an amount of the fee collected
18 shall be deposited to the Oklahoma State Firemen's Museum Building &
19 Memorial Fund for support of the Oklahoma State Firefighters Museum
20 and the Oklahoma Fallen and Living Firefighters Memorial;

21 4. Wildlife Conservation License Plate - such plates shall be
22 designed, subject to the criteria to be presented to Service
23 Oklahoma by the Department of Wildlife Conservation in consultation
24 with the Oklahoma Arts Council, and issued to any person wishing to

1 demonstrate support for wildlife conservation in this state through
2 the Wildlife Diversity Fund, provided for in Section 3-310 of Title
3 29 of the Oklahoma Statutes. Such plates may be designed and issued
4 to any person as for personalized license plates.

5 As provided in this section, an amount of the fee collected
6 shall be apportioned pursuant to subsection D of Section 3-310 of
7 Title 29 of the Oklahoma Statutes;

8 5. Child Abuse Prevention License Plate - such plates shall be
9 designed, subject to the criteria to be presented to Service
10 Oklahoma by the Office of Child Abuse Prevention in the State
11 Department of Health and the Child Abuse Prevention Action
12 Committee, and issued to any person wishing to demonstrate support
13 for the prevention of child abuse.

14 As provided in this section, an amount of the fee collected
15 shall be deposited in the Child Abuse Prevention Fund;

16 6. United States Olympic and Paralympic Committee Supporter
17 License Plate - such plates shall be designed and issued to any
18 person wishing to demonstrate support for the United States Olympic
19 and Paralympic Committee. The plates shall be issued to any person
20 in any combination of numbers and letters from one to a maximum of
21 seven, as for personalized license plates. The plate shall contain
22 the official United States Olympic and Paralympic Committee logo.
23 Service Oklahoma shall be authorized, if necessary, to enter into a
24 licensing agreement with the United States Olympic and Paralympic

1 Committee for any licensing fees which may be required in order to
2 use the United States Olympic and Paralympic Committee logo or
3 design. The licensing agreement shall provide for a payment not
4 more than Twenty-five Dollars (\$25.00) for each license plate
5 issued;

6 7. Oklahoma History License Plate - such plates shall be
7 designed and issued to any person wishing to demonstrate interest in
8 Oklahoma history. As provided in this section, an amount of the fee
9 collected shall be deposited to the Oklahoma Historical Society
10 Revolving Fund to be used for educational purposes;

11 8. Historic Route 66 License Plate - such:

12 a. vehicle plates shall be designed to honor historic
13 Route 66, also known as the "Mother Road". As
14 provided in this section, an amount of the fee
15 collected for each vehicle license plate shall be
16 apportioned to the Oklahoma Historical Society
17 Revolving Fund to be distributed to the Route 66
18 Museum located in Clinton, Oklahoma, and

19 b. motorcycle plates shall be designed in consultation
20 with the Oklahoma Route 66 Association, Inc. Service
21 Oklahoma shall be authorized to enter into a licensing
22 agreement with the Oklahoma Route 66 Association,
23 Inc., for any licensing fees which may be required in
24 order to use the Oklahoma Route 66 Association, Inc.,

1 logo or design. The licensing agreement shall provide
2 for a payment to the Oklahoma Route 66 Association,
3 Inc., of not more than Twenty Dollars (\$20.00) for
4 each motorcycle license plate issued;

5 9. Heart of the Heartland License Plate - such plates shall be
6 designed and issued to any person wishing to honor the victims of
7 the terrorist bombing attack on the Alfred P. Murrah Federal
8 Building in downtown Oklahoma City on April 19, 1995. As provided
9 in this section, an amount of the fee collected shall be deposited
10 in the Heart of the Heartland Scholarship Fund, as established in
11 Section 2282 of Title 70 of the Oklahoma Statutes;

12 10. Emergency Medical Technician License Plate - such plates
13 shall be designed and issued to any person who is an emergency
14 medical technician. Such persons may apply for an emergency medical
15 technician license plate for each vehicle with a rated carrying
16 capacity of one (1) ton or less upon proof of an emergency medical
17 technician's license. The license plate shall be designed in
18 consultation with the Oklahoma Emergency Medical Technicians
19 Association. As provided in this section, an amount of the fee
20 collected shall be apportioned to the Emergency Medical Personnel
21 Death Benefit Revolving Fund created in Section 1-2505.2 of Title 63
22 of the Oklahoma Statutes;

1 11. Fight Breast Cancer License Plate - such plates shall be
2 designed to demonstrate support for the prevention and treatment of
3 breast cancer in this state;

4 12. Crime Victims Awareness License Plate - such plates shall
5 be designed and issued to any person wishing to demonstrate
6 awareness of and support for victims of crimes. The license plates
7 shall be designed in consultation with the Crime Victims
8 Compensation Program. As provided in this section, an amount of the
9 fee collected shall be apportioned to the Attorney General's
10 Revolving Fund for the Office of the Attorney General, which is
11 hereby directed to use such funds to contract with a statewide
12 nonprofit organization to provide services to crime victims;

13 13. Safe Kids Oklahoma License Plate - such plates shall be
14 designed and issued to any person wishing to demonstrate support and
15 awareness of Safe Kids Oklahoma. The license plate shall be
16 designed in consultation with the Safe Kids Oklahoma. As provided
17 in this section, an amount of the fee collected shall be deposited
18 in the Children's Hospital - Safe Kids Oklahoma Revolving Fund to be
19 distributed to Safe Kids Oklahoma program;

20 14. Oklahoma Four-H Club License Plate - such plates shall be
21 designed, subject to criteria to be presented to Service Oklahoma by
22 the Four-H Foundation, and issued to any person wishing to
23 demonstrate support of the Oklahoma Four-H Club. Such plates may be
24 designed and issued to any person as for personalized license

1 plates. As provided in this section, an amount of the fee collected
2 shall be apportioned to the OSU Extension Service License Plate
3 Revolving Fund created in Section 1104.4 of this title;

4 15. Agricultural Awareness License Plate - such plates shall be
5 designed, subject to criteria to be presented to Service Oklahoma,
6 by the Oklahoma Department of Agriculture, Food, and Forestry in
7 consultation with the Oklahoma Arts Council, and issued to any
8 person wishing to demonstrate support of the Department's Ag in the
9 Classroom Education Program. As provided in this section, an amount
10 of the fee collected shall be apportioned as provided in Section
11 1104.3 of this title;

12 16. Oklahoma Statehood Centennial License Plate - such plates
13 shall be designed and issued to any person wishing to commemorate
14 the centennial of Oklahoma's admission to statehood in 1907. The
15 license plates shall be designed in consultation with the Oklahoma
16 Capitol Complex and Centennial Commemoration Commission. As
17 provided in this section, an amount of the fee collected shall be
18 deposited in the Oklahoma Department of Commerce Revolving Fund
19 created in Section 5012 of Title 74 of the Oklahoma Statutes;

20 17. Support Education License Plate - such plates shall be
21 designed, subject to criteria to be presented to Service Oklahoma by
22 the State Department of Education in consultation with the Oklahoma
23 Arts Council, and issued to any person wishing to demonstrate
24 support for education in this state. All licensed operators shall

1 display a sample of the Support Education License plate in the area
2 of the business accessed by the public. Twenty-three Dollars
3 (\$23.00) of the fee collected shall be apportioned as follows:

- 4 a. five percent (5%) shall be deposited to the Education
5 Reform Revolving Fund,
- 6 b. five percent (5%) shall be deposited to the Oklahoma
7 State Regents for Higher Education Revolving Fund,
- 8 c. five percent (5%) shall be deposited to the State
9 Career-Technology Fund, and
- 10 d. eighty-five percent (85%) shall be deposited to the
11 Teachers' Retirement Benefit Fund as set forth in
12 Section 17-108 of Title 70 of the Oklahoma Statutes.

13 However, when the Teachers' Retirement Benefit Fund attains a
14 seventy percent (70%) funded ratio based on an annual actuarial
15 valuation as required by law, the amount of the fee shall be
16 apportioned equally pursuant to subparagraphs a, b and c of this
17 paragraph;

18 18. Retired Oklahoma Highway Patrol Officers License Plate -
19 such plates shall be designed and issued to any retired officer of
20 the Oklahoma Highway Patrol. The license plate shall have the
21 legend "Oklahoma" and shall contain, in the center of the plate, the
22 Highway Patrol Officers patch using the same colors and pattern as
23 used in the patch. Centered on the bottom of the license plate
24 shall be the word "Retired". The letters "TRP" shall be used in

1 combination with three numbers on either side of the insignia or
2 emblem. The color of the letters and numbers shall be brown.
3 Retirees who are eligible for such plates shall provide proof of
4 eligibility upon initial application, but shall not be required to
5 provide proof of eligibility annually. The surviving spouse of any
6 deceased retired officer of the Oklahoma Highway Patrol, if the
7 spouse has not since remarried, or if remarried, the remarriage is
8 terminated by death, divorce, or annulment, may apply for a Retired
9 Oklahoma Highway Patrol Officers license plate. As provided in this
10 section, an amount of the fee collected shall be deposited into the
11 Oklahoma Law Enforcement Retirement Fund;

12 19. Boy Scouts of America Supporter License Plate - such plates
13 shall be designed and issued to any person wishing to demonstrate
14 support for the Boy Scouts of America. The plates shall be issued
15 to any person in any combination of numbers and letters from one to
16 a maximum of seven, as for personalized license plates. The plate
17 shall contain the official Boy Scouts of America logo. Service
18 Oklahoma shall be authorized, if necessary, to enter into a
19 licensing agreement with the Boy Scouts of America for any licensing
20 fees which may be required in order to use the Boy Scouts of America
21 logo or design. The licensing agreement shall provide for a payment
22 to the Boy Scouts of America of not more than Twenty Dollars
23 (\$20.00) for each license plate issued;

24

1 20. Urban Forestry and Beautification License Plate - such
2 plates shall be designed, subject to criteria to be presented to
3 Service Oklahoma, by the Oklahoma Department of Agriculture, Food,
4 and Forestry in consultation with nonprofit organizations in this
5 state that develop and operate programs to encourage urban forestry
6 and beautification, and issued to any person wishing to demonstrate
7 support of such programs. As provided in this section, an amount of
8 the fee collected shall be apportioned as provided in Section 1104.5
9 of this title;

10 21. Oklahoma State Parks Supporter License Plate - such plates
11 shall be designed, subject to criteria to be presented to Service
12 Oklahoma by the Oklahoma Tourism and Recreation Department, and
13 issued to any person wishing to demonstrate support for the Oklahoma
14 state parks system. Twenty-three Dollars (\$23.00) of the fee
15 collected shall be deposited in the Oklahoma Tourism and Recreation
16 Department Revolving Fund. Such money shall be designated for and
17 may only be expended for the support of Oklahoma state parks;

18 22. Adoption Creates Families License Plate - such plates shall
19 be issued to any person wishing to demonstrate support of pregnant
20 women who are committed to placing their children for adoption and
21 wishing to provide assistance to guardians, adoptive parents and
22 other created families to assist in the adoption and placement of
23 children in permanent, safe homes. The license plates shall be
24 designed and final terminology delivered in consultation with the

1 Oklahoma Adoption Coalition and the Department of Human Services.
2 Twenty-five Dollars (\$25.00) of the fee collected shall be deposited
3 in a revolving fund established in the State Treasury for and to be
4 used by the Department of Human Services for the implementation of
5 the Investing in Stronger Oklahoma Families Act specifically for
6 created families;

7 23. Choose Life License Plate - such plates shall be designed,
8 subject to criteria presented to Service Oklahoma, by Choose Life
9 America, Inc., and issued to any person who wishes to demonstrate
10 support of organizations that encourage adoption as a positive
11 choice for women with unplanned pregnancies. As provided in this
12 section, an amount of the fee collected shall be deposited in the
13 Choose Life Assistance Program Revolving Fund established in Section
14 1104.6 of this title;

15 24. Future Farmers of America License Plate - such plates shall
16 be designed and issued to persons wishing to demonstrate support for
17 the Oklahoma FFA Association (formerly known as Future Farmers of
18 America). The license plates shall be designed in consultation with
19 the Oklahoma FFA Association Board of Directors. As provided in
20 this section, an amount of the fee collected shall be apportioned as
21 provided in Section 1104.7 of this title;

22 25. Lions Club License Plate - such plates shall be designed
23 and issued to persons wishing to demonstrate support for the Lions
24 Clubs of Oklahoma. The plates shall be issued to any person in any

1 combination of numbers and letters from one to a maximum of seven,
2 as for personalized license plates. The license plates shall be
3 designed in consultation with the Oklahoma Lions Service Foundation
4 and shall contain the official logo of the International Association
5 of Lions Clubs. Service Oklahoma shall be authorized to enter into
6 a licensing agreement with the Oklahoma Lions Service Foundation.
7 The licensing agreement shall provide for a payment to the Oklahoma
8 Lions Service Foundation of not more than Ten Dollars (\$10.00) for
9 each license plate issued;

10 26. Color Oklahoma License Plate - such plates shall be
11 designed, subject to criteria to be presented to Service Oklahoma by
12 the Oklahoma Native Plant Society, and issued to any person wishing
13 to demonstrate support for preserving and planting wildflowers and
14 native plants in this state and to promote Oklahoma's wildflower
15 heritage through education. As provided in this section, an amount
16 of the fee collected shall be apportioned as provided in Section
17 1104.8 of this title;

18 27. Girl Scouts of the United States of America Supporter
19 License Plate - such plates shall be designed and issued to any
20 person wishing to demonstrate support for the Girl Scouts of the
21 United States of America. The plates shall be issued to any person
22 in any combination of numbers and letters from one to a maximum of
23 seven, as for personalized license plates. The plate shall contain
24 the official Girl Scouts of the United States of America logo.

1 Service Oklahoma shall be authorized, if necessary, to enter into a
2 licensing agreement with the Girl Scouts of the United States of
3 America for any licensing fees which may be required in order to use
4 the Girl Scouts of the United States of America logo or design. The
5 licensing agreement shall provide for a payment to the Magic Empire
6 Council of Girl Scouts, acting on behalf of all Oklahoma Girl Scout
7 councils, of not more than Twenty Dollars (\$20.00) for each license
8 plate issued;

9 28. Oklahoma City Memorial Marathon License Plate - such plates
10 shall be designed and issued to any person wishing to demonstrate
11 support for the Oklahoma City Memorial Marathon. The plate shall be
12 designed in consultation with the Oklahoma City Memorial Marathon.
13 Service Oklahoma shall be authorized to enter into a licensing
14 agreement with the Oklahoma City Memorial Marathon for any licensing
15 fees which may be required in order to use the Oklahoma City
16 Memorial Marathon logo or design. The licensing agreement shall
17 provide for a payment to the Oklahoma City Memorial Marathon of not
18 more than Twenty Dollars (\$20.00) for each license plate issued;

19 29. Oklahoma Scenic Rivers License Plate - such plates shall be
20 designed to demonstrate support for the Grand River Dam Authority.
21 The plates shall be designed in consultation with the Oklahoma
22 Scenic Rivers ~~Commission~~ operations of the Grand River Dam
23 Authority. Twenty-five Dollars (\$25.00) of the fee shall be
24

1 appORTIONED TO THE GRAND RIVER DAM AUTHORITY FOR THE PURPOSES OF THE
2 OKLAHOMA SCENIC RIVERS OPERATIONS;

3 30. Fight Cancer License Plate - such plates shall be designed
4 to demonstrate support for the Oklahoma Central Cancer Registry.
5 The plate shall contain the American Cancer Society logo. The
6 American Cancer Society logo shall be used in accordance with the
7 American Cancer Society's branding guidelines and shall only be
8 utilized to support the Oklahoma Central Cancer Registry. Twenty
9 Dollars (\$20.00) of the fee shall be apportioned to the Oklahoma
10 Central Cancer Registry Revolving Fund;

11 31. Animal Friendly License Plate - such plates shall be
12 designed and issued to any person wishing to demonstrate support for
13 controlling the overpopulation of dogs and cats through educational
14 and sterilization efforts. The plates shall be designed in
15 consultation with the Veterinary Medical Association. Twenty
16 Dollars (\$20.00) of the fee collected shall be designated by the
17 purchaser of the plate to be deposited in the Oklahoma Pet
18 Overpopulation Fund created in Section 2368.13 of Title 68 of the
19 Oklahoma Statutes or the Animal Friendly Revolving Fund created in
20 Section 1104.10 of this title;

21 32. Patriot License Plate - such plates shall be designed in
22 consultation with the Military Department of the State of Oklahoma
23 and issued to any person wishing to demonstrate support for Oklahoma
24 residents who are members of the Oklahoma National Guard and

1 deployed on active duty. The plates shall be issued to any person
2 in any combination of numbers and letters from one to a maximum of
3 seven, as for personalized license plates. As provided in this
4 section, a portion of the fee collected shall be deposited in the
5 Patriot License Plate Revolving Fund created in Section 1104.11 of
6 this title;

7 33. Global War on Terrorism License Plate - such plate shall be
8 designed in consultation with the Military Department of the State
9 of Oklahoma and issued to any person wishing to demonstrate support
10 for Oklahoma residents who are members of the Armed Forces of the
11 United States or Oklahoma National Guard that have served in the
12 Global War on Terrorism. The plate shall be issued to any person in
13 any combination of numbers and letters from one to a maximum of six.
14 As provided in this section, a portion of the fee collected shall be
15 deposited in the Oklahoma National Guard Museum Fund created in
16 Section 235.1 of Title 44 of the Oklahoma Statutes;

17 34. Boys and Girls Clubs of America Supporter License Plate -
18 such plates shall be designed and issued to any person wishing to
19 demonstrate support for the Boys and Girls Clubs of America. The
20 plates shall be issued to any person in any combination of numbers
21 and letters from one to a maximum of seven, as for personalized
22 license plates. The plate shall contain the official Boys and Girls
23 Clubs of America logo. Service Oklahoma, if necessary, may enter
24 into a licensing agreement with the Boys and Girls Clubs of America

1 for any licensing fees which may be required in order to use the
2 Boys and Girls Clubs of America logo or design. The licensing
3 agreement shall provide for a payment to the Boys and Girls Clubs of
4 America of not more than Twenty Dollars (\$20.00) for each license
5 plate issued;

6 35. Oklahoma Quarter Horse License Plate - such plates shall be
7 designed and issued to any person wishing to demonstrate support for
8 the American Quarter Horse in this state. The plate shall be
9 designed in consultation with the Oklahoma Quarter Horse
10 Association. As provided in this section, a portion of the fee
11 collected shall be deposited in the Oklahoma Quarter Horse Revolving
12 Fund created in Section 1104.12 of this title;

13 36. Oklahoma Association for the Deaf License Plate - such
14 plates shall be designed in consultation with the Oklahoma
15 Association for the Deaf and issued to any person wishing to
16 demonstrate support for Oklahoma residents who are deaf. The plates
17 shall be issued to any person in any combination of numbers and
18 letters from one to a maximum of seven, as for personalized license
19 plates. As provided in this section, a portion of the fee collected
20 shall be deposited in the Oklahoma Association for the Deaf License
21 Plate Revolving Fund created in Section 1104.15 of this title;

22 37. Oklahoma City Zoo License Plate - such plates shall be
23 issued to any person wishing to demonstrate support for the Oklahoma
24 City Zoo. The license plates shall be designed in consultation with

1 the Oklahoma Zoological Society, Inc. As provided in this section,
2 an amount of the fee collected shall be deposited in the Oklahoma
3 Zoological Society Revolving Fund created in Section 1104.13 of this
4 title;

5 38. March of Dimes License Plate - such plates shall be issued
6 to persons wishing to demonstrate support for the March of Dimes
7 mission to improve the health of babies by preventing birth defects,
8 premature birth and infant mortality. The license plates shall be
9 designed in consultation with the Oklahoma Chapter March of Dimes.
10 As provided in this section, an amount of the fee collected shall be
11 deposited in the Oklahoma Prevent Birth Defects, Premature Birth and
12 Infant Mortality Fund established in Section 1104.14 of this title;

13 39. Support Our Troops Supporter License Plate - such plates
14 shall be designed and issued to any person wishing to demonstrate
15 support for Support Our Troops Incorporated. The plates shall be
16 issued to any person in any combination of numbers and letters from
17 one to a maximum of six. The plate shall contain the official
18 Support Our Troops Incorporated logo which includes the mark
19 "Support Our Troops" across the bottom of the plate. Service
20 Oklahoma, if necessary, may enter into a licensing agreement with
21 Support Our Troops Incorporated for any licensing fees which may be
22 required in order to use the Support Our Troops Incorporated logo or
23 design. The licensing agreement shall provide for a payment to
24

1 Support Our Troops Incorporated of Twenty-five Dollars (\$25.00) for
2 each license plate issued;

3 40. Folds of Honor Supporter License Plate - such plates shall
4 be authorized to be designed and issued to any person wishing to
5 demonstrate support for the Oklahoma City Chapter of Folds of Honor
6 Incorporated, a nonprofit charitable organization exempt from
7 taxation pursuant to the provisions of the Internal Revenue Code, 26
8 U.S.C., Section 501(c)(3), providing educational scholarships to
9 spouses and children of America's fallen and disabled military
10 service members. The plates shall be issued to any person in any
11 combination of numbers and letters from one to a maximum of six.
12 Such person may apply for a Folds of Honor Supporter license plate
13 for a motorcycle; provided, the license plate for motorcycles may be
14 of similar design to the license plate for motor vehicles or may be
15 a new design in order to meet space requirements for a motorcycle
16 license plate. The plate shall be designed in consultation with the
17 Oklahoma City Chapter of Folds of Honor Incorporated and shall
18 contain the official Folds of Honor Incorporated logo which includes
19 the mark "Folds of Honor" across the bottom of the plate. Service
20 Oklahoma, if necessary, may enter into a licensing agreement with
21 Folds of Honor Incorporated for any licensing fees which may be
22 required in order to use the Folds of Honor Incorporated logo or
23 design. The licensing agreement shall provide for a payment to
24 Folds of Honor Incorporated of Twenty-five Dollars (\$25.00) for each

1 license plate issued. Subject to the provisions of subsection A of
2 this section, the Folds of Honor Supporter License Plate is hereby
3 reauthorized effective November 1, 2019;

4 ~~41. Downed Bikers Association License Plate - such plates shall~~
5 ~~be designed and issued to any person wishing to demonstrate support~~
6 ~~for the Downed Bikers Association, a nonprofit charitable~~
7 ~~organization exempt from taxation pursuant to the provisions of the~~
8 ~~Internal Revenue Code, 26 U.S.C., Section 501(c)(3), which provides~~
9 ~~emotional and financial support for downed bikers. The license~~
10 ~~plate shall be designed in consultation with the Central Oklahoma~~
11 ~~Chapter of the Downed Bikers Association and shall contain any~~
12 ~~official logo or design of the organization. Service Oklahoma, if~~
13 ~~necessary, may enter into a licensing agreement with the Downed~~
14 ~~Bikers Association for any licensing fees which may be required in~~
15 ~~order to use the organization's logo or design. The licensing~~
16 ~~agreement shall provide for a payment to the Downed Bikers~~
17 ~~Association of not more than Twenty Dollars (\$20.00) for each~~
18 ~~license plate;~~

19 ~~42.~~ Armed Forces Veterans Motorcycle License Plate - such
20 plates shall be designed for use on a motorcycle in consultation
21 with A Brotherhood Aiming Toward Education of Oklahoma, Inc.
22 (ABATE), and issued to any honorably discharged former member of the
23 United States Armed Forces wishing to demonstrate support for the
24 Oklahoma National Guard Museum. Persons applying for such license

1 plate must show proof of past military service. As provided in this
2 section, a portion of the fee collected shall be deposited in the
3 Oklahoma National Guard Museum Fund created in Section 235.1 of
4 Title 44 of the Oklahoma Statutes;

5 ~~43.~~ 42. Buffalo Soldier License Plate - such plates shall be
6 issued to any person wishing to honor and celebrate the history and
7 contribution of the Buffalo Soldiers. The license plates shall be
8 designed in consultation with the Lawton-Fort Sill Chapter of the
9 Buffalo Soldiers 9th and 10th (Horse) Cavalry Association. As
10 provided in this section, an amount of the fee collected shall be
11 deposited in the Buffalo Soldier License Plate Revolving Fund
12 created in Section 1104.16 of this title;

13 ~~44.~~ 43. Prevent Blindness Oklahoma License Plate - such plates
14 shall be issued to any person wishing to provide financial support
15 for vision screening of school age children in this state. The
16 license plates shall be designed in consultation with Prevent
17 Blindness Oklahoma. As provided in this section, an amount of the
18 fee collected shall be deposited in the Prevent Blindness Oklahoma
19 License Plate Revolving Fund created in Section 1104.17 of this
20 title;

21 ~~45.~~ 44. Oklahoma State Capitol Restoration License Plate - such
22 plates shall be designed and issued to any person wishing to
23 demonstrate support for restoration of the Oklahoma State Capitol
24 building. The license plates shall be designed in consultation with

1 the Friends of the Capitol corporation, created pursuant to Section
2 15.4 of Title 73 of the Oklahoma Statutes and the State Capitol
3 Preservation Commission created pursuant to Section 4102 of Title 74
4 of the Oklahoma Statutes. As provided in this section, an amount of
5 the fee collected shall be deposited in the Oklahoma Friends of the
6 Capitol License Plate Revolving Fund established in Section 1104.18
7 of this title;

8 ~~46.~~ 45. Eastern Red Cedar Tree License Plate - such plates
9 shall be designed, subject to criteria to be presented to Service
10 Oklahoma and issued to any person wishing to demonstrate support for
11 the removal of Eastern Redcedar trees from lands in the state and to
12 develop marketable uses for the harvested trees. The license plate
13 shall be designed in consultation with the Oklahoma Department of
14 Agriculture, Food, and Forestry. Twenty-three Dollars (\$23.00) of
15 the fee collected shall be deposited in the Eastern Redcedar
16 Revolving Fund created in Section 18-407 of Title 2 of the Oklahoma
17 Statutes. The money shall be designated for and may only be
18 expended for the purposes as set forth in the Eastern Redcedar
19 Management Act;

20 ~~47.~~ 46. Pancreatic Cancer Research License Plate - such plates
21 shall be issued to any person wishing to provide financial support
22 for the University of Oklahoma Foundation, Pancreatic Cancer
23 Research Fund. The plates shall be issued to any person in any
24 combination of numbers and letters from one to a maximum of six.

1 The license plates shall be designed in consultation with the
2 University of Oklahoma Foundation, Pancreatic Cancer Research Fund.
3 As provided in this section, an amount of the fee collected shall be
4 deposited in the Pancreatic Cancer Research License Plate Revolving
5 Fund created in Section 1104.19 of this title;

6 ~~48.~~ 47. Alzheimer's Research License Plate - such plates shall
7 be issued to any person wishing to provide financial support for the
8 Oklahoma Chapter of the Alzheimer's Association. The license plates
9 shall be designed in consultation with the Oklahoma Chapter of the
10 Alzheimer's Association. As provided in this section, an amount of
11 the fee collected shall be deposited in the Alzheimer's Research
12 License Plate Revolving Fund created in Section 1104.20 of this
13 title;

14 ~~49.~~ 48. Hospice and Palliative Care License Plate - such plates
15 shall be issued to any person wishing to provide financial support
16 for the Oklahoma Hospice and Palliative Care Association. The
17 license plates shall be designed in consultation with the Oklahoma
18 Hospice and Palliative Care Association. As provided in this
19 section, an amount of the fee collected shall be deposited in the
20 Hospice and Palliative Care License Plate Revolving Fund created in
21 Section 1104.21 of this title;

22 ~~50.~~ 49. Juvenile Diabetes Research License Plate - such plates
23 shall be issued to any person wishing to provide financial support
24 for the Oklahoma Chapters of the Juvenile Diabetes Research

1 Foundation. The license plates shall be designed in consultation
2 with the Oklahoma Chapters of the Juvenile Diabetes Research
3 Foundation. As provided in this section, an amount of the fee
4 collected shall be deposited in the Juvenile Diabetes Research
5 License Plate Revolving Fund created in Section 1104.22 of this
6 title;

7 ~~51.~~ 50. Deer Creek Schools Foundation License Plate - such
8 plates shall be issued to any person wishing to provide financial
9 support for the Deer Creek Schools Foundation. The license plates
10 shall be designed in consultation with the Deer Creek Schools
11 Foundation. The plates shall be issued to any person in any
12 combination of numbers and letters from one to a maximum of seven,
13 as for personalized license plates. As provided in this section, an
14 amount of the fee collected shall be deposited in the Deer Creek
15 Schools Foundation License Plate Revolving Fund created in Section
16 1104.23 of this title;

17 ~~52.~~ 51. Lupus Awareness and Education License Plate - such
18 plates shall be issued to any person wishing to provide financial
19 support for the Oklahoma Chapter of the Lupus Foundation of America.
20 The license plates shall be designed in consultation with the
21 Oklahoma Chapter of the Lupus Foundation of America. As provided in
22 this section, an amount of the fee collected shall be deposited in
23 the Oklahoma Lupus License Plate Revolving Fund created in Section
24 1104.24 of this title. Subject to the provisions of subsection A of

1 this section, the Lupus Awareness and Education License Plate is
2 hereby reauthorized effective November 1, 2018;

3 ~~53.~~ 52. Chiefs of Police License Plate - such plates shall be
4 issued to any person wishing to provide financial support for the
5 Oklahoma Association of Chiefs of Police for a vehicle or motorcycle
6 in any combination of numbers and letters from one to a maximum of
7 seven, as for personalized license plates. The license plates shall
8 be designed in consultation with the Oklahoma Association of Chiefs
9 of Police. The license plate for a motorcycle may be of similar
10 design as space permits or a new design in order to meet the space
11 requirements of a motorcycle license plate. Service Oklahoma shall
12 be authorized to enter into a licensing agreement with the Oklahoma
13 Association of Chiefs of Police for any licensing fees which may be
14 required in order to use the association's logo or design. The
15 licensing agreement shall provide for a payment to the Oklahoma
16 Association of Chiefs of Police of not more than Twenty Dollars
17 (\$20.00) for each license plate issued. Subject to the provisions
18 of subsection A of this section, the Chiefs of Police License Plate
19 is hereby reauthorized effective November 1, 2015;

20 ~~54.~~ 53. Crossings Christian School License Plate - such plates
21 shall be designed and issued to any person wishing to demonstrate
22 support for Crossings Christian School located in Oklahoma City.
23 The license plates shall be designed in consultation with the
24 administration of Crossings Christian School. Service Oklahoma

1 shall be authorized to enter into a licensing agreement with
2 Crossings Christian School for any licensing fees which may be
3 required in order to use the school's logo or design. The licensing
4 agreement shall provide for a payment to the Crossings Christian
5 School of not more than Twenty Dollars (\$20.00) for each license
6 plate issued;

7 ~~55.~~ 54. Hilldale Education Foundation License Plate - such
8 plates shall be designed and issued to any person wishing to
9 demonstrate support for the Hilldale Education Foundation. The
10 license plates shall be designed in consultation with the
11 administration of the Hilldale Education Foundation. Service
12 Oklahoma shall be authorized to enter into a licensing agreement
13 with the Hilldale Education Foundation for any licensing fees which
14 may be required in order to use the foundation's logo or design.
15 The licensing agreement shall provide for a payment to the Hilldale
16 Education Foundation of not more than Twenty Dollars (\$20.00) for
17 each license plate issued;

18 ~~56.~~ 55. Oklahoma Nurses License Plate - such plates shall be
19 issued to any person licensed pursuant to the Oklahoma Nursing
20 Practice Act and providing such documentation of current licensure
21 as may be required by Service Oklahoma. The license plates shall be
22 designed in consultation with the Oklahoma Nurses Association. As
23 provided in this section, an amount of the fee collected shall be
24

1 deposited in the Oklahoma Nurses License Plate Revolving Fund
2 created in Section 1104.26 of this title;

3 ~~57.~~ 56. Oklahoma Sports Hall of Fame License Plate - such
4 plates shall be issued to any person wishing to demonstrate support
5 for the Oklahoma Sports Hall of Fame. The license plates shall be
6 designed in consultation with the administration of the Oklahoma
7 Sports Hall of Fame. Service Oklahoma shall be authorized to enter
8 into a licensing agreement with the Oklahoma Sports Hall of Fame for
9 any licensing fees which may be required in order to use the Hall of
10 Fame's logo or design. The licensing agreement shall provide for a
11 payment to the Oklahoma Sports Hall of Fame of not more than Twenty
12 Dollars (\$20.00) for each license plate issued;

13 ~~58.~~ 57. Childhood Cancer Awareness License Plate - such plates
14 shall be issued to any person wishing to demonstrate support for the
15 Oklahoma Children's Cancer Association. The license plates shall be
16 designed in consultation with the administration of the Oklahoma
17 Children's Cancer Association. Service Oklahoma shall be authorized
18 to enter into a licensing agreement with the Oklahoma Children's
19 Cancer Association for any licensing fees which may be required in
20 order to use the Oklahoma Children's Cancer Association's logo or
21 design. The licensing agreement shall provide for a payment to the
22 Oklahoma Children's Cancer Association of not more than Twenty
23 Dollars (\$20.00) for each license plate issued;

24

1 ~~59.~~ 58. Oklahoma Educational Television Authority License Plate
2 - such plates shall be designed and issued to any person wishing to
3 demonstrate support for the Oklahoma Educational Television
4 Authority and such plates shall be designed in consultation with the
5 Authority. As provided in this section, an amount of the fee
6 collected shall be deposited in The Educational Television Authority
7 Revolving Fund created in Section 156 of Title 62 of the Oklahoma
8 Statutes;

9 ~~60.~~ 59. Remembering Fallen Heroes License Plate - such plates
10 shall be designed and issued to any person wishing to demonstrate
11 support for Concerns of Police Survivors, Inc. Such plates shall be
12 designed in consultation with the Oklahoma Chapter of Concerns of
13 Police Survivors, Inc. As provided in this section, an amount of
14 the fee collected shall be deposited in the Oklahoma Concerns of
15 Police Survivors License Plate Revolving Fund created in Section
16 1104.27 of this title;

17 ~~61.~~ 60. Disabled American Veterans License Plate - such plates
18 shall be designed in consultation with the Disabled American
19 Veterans of Oklahoma and issued to any member of the organization
20 wishing to demonstrate support. Service Oklahoma shall be
21 authorized to enter into a licensing agreement with the Disabled
22 American Veterans of Oklahoma for any licensing fees which may be
23 required in order to use the organization's logo or design. The
24 licensing agreement shall provide for a payment to the Disabled

1 American Veterans of Oklahoma of not more than Twenty Dollars
2 (\$20.00) for each license plate issued. The plates shall
3 incorporate a numbering system agreed upon by the Disabled American
4 Veterans of Oklahoma and Service Oklahoma;

5 ~~62.~~ 61. Owasso Rams Supporter License Plate - such plates shall
6 be designed and issued to any person wishing to demonstrate support
7 for the Owasso Rams, and shall be designed in consultation with
8 representatives of Owasso Public Schools. The plates shall be
9 issued to any person in any combination of numbers and letters from
10 one to a maximum of seven, as for personalized license plates. As
11 provided in this section, an amount of the fee collected shall be
12 deposited in the Education Reform Revolving Fund created in Section
13 34.89 of Title 62 of the Oklahoma Statutes;

14 ~~63.~~ 62. Collinsville Cardinals Supporter License Plate - such
15 plates shall be designed and issued to any person wishing to
16 demonstrate support for the Collinsville Cardinals, and shall be
17 designed in consultation with representatives of Collinsville Public
18 Schools. The plates shall be issued to any person in any
19 combination of numbers and letters from one to a maximum of seven,
20 as for personalized license plates. As provided in this section, an
21 amount of the fee collected shall be deposited in the Education
22 Reform Revolving Fund created in Section 34.89 of Title 62 of the
23 Oklahoma Statutes;

24

1 ~~64.~~ 63. Sperry Pirates Supporter License Plate - such plates
2 shall be designed and issued to any person wishing to demonstrate
3 support for the Sperry Pirates, and shall be designed in
4 consultation with representatives of Sperry Schools. The plates
5 shall be issued to any person in any combination of numbers and
6 letters from one to a maximum of seven, as for personalized license
7 plates. As provided in this section, an amount of the fee collected
8 shall be deposited in the Education Reform Revolving Fund created in
9 Section 34.89 of Title 62 of the Oklahoma Statutes;

10 ~~65.~~ 64. Skiatook Bulldogs Supporter License Plate - such plates
11 shall be designed and issued to any person wishing to demonstrate
12 support for the Skiatook Bulldogs, and shall be designed in
13 consultation with representatives of Skiatook Public Schools. The
14 plates shall be issued to any person in any combination of numbers
15 and letters from one to a maximum of seven, as for personalized
16 license plates. As provided in this section, an amount of the fee
17 collected shall be deposited in the Education Reform Revolving Fund
18 created in Section 34.89 of Title 62 of the Oklahoma Statutes;

19 ~~66.~~ 65. Rejoice Christian Eagles Supporter License Plate - such
20 plates shall be designed and issued to any person wishing to
21 demonstrate support for the Rejoice Christian Eagles, and shall be
22 designed in consultation with representatives of Rejoice Christian
23 Schools. The plates shall be issued to any person in any
24 combination of numbers and letters from one to a maximum of seven,

1 as for personalized license plates. As provided in this section, an
2 amount of the fee collected shall be deposited in the Education
3 Reform Revolving Fund created in Section 34.89 of Title 62 of the
4 Oklahoma Statutes;

5 ~~67.~~ 66. East Central Cardinals Supporter License Plate - such
6 plates shall be designed and issued to any person wishing to
7 demonstrate support for the East Central Cardinals, and shall be
8 designed in consultation with representatives of East Central High
9 School. The plates shall be issued to any person in any combination
10 of numbers and letters from one to a maximum of seven, as for
11 personalized license plates. As provided in this section, an amount
12 of the fee collected shall be deposited in the Education Reform
13 Revolving Fund created in Section 34.89 of Title 62 of the Oklahoma
14 Statutes;

15 ~~68.~~ 67. Southeast Spartans Supporter License Plate - such
16 plates shall be designed and issued to any person wishing to
17 demonstrate support for the Southeast Spartans, and shall be
18 designed in consultation with the Southeast High School Alumni
19 Association. The plates shall be issued to any person in any
20 combination of numbers and letters from one to a maximum of seven,
21 as for personalized license plates. As provided in this section, an
22 amount of the fee collected shall be deposited in the Education
23 Reform Revolving Fund created in Section 34.89 of Title 62 of the
24 Oklahoma Statutes;

1 ~~69.~~ 68. Sooner State ABATE License Plate - such plates shall be
2 issued to any person wishing to provide financial support for Sooner
3 State ABATE (A Brotherhood Against Totalitarian Enactments). The
4 license plates shall be designed in consultation with Sooner State
5 ABATE. The plates shall be issued to any person in any combination
6 of numbers and letters from one to a maximum of seven, as for
7 personalized plates. The license plate for a motorcycle may be of
8 similar design as space permits or a new design in order to meet the
9 space requirements of a motorcycle license plate. Service Oklahoma
10 shall be authorized to enter into a licensing agreement with Sooner
11 State ABATE for any licensing fees, which may be required in order
12 to use the association's logo or design. The licensing agreement
13 shall provide for a payment to Sooner State ABATE of not more than
14 Twenty Dollars (\$20.00) for each license plate issued. Subject to
15 the provisions of subsection A of this section, the Sooner State
16 ABATE License Plate is hereby reauthorized effective November 1,
17 2019;

18 ~~70.~~ 69. Oklahoma License to Educate License Plate - such plates
19 shall be designed and issued to any person wishing to demonstrate
20 support for Oklahoma educators. Such plates shall be designed in
21 consultation with the State Department of Education. As provided in
22 this section, an amount of the fee collected shall be deposited in
23 the Oklahoma Teacher Recruitment Revolving Fund created in Section
24 6-132 of Title 70 of the Oklahoma Statutes;

1 ~~71.~~ 70. Piedmont Education Foundation License Plate - such
2 plates shall be designed and issued to any person wishing to
3 demonstrate support for the Piedmont Public Schools Education
4 Foundation. Such plates shall be designed in consultation with the
5 Foundation. As provided in this section, an amount of the fee
6 collected shall be deposited in the Piedmont Public Schools
7 Education Foundation License Plate Revolving Fund created in Section
8 1104.28 of this title;

9 ~~72.~~ 71. The Pride of Oklahoma License Plate - such plates shall
10 be designed and issued to any person wishing to demonstrate support
11 for the Pride of Oklahoma marching band and shall be designed in
12 consultation with the Pride of Oklahoma marching band. Service
13 Oklahoma shall be authorized to enter into a licensing agreement
14 with the University of Oklahoma or the Pride of Oklahoma marching
15 band for any licensing fees which may be required in order to use
16 the applicable logo or design. The licensing agreement shall
17 provide for a payment to the Pride of Oklahoma Fund at the
18 University of Oklahoma Foundation, Inc. of not more than Twenty
19 Dollars (\$20.00) for each license plate issued;

20 ~~73.~~ 72. Jenks Trojans License Plate - such plates shall be
21 designed and issued to any person wishing to demonstrate support for
22 the Jenks school district. The license plates shall be designed in
23 consultation with the administration of the Jenks school district.
24 Service Oklahoma shall be authorized to enter into a licensing

1 agreement with the Jenks school district for any licensing fees
2 which may be required in order to use the school district's logo or
3 design. The licensing agreement shall provide for a payment to the
4 Jenks school district not more than Twenty Dollars (\$20.00) for each
5 license plate issued;

6 ~~74.~~ 73. Bixby Spartans License Plate - such plates shall be
7 designed and issued to any person wishing to demonstrate support for
8 the Bixby school district. The license plates shall be designed in
9 consultation with the administration of the Bixby school district.
10 Service Oklahoma shall be authorized to enter into a licensing
11 agreement with the Bixby school district for any licensing fees
12 which may be required in order to use the school district's logo or
13 design. The licensing agreement shall provide for a payment to the
14 Bixby school district not more than Twenty Dollars (\$20.00) for each
15 license plate issued;

16 ~~75.~~ 74. Oklahoma ~~Aeronautics Commission~~ Department of Aerospace
17 and Aeronautics License Plate - such plates shall be designed and
18 issued to any person wishing to demonstrate support for the Oklahoma
19 aviation industry and to promote awareness of aviation and
20 aerospace. Such plates shall be designed in consultation with the
21 Oklahoma ~~Aeronautics Commission~~ Department of Aerospace and
22 Aeronautics and shall be issued to any person in any combination of
23 numbers and letters from one to a maximum of seven, as for
24 personalized license plates. Twenty-four Dollars (\$24.00) of the

1 fee collected shall be deposited in the Oklahoma ~~Aeronautics~~
2 ~~Commission~~ Department of Aerospace and Aeronautics Revolving Fund,
3 for expenditure as provided in Section 91 of Title 3 of the Oklahoma
4 Statutes;

5 ~~76.~~ 75. Ducks Unlimited License Plate - such plates shall be
6 designed and issued to any person wishing to demonstrate support for
7 Ducks Unlimited. Such plates shall be designed in consultation with
8 Ducks Unlimited. Service Oklahoma shall be authorized to enter into
9 a licensing agreement with Ducks Unlimited for any licensing fee
10 which may be required in order to use the Ducks Unlimited logo or
11 design. The licensing agreement shall provide for a payment to
12 Ducks Unlimited of not more than Twenty Dollars (\$20.00) for each
13 license plate issued;

14 ~~77.~~ 76. Prisoner of War and Missing in Action License Plate -
15 such plates shall be issued to any person wishing to increase
16 awareness of those who are currently prisoners of war or missing in
17 action and provide financial support for current veterans. The
18 license plates shall be designed in consultation with Rolling
19 Thunder Oklahoma. As provided in this section, an amount of the fee
20 collected shall be deposited in the Prisoner of War and Missing in
21 Action License Plate Revolving Fund created in Section 1104.29 of
22 this title;

23 ~~78.~~ 77. Woodward Boomers License Plate - such plates shall be
24 designed and issued to any person wishing to demonstrate support for

1 the Woodward school district. The license plates shall be designed
2 in consultation with the administration of the Woodward school
3 district. Service Oklahoma shall be authorized to enter into a
4 licensing agreement with the Woodward school district for any
5 licensing fees which may be required in order to use the school
6 district's logo or design. The licensing agreement shall provide
7 for a payment to the Woodward school district not more than Twenty
8 Dollars (\$20.00) for each license plate issued;

9 ~~79.~~ 78. Clinton Public School Foundation License Plate - such
10 plates shall be designed and issued to any person wishing to
11 demonstrate support for the Clinton Public School Foundation. The
12 license plates shall be designed in consultation with the Clinton
13 Public School Foundation. Service Oklahoma shall be authorized to
14 enter into a licensing agreement with the Clinton Public School
15 Foundation for any licensing fees which may be required in order to
16 use the school foundation's logo or design. The licensing agreement
17 shall provide for a payment to the Clinton Public School Foundation
18 of not more than Twenty Dollars (\$20.00) for each license plate
19 issued;

20 ~~80.~~ 79. Navajo School Foundation License Plate - such plates
21 shall be issued to any person wishing to demonstrate support for the
22 Navajo School Foundation. The license plates shall be designed in
23 consultation with the administration of the Navajo School
24 Foundation. Service Oklahoma shall be authorized to enter into a

1 licensing agreement with the Navajo School Foundation for any
2 licensing fees which may be required in order to use the
3 Foundation's logo or design. The licensing agreement shall provide
4 for a payment to the Navajo School Foundation of not more than
5 Twenty Dollars (\$20.00) for each license plate issued;

6 ~~81.~~ 80. Oklahoma Music Hall of Fame Inc. License Plate - such
7 plates shall be designed in consultation with the Oklahoma Music
8 Hall of Fame Inc. and issued to any member of the organization
9 wishing to demonstrate support. Service Oklahoma shall be
10 authorized to enter into a licensing agreement with the Oklahoma
11 Music Hall of Fame Inc. for any licensing fees which may be required
12 in order to use the organization's logo or design. The licensing
13 agreement shall provide for a payment to the Oklahoma Music Hall of
14 Fame Inc. of not more than Twenty Dollars (\$20.00) for each license
15 plate issued. The plates shall incorporate a numbering system
16 agreed upon by the Oklahoma Music Hall of Fame Inc. and Service
17 Oklahoma. Subject to the provisions of subsection A of this
18 section, the Oklahoma Music Hall of Fame Inc. License Plate is
19 hereby reauthorized effective November 1, 2019;

20 ~~82.~~ 81. Techlahoma Foundation License Plate - such plates shall
21 be issued to any person wishing to provide financial support for the
22 Techlahoma Foundation. The license plate shall be designed in
23 consultation with the Techlahoma Foundation. The plate shall be
24 issued to any person in any combination of numbers and letters from

1 one to a maximum of seven, as for personalized license plates.
2 Service Oklahoma shall be authorized to enter into a licensing
3 agreement with the Techlahoma Foundation for any licensing fees,
4 which may be required in order to use the association's logo or
5 design. The licensing agreement shall provide for a payment to the
6 Techlahoma Foundation of not more than Twenty Dollars (\$20.00) for
7 each license plate issued;

8 ~~83.~~ 82. Bethany Public Schools Foundation License Plate - such
9 plates shall be issued to any person wishing to demonstrate support
10 for the Bethany Public Schools Foundation. The license plates shall
11 be designed in consultation with the administration of the Bethany
12 Public Schools Foundation. Service Oklahoma shall be authorized to
13 enter into a licensing agreement with the Bethany Public Schools
14 Foundation for any licensing fees which may be required in order to
15 use the Foundation's logo or design. The licensing agreement shall
16 provide for a payment to the Bethany Public Schools Foundation of
17 not more than Twenty Dollars (\$20.00) for each license plate issued;

18 ~~84.~~ 83. Cystic Fibrosis Foundation License Plate - such plates
19 shall be issued to any person wishing to demonstrate support for the
20 Cystic Fibrosis Foundation. The license plates shall be designed in
21 consultation with the administration of the Cystic Fibrosis
22 Foundation. Service Oklahoma shall be authorized to enter into a
23 licensing agreement with the Cystic Fibrosis Foundation for any
24 licensing fees which may be required in order to use the

1 Foundation's logo or design. The licensing agreement shall provide
2 for a payment to the Cystic Fibrosis Foundation of not more than
3 Twenty Dollars (\$20.00) for each license plate issued;

4 ~~85.~~ 84. Down Syndrome Association of Central Oklahoma License
5 Plate - such plates shall be designed and issued to any person
6 wishing to demonstrate support for the Down Syndrome Association of
7 Central Oklahoma. Such plates shall be designed in consultation
8 with the Association. As provided in this section, an amount of the
9 fee collected shall be deposited in the Down Syndrome Association of
10 Central Oklahoma License Plate Revolving Fund created in Section
11 1104.30 of this title;

12 ~~86.~~ 85. Elk City Education Foundation License Plate - such
13 plates shall be designed and issued to any person wishing to
14 demonstrate support for the Elk City Education Foundation. Such
15 plates shall be designed in consultation with the Foundation. As
16 provided in this section, an amount of the fee collected shall be
17 deposited in the Elk City Education Foundation License Plate
18 Revolving Fund created in Section 1104.31 of this title;

19 ~~87.~~ 86. A Brotherhood Aiming Toward Education of Oklahoma
20 (ABATE) License Plate - such plates shall be designed and issued to
21 any person wishing to provide financial support for ABATE of
22 Oklahoma. Such plates shall be designed in consultation with ABATE
23 of Oklahoma. The plates shall be issued to any person in any
24 combination of numbers and letters from one to a maximum of seven,

1 as for personalized plates. The license plate for a motorcycle may
2 be of similar design as space permits or a new design in order to
3 meet the space requirements of a motorcycle license plate. Service
4 Oklahoma shall be authorized to enter into a licensing agreement
5 with ABATE of Oklahoma for any licensing fees which may be required
6 in order to use the ABATE of Oklahoma logo or design. The licensing
7 agreement shall provide for a payment to ABATE of Oklahoma of not
8 more than Twenty Dollars (\$20.00) for each license plate issued;

9 ~~88.~~ 87. Downed Bikers Association License Plate - such plates
10 shall be designed for a vehicle or motorcycle in any combination of
11 numbers and letters from one to a maximum of seven, as for
12 personalized license plates, and issued to any person wishing to
13 demonstrate support for the Downed Bikers Association, a nonprofit
14 charitable organization exempt from taxation pursuant to the
15 provisions of the Internal Revenue Code, 26 U.S.C., Section
16 501(c) (3), which provides emotional and financial support for downed
17 bikers. The license plate shall be designed in consultation with
18 the Central Oklahoma Chapter of the Downed Bikers Association and
19 shall contain any official logo or design of the organization. The
20 license plate for a motorcycle may be of similar design as space
21 permits or a new design in order to meet the space requirements of a
22 motorcycle license plate. Service Oklahoma, if necessary, may enter
23 into a licensing agreement with the Downed Bikers Association for
24 any licensing fees which may be required in order to use the

1 organization's logo or design. The licensing agreement shall
2 provide for a payment to the Downed Bikers Association of not more
3 than Twenty Dollars (\$20.00) for each license plate;

4 ~~89.~~ 88. Eagle Scout License Plate - such plates shall be
5 designed to demonstrate support for Eagle Scouts of the Boy Scouts
6 of America and shall include the Eagle Scout logo. Plates may be
7 issued to any person who can show proof of having obtained the rank
8 of Eagle Scout. Service Oklahoma shall be authorized to enter into
9 a licensing agreement with the various Oklahoma local councils for
10 any licensing fees which may be required in order to use the
11 applicable logo or design. The licensing agreement shall provide
12 for a payment of not more than Twenty Dollars (\$20.00) for each
13 license plate issued to the specific Oklahoma local area council
14 designated by the applicant;

15 ~~90.~~ 89. Extraordinary Educators License Plate - such plates
16 shall be designed and issued to any person wishing to provide
17 financial support for common education in this state. Such plates
18 shall be designed in consultation with the State Department of
19 Education. The plates shall be issued to any person in any
20 combination of numbers and letters from one to a maximum of seven,
21 as for personalized license plates. As provided in this section, an
22 amount of the fee collected shall be deposited in the Extraordinary
23 Educators License Plate Revolving Fund created in Section 1104.32 of
24 this title;

1 ~~91.~~ 90. Former Oklahoma Legislator License Plate - such plates
2 shall be designed and issued to any person who previously served as
3 a member of the House of Representatives or Senate. The license
4 plates shall be designed in consultation with the Oklahoma
5 Historical Society. As provided in this section, an amount of the
6 fee collected shall be deposited in the Oklahoma Historical Society
7 Capital Improvement and Operations Revolving Fund created in Section
8 1.10a of Title 53 of the Oklahoma Statutes. Service Oklahoma shall
9 create and maintain a list of former members of the Oklahoma House
10 of Representatives and Oklahoma State Senate eligible to be issued
11 such plates; provided, that no former member of the House of
12 Representatives and Senate shall be eligible to possess more than
13 two of such plates at any one time. Service Oklahoma shall confer
14 as needed with the Chief Clerk of the House of Representatives and
15 the Secretary of the Senate to confirm that such list is complete
16 and accurate;

17 ~~92.~~ 91. Monarch Butterfly License Plate - such plates shall be
18 designed and issued to any person wishing to demonstrate support for
19 the operations of The Nature Conservancy of Oklahoma. Such plates
20 shall be designed in consultation with the Oklahoma Chapter of The
21 Nature Conservancy. Service Oklahoma shall be authorized to enter
22 into a licensing agreement with The Nature Conservancy of Oklahoma
23 for any licensing fees which may be required in order to use the
24 foundation's logo or design. The plates shall be issued to any

1 person in any combination of numbers and letters from one to a
2 maximum of seven, as for personalized license plates. The licensing
3 agreement shall provide for a payment to The Nature Conservancy of
4 Oklahoma not more than Twenty Dollars (\$20.00) for each license
5 plate issued;

6 ~~93.~~ 92. Oklahoma Tennis Foundation License Plate - such plates
7 shall be designed and issued to any person wishing to demonstrate
8 support for the Oklahoma Tennis Foundation. The license plates
9 shall be designed in consultation with the Oklahoma Tennis
10 Foundation. Service Oklahoma shall be authorized to enter into a
11 licensing agreement with the Oklahoma Tennis Foundation for any
12 licensing fees which may be required in order to use the
13 foundation's logo or design. The licensing agreement shall provide
14 for a payment to the Oklahoma Tennis Foundation of not more than
15 Twenty Dollars (\$20.00) for each license plate issued;

16 ~~94.~~ 93. Oklahoma Veterans of Foreign Wars License Plate - such
17 plates shall be designed to honor the Oklahoma Veterans of Foreign
18 Wars Chapters and shall be issued to any resident of this state upon
19 proof of membership in the Oklahoma Veterans of Foreign Wars
20 organization. The license plates shall be designed in consultation
21 with the Oklahoma Veterans of Foreign Wars organization. Service
22 Oklahoma shall be authorized to enter into a licensing agreement
23 with the Oklahoma Veterans of Foreign Wars organization for any
24 licensing fees which may be required in order to use the

1 organization's logo or design. The licensing agreement shall
2 provide for a payment to the Oklahoma Veterans of Foreign Wars
3 organization of not more than Twenty Dollars (\$20.00) for each
4 license plate issued. Service Oklahoma shall reinstate any Veterans
5 of Foreign Wars license plates issued prior to November 1, 2021, and
6 shall reimburse any individual who held a Veterans of Foreign Wars
7 License Plate on October 31, 2021, for fees incurred for the
8 replacement of such plate;

9 ~~95.~~ 94. Oklahoma Women Veterans Organization License Plate -
10 such plates shall be designed and issued to any female veteran of
11 any branch of the United States Armed Forces wishing to demonstrate
12 support for the Oklahoma Women Veterans Organization. The license
13 plates shall be designed in consultation with the Oklahoma Women
14 Veterans Organization. Service Oklahoma shall be authorized to
15 enter into a licensing agreement with the Oklahoma Women Veterans
16 Organization for any licensing fees which may be required in order
17 to use the organization's logo or design. The licensing agreement
18 shall provide for a payment to the Oklahoma Women Veterans
19 Organization of not more than Twenty Dollars (\$20.00) for each
20 license plate issued;

21 ~~96.~~ 95. FIRST (For Inspiration and Recognition of Science and
22 Technology) in Oklahoma License Plate - such plates shall be issued
23 to any person wishing to demonstrate support for FIRST in Oklahoma
24 Robotics programs. The license plates shall be designed in

1 consultation with the administration of FIRST in Oklahoma. Service
2 Oklahoma shall be authorized to enter into a licensing agreement
3 with FIRST in Oklahoma for any licensing fees which may be required
4 in order to use the FIRST in Oklahoma logo or design. The licensing
5 agreement shall provide for a payment to FIRST in Oklahoma not more
6 than Twenty Dollars (\$20.00) for each license plate issued;

7 ~~97.~~ 96. Pittsburg State University License Plate - such plates
8 shall be designed and issued to any person wishing to demonstrate
9 support for the Pittsburg State University. The license plates
10 shall be designed in consultation with Pittsburg State University.
11 Service Oklahoma shall be authorized to enter into a licensing
12 agreement with Pittsburg State University for any licensing fees
13 which may be required in order to use the school foundation's logo
14 or design. The licensing agreement shall provide for a payment to
15 the Pittsburg State University of not more than Twenty Dollars
16 (\$20.00) for each license plate issued;

17 ~~98.~~ 97. Greenwood Historical District License Plate - such
18 plates shall be issued to persons wishing to demonstrate support for
19 the Tulsa Juneteenth Festival held in the Greenwood Historical
20 District in Tulsa, Oklahoma. The plates shall be issued to any
21 person in any combination of numbers and letters from one to a
22 maximum of seven, as for personalized license plates. The license
23 plates shall be designed in consultation with the Black Wall Street
24 Chamber of Commerce. Service Oklahoma shall be authorized to enter

1 into a licensing agreement with the Tulsa Juneteenth Festival for
2 any licensing fees which may be required in order to use the
3 Festival's logo or design. For each license plate issued, the
4 licensing agreement shall provide for a payment of Twenty-five
5 Dollars (\$25.00) of the fee collected to the Tulsa Juneteenth
6 Festival and an additional Two Dollars (\$2.00) of the fee collected
7 shall be deposited in the Public School Classroom Support Revolving
8 Fund, for expenditure as provided in Section 1-123 of Title 70 of
9 the Oklahoma Statutes;

10 ~~99.~~ 98. Oklahoma Veterans of Foreign Wars Auxiliary Chapters
11 License Plate - such plates shall be designed to honor the Oklahoma
12 Veterans of Foreign Wars Auxiliary Chapters and issued to any
13 resident of this state upon proof of membership in the Oklahoma
14 Veterans of Foreign Wars Auxiliary organization in this state. The
15 license plates shall be designed in consultation with the Oklahoma
16 Veterans of Foreign Wars Auxiliary organization. Service Oklahoma
17 shall be authorized to enter into a licensing agreement with the
18 Oklahoma Veterans of Foreign Wars Auxiliary organization for any
19 licensing fees which may be required in order to use the
20 organization's logo or design. The licensing agreement shall
21 provide for a payment to the Oklahoma Veterans of Foreign Wars
22 Auxiliary organization of not more than Twenty Dollars (\$20.00) for
23 each license plate issued;

24

1 ~~100.~~ 99. Transportation to Transportation License Plate - such
2 plates shall be designed and issued to persons wishing to support
3 county roads and bridges. The license plates shall be designed in
4 consultation with the Association of County Commissioners of
5 Oklahoma. Twenty Dollars (\$20.00) of the fee collected shall be
6 paid to the county treasurer for the county in which the license
7 plate was purchased to be credited to the county highway fund
8 created pursuant to Section 1503 of Title 69 of the Oklahoma
9 Statutes;

10 ~~101.~~ 100. Blue Star Mothers License Plate - such plates shall
11 be designed and issued to any person showing proof of membership in
12 an Oklahoma Chapter of Blue Star Mothers of America, Inc. The
13 license plates shall be designed in consultation with Blue Star
14 Mothers of America, Inc., Oklahoma Chapter One. Service Oklahoma
15 shall be authorized to enter into a licensing agreement with Blue
16 Star Mothers of America, Inc., Oklahoma Chapter One for any
17 licensing fees which may be required in order to use the Blue Star
18 Mothers of America logo or design. The licensing agreement shall
19 provide for a payment to Blue Star Mothers of America, Inc.,
20 Oklahoma Chapter One not more than Twenty Dollars (\$20.00) for each
21 license plate issued;

22 ~~102. Stillwater Public Schools License Plate - such plates~~
23 ~~shall be designed and issued to any person wishing to demonstrate~~
24 ~~support for the Stillwater school district. The license plates~~

1 ~~shall be designed in consultation with the administration of the~~
2 ~~Stillwater school district. Service Oklahoma shall be authorized to~~
3 ~~enter into a licensing agreement with the Stillwater school district~~
4 ~~for any licensing fees which may be required in order to use the~~
5 ~~school district's logo or design. The licensing agreement shall~~
6 ~~provide for a payment to the Stillwater school district not more~~
7 ~~than Twenty Dollars (\$20.00) for each license plate issued;~~

8 ~~103.~~ 101. Oklahoma Golf License Plate - such plates shall be
9 designed and issued to any person wishing to demonstrate support for
10 the sport of golf in ~~Oklahoma~~ this state. The license plates shall
11 be designed in consultation with the South Central Section of the
12 Professional Golfers' Association of America and issued to any
13 person wishing to demonstrate support for the sport of golf in
14 ~~Oklahoma~~ this state. Service Oklahoma shall be authorized to enter
15 into a licensing agreement with the South Central Section of the
16 Professional Golfers' Association of America for any licensing fees
17 which may be required in order to use the organization's logo or
18 design. The licensing agreement shall provide for a payment to the
19 South Central Section of the Professional Golfers' Association of
20 America of not more than Twenty Dollars (\$20.00) for each license
21 plate issued;

22 ~~104.~~ 102. Paramedic License Plate - such plates shall be
23 designed and issued to any person who is a paramedic. Such persons
24 may apply for a paramedic license plate for each vehicle with a

1 rated carrying capacity of one (1) ton or less or a motorcycle upon
2 proof of a paramedic license. The license plates shall be designed
3 in consultation with the Oklahoma State University-Oklahoma City
4 Paramedicine program and the Oklahoma Emergency Medical Technicians
5 Association. ~~Service Oklahoma shall be authorized to enter into a~~
6 ~~licensing agreement with the Oklahoma Emergency Medical Technicians~~
7 ~~Association for any licensing fees which may be required in order to~~
8 ~~use the Association's logo or design. The licensing agreement shall~~
9 ~~provide for deposit to~~ The letters "PM" shall be placed on the plate
10 followed by four random numbers, or such numbers as requested by
11 such persons applying for the plate. Twenty Dollars (\$20.00) of the
12 fees collected shall be deposited in the Emergency Medical Personnel
13 Death Benefit Revolving Fund created in Section 1-2505.2 of Title 63
14 of the Oklahoma Statutes ~~of not more than Twenty Dollars (\$20.00)~~
15 ~~for each license plate issued.~~ Subject to the provisions of
16 subsection A of this section, the Paramedic License Plate is hereby
17 reauthorized effective November 1, 2022;

18 ~~105.~~ 103. National Defense Service Medal License Plate - such
19 plates shall be designed and issued to those persons who have
20 received the National Defense Service Medal and wish to demonstrate
21 support for the Oklahoma Department of Veterans Affairs. The
22 license plates shall be designed in consultation with the Oklahoma
23 Department of Veterans Affairs. Service Oklahoma shall be
24 authorized to enter into a licensing agreement with the Oklahoma

1 Department of Veterans Affairs for any licensing fees which may be
2 required in order to use the Department's logo or design. The
3 licensing agreement shall provide for a payment to the Oklahoma
4 Department of Veterans Affairs of not more than Twenty Dollars
5 (\$20.00) for each license plate issued;

6 ~~106.~~ 104. University of Oklahoma RUF/NEKS License Plate - such
7 plates shall be designed and issued to any past or present member of
8 the University of Oklahoma RUF/NEKS upon providing proof of
9 membership in the organization as may be required by Service
10 Oklahoma. The license plates shall be designed in consultation with
11 the University of Oklahoma RUF/NEKS. Service Oklahoma shall be
12 authorized to enter into a licensing agreement with the University
13 of Oklahoma RUF/NEKS for any licensing fees which may be required in
14 order to use the organization's logo or design. The licensing
15 agreement shall provide for a payment to the Mike James RUF/NEKS
16 Memorial Scholarship of not more than Twenty Dollars (\$20.00) for
17 each license plate issued;

18 ~~107.~~ 105. Tulsa Community College License Plate - such plates
19 shall be issued to persons wishing to support Tulsa Community
20 College. The plates shall be designed in consultation with Tulsa
21 Community College. Service Oklahoma shall be authorized to enter
22 into a licensing agreement with Tulsa Community College for any
23 licensing fees which may be required in order to use the
24 organization's logo or design. The licensing agreement shall

1 provide for a payment to Tulsa Community College of not more than
2 Twenty Dollars (\$20.00) for each license plate issued;

3 ~~108.~~ 106. Street Kings Car Club License Plate - such plates
4 shall be designed and issued to any person wishing to demonstrate
5 support for the Street Kings Car Club in Guthrie. The license
6 plates shall be designed in consultation with the Street Kings Car
7 Club. Service Oklahoma shall be authorized to enter into a
8 licensing agreement with the Street Kings Car Club for any licensing
9 fees which may be required in order to use the organization's logo
10 or design. The licensing agreement shall provide for a payment to
11 the Street Kings Car Club not more than Twenty Dollars (\$20.00) for
12 each license plate issued;

13 ~~109.~~ 107. Epilepsy Foundation License Plate - such plates shall
14 be designed and issued to any person wishing to demonstrate support
15 for the Epilepsy Foundation. The license plates shall be designed
16 in consultation with the Epilepsy Foundation of Oklahoma. Service
17 Oklahoma shall be authorized to enter into licensing agreements with
18 the Epilepsy Foundation for any licensing fees which may be required
19 in order to use the organization's logo or design. The licensing
20 agreement shall provide for a payment to the Epilepsy Foundation of
21 not more than Twenty Dollars (\$20.00) for each license plate issued;

22 and

23 ~~110.~~ 108. America First License Plate - such plates shall be
24 designed and issued to any person wishing to demonstrate support for

1 the proclamation of "America First". The license plates shall be
2 designed in consultation with Warriors for Freedom and the Honoring
3 America's Warriors Foundations. Service Oklahoma shall be
4 authorized to enter into licensing agreements with the Warriors for
5 Freedom and Honoring America's Warriors Foundations for any
6 licensing fees which may be required in order to use the
7 Foundations' logos or designs. The licensing agreements shall
8 provide for a payment to the Honoring America's Warriors Foundation
9 of not more than Ten Dollars (\$10.00) and a payment to the Warriors
10 for Freedom Foundation of not more than Ten Dollars (\$10.00) for
11 each license plate issued;

12 109. Diabetes Awareness License Plate - such plates shall be
13 designed and issued to any person wishing to provide financial
14 support for Diabetes Solutions of Oklahoma. The license plates
15 shall be designed in consultation with Diabetes Solutions of
16 Oklahoma. Service Oklahoma shall be authorized to enter into
17 licensing agreements with Diabetes Solutions of Oklahoma for any
18 licensing fees which may be required in order to use the Diabetes
19 Solutions of Oklahoma logos or designs. The licensing agreements
20 shall provide for a deposit to the Diabetes Awareness License Plate
21 Revolving Fund established in Section 1104.33 of this title;

22 110. Alliance of Mental Health Providers of Oklahoma License
23 Plate - such plates shall be designed and issued to any person
24 wishing to demonstrate support for the Alliance of Mental Health

1 Providers of Oklahoma. The license plates shall be designed in
2 consultation with the Alliance of Mental Health Providers of
3 Oklahoma. Service Oklahoma shall be authorized to enter into
4 licensing agreements with the Alliance of Mental Health Providers of
5 Oklahoma for any licensing fees which may be required in order to
6 use the organization's logo or design. The licensing agreement
7 shall provide for a payment to the Alliance of Mental Health
8 Providers of Oklahoma of not more than Twenty Dollars (\$20.00) for
9 each license plate issued;

10 111. Stillwater Public Schools License Plate - such plates
11 shall be designed and issued to any person wishing to demonstrate
12 support for the Stillwater school district. The license plates
13 shall be designed in consultation with the administration of the
14 Stillwater school district. Service Oklahoma shall be authorized to
15 enter into a licensing agreement with the Stillwater school district
16 for any licensing fees which may be required in order to use the
17 school district's logo or design. The licensing agreement shall
18 provide for a payment to the Stillwater school district of not more
19 than Twenty Dollars (\$20.00) for each license plate issued; and

20 112. Ally's House License Plate - such plates shall be designed
21 and issued to those persons who live in Oklahoma, have had a child
22 diagnosed with a form of cancer and wish to demonstrate support for
23 Ally's House. The license plates shall be designed in consultation
24 with Ally's House. Service Oklahoma shall be authorized to enter

1 into a license agreement with Ally's House for any licensing fees
2 which may be required in order to use the Ally's House logo or
3 design. The licensing agreement shall provide for a payment to
4 Ally's House of not more than Twenty Dollars (\$20.00) for each
5 license plate issued.

6 C. The fee for such plates shall be Thirty-five Dollars
7 (\$35.00) per year of renewal and shall be in addition to all other
8 registration fees provided by the Oklahoma Vehicle License and
9 Registration Act. The fee shall be apportioned as follows through
10 June 30, 2023:

11 1. Twenty Dollars (\$20.00) per year of renewal or any other
12 amount as provided in this title of the fee shall be apportioned as
13 provided or deposited in a fund as specified within the paragraph
14 authorizing the special license plate;

15 2. Eight Dollars (\$8.00) per year of renewal of the fee shall
16 be deposited in the ~~Oklahoma~~ Tax Commission Reimbursement Fund to be
17 used for the administration of the Oklahoma Vehicle License and
18 Registration Act. Beginning January 1, 2023, Eight Dollars (\$8.00)
19 per year of renewal of the fee shall be deposited in the Service
20 Oklahoma Reimbursement Fund to be used for the administration of the
21 Oklahoma Vehicle License and Registration Act; and

22 3. Any remaining amounts of the fee shall be apportioned as
23 provided in Section 1104 of this title.

24

1 SECTION 93. REPEALER 47 O.S. 2021, Section 1135.5, as
2 amended by Section 4, Chapter 143, O.S.L. 2021, is hereby repealed.

3 SECTION 94. REPEALER 47 O.S. 2021, Section 1135.5, as
4 amended by Section 6, Chapter 188, O.S.L. 2021, is hereby repealed.

5 SECTION 95. REPEALER 47 O.S. 2021, Section 1135.5, as
6 amended by Section 7, Chapter 276, O.S.L. 2021, is hereby repealed.

7 SECTION 96. REPEALER 47 O.S. 2021, Section 1135.5, as
8 last amended by Section 3, Chapter 294, O.S.L. 2023 (47 O.S. Supp.
9 2023, Section 1135.5), is hereby repealed.

10 SECTION 97. REPEALER 47 O.S. 2021, Section 1135.5, as
11 last amended by Section 11, Chapter 47, 1st Extraordinary Session,
12 O.S.L. 2023 (47 O.S. Supp. 2023, Section 1135.5), is hereby
13 repealed.

14 SECTION 98. REPEALER 47 O.S. 2021, Section 1135.6, as
15 amended by Section 7, Chapter 188, O.S.L. 2021, is hereby repealed.

16 SECTION 99. AMENDATORY 47 O.S. 2021, Section 1135.7, as
17 amended by Section 166, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
18 2023, Section 1135.7), is amended to read as follows:

19 Section 1135.7. A. Service Oklahoma or a private vendor with
20 whom Service Oklahoma has contracted is authorized to design and
21 issue special license plates to any person that applies to Service
22 Oklahoma or a private vendor for the creation of a special license
23 plate and meets the minimum standards and qualifications specified
24 in this section.

1 B. If the following standards and guidelines are satisfied,
2 Service Oklahoma shall authorize the issuance of a special license
3 plate to the person making application for the special license
4 plate:

5 1. The license plate is to:

6 a. show membership in or affiliation with an
7 organization, or

8 b. demonstrate support for an organization, group or
9 cause;

10 2. The license plate does not advertise or endorse a product,
11 brand or service that is provided for sale;

12 3. The license plate does not promote any philosophy based on
13 prejudice or that is contrary to state civil rights laws; and

14 4. Two hundred prepaid applications for the special license
15 plate are received by Service Oklahoma or a private vendor.

16 C. The fee for special license plates shall be determined in
17 accordance with Section 1135.9 of this title. If the special
18 license plate does not provide financial assistance the fee shall be
19 no less than Fifteen Dollars (\$15.00) per year of renewal and shall
20 be in addition to all other registration fees provided by the
21 Oklahoma Vehicle License and Registration Act. Unless otherwise
22 provided in this section, Fifteen Dollars (\$15.00) of the fee shall
23 be apportioned as follows: Eight Dollars (\$8.00) of the special
24 license plate fee shall be deposited in the Oklahoma Tax Commission

1 Reimbursement Fund to be used for the administration of the Oklahoma
2 Vehicle License and Registration Act and the remaining amounts of
3 the special license plate fee shall be apportioned as provided in
4 Section 1104 of this title. Beginning January 1, 2023, Eight
5 Dollars (\$8.00) of the special license plate fee shall be deposited
6 in the Service Oklahoma Reimbursement Fund to be used for the
7 administration of the Oklahoma Vehicle License and Registration Act
8 and the remaining amounts of the special license plate fee shall be
9 apportioned as provided in Section 1104 of this title.

10 D. For special license plates that provide financial assistance
11 created pursuant to the provisions of this section, Service Oklahoma
12 shall be authorized to enter into a licensing agreement with an
13 organization for any licensing fees that may be required to use the
14 organization's logo or design.

15 E. The fee for special license plates that provide financial
16 assistance shall be determined in accordance with Section 1135.9 of
17 this title. Provided, the fee shall be no less than Thirty-five
18 Dollars (\$35.00) and shall be in addition to all other registration
19 fees provided by the Oklahoma Vehicle License and Registration Act.
20 Thirty-five Dollars (\$35.00) per year of renewal of the fee shall be
21 apportioned as follows:

22 1. a. Twenty Dollars (\$20.00) of the fee shall be
23 apportioned to the License Plate Special Program
24 Assistance Revolving Fund created in Section 1135.8 of

1 this title to be used in the manner detailed in the
2 application for the special license plate, except as
3 provided in subparagraph b of this paragraph.

4 b. If Service Oklahoma has entered into a licensing
5 agreement with an organization for the use of its
6 design or logo pursuant to Chapter 74 of this title,
7 an amount to be determined in the licensing agreement,
8 but not to exceed Twenty Dollars (\$20.00) per license
9 plate issued, shall be transferred monthly to that
10 organization as payment of licensing fees and no fee
11 shall be apportioned to the License Plate Special
12 Program Assistance Revolving Fund;

13 2. Eight Dollars (\$8.00) of the fee shall be deposited in the
14 Oklahoma Tax Commission Reimbursement Fund to be used for the
15 administration of the Oklahoma Vehicle License and Registration Act.
16 Beginning January 1, 2023, Eight Dollars (\$8.00) of the fee shall be
17 deposited in the Service Oklahoma Reimbursement Fund to be used for
18 the administration of the Oklahoma Vehicle License and Registration
19 Act; and

20 3. Any remaining amounts of the fee shall be apportioned as
21 provided in Section 1104 of this title.

22 F. Except as otherwise provided in subsection D and
23 subparagraph b of paragraph 1 of subsection E of this section, if a
24 person applies for a special license plate that provides financial

1 assistance, the application shall designate a state agency to be
2 responsible for expending the funds generated by the special license
3 plate and the application shall designate a specific public purpose
4 for which the funds are to be used. The application shall include
5 an acknowledgment from the designated state agency of their
6 agreement with acceptance of the designated funds.

7 G. Special license plates shall not be transferred to any other
8 person but shall be removed from the vehicle upon transfer of
9 ownership and retained. The special license plate may then be used
10 on another vehicle but only after such other vehicle has been
11 registered for the current year.

12 Special license plates shall be renewed each year by Service
13 Oklahoma or a licensed operator, unless authorized by Service
14 Oklahoma to be renewed for a period greater than one (1) year.
15 Service Oklahoma shall notify all persons issued special license
16 plates of the renewal procedures prior to the expiration of the
17 special license plate. The notice shall contain all necessary
18 information and shall contain instructions for the renewal procedure
19 upon presentation to a t licensed operator or Service Oklahoma. The
20 license plates shall be issued on a staggered system.

21 On and after January 1, 2022, if a special license plate is
22 issued pursuant to this section, any registration fee required for
23 such plate and the fee required pursuant to Section 1132 of this
24 title shall be remitted at the same time and subject to a single

1 registration period. Service Oklahoma shall determine, by rule, a
2 method for making required fee and registration period adjustments
3 if a special license plate is obtained during a twelve-month period
4 for which registration has already been remitted pursuant to Section
5 1132 of this title. The combination of fees in a single remittance
6 shall not alter the apportionment otherwise provided for in this
7 section.

8 Service Oklahoma is hereby directed to develop and implement a
9 system whereby licensed operators are permitted to accept
10 applications for special license plates authorized under this
11 section. The licensed operator shall confirm the applicant's
12 eligibility, if applicable, collect and deposit any amount
13 specifically authorized by law, accept and process the necessary
14 information directly into such system and generate a receipt
15 accordingly. For performance of these duties, licensed operators
16 shall retain the fee provided in Section 1141.1 of this title for
17 registration of a motor vehicle. The licensed operator fees for
18 acceptance of applications and renewals shall be paid out of the
19 Oklahoma Tax Commission Reimbursement Fund. Beginning January 1,
20 2023, the licensed operator fees for acceptance of applications and
21 renewals shall be paid out of the Service Oklahoma Reimbursement
22 Fund.

23
24

1 H. All special plates issued by Service Oklahoma prior to
2 November 1, 2005, shall not be subject to the requirements and
3 qualifications outlined in this section.

4 I. As used in this section, "person" includes an individual,
5 group, organization or not-for-profit corporation that is recognized
6 as such by the Internal Revenue Service.

7 SECTION 100. REPEALER 47 O.S. 2021, Section 1135.7, as
8 amended by Section 8, Chapter 188, O.S.L. 2021, is hereby repealed.

9 SECTION 101. REPEALER 47 O.S. 2021, Section 1135.7, as
10 amended by Section 9, Chapter 276, O.S.L. 2021, is hereby repealed.

11 SECTION 102. AMENDATORY 47 O.S. 2021, Section 1137.1, as
12 amended by Section 22, Chapter 107, O.S.L. 2022 (47 O.S. Supp. 2023,
13 Section 1137.1), is amended to read as follows:

14 Section 1137.1. A. Except for vehicles, travel trailers or
15 commercial trailers which display a current Oklahoma license tag,
16 upon the purchase or transfer of ownership of a used motor vehicle,
17 travel trailer or commercial trailer, including an out-of-state
18 purchase or transfer of the same, to a licensed used motor vehicle
19 dealer, wholesale used motor vehicle dealer, used travel trailer
20 dealer or used commercial trailer dealer, subsequently referred to
21 in this section as "dealer", the dealer shall affix a used dealer's
22 plate visible from the rear of the vehicle, travel trailer or
23 commercial trailer. Such license plate shall expire on December 31
24 of each year. When the vehicle, travel trailer or commercial

1 trailer is parked on the dealer's licensed place of business, it
2 shall not be required to have a license plate of any kind affixed.
3 A dealer shall obtain from ~~the Oklahoma Tax Commission~~ Service
4 Oklahoma at a cost of Ten Dollars (\$10.00) a dealer license plate
5 for demonstrating, transporting or any other normal business of a
6 dealer including use by an individual holding a valid salesperson's
7 license issued by the Oklahoma Used Motor Vehicle, Dismantler, and
8 Manufactured Housing Commission. Any dealer who operates a wrecker
9 or towing service licensed pursuant to Sections 951 through 957 of
10 this title shall register each wrecker vehicle and display a wrecker
11 license plate on each vehicle as required by Section 1134.3 of this
12 title. A dealer may obtain as many additional license plates as may
13 be desired upon the payment of Ten Dollars (\$10.00) for each
14 additional license plate. Use of the used dealer license plate by a
15 licensed dealer for other than the purposes as set forth herein
16 shall constitute grounds for revocation of the dealer's license.
17 ~~The Oklahoma Tax Commission~~ Service Oklahoma shall design the
18 official used dealer license plate to include the used dealer's
19 license number issued to him or her each year by ~~the Commission~~
20 Service Oklahoma or the Oklahoma Used Motor Vehicle, Dismantler, and
21 Manufactured Housing Commission.

22 B. Upon the purchase or transfer of ownership of an out-of-
23 state used motor vehicle, travel trailer or commercial trailer to a
24 licensed dealer, the dealer shall make application for an Oklahoma

1 certificate of title pursuant to the Oklahoma Vehicle License and
2 Registration Act, Section 1101 et seq. of this title. Upon receipt
3 of the Oklahoma certificate of title, the dealer shall follow the
4 procedure as set forth in subsection A of this section. Provided,
5 nothing in this title shall be construed as requiring a dealer to
6 register a used motor vehicle, travel trailer or commercial trailer
7 purchased in another state which will not be operated or sold in
8 this state.

9 C. Upon sale or transfer of ownership of the used motor vehicle
10 or travel trailer, the dealer shall place upon the reassignment
11 portion of the certificate of title a tax stamp issued by the county
12 treasurer of the county in which the dealer has his or her primary
13 place of business. The tax stamp shall be issued upon payment of a
14 fee of Three Dollars and fifty cents (\$3.50) and shall be in lieu of
15 the dealer's ad valorem tax on the inventories of used motor
16 vehicles or travel trailers but shall not relieve any other property
17 of the dealer from ad valorem taxation.

18 D. Upon sale of a used motor vehicle or travel trailer to
19 another licensed dealer, the selling dealer shall place the tax
20 stamp required in subsection C of this section upon the certificate
21 of title. The used dealer license plate or wholesale dealer license
22 plate shall be removed by the selling dealer. The purchasing dealer
23 shall, at time of purchase, place his or her dealer license plate on
24 the used motor vehicle, travel trailer or commercial trailer as

1 provided in subsection A of this section; provided, for vehicles,
2 travel trailers or commercial trailers purchased by a licensed used
3 dealer at an auction, in lieu of such placement of the dealer
4 license plate, the auction may provide temporary documentation as
5 approved by the Director of the Motor Vehicle Division of ~~the~~
6 ~~Oklahoma Tax Commission~~ Service Oklahoma for the purpose of
7 transporting such vehicle to the purchaser's point of destination.
8 Such temporary documentation shall be valid for two (2) days
9 following the date of sale.

10 E. The purchaser of every used motor vehicle, travel trailer or
11 commercial trailer, except as otherwise provided by law, shall
12 obtain registration and title for the vehicle or trailer within
13 ~~thirty (30) days~~ two (2) months from the date of purchase of same.
14 It shall be the responsibility of the selling dealer to place a
15 temporary license plate, in size similar to the permanent Oklahoma
16 license plate but of a weatherproof plastic-impregnated substance
17 approved by the Oklahoma Used Motor Vehicle, Dismantler, and
18 Manufactured Housing Commission, upon a used motor vehicle, travel
19 trailer or commercial trailer when a transaction is completed for
20 the sale of said vehicle. The temporary license plate under this
21 subsection shall be placed at the location provided for the
22 permanent motor vehicle license plate. The temporary license plate
23 shall show the license number which is issued to the dealer each
24 year by ~~the Oklahoma Tax Commission~~ Service Oklahoma or the Oklahoma

1 Used Motor Vehicle, Dismantler, and Manufactured Housing Commission,
2 the date the used motor vehicle, travel trailer or commercial
3 trailer was purchased and the company name of the selling dealer.
4 The Oklahoma Used Motor Vehicle, Dismantler, and Manufactured
5 Housing Commission is hereby directed to develop the temporary
6 license plate design to incorporate these requirements in a manner
7 that will permit law enforcement personnel to readily identify the
8 dealer license number and date of the vehicle purchase. The
9 Oklahoma Used Motor Vehicle, Dismantler, and Manufactured Housing
10 Commission is hereby authorized to develop additional requirements
11 and parameters as deemed appropriate to discourage or prevent
12 illegal duplication and use of the temporary license plate. Such
13 temporary license plate shall be valid for a period of thirty (30)
14 days from the date of purchase. Use of the temporary license by a
15 dealer for other than the purposes set forth herein shall constitute
16 grounds for revocation of the dealer's license to conduct business.
17 Purchasers of a commercial trailer shall affix the temporary license
18 plate to the rear of the commercial trailer. The purchaser shall
19 display the temporary license plate for a period not to exceed
20 ~~thirty (30) days~~ two (2) months or until registration and title are
21 obtained as provided in this section.

22 The provisions of this subsection on temporary licenses shall
23 apply to nonresidents who purchase a used motor vehicle, travel
24 trailer or commercial trailer within this state that is to be

1 licensed in another state. The nonresident purchaser shall be
2 allowed to operate the vehicle or trailer within the state with a
3 temporary license plate for a period not to exceed ~~thirty (30) days~~
4 two (2) months from date of purchase. Any nonresident purchaser
5 found to be operating a used motor vehicle, travel trailer or
6 commercial trailer within this state after ~~thirty (30) days~~ two (2)
7 months shall be subject to the registration fees of this state upon
8 the same terms and conditions applying to residents of this state.

9 F. It shall be unlawful for any dealer to procure the
10 registration and licensing of any used motor vehicle, travel trailer
11 or commercial trailer sold by the dealer or to act as the agent for
12 the purchaser in the procurement of the registration and licensing
13 of the purchaser's used vehicle, travel trailer or commercial
14 trailer. A license of any dealer violating the provision of this
15 section may be revoked.

16 G. Dealers following the procedure set forth herein shall not
17 be required to register vehicles, travel trailers or commercial
18 trailers to which this section applies, nor will the registration
19 fee otherwise required be assessed. Provided, dealers shall not
20 purchase or trade for a used motor vehicle, travel trailer or
21 commercial trailer on which the registration therefor has been
22 expired for a period exceeding ~~thirty (30) days~~ two (2) months
23 without obtaining current registration therefor.

24

1 H. A nonprofit charitable organization which is exempt from
2 taxation pursuant to the provisions of the Internal Revenue Code, 26
3 U.S.C., Section 501(c)(3), and which accepts donations of used motor
4 vehicles previously titled in Oklahoma to be subsequently
5 transferred to another owner, upon the qualifying organization
6 providing sufficient documentation of its tax-exempt status, may
7 obtain from ~~the Oklahoma Tax Commission~~ Service Oklahoma charitable
8 nonprofit organization license plates for demonstrating,
9 transporting or test-driving donated vehicles, provided that no
10 organization shall possess or use at any one time more than eight
11 such plates. ~~The Tax Commission~~ Service Oklahoma shall design
12 distinctive license plates for that purpose. The cost for said
13 plates shall be the same as provided in subsection A of this section
14 for dealer plates.

15 I. The transfer of ownership from the vehicle donor to the
16 qualifying nonprofit organization described in subsection H of this
17 section shall be made without the payment of motor vehicle excise
18 tax levied pursuant to Section 2103 of Title 68 of the Oklahoma
19 Statutes.

20 SECTION 103. REPEALER 47 O.S. 2021, Section 1137.1, as
21 last amended by Section 1, Chapter 262, O.S.L. 2023 (47 O.S. Supp.
22 2023, Section 1137.1), is hereby repealed.

23
24

1 SECTION 104. AMENDATORY 47 O.S. 2021, Section 1137.3, as
2 last amended by Section 32, Chapter 29, O.S.L. 2023 (47 O.S. Supp.
3 2023, Section 1137.3), is amended to read as follows:

4 Section 1137.3. The purchaser of every new motor vehicle,
5 travel trailer, or commercial trailer shall register or license the
6 same within thirty ~~(30) days~~ two (2) months from the date of
7 purchase. It shall be the responsibility of the selling dealer to
8 place a temporary license plate, in size similar to the permanent
9 Oklahoma license plate but of a weatherproof plastic-impregnated
10 substance approved by the Oklahoma New Motor Vehicle Commission,
11 upon a new motor vehicle, travel trailer, or commercial trailer when
12 a transaction is completed for the sale of the vehicle or trailer.
13 Except for cab and chassis trucks, the temporary license plate under
14 this section shall be placed at the location provided for the
15 permanent motor vehicle license plate. The purchaser of a new cab
16 and chassis truck may place the temporary license plate under this
17 section in the rear window. The temporary license plate shall show
18 the dealer's license number which is issued to him or her each year
19 by Service Oklahoma, the date the new motor vehicle, travel trailer,
20 or commercial trailer was purchased, and the company name of the
21 selling dealer. The Commission is hereby directed to develop a
22 temporary license plate design to incorporate these requirements in
23 a manner that will permit law enforcement personnel to readily
24 identify the dealer license number and date of the vehicle purchase.

1 The Commission is further authorized to develop additional
2 requirements and parameters designed to discourage or prevent
3 illegal duplication and use of the temporary license plate. On or
4 before ~~thirty (30) days~~ two (2) months from the date of purchase of
5 a new motor vehicle, travel trailer, or commercial trailer, the
6 temporary license plate shall be removed and replaced with a
7 permanent, current Oklahoma license plate. Use of the temporary
8 license plate by a licensed dealer for other than the purpose of
9 normally doing business shall constitute grounds for revocation of
10 the dealer's license.

11 It shall be unlawful for any licensed dealer of new motor
12 vehicles, travel trailers, or commercial trailers to procure the
13 registration and licensing of any new motor vehicle, travel trailer,
14 or commercial trailer sold by such licensed dealer or to act as the
15 agent for such purchaser in the procurement of the registration and
16 licensing. The license of any licensed dealer of new motor
17 vehicles, travel trailers, or commercial trailers violating the
18 provisions of this section shall be revoked.

19 SECTION 105. REPEALER 47 O.S. 2021, Section 1137.3, as
20 last amended by Section 2, Chapter 262, O.S.L. 2023 (47 O.S. Supp.
21 2023, Section 1137.3), is hereby repealed.

22 SECTION 106. AMENDATORY 47 O.S. 2021, Section 1140, as
23 last amended by Section 33, Chapter 310, O.S.L. 2023 (47 O.S. Supp.
24 2023, Section 1140), is amended to read as follows:

1 Section 1140. A. The Service Oklahoma Operator Board shall
2 adopt rules prescribing minimum qualifications and requirements for
3 locating Service Oklahoma locations and for persons applying for a
4 license to operate a designated Service Oklahoma location. Such
5 qualifications and requirements shall include, but not be limited
6 to, the following:

7 1. Necessary job skills and experience;

8 2. Minimum office hours;

9 3. Provision for sufficient staffing, equipment, office space
10 and parking to provide maximum efficiency and maximum convenience to
11 the public;

12 4. Obtainment of a faithful performance surety bond as provided
13 for by law;

14 5. That the applicant has not been convicted of a felony and
15 that no felony charges are pending against the applicant;

16 6. That the location specified in the individual's application
17 for a license to operate a designated Service Oklahoma location not
18 be owned by a member of Service Oklahoma or an employee of Service
19 Oklahoma or any person related to a member of Service Oklahoma or an
20 employee of Service Oklahoma within the third degree by
21 consanguinity, marriage, or adoption and that the location not be
22 within a three-mile radius of an existing licensed operator unless
23 the applicant is assuming the location of an operating licensed
24 operator;

1 7. That a single website, designated by Service Oklahoma, will
2 be used for the distribution of services provided by Service
3 Oklahoma with motor vehicle services to be fulfilled by licensed
4 operators;

5 8. That licensed operators will attend all required training
6 provided by Service Oklahoma; and

7 9. That there should be at least one Service Oklahoma location
8 in each county.

9 B. 1. Any person making application to the Service Oklahoma
10 Operator Board for the purpose of obtaining a license to operate a
11 designated Service Oklahoma location shall pay, when submitting the
12 application, a nonrefundable application fee of One Hundred Dollars
13 (\$100.00). All such application fees shall be deposited in the
14 Oklahoma Tax Commission ~~Revolving~~ Fund. Beginning January 1, 2023,
15 all such application fees shall be deposited in the Service Oklahoma
16 Revolving Fund.

17 2. Any person making application to the Service Oklahoma
18 Operator Board for the purpose of obtaining a license to operate a
19 designated Service Oklahoma location must meet standardization and
20 branding requirements established by the Service Oklahoma Operator
21 Board, upon recommendations from Service Oklahoma. Upon approval,
22 the person must either pay a fee to Service Oklahoma for all costs
23 related to meeting the standardization and branding requirements or
24 obtain approval from the Service Oklahoma Operator Board that the

1 location meets all standardization and branding requirements. All
2 such fees shall be deposited in the Service Oklahoma Revolving Fund.
3 The amount of the license fee will be determined by the Service
4 Oklahoma Operator Board. This provision shall not apply to any
5 existing Service Oklahoma location.

6 3. Any person shall have been a resident of the State of
7 Oklahoma for a period of six (6) months prior to submitting an
8 application for a license to operate a designated Service Oklahoma
9 location. If a licensed operator moves his or her residence to a
10 place outside the State of Oklahoma, the licensed operator shall
11 provide notice to the Service Oklahoma Operator Board and sell his
12 or her license within ninety (90) days of such notice.

13 C. Upon application by a person to serve as a licensed
14 operator, the Service Oklahoma Operator Board is authorized to make
15 a determination whether such person and such location meets the
16 criteria and guidelines established by the Service Oklahoma Operator
17 Board and, if such be the case, may issue a license to operate a
18 designated Service Oklahoma location.

19 D. 1. A licensed operator may be permitted, upon application,
20 to sell or transfer an existing license to operate a designated
21 Service Oklahoma location. Any sale or transfer of a license is
22 subject to approval of the Service Oklahoma Operator Board. In
23 order to sell or transfer an existing licensed operator license, the
24

1 licensed operator shall meet the following guidelines and
2 requirements:

3 a. the licensed operator shall be in good standing with
4 the Service Oklahoma Operator Board,

5 b. the licensed operator shall have held a licensed
6 operator license, issued by the Service Oklahoma
7 Operator Board, for a minimum of five (5) years, and

8 c. the licensed operator shall provide the Service
9 Oklahoma Operator Board evidence that the proposed
10 buyer or transferee of the licensed operator licensee
11 meets the qualifications and requirements set forth in
12 subsection A of this section, has the ability to meet
13 all financial requirements and terms of any current
14 existing contract between the licensed operator and
15 Service Oklahoma, and agrees to the onboarding and
16 training requirements of Service Oklahoma, as
17 established by Service Oklahoma and the Service
18 Oklahoma Operator Board.

19 2. The purchase price of a licensed operator license shall be
20 agreed upon by the licensed operator and the individual purchasing
21 the license to operate a designated Service Oklahoma location.

22 However, the purchaser or transferee agrees to pay a transfer fee to
23 Service Oklahoma in the amount of three percent (3%) of the last
24 annual gross revenue from fees retained at the Service Oklahoma

1 location to be purchased, not to exceed Fifteen Thousand Dollars
2 (\$15,000.00). The transfer fee shall be deposited in the Service
3 Oklahoma Revolving Fund.

4 3. Upon receipt of the application to sell or transfer an
5 existing licensed operator license, the Service Oklahoma Operator
6 Board will determine whether the licensed operator license may be
7 sold or transferred on the condition that the existing location is
8 in good standing and the new licensee meets the requirements
9 outlined in Section 1140 et seq. of this title.

10 4. The Service Oklahoma Operator Board may, at its discretion,
11 buy back a licensed operator license from a licensed operator who
12 desires to sell or transfer its licensed operator license but has
13 held a licensed operator license issued by Service Oklahoma for less
14 than five (5) years. The purchase price for such a license will be
15 one-half (1/2) times the most recent annual gross revenue from fees
16 retained of that Service Oklahoma location, not to exceed Two
17 Hundred Thousand Dollars (\$200,000.00). The purchase price shall be
18 paid out of the excess funds available in the Licensed Operator
19 Performance Fund, created in Section 3-106 of this title, after
20 distribution to licensed operators, pursuant to Section 3-106 of
21 this title.

22 5. Licensed operators issued a license to operate a designated
23 Service Oklahoma location on January 1, 2023, may be permitted, upon
24 application, to sell or transfer their existing license within the

1 first five (5) years. Any sale or transfer of such license is
2 subject to the approval of the Service Oklahoma Operator Board.

3 a. In order to sell or transfer the existing license
4 within the first five (5) years, the licensed operator
5 shall meet the following guidelines and requirements:

6 1. the licensed operator shall be in good standing
7 with the Service Oklahoma Operator Board, and

8 2. the licensed operator shall provide the Service
9 Oklahoma Operator Board evidence that the
10 proposed buyer or transferee of the licensed
11 operator licensee meets the qualifications and
12 requirements set forth in this section, has the
13 ability to meet all financial requirements and
14 terms of any current existing contract between
15 the licensed operator and Service Oklahoma, and
16 agrees to the onboarding and training
17 requirements of Service Oklahoma, as established
18 by Service Oklahoma and the Service Oklahoma
19 Operator Board.

20 b. The branding and physical standardization exemption
21 specified in this section shall not transfer to the
22 purchaser, unless:

23 (1) the licensed operator submitted a contingent
24 resignation and the purchaser submitted a

1 relation application to the Oklahoma Tax
2 Commission prior to May 19, 2022, or

3 2. the purchaser is related to the licensed operator
4 within the third degree by consanguinity,
5 marriage, or adoption.

6 E. 1. Licensed operators shall be subject to all laws relating
7 to licensed operators and shall be subject to removal for cause by
8 the Service Oklahoma Operator Board. Any action taken by Service
9 Oklahoma to revoke a license shall be pursuant to and in accordance
10 with the provisions of the Administrative Procedures Act. For the
11 purposes of this section, "for cause" shall be defined as follows:

- 12 a. repeated violations of written contracts, rules,
13 regulations and statutes pertaining to licensed
14 operators after written warning by the Service
15 Oklahoma Operator Board and an opportunity to correct
16 such violations,
- 17 b. failure of the licensed operator to promptly remit
18 funds owed to Service Oklahoma upon written demand,
- 19 c. being charged with a felony crime involving dishonesty
20 or moral turpitude,
- 21 d. failure to timely file state and federal income tax
22 returns, or
- 23 e. any act of official misconduct as set forth in Section
24 93 of Title 51 of the Oklahoma Statutes.

1 In the event a license is revoked by the Service Oklahoma
2 Operator Board for cause, the Service Oklahoma location operated by
3 the licensed operator will be permanently closed and the licensed
4 operator shall not be entitled to any compensation.

5 Motor license agents and licensed operators in good standing as
6 of November 1, 2022, shall be exempt from the branding and physical
7 standardization requirements to be established by the Service
8 Oklahoma Operator Board, with the recommendation of the Director of
9 Service Oklahoma.

10 2. A license to operate a designated Service Oklahoma location
11 may be revoked by the Service Oklahoma Operator Board for failure to
12 meet the standards for customer satisfaction established by the
13 Service Oklahoma Operator Board. In the event of revocation, the
14 licensed operator shall sell his or her license to operate a Service
15 Oklahoma location to Service Oklahoma at a rate of one-half (1/2)
16 times the most recent annual gross revenue from fees retained of
17 that Service Oklahoma location, not to exceed Two Hundred Thousand
18 Dollars (\$200,000.00). The purchase price shall be paid out of the
19 excess funds available in the Licensed Operator Performance Fund,
20 created in Section 3-106 of this title, after distribution to
21 licensed operators, pursuant to Section 3-106 of this title.

22 F. All licensed operators shall be licensed by and under the
23 supervision of Service Oklahoma; provided, any agent authorized to
24 issue registrations pursuant to the International Registration Plan

1 shall also be under the supervision of the Corporation Commission,
2 subject to rules promulgated by the Corporation Commission pursuant
3 to the provisions of subsection E of Section 1166 of this title.
4 Service Oklahoma shall be the holder of all licenses and has the
5 right to approve and revoke such licenses. After obtaining a
6 license, any such licensed operator shall furnish and file with
7 Service Oklahoma a bond in such amount as may be fixed by Service
8 Oklahoma. Such licensed operator shall be removable at the will of
9 Service Oklahoma. Such licensed operator shall perform all duties
10 and do such things in the administration of the laws of this state
11 as shall be enjoined upon and required by the Service Oklahoma
12 Operator Board. Provided, Service Oklahoma may operate a Service
13 Oklahoma location in any county where a vacancy occurs, as
14 determined by Service Oklahoma.

15 G. In the event of a vacancy due to the death of a licensed
16 operator, the licensed operator's designee or a licensed operator
17 location employee shall immediately notify Service Oklahoma. A
18 licensed operator may designate an individual to continue to operate
19 the Service Oklahoma location upon the death of the licensed
20 operator. The designee shall apply to obtain a license to operate
21 the vacant licensed operator location with the Service Oklahoma
22 Operator Board within thirty (30) days of the licensed operator's
23 death. In the event that no designee is designated or that the
24 designee fails to apply to be a licensed operator with Service

1 Oklahoma within thirty (30) days, Service Oklahoma may take any and
2 all action it deems appropriate in order to provide for the orderly
3 transition and the maintenance of operations of the Service Oklahoma
4 location, as permitted by law.

5 H. When an application for registration is made with Service
6 Oklahoma, the Corporation Commission or a licensed operator, a
7 registration fee of One Dollar and seventy-five cents (\$1.75) shall
8 be collected for each license plate or decal issued. Such fees
9 shall be in addition to the registration fees on motor vehicles and
10 when an application for registration is made to the licensed
11 operator, such licensed operator shall retain a fee as provided in
12 Section 1141.1 of this title through June 30, 2023. Beginning July
13 1, 2023, the fee shall be retained by the licensed operator pursuant
14 to subsection E of Section 1141.1 of this title. When the fee is
15 paid by a person making application directly with Service Oklahoma
16 or the Corporation Commission, as applicable, the registration fees
17 shall be in the same amount as provided for licensed operators and
18 the fee provided by Section 1141.1 of this title shall be deposited
19 in the Oklahoma Tax Commission ~~Revolving~~ Fund or as provided in
20 Section 1167 of this title, as applicable. Beginning January 1,
21 2023, the fee provided by Section 1141.1 of this title shall be
22 deposited in the Service Oklahoma Revolving Fund or as provided in
23 Section 1167 of this title, as applicable. Service Oklahoma shall
24 prepare schedules of registration fees and charges for titles which

1 shall include the fees for such licensed operators and all fees and
2 charges paid by a person shall be listed separately on the
3 application and registration and totaled on the application and
4 registration. The licensed operators shall charge only such fees as
5 are specifically provided for by law, and all such authorized fees
6 shall be posted in such a manner that any person shall have notice
7 of all fees that are imposed by law.

8 I. Any licensed operator shall be responsible for all costs
9 incurred by Service Oklahoma when relocating an existing Service
10 Oklahoma location. The Service Oklahoma Operator Board may waive
11 payment of such costs in case of unforeseen business or emergency
12 conditions beyond the control of the licensed operator.

13 J. Any existing contracts by or between any motor license agent
14 and the Oklahoma Tax Commission shall be assigned to Service
15 Oklahoma. All existing motor license agents in good standing with
16 the Oklahoma Tax Commission will be offered a subsequent contract
17 from Service Oklahoma to become a licensed operator to take effect
18 on January 1, 2023. The contract between existing motor license
19 agents and Service Oklahoma shall be agreed to no later than
20 December 31, 2022. In the event an existing motor license agent
21 declines to enter into the subsequent contract with Service Oklahoma
22 to become a licensed operator, that motor license agent may continue
23 to conduct business pursuant to the existing contract through
24 December 31, 2025, so long as that motor license agent remains in

1 good standing with Service Oklahoma in accordance with the terms of
2 the existing contract.

3 SECTION 107. REPEALER 47 O.S. 2021, Section 1140, as
4 last amended by Section 12, Chapter 47, 1st Extraordinary Session,
5 O.S.L. 2023 (47 O.S. Supp. 2023, Section 1140), is hereby repealed.

6 SECTION 108. REPEALER 47 O.S. 2021, Section 1141.1, as
7 amended by Section 16, Chapter 228, O.S.L. 2022 (47 O.S. Supp. 2023,
8 Section 1141.1), is hereby repealed.

9 SECTION 109. AMENDATORY 47 O.S. 2021, Section 1151, as
10 last amended by Section 189, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
11 2023, Section 1151), is amended to read as follows:

12 Section 1151. A. It shall be unlawful for any person to commit
13 any of the following acts:

14 1. To lend or to sell to, or knowingly permit the use of by,
15 one not entitled thereto any certificate of title, license plate or
16 decal issued to or in the custody of the person so lending or
17 permitting the use thereof;

18 2. To alter or in any manner change a certificate of title,
19 registration certificate, license plate or decal issued under the
20 laws of this or any other state;

21 3. To procure from another state or country, or display upon
22 any vehicle owned by such person within this state, except as
23 otherwise provided in the Oklahoma Vehicle License and Registration
24 Act, any license plate issued by any state or country other than

1 this state, unless there shall be displayed upon such vehicle at all
2 times the current license plate and decal assigned to it by Service
3 Oklahoma or the Corporation Commission or the vehicle shall display
4 evidence that the vehicle is registered as a nonresident vehicle
5 pursuant to rules promulgated by Service Oklahoma, with the
6 concurrence of the Department of Public Safety. A violation of the
7 provisions of this paragraph shall be presumed to have occurred if a
8 person who is the holder of an Oklahoma driver license operates a
9 vehicle owned by such person on the public roads or highways of this
10 state and there is not displayed on the vehicle a current Oklahoma
11 license plate and decal, unless the vehicle is owned by a member of
12 the Armed Forces of the United States assigned to duty in this state
13 in compliance with official military or naval orders or the spouse
14 of such a member of the Armed Forces;

15 4. To drive, operate or move, or for the owner to cause or
16 permit to be driven or moved, upon the roads, streets or highways of
17 this state, any vehicle loaded in excess of its registered laden
18 weight, or which is licensed for a capacity less than the
19 manufacturer's rated capacity as provided for in the Oklahoma
20 Vehicle License and Registration Act;

21 5. To operate a vehicle without proper license plate or decal
22 or on which all taxes due the state have not been paid. No citation
23 may be issued by any state, county or municipal law enforcement
24 officer during the ~~thirty-day~~ one-month period immediately

1 succeeding the last day of the month during which a vehicle
2 registration should have been renewed and a current license plate
3 decal obtained and displayed on the license plate of the vehicle;

4 6. To buy, sell or dispose of, or possess for sale, use or
5 storage, any secondhand or used vehicle on which the registration or
6 license fee has not been paid, as required by law, and on which
7 vehicle the person neglects, fails or refuses to display at all
8 times the license plate or decal assigned to it;

9 7. To give a fictitious name or fictitious address or make any
10 misstatement of facts in application for certificate of title and
11 registration of a vehicle;

12 8. To purchase a license plate on an assigned certificate of
13 title. This particular paragraph shall be applicable to all persons
14 except a bona fide registered dealer in used cars who are holders of
15 a current and valid used car dealer license;

16 9. To operate a vehicle upon the highways of this state after
17 the registration deadline for that vehicle without a proper license
18 plate, as prescribed by the Oklahoma Vehicle License and
19 Registration Act, for the current year;

20 10. For any owner of a vehicle registered on the basis of laden
21 weight to fail or refuse to weigh or reweigh it when requested to do
22 so by any enforcement officer charged with the duty of enforcing
23 this law;

24

1 11. To operate or possess any vehicle which bears a motor
2 number or serial number other than the original number placed
3 thereon by the factory except a number duly assigned and authorized
4 by the state;

5 12. For any licensed operator to release a license plate, a
6 manufactured home registration receipt, decal or excise tax receipt
7 to any unauthorized person or source including any dealer in new or
8 used motor vehicles. Violation of this paragraph shall constitute
9 sufficient grounds for discharge of a licensed operator by Service
10 Oklahoma;

11 13. To operate any vehicle registered as a commercial vehicle
12 without the lettering requirements of Section 1102 of this title; or

13 14. To operate any vehicle in violation of the provisions of
14 Sections 7-600 through 7-606 of this title while displaying a yearly
15 decal issued to the owner who has filed an affidavit with the
16 appropriate licensed operator in accordance with Section 7-607 of
17 this title.

18 Any person convicted of violating any provision of this
19 subsection, other than paragraph 3 of this subsection, shall be
20 deemed guilty of a misdemeanor and upon conviction shall be punished
21 by a fine not to exceed Five Hundred Dollars (\$500.00). Any person
22 convicted of violating the provisions of paragraph 3 of this
23 subsection shall be deemed guilty of a misdemeanor and, upon
24 conviction, shall be punished by a fine of not less than One Hundred

1 Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00)
2 and shall be required to obtain an Oklahoma license plate.
3 Employees of the Corporation Commission may be authorized by the
4 Corporation Commission to issue citations to motor carriers or
5 operators of commercial motor vehicles, pursuant to the jurisdiction
6 of the Corporation Commission, for a violation of this subsection.
7 If a person convicted of violating the provisions of this subsection
8 was issued a citation by a duly authorized employee of the
9 Corporation Commission, the fine herein levied shall be apportioned
10 as provided in Section 1167 of this title.

11 B. Except as otherwise authorized by law, it shall be unlawful
12 to:

13 1. Lend or sell to, or knowingly permit the use of by, one not
14 entitled thereto any certificate of title issued for a manufactured
15 home, manufactured home registration receipt, manufactured home
16 registration decal or excise tax receipt;

17 2. Alter or in any manner change a certificate of title issued
18 for a manufactured home under the laws of this state or any other
19 state;

20 3. Remove or alter a manufactured home registration receipt,
21 manufactured home registration decal or excise tax receipt attached
22 to a certificate of title or attach such receipts to a certificate
23 of title with the intent to misrepresent the payment of the required
24 excise tax and registration fees;

1 4. Buy, sell or dispose of, or possess for sale, use or storage
2 any used manufactured home on which the registration fees or excise
3 taxes have not been paid as required by law; or

4 5. Purchase identification, manufactured home registration
5 receipt, manufactured home registration decal or excise tax receipt
6 on an assigned certificate of title.

7 Anyone violating the provisions of this subsection, upon
8 conviction, shall be guilty of a felony.

9 C. In the event a new vehicle is not registered within thirty
10 (30) days from date of purchase, the penalty for the failure of the
11 owner of the vehicle to register the vehicle within thirty (30) days
12 shall be One Dollar (\$1.00) per day; provided, that in no event
13 shall the penalty exceed One Hundred Dollars (\$100.00). No penalty
14 shall be waived by Service Oklahoma or any licensed operator except
15 as provided in subsection C of Section 1127 of this title. Of each
16 dollar penalty collected pursuant to this subsection:

17 1. Twenty-one cents (\$0.21) shall be apportioned as provided in
18 Section 1104 of this title;

19 2. Twenty-one cents (\$0.21) shall be retained by the licensed
20 operator; and

21 3. Fifty-eight cents (\$0.58) shall be deposited in the General
22 Revenue Fund. The penalty for new commercial vehicles shall be
23 equal to the license fee for such vehicles.

24

1 If a used vehicle is brought into Oklahoma by a resident of this
2 state and is not registered within thirty (30) days, a penalty of
3 One Dollar (\$1.00) per day shall be charged from the date of entry
4 to the date of registration; provided, that in no event shall the
5 penalty exceed One Hundred Dollars (\$100.00). No penalty shall be
6 waived by Service Oklahoma or any licensed operator except as
7 provided in subsection C of Section 1127 of this title. Of each
8 dollar penalty collected pursuant to this subsection:

9 1. Twenty-one cents (\$0.21) shall be apportioned as provided in
10 Section 1104 of this title;

11 2. Twenty-one cents (\$0.21) shall be retained by the licensed
12 operator; and

13 3. Fifty-eight cents (\$0.58) shall be deposited in the General
14 Revenue Fund. The penalty for used commercial vehicles shall be
15 equal to the license fee for such vehicles.

16 D. Any owner who knowingly makes or causes to be made any false
17 statement of a fact required in this section to be shown in an
18 application for the registration of one or more vehicles shall be
19 deemed guilty of a misdemeanor and, upon conviction, shall be fined
20 not more than One Thousand Dollars (\$1,000.00), or shall be
21 imprisoned in the county jail for not more than one (1) year, or by
22 both such fine and imprisonment.

23 E. The following self-propelled or motor-driven and operated
24 vehicles shall not be registered under the provisions of the

1 Oklahoma Vehicle License and Registration Act or, except as provided
2 for in Section 11-1116 of this title, be permitted to be operated on
3 the streets or highways of this state:

4 1. Vehicles known and commonly referred to as "minibikes" and
5 other similar trade names; provided, minibikes may be registered and
6 operated in this state by food vendor services upon streets having a
7 speed limit of thirty (30) miles per hour or less;

8 2. Golf carts;

9 3. Go-carts; and

10 4. Other motor vehicles, except motorcycles, which are
11 manufactured principally for use off the streets and highways.

12 Transfers and sales of such vehicles shall be subject to sales
13 tax and not motor vehicle excise taxes.

14 F. Any person violating paragraph 3 or 6 of subsection A of
15 this section, in addition to the penal provisions provided in this
16 section, shall pay as additional penalty a sum equal to the amount
17 of license fees due on such vehicle or registration fees due on a
18 manufactured home known to be in violation and such amount is hereby
19 declared to be a lien upon the vehicle as provided in the Oklahoma
20 Vehicle License and Registration Act. In addition to the penalty
21 provisions provided in this section, any person violating paragraph
22 3 of subsection A of this section shall be deemed guilty of a
23 misdemeanor and shall, upon conviction, be punished by a fine of One
24 Hundred Dollars (\$100.00).

1 G. Each violation of any provision of the Oklahoma Vehicle
2 License and Registration Act for each and every day such violation
3 has occurred shall constitute a separate offense.

4 H. Anyone violating any of the provisions heretofore enumerated
5 in this section shall be guilty of a misdemeanor and upon conviction
6 shall be fined not less than Ten Dollars (\$10.00) and not to exceed
7 Three Hundred Dollars (\$300.00).

8 I. Any violation of any portion of the Oklahoma Vehicle License
9 and Registration Act where a specific penalty has not been imposed
10 shall constitute a misdemeanor and upon conviction thereof the
11 person having violated it shall be fined not less than Ten Dollars
12 (\$10.00) and not to exceed Three Hundred Dollars (\$300.00).

13 J. Any provision of the Oklahoma Vehicle License and
14 Registration Act providing for proportional registration under
15 reciprocal agreements and the International Registration Plan that
16 relates to the promulgation of rules and regulations shall not be
17 subject to the provisions of this section.

18 SECTION 110. REPEALER 47 O.S. 2021, Section 1151, as
19 amended by Section 2, Chapter 221, O.S.L. 2022 (47 O.S. Supp. 2023,
20 Section 1151), is hereby repealed.

21 SECTION 111. AMENDATORY 51 O.S. 2021, Section 152, as
22 last amended by Section 18, Chapter 228, O.S.L. 2022 (51 O.S. Supp.
23 2023, Section 152), is amended to read as follows:

24 Section 152. As used in The Governmental Tort Claims Act:

1 1. "Action" means a proceeding in a court of competent
2 jurisdiction by which one party brings a suit against another;

3 2. "Agency" means any board, commission, committee, department
4 or other instrumentality or entity designated to act in behalf of
5 the state or a political subdivision;

6 3. "Charitable health care provider" means a person who is
7 licensed, certified, or otherwise authorized by the laws of this
8 state to administer health care in the ordinary course of business
9 or the practice of a profession and who provides care to a medically
10 indigent person, as defined in paragraph 9 of this section, with no
11 expectation of or acceptance of compensation of any kind;

12 4. "Claim" means any written demand presented by a claimant or
13 the claimant's authorized representative in accordance with the
14 Governmental Tort Claims Act to recover money from the state or
15 political subdivision as compensation for an act or omission of a
16 political subdivision or the state or an employee;

17 5. "Claimant" means the person or the person's authorized
18 representative who files notice of a claim in accordance with The
19 Governmental Tort Claims Act. Only the following persons and no
20 others may be claimants:

21 a. any person holding an interest in real or personal
22 property which suffers a loss, provided that the claim
23 of the person shall be aggregated with claims of all
24 other persons holding an interest in the property and

1 the claims of all other persons which are derivative
2 of the loss, and that multiple claimants shall be
3 considered a single claimant,

- 4 b. the individual actually involved in the accident or
5 occurrence who suffers a loss, provided that the
6 individual shall aggregate in the claim the losses of
7 all other persons which are derivative of the loss, or
8 c. in the case of death, an administrator, special
9 administrator or a personal representative who shall
10 aggregate in the claim all losses of all persons which
11 are derivative of the death;

12 6. "Community health care provider" means:

- 13 a. a health care provider who volunteers services at a
14 community health center that has been deemed by the
15 U.S. Department of Health and Human Services as a
16 federally qualified health center as defined by 42
17 U.S.C., Section 1396d(1)(2)(B),
18 b. a health provider who provides services to an
19 organization that has been deemed a federally
20 qualified look-alike community health center, and
21 c. a health care provider who provides services to a
22 community health center that has made application to
23 the U.S. Department of Health and Human Services for
24 approval and deeming as a federally qualified look-

1 alike community health center in compliance with
2 federal application guidance, and has received
3 comments from the U.S. Department of Health and Human
4 Services as to the status of such application with the
5 established intent of resubmitting a modified
6 application, or, if denied, a new application, no
7 later than six (6) months from the date of the
8 official notification from the U.S. Department of
9 Health and Human Services requiring resubmission of a
10 new application;

11 7. "Employee" means any person who is authorized to act in
12 behalf of a political subdivision or the state whether that person
13 is acting on a permanent or temporary basis, with or without being
14 compensated or on a full-time or part-time basis.

15 a. Employee also includes:

- 16 (1) all elected or appointed officers, members of
17 governing bodies and other persons designated to
18 act for an agency or political subdivision, but
19 the term does not mean a person or other legal
20 entity while acting in the capacity of an
21 independent contractor or an employee of an
22 independent contractor,
23 (2) from September 1, 1991, through June 30, 1996,
24 licensed physicians, licensed osteopathic

1 physicians and certified nurse-midwives providing
2 prenatal, delivery or infant care services to
3 State Department of Health clients pursuant to a
4 contract entered into with the State Department
5 of Health in accordance with paragraph 3 of
6 subsection B of Section 1-106 of Title 63 of the
7 Oklahoma Statutes but only insofar as services
8 authorized by and in conformity with the terms of
9 the contract and the requirements of Section 1-
10 233 of Title 63 of the Oklahoma Statutes, and

11 (3) any volunteer, full-time or part-time firefighter
12 when performing duties for a fire department
13 provided for in subparagraph j of paragraph 11 of
14 this section.

15 b. For the ~~purpose~~ purposes of The Governmental Tort
16 Claims Act, the following are employees of this state,
17 regardless of the place in this state where duties as
18 employees are performed:

19 (1) physicians acting in an administrative capacity,

20 (2) resident physicians and resident interns
21 participating in a graduate medical education
22 program of the University of Oklahoma Health
23 Sciences Center, the College of Osteopathic
24 Medicine of Oklahoma State University, or the

1 Department of Mental Health and Substance Abuse
2 Services,

3 (3) faculty members and staff of the University of
4 Oklahoma Health Sciences Center and the College
5 of Osteopathic Medicine of Oklahoma State
6 University, while engaged in teaching duties,

7 (4) physicians who practice medicine or act in an
8 administrative capacity as an employee of an
9 agency of the State of Oklahoma,

10 (5) physicians who provide medical care to inmates
11 pursuant to a contract with the Department of
12 Corrections,

13 (6) any person who is licensed to practice medicine
14 pursuant to Title 59 of the Oklahoma Statutes,
15 who is under an administrative professional
16 services contract with the Oklahoma Health Care
17 Authority under the auspices of the Oklahoma
18 Health Care Authority Chief Medical Officer, and
19 who is limited to performing administrative
20 duties such as professional guidance for medical
21 reviews, reimbursement rates, service
22 utilization, health care delivery and benefit
23 design for the Oklahoma Health Care Authority,

24

1 only while acting within the scope of such
2 contract,

3 (7) licensed medical professionals under contract
4 with city, county, or state entities who provide
5 medical care to inmates or detainees in the
6 custody or control of law enforcement agencies,

7 (8) licensed mental health professionals as defined
8 in Sections 1-103 and 5-502 of Title 43A of the
9 Oklahoma Statutes, who are conducting initial
10 examinations of individuals for the purpose of
11 determining whether an individual meets the
12 criteria for emergency detention as part of a
13 contract with the Department of Mental Health and
14 Substance Abuse Services, and

15 (9) licensed mental health professionals as defined
16 in Sections 1-103 and 5-502 of Title 43A of the
17 Oklahoma Statutes, who are providing mental
18 health or substance abuse treatment services
19 under a professional services contract with the
20 Department of Mental Health and Substance Abuse
21 Services and are providing such treatment
22 services at a state-operated facility.

23 Physician faculty members and physician staff of the
24 University of Oklahoma Health Sciences Center and the

1 College of Osteopathic Medicine of Oklahoma State
2 University not acting in an administrative capacity or
3 engaged in teaching duties are not employees or agents
4 of the state.

5 c. For the purposes of The Governmental Tort Claims Act,
6 employee shall include independent contractors and
7 employees of independent contractors while actively
8 engaged in the transport of individuals in need of
9 initial assessment, emergency detention, or protective
10 custody as authorized by Section 1-110 of Title 43A of
11 the Oklahoma Statutes.

12 d. Except as provided in subparagraph b of this
13 paragraph, in no event shall the state be held liable
14 for the tortious conduct of any physician, resident
15 physician or intern while practicing medicine or
16 providing medical treatment to patients.

17 ~~d.~~ e. For purposes of The Governmental Tort Claims Act,
18 members of the state military forces on state active
19 duty orders or on Title 32 active duty orders are
20 employees of this state, regardless of the place,
21 within or outside this state, where their duties as
22 employees are performed;

23 8. "Loss" means death or injury to the body or rights of a
24 person or damage to real or personal property or rights therein;

1 9. "Medically indigent" means a person requiring medically
2 necessary hospital or other health care services for the person or
3 the dependents of the person who has no public or private third-
4 party coverage, and whose personal resources are insufficient to
5 provide for needed health care;

6 10. "Municipality" means any incorporated city or town, and all
7 institutions, agencies or instrumentalities of a municipality;

8 11. "Political subdivision" means:

9 a. a municipality,

10 b. a school district, including, but not limited to, a
11 technology center school district established pursuant
12 to Section 4410, 4411, 4420 or 4420.1 of Title 70 of
13 the Oklahoma Statutes,

14 c. a county,

15 d. a public trust where the sole beneficiary or
16 beneficiaries are a city, town, school district or
17 county. For purposes of The Governmental Tort Claims
18 Act, a public trust shall include:

19 (1) a municipal hospital created pursuant to Sections
20 30-101 through 30-109 of Title 11 of the Oklahoma
21 Statutes, a county hospital created pursuant to
22 Sections 781 through 796 of Title 19 of the
23 Oklahoma Statutes, or is created pursuant to a
24 joint agreement between such governing

1 authorities, that is operated for the public
2 benefit by a public trust created pursuant to
3 Sections 176 through 180.4 of Title 60 of the
4 Oklahoma Statutes and managed by a governing
5 board appointed or elected by the municipality,
6 county, or both, who exercises control of the
7 hospital, subject to the approval of the
8 governing body of the municipality, county, or
9 both,

10 (2) a public trust created pursuant to Sections 176
11 through 180.4 of Title 60 of the Oklahoma
12 Statutes after January 1, 2009, the primary
13 purpose of which is to own, manage, or operate a
14 public acute care hospital in this state that
15 serves as a teaching hospital for a medical
16 residency program provided by a college of
17 osteopathic medicine and provides care to
18 indigent persons, and

19 (3) a corporation in which all of the capital stock
20 is owned, or a limited liability company in which
21 all of the member interest is owned, by a public
22 trust,

23 e. for the purposes of The Governmental Tort Claims Act
24 only, a housing authority created pursuant to the

1 provisions of the Oklahoma Housing ~~Authority~~
2 Authorities Act,

3 f. for the purposes of The Governmental Tort Claims Act
4 only, corporations organized not for profit pursuant
5 to the provisions of the Oklahoma General Corporation
6 Act for the primary purpose of developing and
7 providing rural water supply and sewage disposal
8 facilities to serve rural residents,

9 g. for the purposes of The Governmental Tort Claims Act
10 only, districts formed pursuant to the Rural Water,
11 Sewer, Gas and Solid Waste Management Districts Act,

12 h. for the purposes of The Governmental Tort Claims Act
13 only, master conservancy districts formed pursuant to
14 the Conservancy Act of Oklahoma,

15 i. for the purposes of The Governmental Tort Claims Act
16 only, a fire protection district created pursuant to
17 the provisions of Section 901.1 et seq. of Title 19 of
18 the Oklahoma Statutes,

19 j. for the purposes of The Governmental Tort Claims Act
20 only, a benevolent or charitable corporate volunteer
21 or full-time fire department for an unincorporated
22 area created pursuant to the provisions of Section 592
23 et seq. of Title 18 of the Oklahoma Statutes,
24

- 1 k. for purposes of The Governmental Tort Claims Act only,
2 an Emergency Services Provider rendering services
3 within the boundaries of a Supplemental Emergency
4 Services District pursuant to an existing contract
5 between the Emergency Services Provider and the State
6 Department of Health. Provided, however, that the
7 acquisition of commercial liability insurance covering
8 the activities of such Emergency Services Provider
9 performed within ~~the State of Oklahoma~~ this state
10 shall not operate as a waiver of any of the
11 limitations, immunities or defenses provided for
12 political subdivisions pursuant to the terms of The
13 Governmental Tort Claims Act,
- 14 l. for purposes of The Governmental Tort Claims Act only,
15 a conservation district created pursuant to the
16 provisions of the Conservation District Act,
- 17 m. for purposes of The Governmental Tort Claims Act,
18 districts formed pursuant to the Oklahoma Irrigation
19 District Act,
- 20 n. for purposes of The Governmental Tort Claims Act only,
21 any community action agency established pursuant to
22 Sections 5035 through 5040 of Title 74 of the Oklahoma
23 Statutes,
24

- 1 o. for purposes of The Governmental Tort Claims Act only,
2 any organization that is designated as a youth
3 services agency, pursuant to Section 2-7-306 of Title
4 10A of the Oklahoma Statutes,
- 5 p. for purposes of The Governmental Tort Claims Act only,
6 any judge presiding over a drug court, as defined by
7 Section 471.1 of Title 22 of the Oklahoma Statutes,
- 8 q. for purposes of The Governmental Tort Claims Act only,
9 any child-placing agency licensed by this state to
10 place children in foster family homes,
- 11 r. for purposes of The Governmental Tort Claims Act only,
12 a circuit engineering district created pursuant to
13 Section 687.1 of Title 69 of the Oklahoma Statutes,
- 14 s. for purposes of the Governmental Tort Claims Act only,
15 a substate planning district, regional council of
16 government or other entity created pursuant to Section
17 1001 et seq. of Title 74 of the Oklahoma Statutes, and
- 18 t. for purposes of The Governmental Tort Claims Act only,
19 a regional transportation authority created pursuant
20 to Section 1370.7 of Title 68 of the Oklahoma Statutes
21 including its contract operator and any railroad
22 operating in interstate commerce that sells a property
23 interest or provides services to a regional
24 transportation authority or allows the authority to

1 use the property or tracks of the railroad for the
2 provision of public passenger rail service to the
3 extent claims against the contract operator or
4 railroad arise out of or are related to or in
5 connection with such property interest, services or
6 operation of the public passenger rail service.
7 Provided, the acquisition of commercial liability
8 insurance to cover the activities of the regional
9 transportation authority, contract operator or
10 railroad shall not operate as a waiver of any
11 liabilities, immunities or defenses provided pursuant
12 to the provisions of the Governmental Tort Claims Act,
13 and all their institutions, instrumentalities or agencies;

14 12. "Scope of employment" means performance by an employee
15 acting in good faith within the duties of the employee's office or
16 employment or of tasks lawfully assigned by a competent authority
17 including the operation or use of an agency vehicle or equipment
18 with actual or implied consent of the supervisor of the employee,
19 but shall not include corruption or fraud;

20 13. "State" means the State of Oklahoma or any office,
21 department, agency, authority, commission, board, institution,
22 hospital, college, university, public trust created pursuant to
23 Title 60 of the Oklahoma Statutes of which the State of Oklahoma is
24 the beneficiary, or other instrumentality thereof;

1 14. "State active duty" shall be defined in accordance with
2 Section 801 of Title 44 of the Oklahoma Statutes;

3 15. "State military forces" shall be defined in accordance with
4 Section 801 of Title 44 of the Oklahoma Statutes;

5 16. "Title 32 active duty" shall be defined in accordance with
6 Section 801 of Title 44 of the Oklahoma Statutes; and

7 17. "Tort" means a legal wrong, independent of contract,
8 involving violation of a duty imposed by general law, statute, the
9 Constitution of the State of Oklahoma, or otherwise, resulting in a
10 loss to any person, association or corporation as the proximate
11 result of an act or omission of a political subdivision or the state
12 or an employee acting within the scope of employment; provided,
13 however, a tort shall not include a claim for inverse condemnation.

14 SECTION 112. REPEALER 51 O.S. 2021, Section 152, as
15 amended by Section 1, Chapter 183, O.S.L. 2022 (51 O.S. Supp. 2023,
16 Section 152), is hereby repealed.

17 SECTION 113. AMENDATORY 51 O.S. 2021, Section 253, as
18 amended by Section 1, Chapter 189, O.S.L. 2023 (51 O.S. Supp. 2023,
19 Section 253), is amended to read as follows:

20 Section 253. A. Except as provided in subsection B of this
21 section, no governmental entity shall substantially burden a
22 person's free exercise of religion even if the burden results from a
23 rule of general applicability.
24

1 B. No governmental entity shall substantially burden a person's
2 free exercise of religion unless it demonstrates that application of
3 the burden to the person is:

4 1. Essential to further a compelling governmental interest; and

5 2. The least restrictive means of furthering that compelling
6 governmental interest.

7 C. Any order or rule issued by any governmental entity pursuant
8 to an emergency that requires closure of any place of worship
9 entitled to the religious exemption found in Section 501(c)(3) of
10 Title 26 of the United States Code shall be considered a substantial
11 burden even if the order or rule is one of general applicability.

12 D. No governmental entity as defined pursuant to Section 252 of
13 this title shall declare or deem a religious institution and any
14 activity directly related to the institution's discharge of its
15 mission and purpose to be nonessential. No religious institution
16 shall be subject to a closure or restriction for the purposes of
17 health or security that is greater than that imposed upon any
18 private entity facing the same or similar health or security
19 conditions.

20 ~~D.~~ E. It shall be deemed a substantial burden to exclude any
21 person or entity from participation in or receipt of governmental
22 funds, benefits, programs, or exemptions based solely on the
23 religious character or affiliation of the person or entity.

1 SECTION 114. REPEALER 51 O.S. 2021, Section 253, as
2 amended by Section 1, Chapter 221, O.S.L. 2021, is hereby repealed.

3 SECTION 115. REPEALER 51 O.S. 2021, Section 255, as
4 amended by Section 16, Chapter 190, O.S.L. 2022 (51 O.S. Supp. 2023,
5 Section 255), is hereby repealed.

6 SECTION 116. AMENDATORY 56 O.S. 2021, Section 230.52, as
7 amended by Section 1, Chapter 162, O.S.L. 2023 (56 O.S. Supp. 2023,
8 Section 230.52), is amended to read as follows:

9 Section 230.52. A. Except for specific exceptions, conditions
10 or restrictions authorized by the Statewide Temporary Assistance
11 Responsibility System (STARS) and rules promulgated by the
12 Commission for Human Services pursuant thereto, the following are
13 the minimum mandatory requirements for the Temporary Assistance for
14 Needy Families (TANF) program:

15 1. A recipient shall be eligible to receive assistance pursuant
16 to the TANF program only for a lifetime total of five (5) years,
17 subject to the exemptions allowed by federal law. Child-only cases
18 are not subject to the five-year limitation;

19 2. Single parents receiving temporary assistance pursuant to
20 the TANF program shall participate in work activities for a minimum
21 of twenty (20) hours per week during the month. Two-parent families
22 receiving temporary assistance pursuant to the TANF program shall
23 participate in work activities for a minimum of thirty-five (35)
24 hours per week during the month;

1 3. A recipient must be engaged in one or more of the work
2 activities set out in paragraph 4 of this subsection as soon as
3 required by the Department of Human Services pursuant to the TANF
4 program, but not later than twenty-four (24) months after
5 certification of the application for assistance, unless the person
6 is exempt from work requirements under rules promulgated by the
7 Department pursuant to the STARS;

8 4. The Department shall develop and describe categories of
9 approved work activities for the TANF program recipients in
10 accordance with this paragraph. Work activities that qualify in
11 meeting the requirements include, but are not limited to:

- 12 a. (1) unsubsidized employment which is full-time
13 employment or part-time employment that is not
14 directly supplemented by federal or state funds,
- 15 (2) subsidized private sector employment which is
16 employment in a private for-profit enterprise or
17 a private not-for-profit enterprise that is
18 directly supplemented by federal or state funds.
19 Prior to receiving any subsidy or incentive, the
20 employer shall enter into a written contract with
21 the Department, and
- 22 (3) subsidized public sector employment which is
23 employment by an agency of a federal, state, or
24 local governmental entity which is directly

1 supplemented by federal or state funds. Prior to
2 receiving any subsidy or incentive, the employer
3 shall enter into a written contract with the
4 Department.

5 Subsidized hourly employment or unsubsidized hourly
6 employment pursuant to this subparagraph shall only be
7 approved by the Department as work activity if such
8 employment is subject to:

9 (a) the federal minimum wage requirements
10 pursuant to the Fair Labor Standards Act of
11 1938, as amended,

12 (b) the federal Social Security tax and Medicare
13 tax, and

14 (c) regulations promulgated pursuant to the
15 federal Occupational Safety and Health Act
16 of 1970 and rules promulgated by the State
17 Department of Labor pursuant thereto,

18 b. a program of work experience,

19 c. on-the-job training,

20 d. assisted job search which may include supervised or
21 unsupervised job-seeking activities,

22 e. job readiness assistance which may include, but is not
23 limited to:

- (1) orientation in the work environment and basic job-seeking and job retention skills,
- (2) instruction in completing an application for employment and writing a resume,
- (3) instruction in conducting oneself during a job interview, including appropriate dress, and
- (4) substance abuse treatment and mental health counseling,

f. job skills training which is directly related to employment in a specific occupation for which there is a written commitment by an employer to offer employment to a recipient who successfully completes the training. Job skills training includes, but is not limited to, customized training designed to meet the needs of a specific employer or a specific industry,

g. community service programs which are job-training activities provided in areas where sufficient public or private sector employment is not available. Such activities are linked to both education or training and activities that substantially enhance a recipient's employability,

h. literacy and adult basic education programs,

- 1 i. vocational-educational programs, not to exceed twelve
2 (12) months for any individual, which are directed
3 toward vocational-educational training and education
4 directly related to employment,
- 5 j. education programs which are directly related to
6 specific employment opportunities, if a recipient has
7 not received a high school diploma or General
8 Equivalency Degree, and
- 9 k. child care for other STARS recipients. The recipient
10 must meet training and licensing requirements for
11 child care providers as required by the Oklahoma Child
12 Care Facilities Licensing Act;

13 5. Single, custodial parents with a child up to one (1) year of
14 age may be exempt from work activities for a lifetime total
15 exemption of twelve (12) months;

16 6. In order to receive assistance, unmarried teen parents of a
17 minor child at least twelve (12) weeks of age must participate in
18 educational activities or work activities approved by the state;

19 7. For single-parent families, except for teen parents,
20 educational activities, other than vocational-technical training, do
21 not count toward meeting the required twenty (20) hours of work
22 activity. For two-parent families, educational activities, except
23 vocational-technical training, do not count toward meeting the
24 required thirty-five (35) hours of work activity;

1 8. A teen parent must live at home or in an approved, adult-
2 supervised setting as specified in Section 230.55 of this title to
3 receive TANF assistance;

4 9. An applicant or recipient with an unborn child and who does
5 not have children living in the home qualifies for TANF to the same
6 extent as a parent with minor children living in the home;

7 10. A recipient must comply with immunization requirements
8 established pursuant to the TANF program;

9 ~~10.~~ 11. The following recipient resources are exempt from
10 resource determination criteria:

11 a. an automobile with an equity allowance of not more
12 than Five Thousand Dollars (\$5,000.00) pursuant to
13 Section 230.53 of this title,

14 b. individual development accounts established pursuant
15 to the Family Savings Initiative Act, or individual
16 development accounts established prior to November 1,
17 1998, pursuant to the provisions of Section 230.54 of
18 this title in an amount not to exceed Two Thousand
19 Dollars (\$2,000.00),

20 c. the equity value of funeral arrangements owned by a
21 recipient that does not exceed the limitation
22 specified by Section 165 of this title, and
23
24

1 d. earned income disregards not to exceed One Hundred
2 Twenty Dollars (\$120.00) and one-half (1/2) of the
3 remainder of the earned income;

4 ~~11.~~ 12. An applicant who applies and is otherwise eligible to
5 receive TANF benefits but who has resided in this state less than
6 twelve (12) months shall be subject to Section 230.57 of this title;

7 ~~12.~~ 13. The recipient shall enter into a personal
8 responsibility agreement with the Department for receipt of
9 assistance pursuant to Section 230.65 of this title;

10 ~~13.~~ 14. The Department shall, beginning November 1, 2023,
11 screen all adult TANF recipients as part of the required TANF
12 employability plan to determine if they are engaged in the illegal
13 use of a controlled substance or substances. If the Department has
14 made a determination that the recipient is engaged in the illegal
15 use of a controlled substance or substances, the recipient's TANF
16 employability plan will include substance abuse treatment and/or
17 mental health counseling as a part of the assigned work activities
18 as set out in paragraph 4 of this subsection. The Department of
19 Human Services shall adopt rules to implement the requirements of
20 this paragraph consistent with the following:

21 a. the Department shall create a controlled substance
22 screening process to be administered during the
23 assessment process that determines the TANF
24 employability plan. The process shall, at a minimum,

1 include a Substance Abuse Subtle Screening Inventory
2 (SASSI) or other similar screening methods. If
3 necessary to establish a reasonable expectation of
4 certainty, the Department is authorized to use further
5 screening methods, which may include, but are not
6 limited to, a clinical interview and consideration of
7 the Department's history with the applicant. If the
8 Department has reasonable cause to believe that the
9 recipient is engaged in the illegal use of a
10 controlled substance or substances, the Department is
11 authorized, though not required, to request
12 administration of a chemical drug test. The cost of
13 all such initial screenings shall not be borne by the
14 recipient,

15 b. if at any time during the controlled substance
16 screening process, the recipient refuses to
17 participate without good cause, that refusal shall
18 lead to a closure of TANF benefits;

19 ~~14.~~ 15. a. As a condition of participating in the STARS,
20 all recipients are deemed to have given authorization
21 for the release of any and all information necessary
22 to allow all state and federal agencies to meet the
23 program needs of the recipient.

1 b. The recipient shall be provided a release form to sign
2 in order to obtain the required information. Failure
3 to sign the release form may result in case closure;
4 and

5 ~~15.~~ 16. The recipient shall comply with all other conditions
6 and requirements of the STARS, and rules of the Commission
7 promulgated pursuant thereto.

8 B. 1. Agencies of this state involved in providing services to
9 recipients pursuant to the STARS shall exchange information as
10 necessary for each agency to accomplish objectives and fulfill
11 obligations created or imposed by the STARS and rules promulgated
12 pursuant thereto.

13 2. Information received pursuant to the STARS shall be
14 maintained by the applicable agency and, except as otherwise
15 provided by this subsection, shall be disclosed only in accordance
16 with any confidentiality provisions applicable to the agency
17 originating the information.

18 3. The various agencies of the state shall execute operating
19 agreements to facilitate information exchanges pursuant to the
20 STARS.

21 C. In implementing the TANF program, the Department shall:

22 1. Provide assistance to aliens pursuant to Section 230.73 of
23 this title;

1 2. Provide for the closure of the TANF case when the adult
2 recipient refuses to cooperate with agreed upon work activities or
3 other case requirements pursuant to the TANF program;

4 3. Provide for the sanctioning of parents who do not require
5 their minor children to attend school; and

6 4. Deny temporary assistance to fugitive felons.

7 D. In order to ensure that the needy citizens of this state are
8 receiving necessary benefits, the Department shall maintain a
9 listing of all recipients receiving public assistance. The listing
10 shall reflect each recipient's income, social security number, and
11 the programs in which the recipient is participating including, but
12 not limited to, TANF, food stamps, child care, and medical
13 assistance.

14 E. The Department is hereby authorized to establish a grant
15 diversion program and emergency assistance services.

16 SECTION 117. REPEALER 56 O.S. 2021, Section 230.52, as
17 last amended by Section 1, Chapter 203, O.S.L. 2023 (56 O.S. Supp.
18 2023, Section 230.52), is hereby repealed.

19 SECTION 118. AMENDATORY 59 O.S. 2021, Section 15.1A, as
20 last amended by Section 1, Chapter 26, O.S.L. 2023 (59 O.S. Supp.
21 2023, Section 15.1A), is amended to read as follows:

22 Section 15.1A. As used in the Oklahoma Accountancy Act:

23 1. "Accountancy" means the profession or practice of
24 accounting;

1 2. "AICPA" means the American Institute of Certified Public
2 Accountants;

3 3. "Applicant" means an individual or entity that has made
4 application to the Board for a certificate or permit and the
5 application has not been approved;

6 4. "Assurance" means independent professional services that
7 improve the quality of information, or its context, for decision
8 makers;

9 5. "Attest" means providing the following services:

10 a. any audit or other engagement to be performed in
11 accordance with the Statements on Auditing Standards
12 (SAS),

13 b. any review of a financial statement to be performed in
14 accordance with the Statements on Standards for
15 Accounting and Review Services (SSARS),

16 c. any ~~engagement~~ examination of prospective financial
17 information to be performed in accordance with the
18 Statements on Standards for Attestation Engagements
19 (SSAE), and

20 d. any engagement to be performed in accordance with the
21 Auditing Standards of the Public Company Accounting
22 Oversight Board (PCAOB), and

23 e. any engagements, review, or agreed upon procedures
24 engagement to be performed in accordance with the

1 SSAE, other than the exceptions described in
2 subparagraph c of paragraph 34 of this section.

3 The statements on standards specified in this definition shall
4 be adopted by reference by the Board pursuant to rulemaking and
5 shall be those developed for general application by recognized
6 national accountancy organizations, such as the AICPA, IFAC and the
7 PCAOB;

8 6. "Audit" can only be performed by an individual or entity who
9 is registered with the Board and holding a valid permit issued
10 pursuant to the Oklahoma Accountancy Act, or an entity that is
11 exempt from registration under paragraph 3 of subsection A of
12 Section 15.15 of this title or an individual granted practice
13 privileges under Section 15.12A of this title, and means a
14 systematic investigation or appraisal of information, procedures, or
15 operations performed in accordance with generally accepted auditing
16 standards in the United States, for the purpose of determining
17 conformity with established criteria and communicating the results
18 to interested parties;

19 7. "Board" means the Oklahoma Accountancy Board;

20 8. "Candidate" means an individual who has been qualified and
21 approved by the Board to take the examination for a certificate;

22 9. "Certificate" means the Oklahoma document issued by the
23 Board to a candidate upon successful completion of the certified
24 public accountant examination designating the holder as a certified

1 public accountant pursuant to the laws of Oklahoma. Certificate
2 shall also mean the Oklahoma document issued by reciprocity to an
3 individual who has previously been certified in another
4 jurisdiction;

5 10. "Certified public accountant" means any person who has
6 received a certificate from the Board or other jurisdictions;

7 11. "Client" means the individual or entity which retains a
8 registrant, an individual granted practice privileges under Section
9 15.12A of this title, or a firm exempt from the permit and
10 registration requirements under Section 15.15C of this title, which
11 also is exempt from the registration requirement of paragraph 3 of
12 subsection A of Section 15.15 of this title, to perform professional
13 services;

14 12. "Compilation" when used with reference to financial
15 statements, means presenting information in the form of financial
16 statements which is the representation of management or owners
17 without undertaking to express any assurance on the statements;

18 13. "CPA" or "C.P.A." means certified public accountant;

19 14. "Designated manager" means the Oklahoma certified public
20 accountant or public accountant appointed by the firm partners or
21 shareholders to be responsible for the administration of the office;

22 15. "Designee" means the National Association of State Boards
23 of Accountancy (NASBA) or other entities so designated by the Board;

24

1 16. "Entity" means an organization whether for profit or not,
2 recognized by this state to conduct business;

3 17. "Examination" means ~~the test sections of Auditing and~~
4 ~~Attestation, Business Environment and Concepts, Financial Accounting~~
5 ~~and Reporting, and Regulation or their successors, administered,~~
6 ~~supervised, and graded by, or at the direction of, the Board or~~
7 ~~other jurisdiction that is required for a certificate as a certified~~
8 ~~public accountant~~ all or any part of the Uniform Certified Public
9 Accountant Examination developed and scored by the American
10 Institute of Certified Public Accountants as approved or designated
11 by the Board;

12 18. "Executive director" means the chief administrative officer
13 of the Board;

14 19. "Financial statements" means statements and footnotes
15 related thereto that undertake to present an actual or anticipated
16 financial position as of a point in time, or results of operations,
17 cash flow, or changes in financial position for a period of time, in
18 conformity with generally accepted accounting principles or another
19 comprehensive basis of accounting. The term does not include
20 incidental financial data included in management advisory service
21 reports to support recommendations to a client; nor does it include
22 tax returns and supporting schedules;

23 20. "Firm" means an entity that is either a sole
24 proprietorship, partnership, professional limited liability company,

1 professional limited liability partnership, limited liability
2 partnership or professional corporation, or any other professional
3 form of organization organized under the laws of this state or the
4 laws of another jurisdiction and issued a permit in accordance with
5 Section 15.15A of this title or exempt from the permit requirement
6 under Section 15.15C of this title, which also is exempt from the
7 registration requirement of paragraph 3 of subsection A of Section
8 15.15 of this title, including individual partners or shareholders,
9 that is engaged in accountancy;

10 21. "Holding out" means any representation by an individual
11 that he or she holds a certificate or license and a valid permit, or
12 by an entity that it holds a valid permit. Any such representation
13 is presumed to invite the public to rely upon the professional
14 skills implied by the certificate or license and valid permit in
15 connection with the services or products offered;

16 22. "Home office" means the location specified by the client as
17 the address to which a service described in Section 15.12A of this
18 title is directed;

19 23. "IFAC" means the International Federation of Accountants;

20 24. "Individual" means a human being;

21 25. "Jurisdiction" means any state or territory of the United
22 States and the District of Columbia;

23 26. "License" means the Oklahoma document issued by the Board
24 to a candidate upon successful completion of the public accountant

1 examination designating the holder as a public accountant pursuant
2 to the laws of this state. License shall also mean the Oklahoma
3 document issued by the Board by reciprocity to a public accountant
4 who has previously been licensed by examination in another
5 jurisdiction;

6 27. "Management advisory services", also known as "management
7 consulting services", "management services", "business advisory
8 services" or other similar designation, hereinafter collectively
9 referred to as "MAS", means the function of providing advice and/or
10 technical assistance, performed in accordance with standards for MAS
11 engagements and MAS consultations such as those issued by the
12 American Institute of Certified Public Accountants, where the
13 primary purpose is to help the client improve the use of its
14 capabilities and resources to achieve its objectives including but
15 not limited to:

- 16 a. counseling management in analysis, planning,
17 organizing, operating, risk management and controlling
18 functions,
- 19 b. conducting special studies, preparing recommendations,
20 proposing plans and programs, and providing advice and
21 technical assistance in their implementation,
- 22 c. reviewing and suggesting improvement of policies,
23 procedures, systems, methods, and organization
24 relationships, and

1 d. introducing new ideas, concepts, and methods to
2 management.

3 MAS shall not include recommendations and comments prepared as a
4 direct result of observations made while performing an audit,
5 review, or compilation of financial statements or while providing
6 tax services including tax consultations;

7 28. "NASBA" means the National Association of State Boards of
8 Accountancy;

9 29. "PA" or "P.A." means public accountant;

10 30. "Partnership" means a contractual relationship based upon a
11 written, oral, or implied agreement between two or more individuals
12 who combine their resources and activities in a joint enterprise and
13 share in varying degrees and by specific agreement in the management
14 and in the profits or losses. A partnership may be general or
15 limited as the laws of this state define those terms;

16 31. "PCAOB" means the Public Company Accounting Oversight
17 Board;

18 32. ~~"Peer Review"~~ "Peer review" means a review performed
19 pursuant to a set of peer review rules established by the Board.
20 The term peer review also encompasses the term "quality review";

21 33. "Permit" means the written authority granted annually by
22 the Board to individuals or firms to practice public accounting in
23 this state, which is issued pursuant to the Oklahoma Accountancy
24 Act;

1 34. a. "Practice of public accounting", also known as
2 "practice public accounting", "practice" and "practice
3 accounting", refers to the activities of a registrant,
4 an individual granted practice privileges under
5 Section 15.12A of this title, or a firm exempt from
6 the permit and registration requirements under Section
7 15.15C of this title in reference to accountancy. An
8 individual or firm shall be deemed to be engaged in
9 the practice of public accounting if the individual or
10 firm holds itself out to the public in any manner as
11 one skilled in the knowledge, science, and practice of
12 accounting and auditing, taxation and management
13 advisory services and is qualified to render such
14 professional services as a certified public accountant
15 or public accountant, and performs the following:
16 (1) maintains an office for the transaction of
17 business as a certified public accountant or
18 public accountant,
19 (2) offers to prospective clients to perform or who
20 does perform on behalf of clients professional
21 services that involve or require an audit,
22 verification, investigation, certification,
23 presentation, or review of financial transactions
24

1 and accounting records or an attestation
2 concerning any other written assertion,

3 (3) prepares or certifies for clients reports on
4 audits or investigations of books or records of
5 account, balance sheets, and other financial,
6 accounting and related schedules, exhibits,
7 statements, or reports which are to be used for
8 publication or for the purpose of obtaining
9 credit, or for filing with a court of law or with
10 any governmental agency, or for any other
11 purpose,

12 (4) generally or incidentally to the work described
13 herein, renders professional services to clients
14 in any or all matters relating to accounting
15 procedure and to the recording, presentation, or
16 certification of financial information or data,

17 (5) keeps books, or prepares trial balances,
18 financial statements, or reports, all as a part
19 of bookkeeping services for clients,

20 (6) prepares or signs as the tax preparer, tax
21 returns for clients, consults with clients on tax
22 matters, conducts studies for clients on tax
23 matters and prepares reports for clients on tax
24 matters, unless the services are uncompensated

1 and are limited solely to the registrant's, or
2 the registrant's spouse's lineal and collateral
3 heirs,

4 (7) prepares personal financial or investment plans
5 or provides to clients products or services of
6 others in implementation of personal financial or
7 investment plans, or

8 (8) provides management advisory services to clients.

9 b. Except for an individual granted practice privileges
10 under Section 15.12A of this title or a firm exempt
11 from the permit and registration requirements under
12 Section 15.15C of this title, an individual or firm
13 not holding a certificate, license or permit shall not
14 be deemed to be engaged in the practice of public
15 accounting if the individual or firm does not hold
16 itself out, solicit, or advertise for clients using
17 the certified public accountant or public accountant
18 designation and engages only in the following
19 services:

20 (1) keeps books, or prepares trial balances,
21 financial statements, or reports, provided such
22 instruments do not use the terms "audit",
23 "audited", "exam", "examined", "review" or
24 "reviewed" or are not exhibited as having been

1 prepared by a certified public accountant or
2 public accountant. Except for an individual
3 granted practice privileges under Section 15.12A
4 of this title or a firm exempt from the permit
5 and registration requirements under Section
6 15.15C of this title, nonregistrants may use the
7 following disclaimer language in connection with
8 financial statements and be in compliance with
9 the Oklahoma Accountancy Act: "I (we) have not
10 audited, examined or reviewed the accompanying
11 financial statements and accordingly do not
12 express an opinion or any other form of assurance
13 on them.",

14 (2) prepares or signs as the tax preparer, tax
15 returns for clients, consults with clients on tax
16 matters, conducts studies for clients on tax
17 matters and prepares reports for clients on tax
18 matters,

19 (3) prepares personal financial or investment plans
20 or provides to clients products or services of
21 others in implementation of personal financial or
22 investment plans, or

23 (4) provides management advisory services to clients.
24

1 c. Only permit holders, individuals granted practice
2 privileges under Section 15.12A of this title, or
3 firms exempt from the permit and registration
4 requirements under Section 15.15C of this title, who
5 also meet the requirements of paragraph 3 of
6 subsection A of Section 15.15 of this title, may
7 render or offer to render any attest service, as
8 defined herein, or issue a report on financial
9 statements which purport to be in compliance with the
10 Statements on Standards for Accounting and Review
11 Services (SSARS). This restriction shall not prohibit
12 any act of a public official or public employee in the
13 performance of that person's duties. This restriction
14 shall not be construed to prohibit the performance by
15 any unlicensed individual of other services as set out
16 in subparagraph b of this paragraph.

17 d. A person is not deemed to be practicing public
18 accounting within the meaning of this section solely
19 by displaying an Oklahoma CPA certificate or a PA
20 license in an office, identifying himself or herself
21 as a CPA or PA on letterhead or business cards, or
22 identifying himself or herself as a CPA or PA.
23 However, the designation of CPA or PA on such
24 letterheads, business cards, public signs,

1 advertisements, publications directed to clients or
2 potential clients, financial or tax documents of a
3 client, performance of any attest service or issuance
4 of a report constitutes the practice of public
5 accounting and requires a permit, practice privileges
6 under Section 15.12A of this title, or an exemption
7 from the permit and registration requirements under
8 Section 15.15C of this title;

9 35. "Preissuance review" means a review preformed pursuant to a
10 set of procedures that include review of engagement document,
11 report, and clients' financial statements in order to permit the
12 reviewer to assess compliance with all applicable professional
13 standards;

14 36. "Principal place of business" means the office location
15 designated by the licensee for the purposes of substantial
16 equivalency and reciprocity;

17 37. "Professional corporation" means a corporation organized
18 pursuant to the laws of this state;

19 38. "Professional" means arising out of or related to the
20 specialized knowledge or skills associated with CPAs or PAs;

21 39. "Public accountant" means any individual who has received a
22 license from the Board;

23 40. "Public interest" means the collective well-being of the
24 community of people and institutions the profession serves;

1 41. "Qualification applicant" means an individual who has made
2 application to the Board to qualify to become a candidate for
3 examination;

4 42. "Registrant" means a CPA, PA, or firm composed of certified
5 public accountants or public accountants or combination of both
6 currently registered with the Board pursuant to the authority of the
7 Oklahoma Accountancy Act;

8 43. "Report", when used with reference to any attest or
9 compilation service, means an opinion, report or other form of
10 language that states or implies assurance as to the reliability of
11 the attested information or compiled financial statements, and that
12 also includes or is accompanied by any statement or implication that
13 the person or firm issuing it has special knowledge or competence in
14 accounting or auditing. Such a statement or implication of special
15 knowledge or competence may arise from use by the issuer of the
16 report of names or titles indicating that the person or firm is an
17 accountant or auditor, or from the language of the report itself.
18 The term report includes any form of language which disclaims an
19 opinion when such form of language is conventionally understood to
20 imply any positive assurance as to the reliability of the attested
21 information or compiled financial statements referred to and/or
22 special competence on the part of the person or firm issuing such
23 language; and it includes any other form of language that is
24 conventionally understood to imply such assurance and/or such

1 special knowledge or competence. This definition is not intended to
2 include a report prepared by a person not holding a certificate or
3 license or not granted practice privileges under Section 15.12A of
4 this title. However, such report shall not refer to "audit",
5 "audited", "exam", "examined", "review" or "reviewed", nor use the
6 language "in accordance with standards established by the American
7 Institute of Certified Public Accountants" or successor of this
8 entity, or governmental agency approved by the Board, except for the
9 Internal Revenue Service. Except for an individual granted practice
10 privileges under Section 15.12A of this title or a firm exempt from
11 the permit and registration requirements under Section 15.15C of
12 this title, nonregistrants may use the following disclaimer language
13 in connection with financial statements not to be in violation of
14 the Oklahoma Accountancy Act: "I (we) have not audited, examined,
15 or reviewed the accompanying financial statements and accordingly do
16 not express an opinion or any other form of assurance on them.";

17 44. "Representation" means any oral or written communication
18 including but not limited to the use of title or legends on
19 letterheads, business cards, office doors, advertisements, and
20 listings conveying the fact that an individual or entity holds a
21 certificate, license or permit;

22 45. "Review", when used with reference to financial statements,
23 means a registrant or an individual granted practice privileges
24 under Section 15.12A of this title, which also meets the

1 requirements of paragraph 3 of subsection A of Section 15.15 of this
2 title, or a firm exempt from the permit and registration
3 requirements under Section 15.15C of this title performing inquiry
4 and analytical procedures that provide the registrant with a
5 reasonable basis for expressing limited assurance that there are no
6 material modifications that should be made to the statements in
7 order for them to be in conformity with generally accepted
8 accounting principles or, if applicable, with another comprehensive
9 basis of accounting; and

10 46. "Substantial equivalency" is a determination by the
11 Oklahoma Accountancy Board or its designee that:

- 12 a. the education, examination and experience requirements
13 contained in the statutes and administrative rules of
14 another jurisdiction are comparable to, or exceed, the
15 education, examination and experience requirements
16 contained in the AICPA/NASBA Uniform Accountancy Act,
17 or
- 18 b. that an individual certified public accountant's or
19 public accountant's education, examination and
20 experience qualifications are comparable to or exceed
21 the education, examination and experience requirements
22 contained in the Oklahoma Accountancy Act and rules of
23 the Board.

24

1 In ascertaining substantial equivalency as used in the Oklahoma
2 Accountancy Act, the Board or its designee shall take into account
3 the qualifications without regard to the sequence in which
4 experience, education, or examination requirements were attained.

5 SECTION 119. REPEALER 59 O.S. 2021, Section 15.1A, as
6 amended by Section 1, Chapter 22, O.S.L. 2022 (59 O.S. Supp. 2023,
7 Section 15.1A), is hereby repealed.

8 SECTION 120. REPEALER 59 O.S. 2021, Section 15.1A, as
9 last amended by Section 1, Chapter 24, O.S.L. 2023 (59 O.S. Supp.
10 2023, Section 15.1A), is hereby repealed.

11 SECTION 121. AMENDATORY 59 O.S. 2021, Section 1000.2, as
12 amended by Section 1, Chapter 64, O.S.L. 2023 (59 O.S. Supp. 2023,
13 Section 1000.2), is amended to read as follows:

14 Section 1000.2. A. The Construction Industries Board is hereby
15 re-created to continue until July 1, 2026, in accordance with the
16 provisions of the Oklahoma Sunset Law. The Board shall regulate the
17 plumbing, electrical and mechanical trades, the building and
18 construction inspectors, the home inspectors, and the roofing
19 contractors through the powers and duties set forth in the
20 Construction Industries Board Act and in the respective licensing or
21 registration acts for such trades, or as otherwise provided by law.

22 B. 1. Beginning July 1, 2013, the Board shall be composed of
23 seven (7) members appointed by the Governor with the advice and
24 consent of the Oklahoma State Senate, as follows:

- 1 a. two members shall have at least ten (10) years'
2 experience in the plumbing trade, of which one shall
3 be a plumbing contractor and one shall be a journeyman
4 plumber,
- 5 b. two members shall have at least ten (10) years'
6 experience in the electrical trade, of which one shall
7 be an electrical contractor and one shall be a
8 journeyman electrician,
- 9 c. two members shall have at least ten (10) years'
10 experience in the mechanical trade, of which one shall
11 be a mechanical contractor and one shall be a
12 mechanical journeyman, and
- 13 d. one member shall have at least ten (10) years'
14 experience as a building and construction inspector.

15 2. Members shall be appointed for staggered terms of four (4)
16 years, as designated by the Governor. Members shall continue in
17 office until a successor is appointed by the Governor. The Governor
18 shall fill all vacancies and unexpired terms in the same manner as
19 the original appointment of the member whose position is to be
20 filled. A member may be removed by the Governor at any time.

21 SECTION 122. REPEALER 59 O.S. 2021, Section 1000.2, as
22 last amended by Section 1, Chapter 185, O.S.L. 2023 (59 O.S. Supp.
23 2023, Section 1000.2), is hereby repealed.

1 SECTION 123. AMENDATORY 61 O.S. 2021, Section 60, as
2 last amended by Section 6, Chapter 238, O.S.L. 2022 (61 O.S. Supp.
3 2023, Section 60), is amended to read as follows:

4 Section 60. All state agencies, boards, commissions, offices,
5 institutions, and other governmental bodies of this state, and all
6 individuals representing such entities, except the Department of
7 Transportation, the Oklahoma Turnpike Authority, the Oklahoma State
8 Regents for Higher Education and its constituent institutions, and
9 the Commissioners of the Land Office, the Oklahoma Municipal Power
10 Authority, shall use construction manager, consultant and
11 construction contract forms that the Director of the Office of
12 Management and Enterprise Services requires to award and execute
13 contracts for designs to construct, renovate, alter, repair,
14 maintain, or improve real property or fixtures of real property of
15 the state. The Director may authorize, in writing, exceptions to
16 the use of construction manager, consultant and construction
17 contract forms for specific projects.

18 SECTION 124. REPEALER 61 O.S. 2021, Section 60, as
19 amended by Section 1, Chapter 223, O.S.L. 2022 (61 O.S. Supp. 2023,
20 Section 60), is hereby repealed.

21 SECTION 125. AMENDATORY 61 O.S. 2021, Section 202, as
22 last amended by Section 28, Chapter 238, O.S.L. 2022 (61 O.S. Supp.
23 2023, Section 202), is amended to read as follows:

24 Section 202. As used in the Public Facilities Act:

1 1. "Annual capital plan" means the collective state facility
2 capital improvements, facility operations and maintenance, rent and
3 lease payments, facility debt services, water, sewer and energy
4 utilities and real property transactions approved by the Legislature
5 in a capital budget relative to state construction, maintenance, and
6 real estate services;

7 2. "Capital planning and asset management" means the processes
8 for real property data acquisition, data analysis and determination
9 of capital construction projects and procurement related to real
10 property;

11 3. "Construction" means the process of planning, acquiring,
12 designing, building, equipping, altering, repairing, improving,
13 maintaining, leasing, disposing or demolishing any structure or
14 appurtenance thereto including facilities, utilities, or other
15 improvements to any real property but not including highways,
16 bridges, airports, railroads, tunnels, sewers not related to a
17 structure or appurtenance thereto, or dams;

18 4. "Construction administration" means a series of actions
19 required of the Office of Management and Enterprise Services or
20 other state agency employees, or, under a construction
21 administration contract or contract provision, to ensure the full,
22 timely, and proper performance of all phases of a construction
23 project by all contractors, suppliers, and other persons having
24

1 responsibility for project work and any guarantees or warranties
2 pertaining thereto;

3 5. "Construction management" means a project delivery method
4 based on an agreement whereby the owner acquires from a construction
5 entity a series of services that include, but are not necessarily
6 limited to, design review, scheduling, cost control, value
7 engineering, constructability evaluation, preparation and
8 coordination of bid packages, and construction administration;

9 "construction management" includes:

10 a. "agency construction management" whereby the
11 construction entity provides services to the owner
12 without taking on financial risks for the execution of
13 the actual construction or time of performance, and
14 the owner contracts directly with those awarded trade
15 contracts for the work, and

16 b. "at-risk construction management" whereby the
17 construction entity, after providing agency services
18 during the pre-construction period:

19 (1) takes on the financial obligation to timely carry
20 out construction under a specified cost
21 agreement, and

22 (2) enters into written subcontracts for the work in
23 accordance with the construction management
24 procedures for state agencies;

1 6. "Consultant" means an individual or legal entity possessing
2 the qualifications to provide licensed architectural, registered
3 engineering, registered land surveying, certified appraisal, land
4 title, or abstract services or possessing specialized credentials
5 and qualifications as may be needed to evaluate, plan or design for
6 any construction or public work improvement project, or to lease,
7 acquire or dispose of state-owned real property;

8 7. "Energy performance index or indices" (EPI) means a number
9 describing the energy requirements at the building boundary of a
10 structure, per square foot of floor space or per cubic foot of
11 occupied volume, as appropriate under defined internal and external
12 ambient conditions over an entire seasonal cycle. As experience
13 develops on the energy performance achieved with state construction,
14 the indices (EPI) will serve as a measure of structure performance
15 with respect to energy consumption;

16 8. "Life cycle costs" means the cost of owning, operating, and
17 maintaining the structure over the life of the structure. This may
18 be expressed as an annual cost for each year of the facility's use;

19 9. "Office" means the Office of Management and Enterprise
20 Services;

21 10. "Procurement" means buying, purchasing, renting, leasing,
22 allocating, trading or otherwise acquiring or disposing of supplies,
23 services, or construction necessary to evaluate, plan, construct,
24 manage, operate and preserve real property capital assets;

1 11. "Public improvement" means any beneficial or valuable
2 change or addition, betterment, enhancement or amelioration of or
3 upon any real property, or interest therein, belonging to a state
4 agency and the State of Oklahoma, intended to enhance its value,
5 beauty or utility or to adapt it to new or further purposes. The
6 term does not include the direct purchase of materials used for
7 general repairs and maintenance to state facilities;

8 12. "Shared savings financing" means the financing of energy
9 conservation measures and maintenance services through a private
10 firm which may own any purchased equipment for the duration of a
11 contract. Such contract shall specify that the private firm will be
12 recompensed either out of a negotiated portion of the savings
13 resulting from the conservation measures and maintenance services
14 provided by the private firm or, in the case of a cogeneration
15 project, through the payment of a rate for energy lower than would
16 otherwise have been paid for the same energy from current sources;
17 and

18 13. "State agency" means an agency, board, commission, counsel,
19 court, office, officer, bureau, institution, unit, division, body,
20 or house of the executive or judicial branches of government of this
21 state, whether elected or appointed, excluding only political
22 subdivisions, the Oklahoma State Regents for Higher Education and
23 its constituent institutions, the Oklahoma Municipal Power
24 Authority, and the Commissioners of the Land Office.

1 SECTION 126. REPEALER 61 O.S. 2021, Section 202, as
2 amended by Section 3, Chapter 223, O.S.L. 2022 (61 O.S. Supp. 2023,
3 Section 202), is hereby repealed.

4 SECTION 127. AMENDATORY 62 O.S. 2021, Section 3103, as
5 last amended by Section 1, Chapter 255, O.S.L. 2022 (62 O.S. Supp.
6 2023, Section 3103), is amended to read as follows:

7 Section 3103. As used in the Oklahoma Pension Legislation
8 Actuarial Analysis Act:

9 1. "Amendment" means any amendment including a substitute bill,
10 made to a retirement bill by any committee of the House or Senate,
11 any conference committee of the House or Senate or by the House or
12 Senate;

13 2. "RB number" means that number preceded by the letters "RB"
14 assigned to a retirement bill by the respective staffs of the
15 Oklahoma State Senate and the Oklahoma House of Representatives when
16 the respective staff office prepares a retirement bill for a member
17 of the Legislature;

18 3. "Legislative Actuary" means the firm or entity that enters
19 into a contract with the Legislative Service Bureau pursuant to
20 Section 452.15 of Title 74 of the Oklahoma Statutes to provide the
21 actuarial services and other duties provided for in the Oklahoma
22 Pension Legislation Actuarial Analysis Act;

23 4. "Nonfiscal amendment" means an amendment to a retirement
24 bill having a fiscal impact, which amendment does not change any

1 factor of an actuarial investigation specified in subsection A of
2 Section 3109 of this title;

3 5. "Nonfiscal retirement bill" means a retirement bill:

4 a. which does not affect the cost or funding factors of a
5 retirement system,

6 b. which affects such factors only in a manner which does
7 not:

8 (1) grant a benefit increase under the retirement
9 system affected by the bill,

10 (2) create an actuarial accrued liability for or
11 increase the actuarial accrued liability of the
12 retirement system affected by the bill, or

13 (3) increase the normal cost of the retirement system
14 affected by the bill,

15 c. which authorizes the purchase by an active member of
16 the retirement system, at the actuarial cost for the
17 purchase as computed pursuant to the statute in effect
18 on the effective date of the measure allowing such
19 purchase, of years of service for purposes of reaching
20 a normal retirement date in the applicable retirement
21 system, but which cannot be used in order to compute
22 the number of years of service for purposes of
23 computing the retirement benefit for the member,
24

- 1 d. which provides for the computation of a service-
2 connected disability retirement benefit for members of
3 the Oklahoma Law Enforcement Retirement System
4 pursuant to Section 2-305 of Title 47 of the Oklahoma
5 Statutes if the members were unable to complete twenty
6 (20) years of service as a result of the disability,
- 7 e. which requires membership in the defined benefit plan
8 authorized by Section 901 et seq. of Title 74 of the
9 Oklahoma Statutes for persons whose first elected or
10 appointed service occurs on or after November 1, 2018,
11 if such persons had any prior service in the Oklahoma
12 Public Employees Retirement System prior to November
13 1, 2015,
- 14 f. which provides for a one-time increase in retirement
15 benefits if the increase in retirement benefits is not
16 a permanent increase in the gross annual retirement
17 benefit payable to a member or beneficiary, occurs
18 only once pursuant to a single statutory authorization
19 and does not exceed:
- 20 (1) the lesser of two percent (2%) of the gross
21 annual retirement benefit of the member or One
22 Thousand Dollars (\$1,000.00) and requires that
23 the benefit may only be provided if the funded
24 ratio of the affected retirement system would not

1 be less than sixty percent (60%) but not greater
2 than eighty percent (80%) after the benefit
3 increase is paid,

4 (2) the lesser of two percent (2%) of the gross
5 annual retirement benefit of the member or One
6 Thousand Two Hundred Dollars (\$1,200.00) and
7 requires that the benefit may only be provided if
8 the funded ratio of the affected retirement
9 system would be greater than eighty percent (80%)
10 but not greater than one hundred percent (100%)
11 after the benefit increase is paid,

12 (3) the lesser of two percent (2%) of the gross
13 annual retirement benefit of the member or One
14 Thousand Four Hundred Dollars (\$1,400.00) and
15 requires that the benefit may only be provided if
16 the funded ratio of the affected retirement
17 system would be greater than one hundred percent
18 (100%) after the benefit increase is paid, or

19 (4) the greater of two percent (2%) of the gross
20 annual retirement benefit of the volunteer
21 firefighter or One Hundred Dollars (\$100.00) for
22 persons who retired from the Oklahoma
23 Firefighters Pension and Retirement System as
24 volunteer firefighters and who did not retire

1 from the Oklahoma Firefighters Pension and
2 Retirement System as a paid firefighter.

3 As used in this subparagraph, "funded ratio" means the
4 figure derived by dividing the actuarial value of
5 assets of the applicable retirement system by the
6 actuarial accrued liability of the applicable
7 retirement system,

8 g. which modifies the disability pension standard for
9 police officers who are members of the Oklahoma Police
10 Pension and Retirement System as provided by Section
11 50-115 of Title 11 of the Oklahoma Statutes,

12 h. which provides a cost-of-living benefit increase
13 pursuant to the provisions of:

14 (1) Section 49-143.7 of Title 11 of the Oklahoma
15 Statutes,

16 (2) Section 50-136.9 of Title 11 of the Oklahoma
17 Statutes,

18 (3) Section 1104K of Title 20 of the Oklahoma
19 Statutes,

20 (4) Section 2-305.12 of Title 47 of the Oklahoma
21 Statutes,

22 (5) Section 17-116.22 of Title 70 of the Oklahoma
23 Statutes, or
24

1 (6) Section 930.11 of Title 74 of the Oklahoma
2 Statutes, ~~or~~

3 i. which provides for the reinstatement of retirement
4 benefits for members of the Oklahoma Law Enforcement
5 Retirement System pursuant to Section 2-305 of Title
6 47 of the Oklahoma Statutes for those who were hired
7 on or after November 1, 2012, or May 24, 2013,

8 j. which authorizes the purchase of military service
9 credit as provided in Section 50-128 of Title 11,
10 Section 1102.2 of Title 20, Section 2-307.4 of Title
11 47, and Section 913.8 of Title 74 of the Oklahoma
12 Statutes,

13 k. which restores benefits pursuant to Sections 49-100.1,
14 49-101, 49-101.2, 49-106.1, 49-108, 49-117.1, and 49-
15 135 of Title 11 of the Oklahoma Statutes,

16 l. which modifies the computation of the line-of-duty
17 disability benefit pursuant to the provisions of this
18 act.

19 A nonfiscal retirement bill shall include any retirement bill that
20 has as its sole purpose the appropriation or distribution or
21 redistribution of monies in some manner to a retirement system for
22 purposes of reducing the unfunded liability of such system or the
23 earmarking of a portion of the revenue from a tax to a retirement
24

1 system or increasing the percentage of the revenue earmarked from a
2 tax to a retirement system;

3 6. "Reduction-in-cost amendment" means an amendment to a
4 retirement bill having a fiscal impact which reduces the cost of the
5 bill as such cost is determined by the actuarial investigation for
6 the bill prepared pursuant to Section 3109 of this title;

7 7. "Retirement bill" means any bill or joint resolution
8 introduced or any bill or joint resolution amended by a member of
9 the Oklahoma Legislature which creates or amends any law directly
10 affecting a retirement system. A retirement bill shall not mean a
11 bill or resolution that impacts the revenue of any state tax in
12 which a portion of the revenue generated from such tax is earmarked
13 for the benefit of a retirement system;

14 8. "Retirement bill having a fiscal impact" means any
15 retirement bill creating or establishing a retirement system and any
16 other retirement bill other than a nonfiscal retirement bill; and

17 9. "Retirement system" means the Teachers' Retirement System of
18 Oklahoma, the Oklahoma Public Employees Retirement System, the
19 Uniform Retirement System for Justices and Judges, the Oklahoma
20 Firefighters Pension and Retirement System, the Oklahoma Police
21 Pension and Retirement System, the Oklahoma Law Enforcement
22 Retirement System, or a retirement system established after January
23 1, 2006.

24

1 SECTION 128. REPEALER 62 O.S. 2021, Section 3103, as
2 amended by Section 1, Chapter 96, O.S.L. 2022 (62 O.S. Supp. 2023,
3 Section 3103), is hereby repealed.

4 SECTION 129. REPEALER 62 O.S. 2021, Section 3103, as
5 last amended by Section 1, Chapter 232, O.S.L. 2022 (62 O.S. Supp.
6 2023, Section 3103), is hereby repealed.

7 SECTION 130. REPEALER 62 O.S. 2021, Section 3103, as
8 last amended by Section 1, Chapter 306, O.S.L. 2022 (62 O.S. Supp.
9 2023, Section 3103), is hereby repealed.

10 SECTION 131. AMENDATORY 63 O.S. 2021, Section 1-311, as
11 amended by Section 1, Chapter 87, O.S.L. 2022 (63 O.S. Supp. 2023,
12 Section 1-311), is amended to read as follows:

13 Section 1-311. A. A certificate of birth for each live birth
14 which occurs in this state shall be filed with the State Registrar
15 of Vital Statistics, within seven (7) days after the birth.

16 B. When a birth occurs in an institution, the person in charge
17 of the institution or a designated representative shall obtain the
18 personal data, prepare the certificate and secure the signatures
19 required by the certificate. The physician in attendance shall
20 certify to the facts of birth and provide the medical information
21 required by the certificate within five (5) days after the birth.

22 C. When a birth occurs outside an institution, the certificate
23 shall be prepared and filed by one of the following in the indicated
24 order of priority:

1 1. The physician in attendance at or immediately after the
2 birth;

3 2. Any other person in attendance at or immediately after the
4 birth; or

5 3. The father, the mother or, in the absence or inability of
6 the father or mother, the person in charge of the premises where the
7 birth occurred and present at the birth.

8 D. 1. If the mother was married at the time of birth, or
9 married at any time during the three hundred (300) calendar days
10 before the birth, the name of the husband shall be entered on the
11 certificate as the father of the child unless paternity has been
12 determined otherwise by a court of competent jurisdiction or a
13 husband's denial of paternity form has been filed along with an
14 affidavit acknowledging paternity, in which case the name of the
15 father as determined by the court or affidavit acknowledging
16 paternity shall be entered.

17 2. If the mother was not married at the time of birth, nor
18 married at any time during the three hundred (300) calendar days
19 before the birth, the name of the father shall be entered on the
20 certificate of birth only if:

21 a. a determination of paternity has been made by an
22 administrative action through the Department of Human
23 Services or a court of competent jurisdiction, in
24 which case the name of the father shall be entered, or

1 b. the mother and father have agreed as to the biological
2 paternity of the child and signed an acknowledgement
3 of paternity pursuant to Section 1-311.3 of this
4 title, or substantially similar affidavit from another
5 state and filed it with the State Registrar of Vital
6 Statistics.

7 This shall give the mother and father equal rights and obligations
8 to the child. A child whose parentage has been determined as set
9 forth shall be treated as a child of parents who were married at the
10 time of the birth.

11 E. Either of the parents of the child shall sign the
12 certificate of live birth worksheet to attest to the accuracy of the
13 personal data entered thereon, in time to permit its filing within
14 the seven (7) days prescribed in this section.

15 F. If the live birth results from a process in which the
16 delivering mother was carrying the child of another woman by way of
17 a prearranged legal contract, the original birth certificate shall
18 be filed with the personal information of the woman who delivered
19 the child. A new birth certificate will be placed on file once the
20 State Registrar receives both a court order and a completed form
21 prescribed by the State Registrar which identifies the various
22 parties and documents the personal information of the intended
23 parents necessary to complete the new birth certificate.

1 G. Beginning on the effective date of this act, the biological
2 sex designation on a certificate of birth issued under this section
3 shall be either male or female and shall not be nonbinary or any
4 symbol representing a nonbinary designation including but not
5 limited to the letter "X".

6 SECTION 132. REPEALER 63 O.S. 2021, Section 1-311, as
7 last amended by Section 1, Chapter 215, O.S.L. 2022 (63 O.S. Supp.
8 2023, Section 1-311), is hereby repealed.

9 SECTION 133. AMENDATORY 63 O.S. 2021, Section 1-317, as
10 amended by Section 1, Chapter 184, O.S.L. 2022 (63 O.S. Supp. 2023,
11 Section 1-317), is amended to read as follows:

12 Section 1-317. A. A death certificate for each death which
13 occurs in this state shall be filed with the State Department of
14 Health, within three (3) days after such death.

15 B. The funeral director shall personally sign the death
16 certificate and shall be responsible for filing the death
17 certificate. If the funeral director is not available, the person
18 acting as such who first assumes custody of a dead body in
19 accordance with Section 1158 of Title 21 of the Oklahoma Statutes
20 shall personally sign and file the death certificate. The personal
21 data shall be obtained from the next of kin or the best qualified
22 person or source available. The funeral director or person acting
23 as such shall notify the person providing the personal data that it
24 is a felony to knowingly provide false data or misrepresent any

1 person's relationship to the decedent. The certificate shall be
2 completed as to personal data and delivered to the attending
3 physician or the medical examiner responsible for completing the
4 medical certification portion of the certificate of death within
5 twenty-four (24) hours after the death. No later than July 1, 2012,
6 the personal data, and no later than July 1, 2017, the medical
7 certificate portion, shall be entered into the prescribed electronic
8 system provided by the State Registrar of Vital Statistics and the
9 information submitted to the State Registrar of Vital Statistics.
10 The resultant certificate produced by the electronic system shall be
11 provided to the physician or medical examiner for medical
12 certification within twenty-four (24) hours after the death.

13 C. The medical certification shall be completed and signed
14 within forty-eight (48) hours after death by the physician,
15 physician assistant, or advanced practice registered nurse in charge
16 of the patient's care for the illness or condition which resulted in
17 death, except when inquiry as to the cause of death is required by
18 Section 938 of this title. No later than July 1, 2017, the medical
19 certification portion of certificate data shall be entered into the
20 prescribed electronic system provided by the State Registrar of
21 Vital Statistics and the information submitted to the State
22 Registrar of Vital Statistics.

23 D. In the event that the physician, physician assistant, or
24 advanced practice registered nurse in charge of the patient's care

1 for the illness or condition which resulted in death is not in
2 attendance at the time of death, the medical certification shall be
3 completed and signed within forty-eight (48) hours after death by
4 the physician, physician assistant, or advanced practice registered
5 nurse in attendance at the time of death, except:

6 1. When the patient is under hospice care at the time of death,
7 the medical certification may be signed by the hospice's medical
8 director; and

9 2. When inquiry as to the cause of death is required by Section
10 938 of this title.

11 Provided, that such certification, if signed by other than the
12 attending physician, physician assistant, or advanced practice
13 registered nurse, shall note on the face the name of the attending
14 physician, physician assistant, or advanced practice registered
15 nurse and that the information shown is only as reported.

16 E. A certifier completing cause of death on a certificate of
17 death who knows that a lethal drug, overdose or other means of
18 assisting suicide within the meaning of Sections 3141.2 through
19 3141.4 of this title caused or contributed to the death shall list
20 that means among the chain of events under cause of death or list it
21 in the box that describes how the injury occurred. If such means is
22 in the chain of events under cause of death or in the box that
23 describes how the injury occurred, the certifier shall indicate
24 "suicide" as the manner of death.

1 F. The authority of a physician assistant to carry out the
2 functions described in this section shall be governed by the
3 practice agreement as provided by Section 519.6 of Title 59 of the
4 Oklahoma Statutes.

5 SECTION 134. REPEALER 63 O.S. 2021, Section 1-317, as
6 last amended by Section 36, Chapter 228, O.S.L. 2022 (63 O.S. Supp.
7 2023, Section 1-317), is hereby repealed.

8 SECTION 135. AMENDATORY 63 O.S. 2021, Section 1-1118, as
9 amended by Section 1, Chapter 45, O.S.L. 2023 (63 O.S. Supp. 2023,
10 Section 1-1118), is amended to read as follows:

11 Section 1-1118. A. It shall be unlawful for any person to
12 operate or maintain any establishment, stationary or otherwise,
13 where food or drink is offered for sale, or sold, to the public,
14 unless the person is the holder of a food establishment license
15 issued for such purpose by the State Commissioner of Health or
16 designee. A food establishment license shall not be required for:

17 1. A produce stand that offers only whole, uncut and
18 unprocessed fresh fruits, melons, vegetables and legumes and/or
19 whole uncracked and unprocessed nuts;

20 2. A manufacturer, wholesaler or broker of food licensed
21 pursuant to Section 1-1119 of this title;

22 3. A kitchen in a private home if only food that does not
23 require time and temperature control for safety is prepared for sale
24

1 or service at a function such as a nonprofit civic, charitable or
2 religious organization's bake sale;

3 4. An area where food that is prepared as specified in
4 paragraph 3 of this subsection is sold or offered for human
5 consumption;

6 5. A private home that receives catered or home-delivered food;

7 6. A hotel licensed pursuant to Section 1-1201 of this title
8 which provides limited food service in compliance with rules
9 promulgated by the State Commissioner of Health;

10 7. A kitchen in a private home or in a bed and breakfast that
11 prepares and offers food to guests, if the home is owner-occupied,
12 the number of available guest bedrooms does not exceed ~~three~~ four,
13 and breakfast is the only meal offered;

14 8. A nonprofit civic, charitable or religious organization
15 using unpaid individuals to prepare or serve food on its behalf, for
16 occasional fundraising events sponsored and conducted by the
17 organization. For the purposes of this paragraph, an "occasional
18 fund-raising event" shall be defined as an event that occurs four
19 times a year or less;

20 9. Day care centers or family day care centers, and all other
21 child care facilities as defined and licensed pursuant to the
22 provisions of the Oklahoma Child Care Facilities Licensing Act;

23 10. Nursing facilities and specialized facilities, as defined
24 in and licensed pursuant to the provisions of the Nursing Home Care

1 Act, residential care homes as defined by the Residential Care Act,
2 adult day care centers as defined by the Adult Day Care Act, and
3 assisted living centers and continuum of care facilities licensed
4 pursuant to the Continuum of Care and Assisted Living Act;

5 11. Vendors at farmers markets selling frozen meat that is
6 either kept refrigerated or on ice; and

7 12. Other establishments exempted from food establishment
8 licensure pursuant to state law.

9 B. Each license shall expire one (1) year following the date of
10 its issuance. The State Department of Health shall charge and
11 collect for each such license an annual fee to be fixed by the State
12 Commissioner of Health.

13 1. The Commissioner may provide by rule for a fee-exempt
14 license for a food establishment operated by a nonprofit, civic,
15 charitable or religious organization that uses unpaid persons to
16 sell or offer food on a more frequent basis than the occasional
17 fundraising event. A fee-exempt license shall not expire but shall
18 remain in full force and effect until affirmatively revoked,
19 suspended, annulled or withdrawn by the Department in accordance
20 with applicable law.

21 2. The Commissioner may by rule also provide that licenses for
22 establishments serving events of limited duration or operating on a
23 seasonal basis shall extend only for the term of the event or
24

1 season, and may by rule adjust the fees for such licenses
2 accordingly.

3 3. The Commissioner shall provide by rule a three-day license
4 for vendors who only sell at farmers markets as defined in 310:257-
5 1-2 of the Oklahoma Administrative Code or at county fairs.
6 Licenses for vendors who only sell at farmers markets or county
7 fairs shall not exceed Fifty Dollars (\$50.00). Vendors who do not
8 sell food and vendors who meet the exceptions provided in subsection
9 A of this section shall not be required to obtain a three-day
10 license or a food establishment license.

11 4. The Commissioner shall provide by rule a multiseasonal
12 license for snow cone stands that sell hot beverages in addition to
13 snow cones. A snow cone stand that does not sell hot beverages
14 shall be considered a seasonal food establishment.

15 C. The State Commissioner of Health shall promulgate reasonable
16 standards and rules for sanitation of establishments required to be
17 licensed, which shall include the following: buildings, vehicles,
18 and appurtenances thereto, including plumbing, ventilation and
19 lighting; construction, cleanliness and bactericidal treatment of
20 equipment and utensils; cleanliness, wholesomeness, storage and
21 refrigeration of food and drink sold or served; cleanliness and
22 hygiene of personnel; toilet facilities; disposal of waste; water
23 supply; and other items deemed necessary to safeguard the health,
24 comfort, and safety of customers.

1 SECTION 136. REPEALER 63 O.S. 2021, Section 1-1118, as
2 last amended by Section 1, Chapter 228, O.S.L. 2023 (63 O.S. Supp.
3 2023, Section 1-1118), is hereby repealed.

4 SECTION 137. AMENDATORY 63 O.S. 2021, Section 427.3, as
5 last amended by Section 19 of Enrolled Senate Bill No. 1995 of the
6 2nd Session of the 59th Oklahoma Legislature, is amended to read as
7 follows:

8 Section 427.3. A. There is hereby created the Oklahoma Medical
9 Marijuana Authority which shall address issues related to the
10 medical marijuana program in this state including, but not limited
11 to, the issuance of patient licenses and medical marijuana business
12 licenses, and the dispensing, cultivating, processing, testing,
13 transporting, storage, research, and the use of and sale of medical
14 marijuana pursuant to the Oklahoma Medical Marijuana and Patient
15 Protection Act.

16 B. 1. Beginning on the effective date of this act, the
17 Authority shall cease to be part of or a division of the State
18 Department of Health and shall be deemed to be a separate and
19 distinct agency, to be known as the Oklahoma Medical Marijuana
20 Authority. The Authority and the Executive Director of the
21 Authority shall continue to exercise their statutory powers, duties,
22 and contractual responsibilities. All records, property, equipment,
23 assets, monies, financial interests, liabilities, matters pending,
24 and funds of the division shall be transferred to the Authority.

1 2. All licenses granted by the Department pertaining to medical
2 marijuana shall maintain rights and privileges under the authority
3 of the Authority; provided, however, that all licenses shall be
4 subject to revocation, suspension, or disciplinary action for
5 violation of any of the provisions of the Oklahoma Medical Marijuana
6 and Patient Protection Act and rules promulgated by the Executive
7 Director.

8 3. The Authority shall succeed to any contractual rights or
9 responsibilities incurred by the Department pertaining to medical
10 marijuana.

11 4. Rules promulgated by the State Commissioner of Health
12 pertaining to medical marijuana that are in effect on the effective
13 date of this act shall be immediately adopted and enforced by the
14 Executive Director. The Executive Director maintains the authority
15 to further promulgate and enforce rules.

16 5. The Department and the Authority may enter into an agreement
17 for the transfer of personnel from the Department to the Authority.
18 No employee shall be transferred to the Authority except on the
19 freely given written consent of the employee. All employees who are
20 transferred to the Authority shall not be required to accept a
21 lesser grade or salary than presently received. All employees shall
22 retain leave, sick, and annual time earned, and any retirement and
23 longevity benefits which have accrued during their tenure with the
24 Department. The transfer of personnel between the state agencies

1 shall be coordinated with the Office of Management and Enterprise
2 Services.

3 6. The expenses incurred by the Authority as a result of the
4 transfer required by this subsection shall be paid by the Authority.

5 7. The division within the Department known as the Oklahoma
6 Medical Marijuana Authority shall be abolished by the Department
7 after the transfer has been completed.

8 8. The Office of Management and Enterprise Services shall
9 coordinate the transfer of records, property, equipment, assets,
10 funds, allotments, purchase orders, liabilities, outstanding
11 financial obligations, or encumbrances provided for in this
12 subsection.

13 C. The Authority shall implement the provisions of the Oklahoma
14 Medical Marijuana and Patient Protection Act consistently with the
15 voter-approved State Question No. 788, Initiative Petition No. 412,
16 subject to the provisions of the Oklahoma Medical Marijuana and
17 Patient Protection Act.

18 D. The Authority shall exercise its respective powers and
19 perform its respective duties and functions as specified in the
20 Oklahoma Medical Marijuana and Patient Protection Act and this title
21 including, but not limited to, the following:

22 1. Determine steps the state shall take, whether administrative
23 or legislative in nature, to ensure that research on marijuana and
24

1 marijuana products is being conducted for public purposes including
2 the advancement of:

- 3 a. public health policy and public safety policy,
- 4 b. agronomic and horticultural best practices, and
- 5 c. medical and pharmacopoeia best practices;

6 2. Contract with third-party vendors and other governmental
7 entities in order to carry out the respective duties and functions
8 as specified in the Oklahoma Medical Marijuana and Patient
9 Protection Act;

10 3. Upon complaint or upon its own motion and upon a completed
11 investigation, levy fines as prescribed in applicable laws, rules
12 and regulations and suspend, revoke or not renew licenses pursuant
13 to applicable laws, rules and regulations;

14 4. Issue subpoenas for the appearance or production of persons,
15 records and things in connection with disciplinary or contested
16 cases considered by the Authority;

17 5. Apply for injunctive or declaratory relief to enforce the
18 provisions of applicable laws, rules and regulations;

19 6. Inspect and examine all licensed premises of medical
20 marijuana businesses, research facilities, education facilities and
21 waste disposal facilities in which medical marijuana is cultivated,
22 manufactured, sold, stored, transported, tested, distributed or
23 disposed of;

24

1 7. Upon action by the federal government by which the
2 production, sale, and use of marijuana in this state does not
3 violate federal law, work with the Banking Department and the State
4 Treasurer to develop good practices and standards for banking and
5 finance for medical marijuana businesses;

6 8. Establish internal control procedures for licenses including
7 accounting procedures, reporting procedures, and personnel policies;

8 9. Establish a fee schedule and collect fees for performing
9 background checks as the Executive Director deems appropriate. The
10 fees charged pursuant to this paragraph shall not exceed the actual
11 cost incurred for each background check;

12 10. Establish a fee schedule and collect fees for material
13 changes requested by the licensee;

14 11. Establish regulations, which require a medical marijuana
15 business to submit information to the Authority, deemed reasonably
16 necessary to assist the Authority in the prevention of diversion of
17 medical marijuana by a licensed medical marijuana business. Such
18 information required by the Authority may include, but shall not be
19 limited to:

- 20 a. the square footage of the licensed premises,
- 21 b. a diagram of the licensed premises,
- 22 c. the number and type of lights at the licensed medical
23 marijuana commercial grower business,

24

- 1 d. the number, type, and production capacity of equipment
2 located at the medical marijuana processing facility,
3 e. the names, addresses, and telephone numbers of
4 employees or agents of a medical marijuana business,
5 f. employment manuals and standard operating procedures
6 for the medical marijuana business, and
7 g. any other information as the Authority reasonably
8 deems necessary; and

9 12. Declare and establish a moratorium on processing and
10 issuing new medical marijuana business licenses pursuant to Section
11 427.14 of this title for an amount of time the Authority deems
12 necessary;

13 ~~E. The Authority shall be authorized to enter~~

14 13. Enter into and negotiate the terms of a Memorandum of
15 Understanding between the Authority and other state agencies
16 concerning the enforcement of laws regulating medical marijuana in
17 this state. The Oklahoma State Bureau of Narcotics and Dangerous
18 Drugs Control, the Oklahoma State Bureau of Investigation, and the
19 Oklahoma Attorney General shall have full authority to investigate
20 and enforce any violations of the laws regarding medical marijuana
21 including medical marijuana business licenses held by commercial
22 growers, processors, transporters, researchers, education
23 facilities, and waste disposal facilities;
24

1 14. Purchase and maintain motor vehicles for use by the
2 employees of the Authority; and

3 15. Enter into contracts and agreements for the payment of
4 food, lodging, and other authorized expenses as may be necessary to
5 host, conduct, sponsor, or participate in conferences, meetings, or
6 training sessions. The Authority may establish accounts as
7 necessary for the collection and distribution of funds, including
8 funds of sponsors and registration fees, related to such
9 conferences, meetings, and training sessions. Any expenses incurred
10 may be paid directly to the contracting agency or business
11 establishment.

12 SECTION 138. AMENDATORY 63 O.S. 2021, Section 427.4, as
13 last amended by Section 6, Chapter 322, O.S.L. 2023 (63 O.S. Supp.
14 2023, Section 427.4), is amended to read as follows:

15 Section 427.4. A. The Oklahoma Medical Marijuana Authority
16 shall employ an Executive Director and other personnel as necessary
17 to assist the Authority in carrying out its duties. The Executive
18 Director shall be appointed by the Governor, with the advice and
19 consent of the Senate. The Executive Director shall serve at the
20 pleasure of the Governor and may be removed or replaced without
21 cause. Compensation for the Executive Director shall be determined
22 pursuant to Section 3601.2 of Title 74 of the Oklahoma Statutes.

23 B. The Authority shall not employ an individual if any of the
24 following circumstances exist:

1 1. The individual has a direct or indirect interest in a
2 licensed medical marijuana business; or

3 2. The individual or his or her spouse, parent, child, spouse
4 of a child, sibling, or spouse of a sibling has an application for a
5 medical marijuana business license pending before the Authority or
6 is a member of the board of directors of a medical marijuana
7 business, or is an individual financially interested in any licensee
8 or medical marijuana business.

9 C. All officers and employees of the Authority shall be in the
10 exempt unclassified service.

11 D. The Executive Director may delegate to any officer or
12 employee of the Authority any of the powers of the Executive
13 Director and may designate any officer or employee of the Authority
14 to perform any of the duties of the Executive Director.

15 E. The Executive Director may promulgate rules governing the
16 oversight and implementation of the Oklahoma Medical Marijuana and
17 Patient Protection Act.

18 F. The Authority is hereby authorized to create employment
19 positions necessary for the implementation of its obligations
20 pursuant to the Oklahoma Medical Marijuana and Patient Protection
21 Act including, but not limited to, investigators of the Authority
22 and a director of enforcement. The Authority, the director of
23 enforcement, the Executive Director, investigators of the Authority,
24 the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control,

1 the Oklahoma State Bureau of Investigation, and the Attorney General
2 shall have all the powers and authority of a peace officer of this
3 state for the purpose of enforcing the provisions of the Oklahoma
4 Medical Marijuana and Patient Protection Act and other laws
5 pertaining to medical marijuana, rules promulgated by the Executive
6 Director, or criminal laws of this state. These powers shall
7 include but not be limited to:

8 1. Investigating violations or suspected violations of the
9 Oklahoma Medical Marijuana and Patient Protection Act or other laws
10 pertaining to medical marijuana, any rules promulgated pursuant
11 thereto, and any violations of criminal laws of this state
12 discovered through the course of such investigations;

13 2. Serving and executing all warrants, summonses, subpoenas,
14 administrative citations, notices or other processes relating to the
15 enforcement of laws regulating marijuana, concentrate, and marijuana
16 product;

17 3. Seizing, destroying, confiscating, embargoing, or placing an
18 administrative hold on any marijuana or marijuana product not
19 properly logged in the inventory tracking system or untraceable
20 product required to be in the system, altered or improperly
21 packaged, or illegally held in violation of the Oklahoma Medical
22 Marijuana and Patient Protection Act, any other laws of this state,
23 or any rules promulgated by the Executive Director;

24

1 4. Assisting or aiding any law enforcement officer in the
2 performance of his or her duties upon such law enforcement officer's
3 request or the request of other local officials having jurisdiction;

4 5. Referring any evidence, reports, or charges regarding
5 violations of any provision of the Oklahoma Medical Marijuana and
6 Patient Protection Act that carries criminal penalty, or of any
7 other criminal laws of this state, to the appropriate law
8 enforcement authority and prosecutorial authority for action;

9 6. Aiding the enforcement authorities of this state or any
10 county or municipality of the state, or the federal government, in
11 prosecutions of violations of the Oklahoma Medical Marijuana and
12 Patient Protection Act or any other laws of this state that carry
13 criminal penalty involving crimes discovered during the
14 investigation of violations or suspected violations of the Oklahoma
15 Medical Marijuana and Patient Protection Act or other laws
16 pertaining to medical marijuana or any rules promulgated pursuant
17 thereto;

18 7. ~~Requiring~~ As provided in Section 427.6 of this title,
19 requiring any business applicant or licensee to permit an inspection
20 of licensed premises during business hours or at any time of
21 apparent operation, marijuana equipment, and marijuana accessories,
22 or books and records; and to permit the testing of or examination of
23 medical marijuana, concentrate, or product;

24

1 8. Requiring applicants and licensees to submit complete and
2 current applications, information and fees required by the Oklahoma
3 Medical Marijuana and Patient Protection Act, the Oklahoma Medical
4 Marijuana Waste Management Act and Sections 420 through 426.1 of
5 this title, and approve material changes made by the applicant or
6 licensee;

7 9. Requiring medical marijuana business licensees to submit a
8 sample or unit of medical marijuana or medical marijuana product to
9 the quality assurance laboratory when the Authority has reason to
10 believe the medical marijuana or medical marijuana product may be
11 unsafe for patient consumption or inhalation or has not been tested
12 in accordance with the provisions of the Oklahoma Medical Marijuana
13 and Patient Protection Act and the rules and regulations promulgated
14 by the Executive Director. The licensee shall provide the samples
15 or units of medical marijuana or medical marijuana products at its
16 own expense but shall not be responsible for the costs of testing;
17 and

18 10. Requiring medical marijuana business licensees to
19 periodically submit samples or units of medical marijuana or medical
20 marijuana products to the quality assurance laboratory for quality
21 assurance purposes. Licensed growers, processors, dispensaries and
22 transporters shall not be required to submit samples or units of
23 medical marijuana or medical marijuana products more than twice a
24 year. The licensee shall provide the samples or units of medical

1 marijuana or medical marijuana products at its own expense but shall
2 not be responsible for the costs of testing.

3 G. All investigators of the Authority shall meet all training
4 requirements and qualifications for peace officers as required by
5 Section 3311 et seq. of Title 70 of the Oklahoma Statutes.

6 H. During the course of an investigation, the Authority, as
7 provided by subsection F of this section, may arrest a violator or
8 suspected violator of any laws of this state committed in the
9 presence of the Authority or upon the development of probable cause
10 that such crime has been committed. The Authority as provided by
11 subsection F of this section may, upon request of a sheriff or
12 another peace officer of this state, or any political subdivision
13 thereof, assist in the apprehension and arrest of a violator or
14 suspected violator of any of the laws of this state.

15 I. The Executive Director may employ or contract with
16 attorneys, as needed, to advise the Authority on all legal matters
17 and to appear for and represent the Executive Director and the
18 Authority in all administrative hearings and all litigation or other
19 proceedings which may arise in the discharge of their duties. At
20 the request of the Executive Director, such attorneys shall assist
21 district attorneys in prosecuting charges of violators of the
22 Oklahoma Medical Marijuana and Patient Protection Act or any other
23 laws of this state that carry criminal penalty involving crimes
24 discovered during the investigation of violations or suspected

1 violations of the Oklahoma Medical Marijuana and Patient Protection
2 Act or other laws pertaining to medical marijuana or any rules
3 promulgated pursuant thereto.

4 SECTION 139. REPEALER 63 O.S. 2021, Section 427.4, as
5 amended by Section 32, Chapter 228, O.S.L. 2022 (63 O.S. Supp. 2023,
6 Section 427.4), is hereby repealed.

7 SECTION 140. AMENDATORY 63 O.S. 2021, Section 427.16, as
8 last amended by Section 8, Chapter 322, O.S.L. 2023 (63 O.S. Supp.
9 2023, Section 427.16), is amended to read as follows:

10 Section 427.16. A. There is hereby created a medical marijuana
11 transporter license as a category of the medical marijuana business
12 license.

13 B. Pursuant to Section 424 of this title, the Oklahoma Medical
14 Marijuana Authority shall issue a medical marijuana transporter
15 license to licensed medical marijuana commercial growers, processors
16 and dispensaries upon issuance of such licenses and upon each
17 renewal. Medical marijuana transporter licenses shall also be
18 issued to licensed medical marijuana research facilities, medical
19 marijuana education facilities and medical marijuana testing
20 laboratories upon issuance of such licenses and upon each renewal.

21 C. A medical marijuana transporter license may also be issued
22 to qualifying applicants who are registered with the Secretary of
23 State and otherwise meet the requirements for a medical marijuana
24 business license set forth in the Oklahoma Medical Marijuana and

1 Patient Protection Act and the requirements set forth in this
2 section to provide logistics, distribution and storage of medical
3 marijuana, medical marijuana concentrate and medical marijuana
4 products.

5 D. A medical marijuana transporter license shall be valid for
6 one (1) year and shall not be transferred with a change of
7 ownership. A licensed medical marijuana transporter shall be
8 responsible for all medical marijuana, medical marijuana concentrate
9 and medical marijuana products once the transporter takes control of
10 the product.

11 E. A transporter license shall be required for any person or
12 entity to transport or transfer medical marijuana, medical marijuana
13 concentrate or medical marijuana products from a licensed medical
14 marijuana business to another medical marijuana business, or from a
15 medical marijuana business to a medical marijuana research facility
16 or medical marijuana education facility.

17 F. A medical marijuana transporter licensee may contract with
18 multiple licensed medical marijuana businesses.

19 G. A medical marijuana transporter may maintain a licensed
20 premises to temporarily store medical marijuana, medical marijuana
21 concentrate and medical marijuana products and to use as a
22 centralized distribution point. A medical marijuana transporter may
23 store and distribute medical marijuana, medical marijuana
24 concentrate and medical marijuana products from the licensed

1 premises. The licensed premises shall meet all security
2 requirements applicable to a medical marijuana business.

3 H. A medical marijuana transporter licensee shall use the seed-
4 to-sale tracking system developed pursuant to the Oklahoma Medical
5 Marijuana and Patient Protection Act to create shipping manifests
6 documenting the transport of medical marijuana, medical marijuana
7 concentrate and medical marijuana products throughout the state.

8 I. A licensed medical marijuana transporter may maintain and
9 operate one or more warehouses in the state to handle medical
10 marijuana, medical marijuana concentrate and medical marijuana
11 products. Each location shall be registered and inspected by the
12 Authority prior to its use.

13 J. With the exception of a lawful transfer between medical
14 marijuana businesses who are licensed to operate at the same
15 physical address, all medical marijuana, medical marijuana
16 concentrate and medical marijuana products shall be transported:

17 1. In vehicles equipped with Global Positioning System (GPS)
18 trackers;

19 2. In a locked container and clearly labeled "Medical Marijuana
20 or Derivative"; and

21 3. In a secured area of the vehicle that is not accessible by
22 the driver during transit.

23 K. A transporter agent may possess marijuana at any location
24 while the transporter agent is transferring marijuana to or from a

1 licensed medical marijuana business, licensed medical marijuana
2 research facility or licensed medical marijuana education facility.
3 The Authority shall administer the provisions of this section and
4 the Authority, the Oklahoma State Bureau of Narcotics and Dangerous
5 Drugs Control, the Oklahoma State Bureau of Investigation, and the
6 Attorney General shall have the authority to enforce the provisions
7 of this section concerning transportation.

8 L. The Authority shall issue a transporter agent license to
9 individual agents, employees, officers or owners of a transporter
10 license in order for the individual to qualify to transport medical
11 marijuana, medical marijuana concentrate or medical marijuana
12 products.

13 M. The annual fee for a transporter agent license shall be
14 Twenty-five Dollars (\$25.00) and shall be paid by the transporter
15 ~~license holder~~ license-holder or the individual applicant.
16 Transporter agent license reprints shall be Twenty Dollars (\$20.00).

17 N. The Authority shall issue each transporter agent a registry
18 identification card within thirty (30) days of receipt of:

- 19 1. The name, address and date of birth of the person;
- 20 2. Proof of current state residency;
- 21 3. Proof of identity as required for a medical marijuana
22 business license;
- 23 4. Possession of a valid state-issued driver license;
- 24 5. Verification of employment with a licensed transporter;

1 6. The application and affiliated fee; and

2 7. A copy of the criminal background check conducted by the
3 Oklahoma State Bureau of Investigation, paid for by the applicant.

4 O. If the transporter agent application is denied, the
5 Authority shall notify the transporter in writing of the reason for
6 denying the registry identification card.

7 P. A registry identification card for a transporter shall
8 expire one (1) year after the date of issuance or upon notification
9 from the holder of the transporter license that the transporter
10 agent ceases to work as a transporter.

11 Q. The Authority may revoke the registry identification card of
12 a transporter agent who knowingly violates any provision of this
13 section, and the transporter is subject to any other penalties
14 established by law for the violation.

15 R. The Authority may revoke or suspend the transporter license
16 of a transporter that the Authority determines knowingly aided or
17 facilitated a violation of any provision of this section, and the
18 license holder is subject to any other penalties established in law
19 for the violation.

20 S. Vehicles used in the transport of medical marijuana or
21 medical marijuana product shall be:

22 1. Insured at or above the legal requirements in this state;

23 2. Capable of securing medical marijuana during transport; and
24

1 3. In possession of a shipping container as defined in Section
2 427.2 of this title capable of securing all transported products.

3 T. Prior to the transport of any medical marijuana, medical
4 marijuana concentrate or medical marijuana products, an inventory
5 manifest shall be prepared at the origination point of the medical
6 marijuana. The inventory manifest shall include the following
7 information:

8 1. For the origination point of the medical marijuana:

- 9 a. the licensee number for the commercial grower,
10 processor or dispensary,
- 11 b. address of origination of transport, and
- 12 c. name and contact information for the originating
13 licensee;

14 2. For the end recipient license holder of the medical
15 marijuana:

- 16 a. the license number for the dispensary, commercial
17 grower, processor, research facility or education
18 facility destination,
- 19 b. address of the destination, and
- 20 c. name and contact information for the destination
21 licensee;

22 3. Quantities by weight or unit of each type of medical
23 marijuana product contained in transport;

24

1 4. The date of the transport and the approximate time of
2 departure;

3 5. The arrival date and estimated time of arrival;

4 6. Printed names and signatures of the personnel accompanying
5 the transport; and

6 7. Notation of the transporting licensee.

7 U. 1. A separate inventory manifest shall be prepared for each
8 licensee receiving the medical marijuana.

9 2. The transporter agent shall provide the other medical
10 marijuana business with a copy of the inventory manifest at the time
11 the product changes hands and after the other licensee prints his or
12 her name and signs the inventory manifest.

13 3. A receiving licensee shall refuse to accept any medical
14 marijuana, medical marijuana concentrate or medical marijuana
15 products that are not accompanied by an inventory manifest.

16 4. Originating and receiving licensees shall maintain copies of
17 inventory manifests and logs of quantities of medical marijuana
18 received for seven (7) years from date of receipt.

19 SECTION 141. REPEALER 63 O.S. 2021, Section 427.16, as
20 amended by Section 34, Chapter 228, O.S.L. 2022 (63 O.S. Supp. 2023,
21 Section 427.16), is hereby repealed.

22 SECTION 142. AMENDATORY 63 O.S. 2021, Section 427.17, as
23 last amended by Section 1, Chapter 351, O.S.L. 2022 (63 O.S. Supp.
24 2023, Section 427.17), is amended to read as follows:

1 Section 427.17. A. There is hereby created a medical marijuana
2 testing laboratory license as a category of the medical marijuana
3 business license. The Oklahoma Medical Marijuana Authority ~~is,~~ the
4 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the
5 Oklahoma State Bureau of Investigation, and the Attorney General are
6 hereby enabled to monitor, inspect and audit a licensed testing
7 laboratory under the Oklahoma Medical Marijuana and Patient
8 Protection Act.

9 B. The Authority is hereby authorized to operate a quality
10 assurance laboratory or to contract with a private laboratory for
11 the purpose of conducting compliance testing of medical marijuana
12 testing laboratories licensed in this state. Any such laboratory
13 under contract for compliance testing shall be prohibited from
14 conducting any other commercial medical marijuana testing in this
15 state. ~~The laboratory~~ If the Authority contracts with for
16 ~~compliance testing a private laboratory to implement the~~
17 requirements of this section:

18 1. The laboratory shall not employ, or be owned by, the
19 following:

20 ~~1. Any~~

21 a. any individual that has a direct or indirect interest
22 in a licensed medical marijuana business~~+~~ or

23 ~~2. Any~~

24

1 b. any individual or his or her spouse, parent, child,
2 spouse of a child, sibling or spouse of a sibling that
3 has an application for a medical marijuana business
4 license pending before the Authority or is a member of
5 the board of directors of a medical marijuana
6 business, or is an individual financially interested
7 in any licensee or medical marijuana business located
8 within this state-; and

9 2. The laboratory and a board or committee comprised of
10 licensed Oklahoma medical marijuana laboratories currently
11 accredited by the International Organization for Standardization
12 (ISO) shall provide to the Authority its recommendations for all
13 equipment and standards to be utilized by licensed medical marijuana
14 testing laboratories when testing samples of medical marijuana,
15 medical marijuana concentrate, and medical marijuana products as
16 well as standard operating procedures when extracting and testing
17 medical marijuana, medical marijuana concentrate, and medical
18 marijuana products. The recommendations shall be submitted to the
19 Authority no later than June 1, 2023. The Authority shall have
20 ninety (90) days from the date it receives the recommendations to
21 promulgate new rules or modify its current rules for laboratory
22 standards and testing. Beginning June 1, 2024, medical marijuana
23 testing laboratories renewing their medical marijuana business
24 license shall be subject to and comply with any new or modified

1 rules relating to the testing of medical marijuana, medical
2 marijuana concentrate, and medical marijuana products. The refusal
3 or failure of a medical marijuana testing laboratory licensee to
4 comply with new or modified rules relating to laboratory standards
5 and testing procedures promulgated under the provisions of this
6 paragraph shall result in the permanent revocation of the medical
7 marijuana testing laboratory license.

8 C. The Authority shall develop acceptable testing practices
9 including, but not limited to, testing, standards, quality control
10 analysis, equipment certification and calibration, process
11 validation, and chemical identification and substances used.

12 D. A person who is a direct beneficial owner of a medical
13 marijuana dispensary, medical marijuana commercial grower or medical
14 marijuana processor shall not be an owner of a laboratory.

15 E. A laboratory and a laboratory applicant shall comply with
16 all applicable local ordinances including, but not limited to,
17 zoning, occupancy, licensing and building codes.

18 F. A separate license shall be required for each specific
19 laboratory.

20 G. A medical marijuana testing laboratory license may be issued
21 to a person who performs testing on medical marijuana and medical
22 marijuana products for medical marijuana businesses, medical
23 marijuana research facilities, medical marijuana education
24 facilities, and testing on marijuana and marijuana products grown or

1 produced by a patient or caregiver on behalf of a patient, upon
2 verification of registration. A medical marijuana testing
3 laboratory may also conduct research related to the development and
4 improvement of its testing practices and procedures. No state-
5 approved medical marijuana testing facility shall operate unless a
6 medical laboratory director is on site during operational hours.

7 H. Laboratory applicants and licensees shall comply with the
8 application requirements of this section and shall submit such other
9 information as required for a medical marijuana business applicant,
10 in addition to any information the Authority may request for initial
11 approval and periodic evaluations during the approval period.

12 I. A medical marijuana testing laboratory may accept samples of
13 medical marijuana, medical marijuana concentrate or medical
14 marijuana product from a medical marijuana business, medical
15 marijuana research facility or medical marijuana education facility
16 for testing purposes only, which purposes may include the provision
17 of testing services for samples submitted by a medical marijuana
18 business for product development. The Authority may require a
19 medical marijuana business to submit a sample of medical marijuana,
20 medical marijuana concentrate or medical marijuana product to a
21 medical marijuana testing or quality assurance laboratory upon
22 demand.

23 J. A medical marijuana testing laboratory may accept samples of
24 medical marijuana, medical marijuana concentrate or medical

1 marijuana product from an individual person for testing only under
2 the following conditions:

3 1. The individual person is a patient or caregiver pursuant to
4 the Oklahoma Medical Marijuana and Patient Protection Act or is a
5 participant in an approved clinical or observational study conducted
6 by a research facility; and

7 2. The medical marijuana testing laboratory shall require the
8 patient or caregiver to produce a valid patient license and current
9 and valid photo identification.

10 K. A medical marijuana testing laboratory may transfer samples
11 to another medical marijuana testing laboratory for testing. All
12 laboratory reports provided to or by a medical marijuana business or
13 to a patient or caregiver shall identify the medical marijuana
14 testing laboratory that actually conducted the test.

15 L. A medical marijuana testing laboratory may utilize a
16 licensed medical marijuana transporter to transport samples of
17 medical marijuana, medical marijuana concentrate and medical
18 marijuana product for testing, in accordance with the Oklahoma
19 Medical Marijuana and Patient Protection Act and the rules adopted
20 pursuant thereto, between the originating medical marijuana business
21 requesting testing services and the destination laboratory
22 performing testing services.

23 M. The medical marijuana testing laboratory shall establish
24 policies to prevent the existence of or appearance of undue

1 commercial, financial or other influences that may diminish the
2 competency, impartiality and integrity of the testing processes or
3 results of the laboratory, or that may diminish public confidence in
4 the competency, impartiality and integrity of the testing processes
5 or results of the laboratory. At a minimum, employees, owners or
6 agents of a medical marijuana testing laboratory who participate in
7 any aspect of the analysis and results of a sample are prohibited
8 from improperly influencing the testing process, improperly
9 manipulating data or improperly benefiting from any ongoing
10 financial, employment, personal or business relationship with the
11 medical marijuana business that provided the sample. A medical
12 marijuana testing laboratory shall not test samples for any medical
13 marijuana business in which an owner, employee or agent of the
14 medical marijuana testing laboratory has any form of ownership or
15 financial interest in the medical marijuana business.

16 N. The Authority, pursuant to rules promulgated by the
17 Executive Director of the Authority, shall develop standards,
18 policies and procedures as necessary for:

19 1. The cleanliness and orderliness of a laboratory premises and
20 the location of the laboratory in a secure location, and inspection,
21 cleaning and maintenance of any equipment or utensils used for the
22 analysis of test samples;

23 2. Testing procedures, testing standards for cannabinoid and
24 terpenoid potency and safe levels of contaminants, process

1 validation, and remediation procedures. Process validation shall be
2 voluntary, and no licensee shall be required to validate their
3 process. The Authority shall develop standards and requirements for
4 a licensee to achieve process validation by January 1, 2024. The
5 standards, policies, and procedures for process validation shall
6 include, but not be limited to:

- 7 a. initial requirements to achieve process validation and
8 ongoing minimum testing requirements once a licensee
9 has achieved process validation,
- 10 b. requiring licensees to track their marijuana and
11 marijuana product inventory with the Authority's
12 designated seed-to-sale system provided the Authority
13 has selected a seed-to-sale system. This requirement
14 for compliance with the seed-to-sale system shall be
15 mandatory for licensees seeking to achieve process
16 validation whether or not compliance with a seed-to-
17 sale system is mandatory for all licensees,
- 18 c. requiring licensees that are utilizing process
19 validation to use a laboratory that is certified as a
20 certified process validation testing laboratory,
- 21 d. requiring licensees to record and document retention
22 policies, which at a minimum shall require licensees
23 to retain all documents and records related to process
24 validation. Such records shall be maintained by the

1 licensee for as long as the licensee is continuing to
2 operate under that validated process. Licensees shall
3 retain all such documents and records for at least
4 four (4) years after the licensee has stopped using
5 the validated process or after the licensee has made a
6 significant process change to a validated process.
7 Any significant process change to the validated
8 processes of a licensee is subject to the same
9 document retention requirements and shall be retained
10 for as long as the significant process change is part
11 of an ongoing validated process, and for at least four
12 (4) years after the licensee has stopped using the
13 validated process or after the licensee has made a
14 subsequent significant process change to the validated
15 process. The Authority shall promulgate rules for any
16 modifications to the validated processes,

17 e. requiring licensees to keep all records and documents
18 related to their process validation ready and
19 accessible at the address listed on their marijuana
20 business license for inspection or audit by the
21 Authority without any notice from the Authority,

22 f. a process for biannual inspections by the Authority
23 that, at a minimum, includes random testing of
24 products being produced under process validation. The

1 Authority shall be the entity that obtains the random
2 sample during the biannual inspections and shall have
3 access to all products being produced or grown under
4 process validation. The Authority shall take samples
5 to the quality assurance laboratory,

6 g. a process to revoke the authority of licensees to
7 operate under process validation,

8 h. punishment for violations of process validation that,
9 at a minimum, would prohibit a licensee from operating
10 under process validation for five (5) years and the
11 assessment of a fine not to exceed Fifty Thousand
12 Dollars (\$50,000.00). Any such fine levied against a
13 licensee found to have violated the laws or rules of
14 process validation shall be remitted to the Department
15 of Mental Health and Substance Abuse Services,

16 i. punishment for violations if an adulterated product
17 that was produced under process validation fails
18 testing and the batch or lot has been sold to a
19 dispensary, the first violation shall be the
20 assessment of a fine not to exceed Ten Thousand
21 Dollars (\$10,000.00) and a public recall of the
22 product. The licensee shall further be required to
23 revalidate the process. A second violation within two
24 (2) years of a previous violation shall be the

1 assessment of a fine not to exceed Seventy-five
2 Thousand Dollars (\$75,000.00) and a public recall of
3 the product. The licensee shall further be prohibited
4 from utilizing process validation for a minimum of
5 five (5) years. A third violation within two (2)
6 years of a previous violation shall be the assessment
7 of a fine of Two Hundred Fifty Thousand Dollars
8 (\$250,000.00) and a public recall of the product. The
9 licensee shall further be prohibited from utilizing
10 process validation,

11 j. any willful violation of process validation shall
12 result in the assessment of a fine of Two Hundred
13 Fifty Thousand Dollars (\$250,000.00) and a license
14 revocation hearing. A second willful violation of
15 process validation shall result in the assessment of a
16 fine of One Million Dollars (\$1,000,000.00) and a
17 hearing to permanently revoke the license,

18 k. an annual registration fee of Five Thousand Dollars
19 (\$5,000.00) per licensee, in addition to any other
20 fees due by the licensee, to be deposited in the
21 Oklahoma Medical Marijuana Authority Revolving Fund
22 for the enforcement of the laws and regulations of the
23 Authority,
24

1 1. establishing criteria for eligibility of testing
2 laboratories to be certified as a Certified Process
3 Validation Testing Laboratory and to conduct testing
4 for licensees pursuing or operating under process
5 validation. The criteria shall, at a minimum, pass
6 five (5) consecutive blind proficiency tests without a
7 failure over the course of six (6) months. The
8 proficiency tests shall be administered by the quality
9 assurance laboratory,

10 m. punishment for violations by a Certified Process
11 Validation Testing Laboratory that has been found to
12 have been falsifying data, providing misinformation,
13 or any unethical practices related to process
14 validation at a minimum shall prohibit a licensee from
15 operating under process validation for up to twenty-
16 five (25) years and the assessment of a fine not to
17 exceed One Million Dollars (\$1,000,000.00). Any such
18 fine levied against a licensee shall be remitted to
19 the Authority for deposit into the Oklahoma Medical
20 Marijuana Authority Revolving Fund. In addition to
21 this fine, in response to a finding of a willful
22 violation of process validation by the Authority, the
23 Authority shall also be authorized to collect, levy,
24

1 or impose any other fee, fine, penalty, or action as
2 allowed by law, and

3 n. a process to revoke the certification of a testing
4 laboratory that is seeking to be a Certified Process
5 Validation Testing Laboratory;

6 3. Controlled access areas for storage of medical marijuana and
7 medical marijuana product test samples, waste and reference
8 standards;

9 4. Records to be retained and computer systems to be utilized
10 by the laboratory;

11 5. The possession, storage and use by the laboratory of
12 reagents, solutions and reference standards;

13 6. A certificate of analysis (COA) for each lot of reference
14 standard;

15 7. The transport and disposal of unused marijuana, marijuana
16 products and waste;

17 8. The mandatory use by a laboratory of an inventory tracking
18 system to ensure all harvest and production batches or samples
19 containing medical marijuana, medical marijuana concentrate or
20 medical marijuana products are identified and tracked from the point
21 they are transferred from a medical marijuana business, a patient or
22 a caregiver through the point of transfer, destruction or disposal.
23 The inventory tracking system reporting shall include the results of
24

1 any tests that are conducted on medical marijuana, medical marijuana
2 concentrate or medical marijuana product;

3 9. Standards of performance;

4 10. The employment of laboratory personnel;

5 11. A written standard operating procedure manual to be
6 maintained and updated by the laboratory;

7 12. The successful participation in a proficiency testing
8 program approved by the Executive Director for each testing category
9 listed in this section, in order to obtain and maintain
10 certification;

11 13. The establishment of and adherence to a quality assurance
12 and quality control program to ensure sufficient monitoring of
13 laboratory processes and quality of results reported;

14 14. The immediate recall of medical marijuana or medical
15 marijuana products that test above allowable thresholds or are
16 otherwise determined to be unsafe;

17 15. The establishment by the laboratory of a system to document
18 the complete chain of custody for samples from receipt through
19 disposal;

20 16. The establishment by the laboratory of a system to retain
21 and maintain all required records, including business records, and
22 processes to ensure results are reported in a timely and accurate
23 manner; and

24

1 17. Any other aspect of laboratory testing of medical marijuana
2 or medical marijuana product deemed necessary by the Executive
3 Director.

4 O. A medical marijuana testing laboratory shall promptly
5 provide the Authority or designee of the Authority access to a
6 report of a test and any underlying data that is conducted on a
7 sample at the request of a medical marijuana business or qualified
8 patient. A medical marijuana testing laboratory shall also provide
9 access to the Authority or designee of the Authority to laboratory
10 premises and to any material or information requested by the
11 Authority to determine compliance with the requirements of this
12 section.

13 P. A medical marijuana testing laboratory shall retain all
14 results of laboratory tests conducted on marijuana or products for a
15 period of at least seven (7) years and shall make them available to
16 the Authority upon request.

17 Q. A medical marijuana testing laboratory shall test samples
18 from each harvest batch or, product batch, or samples consistent
19 with the rules promulgated for process validation, as appropriate,
20 of medical marijuana, medical marijuana concentrate and medical
21 marijuana product for each of the following categories of testing,
22 consistent with standards developed by the Executive Director:

- 23 1. Microbials;
- 24 2. Mycotoxins;

- 1 3. Residual solvents;
- 2 4. Pesticides;
- 3 5. Tetrahydrocannabinol (THC) and other cannabinoid potency;
- 4 6. Terpenoid type and concentration; and
- 5 7. Heavy metals.

6 R. A licensed medical marijuana testing laboratory shall test
7 each individual harvest batch. A grower shall separate each harvest
8 lot of usable marijuana into harvest batches containing no more than
9 fifteen (15) pounds, with the exception of any plant material to be
10 sold to a licensed processor for the purposes of turning the plant
11 material into concentrate which may be separated into harvest
12 batches of no more than fifty (50) pounds. A processor shall
13 separate each medical marijuana production lot into production
14 batches containing no more than four (4) liters of concentrate or
15 nine (9) pounds for nonliquid products, and for final products, the
16 Oklahoma Medical Marijuana Authority shall be authorized to
17 promulgate rules on final products as necessary. Provided, however,
18 the Authority shall not require testing of final products less often
19 than every one thousand (1,000) grams of THC. As used in this
20 subsection, "final products" shall include, but not be limited to,
21 cookies, brownies, candies, gummies, beverages and chocolates.

22 S. Medical marijuana testing laboratory licensure shall be
23 contingent upon successful on-site inspection, successful
24

1 participation in proficiency testing and ongoing compliance with the
2 applicable requirements in this section.

3 T. A medical marijuana testing laboratory shall be inspected
4 prior to initial licensure and up to two (2) times per year
5 thereafter by an inspector approved by the Authority. The Authority
6 may enter the licensed premises of a testing laboratory to conduct
7 investigations and additional inspections when the Authority
8 believes an investigation or additional inspection is necessary due
9 to a possible violation of applicable laws, rules or regulations.

10 U. Medical marijuana testing laboratories shall obtain
11 accreditation by an accrediting body approved by the Executive
12 Director or the Authority's quality assurance laboratory within one
13 (1) year of the date the initial license is issued. Renewal of any
14 medical marijuana testing laboratory license shall be contingent
15 upon accreditation in accordance with this subsection. All medical
16 marijuana testing laboratories shall obtain accreditation prior to
17 applying for and receiving a medical marijuana testing laboratory
18 license.

19 V. Unless authorized by the provisions of this section, a
20 commercial grower shall not transfer or sell medical marijuana and a
21 processor shall not transfer, sell or process into a concentrate or
22 product any medical marijuana, medical marijuana concentrate or
23 medical marijuana product unless samples from each harvest batch or,
24 production batch, or samples consistent with the rules promulgated

1 for process validation, from which that medical marijuana, medical
2 marijuana concentrate or medical marijuana product was derived has
3 been tested by a medical marijuana testing laboratory and passed all
4 contaminant tests required by the Oklahoma Medical Marijuana and
5 Patient Protection Act and applicable laws, rules and regulations.
6 A licensed commercial grower may transfer medical marijuana that has
7 failed testing to a licensed processor only for the purposes of
8 decontamination or remediation and only in accordance with the
9 provisions of the Oklahoma Medical Marijuana and Patient Protection
10 Act and the rules and regulations promulgated by the Executive
11 Director. Remediated and decontaminated medical marijuana may be
12 returned only to the originating licensed commercial grower.

13 W. Kief shall not be transferred or sold except as authorized
14 in the rules and regulations promulgated by the Executive Director.

15 SECTION 143. REPEALER 63 O.S. 2021, Section 427.17, as
16 last amended by Section 9, Chapter 322, O.S.L. 2023 (63 O.S. Supp.
17 2023, Section 427.17), is hereby repealed.

18 SECTION 144. AMENDATORY 63 O.S. 2021, Section 427.18, as
19 amended by Section 2, Chapter 141, O.S.L. 2022 (63 O.S. Supp. 2023,
20 Section 427.18), is amended to read as follows:

21 Section 427.18. A. ~~An Oklahoma~~ A medical marijuana business
22 shall not sell, transfer or otherwise distribute medical marijuana
23 or medical marijuana product that has not been packaged and labeled
24 in accordance with this section and rules promulgated by the ~~State~~

1 ~~Commissioner of Health~~ Executive Director of the Oklahoma Medical
2 Marijuana Authority.

3 B. A medical marijuana dispensary shall return medical
4 marijuana and medical marijuana product that does not meet packaging
5 or labeling requirements in this section or rules promulgated
6 pursuant thereto to the entity who transferred it to the dispensary.
7 The medical marijuana dispensary shall document to whom the item was
8 returned, what was returned and the date of the return or dispose of
9 any usable marijuana that does not meet these requirements in
10 accordance with the Oklahoma Medical Marijuana and Patient
11 Protection Act.

12 C. 1. Medical marijuana packaging shall be packaged to
13 minimize its appeal to children and shall not depict images other
14 than the business name logo of the medical marijuana producer and
15 image of the product.

16 2. A medical marijuana business shall not place any content on
17 a container in a manner that reasonably appears to target
18 individuals under the age of twenty-one (21) including, but not
19 limited to, cartoon characters or similar images.

20 3. Labels on a container shall not include any false or
21 misleading statements.

22 4. No container shall be intentionally or knowingly labeled so
23 as to cause a reasonable patient confusion as to whether the medical
24 marijuana, medical marijuana concentrate or medical marijuana

1 product is a trademarked product or labeled in a manner that
2 violates any federal trademark law or regulation. The label on the
3 container shall include a warning that states the following:

4 a. "For use by licensed medical marijuana patients only",
5 and

6 b. "Keep out of reach of children".

7 5. The label on the container shall not make any claims
8 regarding health or physical benefits to the patient.

9 6. The container itself may be clear in order to allow licensed
10 medical marijuana patients and licensed medical marijuana caregivers
11 the ability to view the product inside the container but shall be
12 child-resistant, as defined in Section 427.2 of this title.

13 7. At the point of sale and transfer of any medical marijuana,
14 medical marijuana concentrate, or medical marijuana products to a
15 licensed medical marijuana patient or licensed medical marijuana
16 caregiver, the dispensary shall place the medical marijuana, medical
17 marijuana concentrate, or medical marijuana products in an exit
18 package, as such term is defined in Section 427.2 of this title.

19 D. ~~The State Department of Health~~ Executive Director shall
20 develop minimum standards for packaging and labeling of medical
21 marijuana, medical marijuana concentrate, and medical marijuana
22 products. Such standards shall include, but not be limited to, the
23 required contents of labels to be affixed to all medical marijuana,
24 medical marijuana concentrate, and medical marijuana products prior

1 to transfer to a licensed patient or caregiver, which shall include,
2 at a minimum:

3 1. THC and other cannabinoid potency, and terpenoid potency;

4 2. A statement indicating that the product has been tested for
5 contaminants;

6 3. One or more product warnings to be determined by the
7 ~~Department~~ Executive Director; and

8 4. Any other information the ~~Department~~ Executive Director
9 deems necessary.

10 SECTION 145. REPEALER 63 O.S. 2021, Section 427.18, as
11 last amended by Section 18, Chapter 251, O.S.L. 2022 (63 O.S. Supp.
12 2023, Section 427.18), is hereby repealed.

13 SECTION 146. AMENDATORY 63 O.S. 2021, Section 2862, as
14 last amended by Section 3, Chapter 49, O.S.L. 2023 (63 O.S. Supp.
15 2023, Section 2862), is amended to read as follows:

16 Section 2862. As used in the Oklahoma 9-1-1 Management
17 Authority Act:

18 1. "Area served" means the geographic area which shall be
19 served by the 9-1-1 emergency telephone service provided by the
20 governing body of a county, municipality, part of a county or
21 combination of such governing bodies;

22 2. "Authority" means the Oklahoma 9-1-1 Management Authority
23 created in Section 2863 of this title;

24

1 3. "Emergency telephone service" means any telephone system
2 utilizing a three-digit number, nine-one-one (9-1-1), for reporting
3 an emergency to the appropriate public agency providing law
4 enforcement, fire, medical or other emergency services, including
5 ancillary communications systems and personnel necessary to pass the
6 reported emergency to the appropriate emergency service and
7 personnel;

8 4. "Emergency telephone fee" means a fee to finance the
9 operation of emergency telephone service;

10 5. "Governing body" means the board of county commissioners of
11 a county, the city council, tribal authority or other governing body
12 of a municipality, or a combination of such boards, councils or
13 other municipal governing bodies including county or municipal
14 beneficiary public trusts, or other public trusts which shall have
15 an administering board;

16 6. "Landline telecommunications connection" means a ten-digit
17 access number assigned to a customer that utilizes analog
18 communications over a wired transmission line that travels
19 underground or on telephone poles;

20 ~~6.~~ 7. "Local exchange telephone company" means any company
21 providing exchange telephone services to any service user in this
22 state, and shall include any competitive local exchange carrier as
23 defined in Section 139.102 of Title 17 of the Oklahoma Statutes;

24 ~~7.~~ 8. "Next-generation 9-1-1" or "NG9-1-1" means an:

1 a. IP-based system comprised of hardware, software, data,
2 and operational policies and procedures that:

- 3 (1) provides standardized interfaces from emergency
4 call and message services to support emergency
5 communications,
6 (2) processes all types of emergency calls, including
7 voice, text, data and multimedia information,
8 (3) acquires and integrates additional emergency call
9 data useful to call routing and handling,
10 (4) delivers the emergency calls, messages and data
11 to the appropriate public safety answering point
12 and other appropriate emergency entities,
13 (5) supports data or video communications needs for
14 coordinated incident response and management, and
15 (6) provides broadband service to public safety
16 answering points or other first responder
17 entities, or

18 b. IP-based system comprised of hardware, software, data
19 and operational policies and procedures that conforms
20 with subsequent amendments made to the definition of
21 Next Generation 9-1-1 services in Public Law 112-96;

22 ~~8.~~ 9. "9-1-1 emergency telephone service" means any telephone
23 system whereby telephone subscribers may utilize a three-digit
24 number (9-1-1) for reporting an emergency to the appropriate public

1 agency providing law enforcement, fire, medical or other emergency
2 services, including ancillary communications systems and personnel
3 necessary to pass the reported emergency to the appropriate
4 emergency service and which the wireless service provider is
5 required to provide pursuant to the Federal Communications
6 Commission Order 94-102 (961 Federal Register 40348);

7 ~~9.~~ 10. "9-1-1 wireless telephone fee" means the fee imposed in
8 Section 2865 of this title to finance the installation and operation
9 of emergency 9-1-1 services and any necessary equipment;

10 ~~10.~~ 11. "Person" means any service user, including, but not
11 limited to, any individual, firm, partnership, co-partnership, joint
12 venture, association, cooperative organization, private corporation,
13 whether organized for profit or not, fraternal organization,
14 nonprofit organization, estate, trust, business or common law trust,
15 receiver, assignee for the benefit of creditors, trustee or trustee
16 in bankruptcy, the United States of America, the state, any
17 political subdivision of the state, or any federal or state agency,
18 department, commission, board or bureau;

19 ~~11.~~ 12. "Place of primary use" means the street address
20 representative of where the use of the mobile telecommunications
21 service of the customer primarily occurs, which shall be the
22 residential street address or the primary business street address of
23 the customer and shall be within the licensed service area of the
24 home service provider in accordance with Section 55001 of Title 68

1 of the Oklahoma Statutes and the federal Mobile Telecommunications
2 Sourcing Act, P.L. No. 106-252, codified at 4 U.S.C. 116-126;

3 ~~12.~~ 13. "Prepaid wireless telecommunications service" means a
4 telecommunications wireless service that provides the right to
5 utilize mobile wireless service as well as other telecommunications
6 services including the download of digital products delivered
7 electronically, content and ancillary services, which are paid for
8 in advance and sold in predetermined units or dollars of which the
9 number declines with use in a known amount;

10 ~~13.~~ 14. "Proprietary information" means wireless service
11 provider or VoIP service provider, subscriber, market share, cost
12 and review information;

13 ~~14.~~ 15. "Public agency" means any city, town, county, municipal
14 corporation, public district, public trust, substate planning
15 district, public authority or tribal authority located within this
16 state which provides or has authority to provide firefighting, law
17 enforcement, ambulance, emergency medical or other emergency
18 services;

19 ~~15.~~ 16. "Public safety answering point" or "PSAP" means an
20 entity responsible for receiving 9-1-1 calls and processing those
21 calls according to specific operational policy;

22 ~~16.~~ 17. "Public safety telecommunicator" means a person who
23 performs a public service by processing, analyzing, and dispatching
24 calls for emergency assistance. The person is a first responder

1 that provides pre-arrival instructions and has specialized training
2 to mitigate the loss of life and property;

3 ~~17.~~ 18. "Service user" means any person who is provided
4 exchange telephone service in this state;

5 ~~18.~~ 19. "Tariff rate" means the rate or rates billed by a local
6 exchange telephone company stated in tariffs applicable for such
7 company, as approved by the Oklahoma Corporation Commission, or the
8 current equivalent of such rates, which represent the recurring
9 charges of such local exchange telephone company for exchange
10 telephone service or its equivalent, exclusive of all taxes, fees,
11 licenses or similar charges whatsoever;

12 ~~19.~~ 20. "Wireless service provider" means a provider of
13 commercial mobile service under Section 332(d) of the
14 Telecommunications Act of 1996, 47 U.S.C., Section 151 et seq.,
15 Federal Communications Commission rules, and the Omnibus Budget
16 Reconciliation Act of 1993, Pub. L. No. 103-66, and includes a
17 provider of wireless two-way communication service, radio-telephone
18 communications related to cellular telephone service, network radio
19 access lines or the equivalent, and personal communication service.

20 The term does not include a provider of:

- 21 a. a service whose users do not have access to 9-1-1
22 service,
- 23 b. a communication channel used only for data
24 transmission, or

1 c. a wireless roaming service or other nonlocal radio
2 access line service;

3 ~~20.~~ 21. "Wireless telecommunications connection" means the ten-
4 digit access number assigned to a customer regardless of whether
5 more than one such number is aggregated for the purpose of billing a
6 service user; and

7 ~~21.~~ 22. "Voice over Internet Protocol (VoIP) provider" means a
8 provider of interconnected Voice over Internet Protocol service to
9 end users in the state, including resellers.

10 SECTION 147. REPEALER 63 O.S. 2021, Section 2862, as
11 last amended by Section 5, Chapter 258, O.S.L. 2023 (63 O.S. Supp.
12 2023, Section 2862), is hereby repealed.

13 SECTION 148. AMENDATORY 68 O.S. 2021, Section 1356, as
14 amended by Section 1, Chapter 314, O.S.L. 2022 (68 O.S. Supp. 2023,
15 Section 1356), is amended to read as follows:

16 Section 1356. Exemptions - Governmental and nonprofit entities.
17 There are hereby specifically exempted from the tax levied by
18 Section 1350 et seq. of this title:

19 1. Sale of tangible personal property or services to the United
20 States government or to this state, any political subdivision of
21 this state, or any agency of a political subdivision of this state;
22 provided, all sales to contractors in connection with the
23 performance of any contract with the United States government, this
24 state, or any of its political subdivisions shall not be exempted

1 from the tax levied by Section 1350 et seq. of this title, except as
2 hereinafter provided;

3 2. Sales of property to agents appointed by or under contract
4 with agencies or instrumentalities of the United States government
5 if ownership and possession of such property transfers immediately
6 to the United States government;

7 3. Sales of property to agents appointed by or under contract
8 with a political subdivision of this state if the sale of such
9 property is associated with the development of a qualified federal
10 facility, as provided in the Oklahoma Federal Facilities Development
11 Act, and if ownership and possession of such property transfers
12 immediately to the political subdivision or the state;

13 4. Sales made directly by county, district, or state fair
14 authorities of this state, upon the premises of the fair authority,
15 for the sole benefit of the fair authority or sales of admission
16 tickets to such fairs or fair events at any location in the state
17 authorized by county, district, or state fair authorities; provided,
18 the exemption provided by this paragraph for admission tickets to
19 fair events shall apply only to any portion of the admission price
20 that is retained by or distributed to the fair authority. As used
21 in this paragraph, "fair event" shall be limited to an event held on
22 the premises of the fair authority in conjunction with and during
23 the time period of a county, district, or state fair;

24

1 5. Sale of food in cafeterias or lunchrooms of elementary
2 schools, high schools, colleges, or universities which are operated
3 primarily for teachers and pupils and are not operated primarily for
4 the public or for profit;

5 6. Dues paid to fraternal, religious, civic, charitable, or
6 educational societies or organizations by regular members thereof,
7 provided, such societies or organizations operate under what is
8 commonly termed the lodge plan or system, and provided such
9 societies or organizations do not operate for a profit which inures
10 to the benefit of any individual member or members thereof to the
11 exclusion of other members and dues paid monthly or annually to
12 privately owned scientific and educational libraries by members
13 sharing the use of services rendered by such libraries with students
14 interested in the study of geology, petroleum engineering, or
15 related subjects;

16 7. Sale of tangible personal property or services to or by
17 churches, except sales made in the course of business for profit or
18 savings, competing with other persons engaged in the same, or a
19 similar business or sale of tangible personal property or services
20 by an organization exempt from federal income tax pursuant to
21 Section 501(c)(3) of the Internal Revenue Code of 1986, as amended,
22 made on behalf of or at the request of a church or churches if the
23 sale of such property is conducted not more than once each calendar
24 year for a period not to exceed three (3) days by the organization

1 and proceeds from the sale of such property are used by the church
2 or churches or by the organization for charitable purposes;

3 8. The amount of proceeds received from the sale of admission
4 tickets which is separately stated on the ticket of admission for
5 the repayment of money borrowed by any accredited state-supported
6 college or university or any public trust of which a county in this
7 state is the beneficiary, for the purpose of constructing or
8 enlarging any facility to be used for the staging of an athletic
9 event, a theatrical production, or any other form of entertainment,
10 edification or cultural cultivation to which entry is gained with a
11 paid admission ticket. Such facilities include, but are not limited
12 to, athletic fields, athletic stadiums, field houses, amphitheaters,
13 and theaters. To be eligible for this sales tax exemption, the
14 amount separately stated on the admission ticket shall be a
15 surcharge which is imposed, collected, and used for the sole purpose
16 of servicing or aiding in the servicing of debt incurred by the
17 college or university to effect the capital improvements
18 hereinbefore described;

19 9. Sales of tangible personal property or services to the
20 council organizations or similar state supervisory organizations of
21 the Boy Scouts of America, Girl Scouts of U.S.A., and Camp Fire USA;

22 10. Sale of tangible personal property or services to any
23 county, municipality, rural water district, public school district,
24 city-county library system, the institutions of The Oklahoma State

1 System of Higher Education, the Grand River Dam Authority, the
2 Northeast Oklahoma Public Facilities Authority, the Oklahoma
3 Municipal Power Authority, City of Tulsa-Rogers County Port
4 Authority, Muskogee City-County Port Authority, the Oklahoma
5 Department of Veterans Affairs, the Broken Bow Economic Development
6 Authority, Ardmore Development Authority, Durant Industrial
7 Authority, Oklahoma Ordnance Works Authority, Central Oklahoma
8 Master Conservancy District, Arbuckle Master Conservancy District,
9 Fort Cobb Master Conservancy District, Foss Reservoir Master
10 Conservancy District, Mountain Park Master Conservancy District,
11 Waurika Lake Master Conservancy District and the Office of
12 Management and Enterprise Services only when carrying out a public
13 construction contract on behalf of the Oklahoma Department of
14 Veterans Affairs, and effective July 1, 2022, the University
15 Hospitals Trust, or to any person with whom any of the above-named
16 subdivisions or agencies of this state has duly entered into a
17 public contract pursuant to law, necessary for carrying out such
18 public contract or to any subcontractor to such a public contract.
19 Any person making purchases on behalf of such subdivision or agency
20 of this state shall certify, in writing, on the copy of the invoice
21 or sales ticket to be retained by the vendor that the purchases are
22 made for and on behalf of such subdivision or agency of this state
23 and set out the name of such public subdivision or agency. Any
24 person who wrongfully or erroneously certifies that purchases are

1 for any of the above-named subdivisions or agencies of this state or
2 who otherwise violates this section shall be guilty of a misdemeanor
3 and upon conviction thereof shall be fined an amount equal to double
4 the amount of sales tax involved or incarcerated for not more than
5 sixty (60) days or both;

6 11. Sales of tangible personal property or services to private
7 institutions of higher education and private elementary and
8 secondary institutions of education accredited by the State
9 Department of Education or registered by the State Board of
10 Education for purposes of participating in federal programs or
11 accredited as defined by the Oklahoma State Regents for Higher
12 Education which are exempt from taxation pursuant to the provisions
13 of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3) including
14 materials, supplies, and equipment used in the construction and
15 improvement of buildings and other structures owned by the
16 institutions and operated for educational purposes.

17 Any person, firm, agency, or entity making purchases on behalf
18 of any institution, agency or subdivision in this state, shall
19 certify in writing, on the copy of the invoice or sales ticket the
20 nature of the purchases, and violation of this paragraph shall be a
21 misdemeanor as set forth in paragraph 10 of this section;

22 12. Tuition and educational fees paid to private institutions
23 of higher education and private elementary and secondary
24 institutions of education accredited by the State Department of

1 Education or registered by the State Board of Education for purposes
2 of participating in federal programs or accredited as defined by the
3 Oklahoma State Regents for Higher Education which are exempt from
4 taxation pursuant to the provisions of the Internal Revenue Code, 26
5 U.S.C., Section 501(c) (3);

6 13. a. Sales of tangible personal property made by:

7 (1) a public school,

8 (2) a private school offering instruction for grade
9 levels kindergarten through twelfth grade,

10 (3) a public school district,

11 (4) a public or private school board,

12 (5) a public or private school student group or
13 organization,

14 (6) a parent-teacher association or organization
15 other than as specified in subparagraph b of this
16 paragraph, or

17 (7) public or private school personnel for purposes
18 of raising funds for the benefit of a public or
19 private school, public school district, public or
20 private school board, or public or private school
21 student group or organization, or

22 b. Sales of tangible personal property made by or to
23 nonprofit parent-teacher associations or organizations
24 exempt from taxation pursuant to the provisions of the

1 Internal Revenue Code, 26 U.S.C., Section 501(c)(3),
2 nonprofit local public or private school foundations
3 which solicit money or property in the name of any
4 public or private school or public school district.

5 The exemption provided by this paragraph for sales made by a
6 public or private school shall be limited to those public or private
7 schools accredited by the State Department of Education or
8 registered by the State Board of Education for purposes of
9 participating in federal programs. Sale of tangible personal
10 property in this paragraph shall include sale of admission tickets
11 and concessions at athletic events;

12 14. Sales of tangible personal property by:

- 13 a. local 4-H clubs,
- 14 b. county, regional or state 4-H councils,
- 15 c. county, regional or state 4-H committees,
- 16 d. 4-H leader associations,
- 17 e. county, regional or state 4-H foundations, and
- 18 f. authorized 4-H camps and training centers.

19 The exemption provided by this paragraph shall be limited to
20 sales for the purpose of raising funds for the benefit of such
21 organizations. Sale of tangible personal property exempted by this
22 paragraph shall include sale of admission tickets;

23 15. The first Seventy-five Thousand Dollars (\$75,000.00) each
24 year from sale of tickets and concessions at athletic events by each

1 organization exempt from taxation pursuant to the provisions of the
2 Internal Revenue Code, 26 U.S.C., Section 501(c)(4);

3 16. Sales of tangible personal property or services to any
4 person with whom the Oklahoma Tourism and Recreation Department has
5 entered into a public contract and which is necessary for carrying
6 out such contract to assist the Department in the development and
7 production of advertising, promotion, publicity, and public
8 relations programs;

9 17. Sales of tangible personal property or services to fire
10 departments organized pursuant to Section 592 of Title 18 of the
11 Oklahoma Statutes which items are to be used for the purposes of the
12 fire department. Any person making purchases on behalf of any such
13 fire department shall certify, in writing, on the copy of the
14 invoice or sales ticket to be retained by the vendor that the
15 purchases are made for and on behalf of such fire department and set
16 out the name of such fire department. Any person who wrongfully or
17 erroneously certifies that the purchases are for any such fire
18 department or who otherwise violates the provisions of this section
19 shall be deemed guilty of a misdemeanor and upon conviction thereof,
20 shall be fined an amount equal to double the amount of sales tax
21 involved or incarcerated for not more than sixty (60) days, or both;

22 18. Complimentary or free tickets for admission to places of
23 amusement, sports, entertainment, exhibition, display, or other
24 recreational events or activities which are issued through a box

1 office or other entity which is operated by a state institution of
2 higher education with institutional employees or by a municipality
3 with municipal employees;

4 19. The first Fifteen Thousand Dollars (\$15,000.00) each year
5 from sales of tangible personal property by fire departments
6 organized pursuant to Title 11, 18, or 19 of the Oklahoma Statutes
7 for the purposes of raising funds for the benefit of the fire
8 department. Fire departments selling tangible personal property for
9 the purposes of raising funds shall be limited to no more than six
10 (6) days each year to raise such funds in order to receive the
11 exemption granted by this paragraph;

12 20. Sales of tangible personal property or services to any Boys
13 & Girls Clubs of America affiliate in this state which is not
14 affiliated with the Salvation Army and which is exempt from taxation
15 pursuant to the provisions of the Internal Revenue Code, 26 U.S.C.,
16 Section 501(c) (3);

17 21. Sales of tangible personal property or services to any
18 organization, which takes court-adjudicated juveniles for purposes
19 of rehabilitation, and which is exempt from taxation pursuant to the
20 provisions of the Internal Revenue Code, 26 U.S.C., Section
21 501(c) (3), provided that at least fifty percent (50%) of the
22 juveniles served by such organization are court adjudicated and the
23 organization receives state funds in an amount less than ten percent
24 (10%) of the annual budget of the organization;

1 22. Sales of tangible personal property or services to:

2 a. any health center as defined in Section 254b of Title
3 42 of the United States Code,

4 b. any clinic receiving disbursements of state monies
5 from the Indigent Health Care Revolving Fund pursuant
6 to the provisions of Section 66 of Title 56 of the
7 Oklahoma Statutes,

8 c. any community-based health center which meets all of
9 the following criteria:

10 (1) provides primary care services at no cost to the
11 recipient, and

12 (2) is exempt from taxation pursuant to the
13 provisions of Section 501(c)(3) of the Internal
14 Revenue Code, 26 U.S.C., Section 501(c)(3), and

15 d. any community mental health center as defined in
16 Section 3-302 of Title 43A of the Oklahoma Statutes;

17 23. Dues or fees including free or complimentary dues or fees
18 which have a value equivalent to the charge that could have
19 otherwise been made, to YMCAs, YWCAs, or municipally-owned
20 recreation centers for the use of facilities and programs;

21 24. The first Fifteen Thousand Dollars (\$15,000.00) each year
22 from sales of tangible personal property or services to or by a
23 cultural organization established to sponsor and promote
24 educational, charitable, and cultural events for disadvantaged

1 children, and which organization is exempt from taxation pursuant to
2 the provisions of the Internal Revenue Code, 26 U.S.C., Section
3 501(c) (3);

4 25. Sales of tangible personal property or services to museums
5 or other entities which have been accredited by the American
6 Association of Museums. Any person making purchases on behalf of
7 any such museum or other entity shall certify, in writing, on the
8 copy of the invoice or sales ticket to be retained by the vendor
9 that the purchases are made for and on behalf of such museum or
10 other entity and set out the name of such museum or other entity.
11 Any person who wrongfully or erroneously certifies that the
12 purchases are for any such museum or other entity or who otherwise
13 violates the provisions of this paragraph shall be deemed guilty of
14 a misdemeanor and, upon conviction thereof, shall be fined an amount
15 equal to double the amount of sales tax involved or incarcerated for
16 not more than sixty (60) days, or by both such fine and
17 incarceration;

18 26. Sales of tickets for admission by any museum accredited by
19 the American Association of Museums. In order to be eligible for
20 the exemption provided by this paragraph, an amount equivalent to
21 the amount of the tax which would otherwise be required to be
22 collected pursuant to the provisions of Section 1350 et seq. of this
23 title shall be separately stated on the admission ticket and shall
24 be collected and used for the sole purpose of servicing or aiding in

1 the servicing of debt incurred by the museum to effect the
2 construction, enlarging or renovation of any facility to be used for
3 entertainment, edification, or cultural cultivation to which entry
4 is gained with a paid admission ticket;

5 27. Sales of tangible personal property or services occurring
6 on or after June 1, 1995, to children's homes which are supported or
7 sponsored by one or more churches, members of which serve as
8 trustees of the home;

9 28. Sales of tangible personal property or services to the
10 organization known as the Disabled American Veterans, Department of
11 Oklahoma, Inc., and subordinate chapters thereof;

12 29. Sales of tangible personal property or services to youth
13 camps which are supported or sponsored by one or more churches,
14 members of which serve as trustees of the organization;

15 30. a. Until July 1, 2022, transfer of tangible personal
16 property made pursuant to Section 3226 of Title 63 of
17 the Oklahoma Statutes by the University Hospitals
18 Trust, and

19 b. Effective July 1, 2022, transfer of tangible personal
20 property or services to or by:

21 (1) the University Hospitals Trust created pursuant
22 to Section 3224 of Title 63 of the Oklahoma
23 Statutes, or
24

1 (2) nonprofit entities which are exempt from taxation
2 pursuant to the provisions of the Internal
3 Revenue Code of the United States, 26 U.S.C.,
4 Section 501(c)(3), which have entered into a
5 joint operating agreement with the University
6 Hospitals Trust;

7 31. Sales of tangible personal property or services to a
8 municipality, county, or school district pursuant to a lease or
9 lease-purchase agreement executed between the vendor and a
10 municipality, county, or school district. A copy of the lease or
11 lease-purchase agreement shall be retained by the vendor;

12 32. Sales of tangible personal property or services to any
13 spaceport user, as defined in the Oklahoma Space Industry
14 Development Act;

15 33. The sale, use, storage, consumption, or distribution in
16 this state, whether by the importer, exporter, or another person, of
17 any satellite or any associated launch vehicle including components
18 of, and parts and motors for, any such satellite or launch vehicle,
19 imported or caused to be imported into this state for the purpose of
20 export by means of launching into space. This exemption provided by
21 this paragraph shall not be affected by:

22 a. the destruction in whole or in part of the satellite
23 or launch vehicle,

24 b. the failure of a launch to occur or be successful, or

1 c. the absence of any transfer or title to, or possession
2 of, the satellite or launch vehicle after launch;

3 34. The sale, lease, use, storage, consumption, or distribution
4 in this state of any space facility, space propulsion system or
5 space vehicle, satellite, or station of any kind possessing space
6 flight capacity including components thereof;

7 35. The sale, lease, use, storage, consumption, or distribution
8 in this state of tangible personal property, placed on or used
9 aboard any space facility, space propulsion system or space vehicle,
10 satellite, or station possessing space flight capacity, which is
11 launched into space, irrespective of whether such tangible property
12 is returned to this state for subsequent use, storage, or
13 consumption in any manner;

14 36. The sale, lease, use, storage, consumption, or distribution
15 in this state of tangible personal property meeting the definition
16 of "section 38 property" as defined in Sections 48(a)(1)(A) and
17 (B)(i) of the Internal Revenue Code of 1986, that is an integral
18 part of and used primarily in support of space flight; however,
19 section 38 property used in support of space flight shall not
20 include general office equipment, any boat, mobile home, motor
21 vehicle, or other vehicle of a class or type required to be
22 registered, licensed, titled or documented in this state or by the
23 United States government, or any other property not specifically
24 suited to supporting space activity. The term "in support of space

1 flight", for purposes of this paragraph, means the altering,
2 monitoring, controlling, regulating, adjusting, servicing, or
3 repairing of any space facility, space propulsion systems or space
4 vehicle, satellite, or station possessing space flight capacity
5 including the components thereof;

6 37. The purchase or lease of machinery and equipment for use at
7 a fixed location in this state, which is used exclusively in the
8 manufacturing, processing, compounding, or producing of any space
9 facility, space propulsion system or space vehicle, satellite, or
10 station of any kind possessing space flight capacity. Provided, the
11 exemption provided for in this paragraph shall not be allowed unless
12 the purchaser or lessee signs an affidavit stating that the item or
13 items to be exempted are for the exclusive use designated herein.
14 Any person furnishing a false affidavit to the vendor for the
15 purpose of evading payment of any tax imposed by Section 1354 of
16 this title shall be subject to the penalties provided by law. As
17 used in this paragraph, "machinery and equipment" means "section 38
18 property" as defined in Sections 48(a)(1)(A) and (B)(i) of the
19 Internal Revenue Code of 1986, which is used as an integral part of
20 the manufacturing, processing, compounding, or producing of items of
21 tangible personal property. Such term includes parts and
22 accessories only to the extent that the exemption thereof is
23 consistent with the provisions of this paragraph;

24

1 38. The amount of a surcharge or any other amount which is
2 separately stated on an admission ticket which is imposed, collected
3 and used for the sole purpose of constructing, remodeling, or
4 enlarging facilities of a public trust having a municipality or
5 county as its sole beneficiary;

6 39. Sales of tangible personal property or services which are
7 directly used in or for the benefit of a state park in this state,
8 which are made to an organization which is exempt from taxation
9 pursuant to the provisions of the Internal Revenue Code, 26 U.S.C.,
10 Section 501(c)(3) and which is organized primarily for the purpose
11 of supporting one or more state parks located in this state;

12 40. The sale, lease, or use of parking privileges by an
13 institution of The Oklahoma State System of Higher Education;

14 41. Sales of tangible personal property or services for use on
15 campus or school construction projects for the benefit of
16 institutions of The Oklahoma State System of Higher Education,
17 private institutions of higher education accredited by the Oklahoma
18 State Regents for Higher Education, or any public school or school
19 district when such projects are financed by or through the use of
20 nonprofit entities which are exempt from taxation pursuant to the
21 provisions of the Internal Revenue Code, 26 U.S.C., Section
22 501(c)(3);

23 42. Sales of tangible personal property or services by an
24 organization which is exempt from taxation pursuant to the

1 provisions of the Internal Revenue Code, 26 U.S.C., Section
2 501(c)(3), in the course of conducting a national championship
3 sports event, but only if all or a portion of the payment in
4 exchange therefor would qualify as the receipt of a qualified
5 sponsorship payment described in Internal Revenue Code, 26 U.S.C.,
6 Section 513(i). Sales exempted pursuant to this paragraph shall be
7 exempt from all Oklahoma sales, use, excise, and gross receipts
8 taxes;

9 43. Sales of tangible personal property or services to or by an
10 organization which:

- 11 a. is exempt from taxation pursuant to the provisions of
12 the Internal Revenue Code, 26 U.S.C., Section
13 501(c)(3),
- 14 b. is affiliated with a comprehensive university within
15 The Oklahoma State System of Higher Education, and
- 16 c. has been organized primarily for the purpose of
17 providing education and teacher training and
18 conducting events relating to robotics;

19 44. The first Fifteen Thousand Dollars (\$15,000.00) each year
20 from sales of tangible personal property to or by youth athletic
21 teams which are part of an athletic organization exempt from
22 taxation pursuant to the provisions of the Internal Revenue Code, 26
23 U.S.C., Section 501(c)(4), for the purposes of raising funds for the
24 benefit of the team;

1 45. Sales of tickets for admission to a collegiate athletic
2 event that is held in a facility owned or operated by a municipality
3 or a public trust of which the municipality is the sole beneficiary
4 and that actually determines or is part of a tournament or
5 tournament process for determining a conference tournament
6 championship, a conference championship, or a national championship;

7 46. Sales of tangible personal property or services to or by an
8 organization which is exempt from taxation pursuant to the
9 provisions of the Internal Revenue Code, 26 U.S.C., Section
10 501(c) (3) and is operating the Oklahoma City National Memorial and
11 Museum, an affiliate of the National Park System;

12 47. Sales of tangible personal property or services to
13 organizations which are exempt from federal taxation pursuant to the
14 provisions of Section 501(c) (3) of the Internal Revenue Code, 26
15 U.S.C., Section 501(c) (3), the memberships of which are limited to
16 honorably discharged veterans, and which furnish financial support
17 to area veterans' organizations to be used for the purpose of
18 constructing a memorial or museum;

19 48. Sales of tangible personal property or services on or after
20 January 1, 2003, to an organization which is exempt from taxation
21 pursuant to the provisions of the Internal Revenue Code, 26 U.S.C.,
22 Section 501(c) (3) that is expending monies received from a private
23 foundation grant in conjunction with expenditures of local sales tax
24 revenue to construct a local public library;

1 49. Sales of tangible personal property or services to a state
2 that borders this state or any political subdivision of that state,
3 but only to the extent that the other state or political subdivision
4 exempts or does not impose a tax on similar sales of items to this
5 state or a political subdivision of this state;

6 50. Effective July 1, 2005, sales of tangible personal property
7 or services to the Career Technology Student Organizations under the
8 direction and supervision of the Oklahoma Department of Career and
9 Technology Education;

10 51. Sales of tangible personal property to a public trust
11 having either a single city, town or county or multiple cities,
12 towns or counties, or combination thereof as beneficiary or
13 beneficiaries or a nonprofit organization which is exempt from
14 taxation pursuant to the provisions of the Internal Revenue Code, 26
15 U.S.C., Section 501(c)(3) for the purpose of constructing
16 improvements to or expanding a hospital or nursing home owned and
17 operated by any such public trust or nonprofit entity prior to July
18 1, 2008, in counties with a population of less than one hundred
19 thousand (100,000) persons, according to the most recent Federal
20 Decennial Census. As used in this paragraph, "constructing
21 improvements to or expanding" shall not mean any expense for routine
22 maintenance or general repairs and shall require a project cost of
23 at least One Hundred Thousand Dollars (\$100,000.00). For purposes
24 of this paragraph, sales made to a contractor or subcontractor that

1 enters into a contractual relationship with a public trust or
2 nonprofit entity as described by this paragraph shall be considered
3 sales made to the public trust or nonprofit entity. The exemption
4 authorized by this paragraph shall be administered in the form of a
5 refund from the sales tax revenues apportioned pursuant to Section
6 1353 of this title and the vendor shall be required to collect the
7 sales tax otherwise applicable to the transaction. The purchaser
8 may apply for a refund of the sales tax paid in the manner
9 prescribed by this paragraph. Within thirty (30) days after the end
10 of each fiscal year, any purchaser that is entitled to make
11 application for a refund based upon the exempt treatment authorized
12 by this paragraph may file an application for refund of the sales
13 taxes paid during such preceding fiscal year. The Tax Commission
14 shall prescribe a form for purposes of making the application for
15 refund. The Tax Commission shall determine whether or not the total
16 amount of sales tax exemptions claimed by all purchasers is equal to
17 or less than Six Hundred Fifty Thousand Dollars (\$650,000.00). If
18 such claims are less than or equal to that amount, the Tax
19 Commission shall make refunds to the purchasers in the full amount
20 of the documented and verified sales tax amounts. If such claims by
21 all purchasers are in excess of Six Hundred Fifty Thousand Dollars
22 (\$650,000.00), the Tax Commission shall determine the amount of each
23 purchaser's claim, the total amount of all claims by all purchasers,
24 and the percentage each purchaser's claim amount bears to the total.

1 The resulting percentage determined for each purchaser shall be
2 multiplied by Six Hundred Fifty Thousand Dollars (\$650,000.00) to
3 determine the amount of refundable sales tax to be paid to each
4 purchaser. The pro rata refund amount shall be the only method to
5 recover sales taxes paid during the preceding fiscal year and no
6 balance of any sales taxes paid on a pro rata basis shall be the
7 subject of any subsequent refund claim pursuant to this paragraph;

8 52. Effective July 1, 2006, sales of tangible personal property
9 or services to any organization which assists, trains, educates, and
10 provides housing for physically and mentally handicapped persons and
11 which is exempt from taxation pursuant to the provisions of the
12 Internal Revenue Code, 26 U.S.C., Section 501(c)(3) and that
13 receives at least eighty-five percent (85%) of its annual budget
14 from state or federal funds. In order to receive the benefit of the
15 exemption authorized by this paragraph, the taxpayer shall be
16 required to make payment of the applicable sales tax at the time of
17 sale to the vendor in the manner otherwise required by law.

18 Notwithstanding any other provision of the Oklahoma Uniform Tax
19 Procedure Code to the contrary, the taxpayer shall be authorized to
20 file a claim for refund of sales taxes paid that qualify for the
21 exemption authorized by this paragraph for a period of one (1) year
22 after the date of the sale transaction. The taxpayer shall be
23 required to provide documentation as may be prescribed by the
24 Oklahoma Tax Commission in support of the refund claim. The total

1 amount of sales tax qualifying for exempt treatment pursuant to this
2 paragraph shall not exceed One Hundred Seventy-five Thousand Dollars
3 (\$175,000.00) each fiscal year. Claims for refund shall be
4 processed in the order in which such claims are received by the
5 Oklahoma Tax Commission. If a claim otherwise timely filed exceeds
6 the total amount of refunds payable for a fiscal year, such claim
7 shall be barred;

8 53. The first Two Thousand Dollars (\$2,000.00) each year of
9 sales of tangible personal property or services to, by, or for the
10 benefit of a qualified neighborhood watch organization that is
11 endorsed or supported by or working directly with a law enforcement
12 agency with jurisdiction in the area in which the neighborhood watch
13 organization is located. As used in this paragraph, "qualified
14 neighborhood watch organization" means an organization that is a
15 not-for-profit corporation under the laws of this state that was
16 created to help prevent criminal activity in an area through
17 community involvement and interaction with local law enforcement and
18 which is one of the first two thousand organizations which makes
19 application to the Oklahoma Tax Commission for the exemption after
20 March 29, 2006;

21 54. Sales of tangible personal property to a nonprofit
22 organization, exempt from taxation pursuant to the provisions of the
23 Internal Revenue Code, 26 U.S.C., Section 501(c)(3), organized
24 primarily for the purpose of providing services to homeless persons

1 during the day and located in a metropolitan area with a population
2 in excess of five hundred thousand (500,000) persons according to
3 the latest Federal Decennial Census. The exemption authorized by
4 this paragraph shall be applicable to sales of tangible personal
5 property to a qualified entity occurring on or after January 1,
6 2005;

7 55. Sales of tangible personal property or services to or by an
8 organization which is exempt from taxation pursuant to the
9 provisions of the Internal Revenue Code, 26 U.S.C., Section
10 501(c) (3) for events the principal purpose of which is to provide
11 funding for the preservation of wetlands and habitat for wild ducks;

12 56. Sales of tangible personal property or services to or by an
13 organization which is exempt from taxation pursuant to the
14 provisions of the Internal Revenue Code, 26 U.S.C., Section
15 501(c) (3) for events the principal purpose of which is to provide
16 funding for the preservation and conservation of wild turkeys;

17 57. Sales of tangible personal property or services to an
18 organization which:

19 a. is exempt from taxation pursuant to the provisions of
20 the Internal Revenue Code, 26 U.S.C., Section
21 501(c) (3), and

22 b. is part of a network of community-based, autonomous
23 member organizations that meets the following
24 criteria:

- 1 (1) serves people with workplace disadvantages and
2 disabilities by providing job training and
3 employment services, as well as job placement
4 opportunities and post-employment support,
- 5 (2) has locations in the United States and at least
6 twenty other countries,
- 7 (3) collects donated clothing and household goods to
8 sell in retail stores and provides contract labor
9 services to business and government, and
- 10 (4) provides documentation to the Oklahoma Tax
11 Commission that over seventy-five percent (75%)
12 of its revenues are channeled into employment,
13 job training and placement programs, and other
14 critical community services;

15 58. Sales of tickets made on or after September 21, 2005, and
16 complimentary or free tickets for admission issued on or after
17 September 21, 2005, which have a value equivalent to the charge that
18 would have otherwise been made, for admission to a professional
19 athletic event in which a team in the National Basketball
20 Association is a participant, which is held in a facility owned or
21 operated by a municipality, a county, or a public trust of which a
22 municipality or a county is the sole beneficiary, and sales of
23 tickets made on or after July 1, 2007, and complimentary or free
24 tickets for admission issued on or after July 1, 2007, which have a

1 value equivalent to the charge that would have otherwise been made,
2 for admission to a professional athletic event in which a team in
3 the National Hockey League is a participant, which is held in a
4 facility owned or operated by a municipality, a county, or a public
5 trust of which a municipality or a county is the sole beneficiary;

6 59. Sales of tickets for admission and complimentary or free
7 tickets for admission which have a value equivalent to the charge
8 that would have otherwise been made to a professional sporting event
9 involving ice hockey, baseball, basketball, football or arena
10 football, or soccer. As used in this paragraph, "professional
11 sporting event" means an organized athletic competition between
12 teams that are members of an organized league or association with
13 centralized management, other than a national league or national
14 association, that imposes requirements for participation in the
15 league upon the teams, the individual athletes, or both, and which
16 uses a salary structure to compensate the athletes;

17 60. Sales of tickets for admission to an annual event sponsored
18 by an educational and charitable organization of women which is
19 exempt from taxation pursuant to the provisions of the Internal
20 Revenue Code, 26 U.S.C., Section 501(c)(3) and has as its mission
21 promoting volunteerism, developing the potential of women and
22 improving the community through the effective action and leadership
23 of trained volunteers;

24

1 61. Sales of tangible personal property or services to an
2 organization, which is exempt from taxation pursuant to the
3 provisions of the Internal Revenue Code, 26 U.S.C., Section
4 501(c)(3), and which is itself a member of an organization which is
5 exempt from taxation pursuant to the provisions of the Internal
6 Revenue Code, 26 U.S.C., Section 501(c)(3), if the membership
7 organization is primarily engaged in advancing the purposes of its
8 member organizations through fundraising, public awareness, or other
9 efforts for the benefit of its member organizations, and if the
10 member organization is primarily engaged either in providing
11 educational services and programs concerning health-related diseases
12 and conditions to individuals suffering from such health-related
13 diseases and conditions or their caregivers and family members or
14 support to such individuals, or in health-related research as to
15 such diseases and conditions, or both. In order to qualify for the
16 exemption authorized by this paragraph, the member nonprofit
17 organization shall be required to provide proof to the Oklahoma Tax
18 Commission of its membership status in the membership organization;

19 62. Sales of tangible personal property or services to or by an
20 organization which is part of a national volunteer women's service
21 organization dedicated to promoting patriotism, preserving American
22 history, and securing better education for children and which has at
23 least 168,000 members in 3,000 chapters across the United States;

24

1 63. Sales of tangible personal property or services to or by a
2 YWCA or YMCA organization which is part of a national nonprofit
3 community service organization working to meet the health and social
4 service needs of its members across the United States;

5 64. Sales of tangible personal property or services to or by a
6 veteran's organization which is exempt from taxation pursuant to the
7 provisions of the Internal Revenue Code, 26 U.S.C., Section
8 501(c)(19) and which is known as the Veterans of Foreign Wars of the
9 United States, Oklahoma Chapters;

10 65. Sales of boxes of food by a church or by an organization,
11 which is exempt from taxation pursuant to the provisions of the
12 Internal Revenue Code, 26 U.S.C., Section 501(c)(3). To qualify
13 under the provisions of this paragraph, the organization must be
14 organized for the primary purpose of feeding needy individuals or to
15 encourage volunteer service by requiring such service in order to
16 purchase food. These boxes shall only contain edible staple food
17 items;

18 66. Sales of tangible personal property or services to any
19 person with whom a church has duly entered into a construction
20 contract, necessary for carrying out such contract or to any
21 subcontractor to such a construction contract;

22 67. Sales of tangible personal property or services used
23 exclusively for charitable or educational purposes, to or by an
24 organization which:

- 1 a. is exempt from taxation pursuant to the provisions of
2 the Internal Revenue Code, 26 U.S.C., Section
3 501(c)(3),
- 4 b. has filed a Not-for-Profit Certificate of
5 Incorporation in this state, and
- 6 c. is organized for the purpose of:
- 7 (1) providing training and education to
8 developmentally disabled individuals,
- 9 (2) educating the community about the rights,
10 abilities, and strengths of developmentally
11 disabled individuals, and
- 12 (3) promoting unity among developmentally disabled
13 individuals in their community and geographic
14 area;

15 68. Sales of tangible personal property or services to any
16 organization which is a shelter for abused, neglected, or abandoned
17 children and which is exempt from taxation pursuant to the
18 provisions of the Internal Revenue Code, 26 U.S.C., Section
19 501(c)(3); provided, until July 1, 2008, such exemption shall apply
20 only to eligible shelters for children from birth to age twelve (12)
21 and after July 1, 2008, such exemption shall apply to eligible
22 shelters for children from birth to age eighteen (18);

23
24

1 69. Sales of tangible personal property or services to a child
2 care center which is licensed pursuant to the Oklahoma Child Care
3 Facilities Licensing Act and which:

4 a. possesses a 3-star rating from the Department of Human
5 Services Reaching for the Stars Program or a national
6 accreditation, and

7 b. allows on-site universal prekindergarten education to
8 be provided to four-year-old children through a
9 contractual agreement with any public school or school
10 district.

11 For the purposes of this paragraph, sales made to any person,
12 firm, agency, or entity that has entered previously into a
13 contractual relationship with a child care center for construction
14 and improvement of buildings and other structures owned by the child
15 care center and operated for educational purposes shall be
16 considered sales made to a child care center. Any such person,
17 firm, agency, or entity making purchases on behalf of a child care
18 center shall certify, in writing, on the copy of the invoice or
19 sales ticket the nature of the purchase. Any such person, or person
20 acting on behalf of a firm, agency, or entity making purchases on
21 behalf of a child care center in violation of this paragraph shall
22 be guilty of a misdemeanor and upon conviction thereof shall be
23 fined an amount equal to double the amount of sales tax involved or
24 incarcerated for not more than sixty (60) days or both;

1 70. a. Sales of tangible personal property to a service
2 organization of mothers who have children who are
3 serving or who have served in the military, which
4 service organization is exempt from taxation pursuant
5 to the provisions of the Internal Revenue Code, 26
6 U.S.C., Section 501(c)(19) and which is known as the
7 Blue Star Mothers of America, Inc. The exemption
8 provided by this paragraph shall only apply to the
9 purchase of tangible personal property actually sent
10 to United States military personnel overseas who are
11 serving in a combat zone and not to any other tangible
12 personal property purchased by the organization.
13 Provided, this exemption shall not apply to any sales
14 tax levied by a city, town, county, or any other
15 jurisdiction in this state.

16 b. The exemption authorized by this paragraph shall be
17 administered in the form of a refund from the sales
18 tax revenues apportioned pursuant to Section 1353 of
19 this title, and the vendor shall be required to
20 collect the sales tax otherwise applicable to the
21 transaction. The purchaser may apply for a refund of
22 the state sales tax paid in the manner prescribed by
23 this paragraph. Within sixty (60) days after the end
24 of each calendar quarter, any purchaser that is

1 entitled to make application for a refund based upon
2 the exempt treatment authorized by this paragraph may
3 file an application for refund of the state sales
4 taxes paid during such preceding calendar quarter.
5 The Tax Commission shall prescribe a form for purposes
6 of making the application for refund.

7 c. A purchaser who applies for a refund pursuant to this
8 paragraph shall certify that the items were actually
9 sent to military personnel overseas in a combat zone.
10 Any purchaser that applies for a refund for the
11 purchase of items that are not authorized for
12 exemption under this paragraph shall be subject to a
13 penalty in the amount of Five Hundred Dollars
14 (\$500.00);

15 71. Sales of food and snack items to or by an organization
16 which is exempt from taxation pursuant to the provisions of the
17 Internal Revenue Code, 26 U.S.C., Section 501(c)(3), whose primary
18 and principal purpose is providing funding for scholarships in the
19 medical field;

20 72. Sales of tangible personal property or services for use
21 solely on construction projects for organizations which are exempt
22 from taxation pursuant to the provisions of the Internal Revenue
23 Code, 26 U.S.C., Section 501(c)(3) and whose purpose is providing
24 end-of-life care and access to hospice services to low-income

1 individuals who live in a facility owned by the organization. The
2 exemption provided by this paragraph applies to sales to the
3 organization as well as to sales to any person with whom the
4 organization has duly entered into a construction contract,
5 necessary for carrying out such contract or to any subcontractor to
6 such a construction contract. Any person making purchases on behalf
7 of such organization shall certify, in writing, on the copy of the
8 invoice or sales ticket to be retained by the vendor that the
9 purchases are made for and on behalf of such organization and set
10 out the name of such organization. Any person who wrongfully or
11 erroneously certifies that purchases are for any of the above-named
12 organizations or who otherwise violates this section shall be guilty
13 of a misdemeanor and upon conviction thereof shall be fined an
14 amount equal to double the amount of sales tax involved or
15 incarcerated for not more than sixty (60) days or both;

16 73. Sales of tickets for admission to events held by
17 organizations exempt from taxation pursuant to the provisions of the
18 Internal Revenue Code, 26 U.S.C., Section 501(c) (3) that are
19 organized for the purpose of supporting general hospitals licensed
20 by the State Department of Health;

21 74. Sales of tangible personal property or services:

22 a. to a foundation which is exempt from taxation pursuant
23 to the provisions of the Internal Revenue Code, 26
24 U.S.C., Section 501(c) (3) and which raises tax-

1 deductible contributions in support of a wide range of
2 firearms-related public interest activities of the
3 National Rifle Association of America and other
4 organizations that defend and foster Second Amendment
5 rights, and

6 b. to or by a grassroots fundraising program for sales
7 related to events to raise funds for a foundation
8 meeting the qualifications of subparagraph a of this
9 paragraph;

10 75. Sales by an organization or entity which is exempt from
11 taxation pursuant to the provisions of the Internal Revenue Code, 26
12 U.S.C., Section 501(c)(3) which are related to a fundraising event
13 sponsored by the organization or entity when the event does not
14 exceed any five (5) consecutive days and when the sales are not in
15 the organization's or the entity's regular course of business.
16 Provided, the exemption provided in this paragraph shall be limited
17 to tickets sold for admittance to the fundraising event and items
18 which were donated to the organization or entity for sale at the
19 event;

20 76. Effective November 1, 2017, sales of tangible personal
21 property or services to an organization which is exempt from
22 taxation pursuant to the provisions of the Internal Revenue Code, 26
23 U.S.C., Section 501(c)(3) and operates as a collaborative model
24 which connects community agencies in one location to serve

1 individuals and families affected by violence and where victims have
2 access to services and advocacy at no cost to the victim;

3 77. Effective July 1, 2018, sales of tangible personal property
4 or services to or by an association which is exempt from taxation
5 pursuant to the provisions of the Internal Revenue Code, 26 U.S.C.,
6 Section 501(c)(19) and which is known as the National Guard
7 Association of Oklahoma;

8 78. Effective July 1, 2018, sales of tangible personal property
9 or services to or by an association which is exempt from taxation
10 pursuant to the provisions of the Internal Revenue Code, 26 U.S.C.,
11 Section 501(c)(4) and which is known as the Marine Corps League of
12 Oklahoma;

13 79. Sales of tangible personal property or services to the
14 American Legion, whether the purchase is made by the entity
15 chartered by the United States Congress or is an entity organized
16 under the laws of this or another state pursuant to the authority of
17 the national American Legion organization;

18 80. Sales of tangible personal property or services to or by an
19 organization which is:

- 20 a. exempt from taxation pursuant to the provisions of the
21 Internal Revenue Code, 26 U.S.C., Section 501(c)(3),
- 22 b. verified with a letter from the MIT Fab Foundation as
23 an official member of the Fab Lab Network in
24 compliance with the Fab Charter, and

1 c. able to provide documentation that its primary and
2 principal purpose is to provide community access to
3 advanced 21st century manufacturing and digital
4 fabrication tools for science, technology,
5 engineering, art and math (STEAM) learning skills,
6 developing inventions, creating and sustaining
7 businesses, and producing personalized products;

8 81. Effective November 1, 2021, sales of tangible personal
9 property or services used solely for construction and remodeling
10 projects to an organization which is exempt from taxation pursuant
11 to the provisions of the Internal Revenue Code, 26 U.S.C., Section
12 501(c) (3), and which meets the following requirements:

13 a. its primary purpose is to construct or remodel and
14 sell affordable housing and provide homeownership
15 education to residents of Oklahoma that have an income
16 that is below one hundred percent (100%) of the Family
17 Median Income guidelines as defined by the U.S.

18 Department of Housing and Urban Development,

19 b. it conducts its activities in a manner that serves
20 public or charitable purposes, rather than commercial
21 purposes,

22 c. it receives funding and revenue and charges fees in a
23 manner that does not incentivize it or its employees
24

1 to act other than in the best interests of its
2 clients, and

3 d. it compensates its employees in a manner that does not
4 incentivize employees to act other than in the best
5 interests of its clients;

6 82. Effective November 1, 2021, sales of tangible personal
7 property or services to a nonprofit entity, organized pursuant to
8 Oklahoma law before January 1, 2022, exempt from federal income
9 taxation pursuant to Section 501(c) of the Internal Revenue Code of
10 1986, as amended, the principal functions of which are to provide
11 assistance to natural persons following a disaster, with program
12 emphasis on repair or restoration to single-family residential
13 dwellings or the construction of a replacement single-family
14 residential dwelling. As used in this paragraph, "disaster" means
15 damage to property with or without accompanying injury to persons
16 from heavy rain, high winds, tornadic winds, drought, wildfire,
17 snow, ice, geologic disturbances, explosions, chemical accidents or
18 spills, and other events causing damage to property on a large
19 scale. For purposes of this paragraph, an entity that expended at
20 least seventy-five percent (75%) of its funds on the restoration to
21 single-family housing following a disaster including related general
22 and administrative expenses, shall be eligible for the exemption
23 authorized by this paragraph;

1 83. Effective November 1, 2021, through December 31, 2024,
2 sales of tangible personal property or services to a museum that:

- 3 a. operates as a part of an organization which is exempt
4 from taxation pursuant to the provisions of the
5 Internal Revenue Code, 26 U.S.C., Section 501(c)(3),
- 6 b. is not accredited by the American Alliance of Museums,
7 and
- 8 c. operates on an annual budget of less than One Million
9 Dollars (\$1,000,000.00);

10 84. Until July 1, 2022, sales of tangible personal property or
11 services for use in a clinical practice or medical facility operated
12 by an organization which is exempt from taxation pursuant to the
13 provisions of the Internal Revenue Code of the United States, 26
14 U.S.C., Section 501(c)(3), and which has entered into a joint
15 operating agreement with the University Hospitals Trust created
16 pursuant to Section 3224 of Title 63 of the Oklahoma Statutes. The
17 exemption provided by this paragraph shall be limited to the
18 purchase of tangible personal property and services for use in
19 clinical practices or medical facilities acquired or leased by the
20 organization from the University Hospitals Authority, University
21 Hospitals Trust, or the University of Oklahoma on or after June 1,
22 2021; ~~and~~

23 85. Sales of tangible personal property or services to or by a
24 women's veterans organization, and its subchapters in this state,

1 that is exempt from taxation pursuant to the provisions of the
2 Internal Revenue Code, 26 U.S.C., Section 501(c)(19) and is known as
3 the Oklahoma Women Veterans Organization;

4 86. Sales of tangible personal property or services to a
5 nonprofit entity, organized pursuant to Oklahoma law before January
6 1, 2019, exempt from federal income taxation pursuant to Section
7 501(c) of the Internal Revenue Code of 1986, as amended, the
8 principal functions of which are to provide assistance to natural
9 persons following a disaster, with program emphasis on repair or
10 restoration to single-family residential dwellings or the
11 construction of a replacement single-family residential dwelling.
12 For purposes of this paragraph, an entity operated exclusively for
13 charitable and educational purposes through the coordination of
14 volunteers for the disaster recovery of homes (as derived from Part
15 III, Statement of Program Services, of Internal Revenue Service Form
16 990) and which offers its services free of charge to disaster
17 survivors statewide who are low income with no or limited means of
18 recovery on their own for the restoration to single-family housing
19 following a disaster including related general and administrative
20 expenses, shall be eligible for the exemption authorized by this
21 paragraph. The exemption provided by this paragraph shall only be
22 applicable to sales made on or after the effective date of this act.
23 As used in this paragraph, "disaster" means damage to property with
24 or without accompanying injury to persons from heavy rain, high

1 winds, tornadic winds, drought, wildfire, snow, ice, geologic
2 disturbances, explosions, chemical accidents or spills and other
3 events causing damage to property on a large scale; and

4 87. Effective July 1, 2022, sales of tangible personal property
5 or services to an organization which is exempt from taxation
6 pursuant to the provisions of the Internal Revenue Code, 26 U.S.C.,
7 Section 501(c)(3) and which provides support to veterans, active
8 duty members of the Armed Forces, reservists, and members of the
9 National Guard to assist with the transition to civilian life and
10 which provides documentation to the Oklahoma Tax Commission that
11 over seventy percent (70%) of its revenue is expended on support for
12 transition to civilian life.

13 SECTION 149. REPEALER 68 O.S. 2021, Section 1356, as
14 last amended by Section 1, Chapter 295, O.S.L. 2022 (68 O.S. Supp.
15 2023, Section 1356), is hereby repealed.

16 SECTION 150. REPEALER 68 O.S. 2021, Section 1356, as
17 last amended by Section 1, Chapter 394, O.S.L. 2022 (68 O.S. Supp.
18 2023, Section 1356), is hereby repealed.

19 SECTION 151. AMENDATORY 68 O.S. 2021, Section 2101, as
20 last amended by Section 235, Chapter 282, O.S.L. 2022 (68 O.S. Supp.
21 2023, Section 2101), is amended to read as follows:

22 Section 2101. For the purpose of this article:

23 1. The term "motor vehicle" means and includes every
24 automobile, truck, truck-tractor, all-terrain vehicle, utility

1 vehicle or any motor bus or any self-propelled vehicle not operated
2 or driven upon fixed rails or tracks or in the air or on water;

3 2. The term "vehicle" means and includes every device in, upon,
4 or by which any person or property is, or may be, transported or
5 drawn, excepting devices moved by human or animal power, when not
6 used upon fixed rails or tracks, or in the air or on water;

7 3. The term "low-speed electrical vehicle" means and includes
8 any four-wheeled electrical vehicle that is powered by an electric
9 motor that draws current from rechargeable storage batteries or
10 other sources of electrical current and whose top speed is greater
11 than twenty (20) miles per hour but not greater than twenty-five
12 (25) miles per hour and is manufactured in compliance with the
13 National Highway Traffic Safety Administration standards for low-
14 speed vehicles in 49 C.F.R. 571.500;

15 4. The term "automobile" means and includes every motor vehicle
16 constructed and used solely for the transportation of persons for
17 purposes other than for hire or compensation;

18 5. The term "motorcycle" means and includes every motor vehicle
19 designed to travel on not more than three wheels other than an all-
20 terrain vehicle;

21 6. The term "truck" means and includes every motor vehicle
22 constructed or used for the transportation of property not falling
23 within the definition of truck-tractor, trailer or semitrailer, as
24 herein defined;

1 7. The term "truck-tractor" means and includes every motor
2 vehicle of the truck type designed to draw or support the front end
3 of a semitrailer;

4 8. The term "trailer" means and includes any vehicle designed
5 to be drawn by a truck, tractor or a truck-tractor, but supported
6 upon its own wheels;

7 9. The term "semitrailer" means and includes any vehicle
8 designed to be attached to, and having its front end supported by a
9 truck, tractor, or truck-tractor;

10 10. The term "motor bus" means and includes every motor vehicle
11 constructed so as to carry persons, and which is used or rented to
12 carry persons for compensation;

13 11. The term "manufactured home" means a residential dwelling
14 built in accordance with the National Manufactured Housing
15 Construction and Safety Standards Act of 1974, 42 U.S.C., Section
16 5401 et seq., and rules promulgated pursuant thereto and the rules
17 promulgated by the Oklahoma Used Motor Vehicle ~~and Parts,~~
18 Dismantler, and Manufactured Housing Commission pursuant to Section
19 582 of Title 47 of the Oklahoma Statutes. Manufactured home shall
20 not mean a park model recreational vehicle as defined in Section
21 1102 of Title 47 of the Oklahoma Statutes;

22 12. The term "farm tractor" means and includes any vehicle of
23 tractor type owned and operated by the purchaser and used
24 exclusively for agricultural purposes;

1 13. The term "all-terrain vehicle" means and includes every
2 vehicle defined as an all-terrain vehicle in Section 1102 of Title
3 47 of the Oklahoma Statutes;

4 14. The terms "legal ownership" and "legally owned" mean the
5 right to possession, whether acquired by purchase, barter, exchange,
6 assignment, gift, operation of law, or in any other manner;

7 15. The term "person" means and includes natural persons,
8 individuals, partnerships, firms, associations, limited liability
9 companies, corporations, estates, trustees, business trusts,
10 syndicates, this state, any county, city, municipality, school
11 district or other political subdivision of the state, or any
12 corporation or combination acting as a unit or any receiver
13 appointed by any state or federal court; and the use of the singular
14 number shall include the plural number;

15 16. The term "utility vehicle" means every vehicle defined as a
16 utility vehicle in Section 1102 of Title 47 of the Oklahoma
17 Statutes; and

18 17. The term "medium-speed electrical vehicle" means any self-
19 propelled, electrically powered four-wheeled motor vehicle, equipped
20 with a roll cage or crush-proof body design, whose speed attainable
21 in one (1) mile is more than thirty (30) miles per hour but not
22 greater than thirty-five (35) miles per hour.

23

24

1 SECTION 152. REPEALER 68 O.S. 2021, Section 2101, as
2 amended by Section 23, Chapter 107, O.S.L. 2022 (68 O.S. Supp. 2023,
3 Section 2101), is hereby repealed.

4 SECTION 153. AMENDATORY 68 O.S. 2021, Section 2357.22,
5 as last amended by Section 1, Chapter 215, O.S.L. 2023 (68 O.S.
6 Supp. 2023, Section 2357.22), is amended to read as follows:

7 Section 2357.22. A. For tax years 2028 and before, there shall
8 be allowed a one-time credit against the income tax imposed by
9 Section 2355 of this title for investments in qualified clean-
10 burning motor vehicle fuel property placed in service on or after
11 January 1, 1991, or with respect to a hydrogen fuel cell, on or
12 after the effective date of this act.

13 B. As used in this section, "qualified clean-burning motor
14 vehicle fuel property" means:

15 1. Equipment installed to modify a motor vehicle which is
16 propelled by gasoline or diesel fuel so that the vehicle may be
17 propelled by compressed natural gas, a hydrogen fuel cell, liquefied
18 natural gas, or liquefied petroleum gas. The equipment covered by
19 this paragraph must:

20 a. be new, not previously used to modify or retrofit any
21 vehicle propelled by gasoline or diesel fuel and be
22 installed by an alternative fuels equipment technician
23 who is certified in accordance with the Alternative
24 Fuels Technician Certification Act,

1 b. meet all Federal Motor Vehicle Safety Standards set
2 forth in 49 CFR 571, or

3 c. for any commercial motor vehicle (CMV), follow the
4 Federal Motor Carrier Safety Regulations or Oklahoma
5 Intrastate Motor Carrier Regulations;

6 2. A motor vehicle originally equipped so that the vehicle may
7 be propelled by compressed natural gas, a hydrogen fuel cell, or
8 liquefied natural gas or liquefied petroleum gas but only to the
9 extent of the portion of the basis of such motor vehicle which is
10 attributable to the storage of such fuel, the delivery to the engine
11 of such motor vehicle of such fuel, and the exhaust of gases from
12 combustion of such fuel;

13 3. Property, not including a building and its structural
14 components, which is:

15 a. directly related to the delivery of compressed natural
16 gas, liquefied natural gas or liquefied petroleum gas,
17 or hydrogen for commercial purposes or for a fee or
18 charge, into the fuel tank of a motor vehicle
19 propelled by such fuel including compression equipment
20 and storage tanks for such fuel at the point where
21 such fuel is so delivered but only if such property is
22 not used to deliver such fuel into any other type of
23 storage tank or receptacle and such fuel is not used

1 for any purpose other than to propel a motor vehicle,
2 or

3 b. a metered-for-fee, public access recharging system for
4 motor vehicles propelled in whole or in part by
5 electricity. The property covered by this paragraph
6 must be new, and must not have been previously
7 installed or used to refuel vehicles powered by
8 compressed natural gas, liquefied natural gas or
9 liquefied petroleum gas, hydrogen, or electricity.

10 ~~Any property covered by this paragraph which is related to the~~
11 ~~delivery of hydrogen into the fuel tank of a motor vehicle shall~~
12 ~~only be eligible for tax years 2010 and 2023 through 2028;~~

13 4. Property which is directly related to the compression and
14 delivery of natural gas from a private home or residence, for
15 noncommercial purposes, into the fuel tank of a motor vehicle
16 propelled by compressed natural gas. The property covered by this
17 paragraph must be new and must not have been previously installed or
18 used to refuel vehicles powered by natural gas; or

19 5. For tax years 2010 and 2023 through 2028, a motor vehicle
20 originally equipped so that the vehicle may be propelled by a
21 hydrogen fuel cell electric fueling system.

22 C. As used in this section, "motor vehicle" means a motor
23 vehicle originally designed by the manufacturer to operate lawfully
24 and principally on streets and highways.

1 D. The credit provided for in subsection A of this section
2 shall be as follows:

3 1. For the qualified clean-burning motor vehicle fuel property
4 defined in paragraphs 1, 2, or 5 of subsection B of this section,
5 the amount of the credit shall be as follows based upon gross
6 vehicle weight of the qualified vehicle:

7 a. for vehicles up to or below six thousand (6,000)
8 pounds, the credit shall be a maximum of Five Thousand
9 Five Hundred Dollars (\$5,500.00),

10 b. for vehicles between six thousand one (6,001) pounds
11 to ten thousand (10,000) pounds, the credit shall be a
12 maximum amount of Nine Thousand Dollars (\$9,000.00),

13 c. for vehicles of ten thousand one (10,001) pounds, but
14 not in excess of twenty-six thousand five hundred
15 (26,500) pounds, the credit shall be a maximum amount
16 of Twenty-six Thousand Dollars (\$26,000.00), and

17 d. for vehicles in excess of twenty-six thousand five
18 hundred one (26,501) pounds, the credit shall be a
19 maximum amount of One Hundred Thousand Dollars
20 (\$100,000.00);

21 2. For qualified clean-burning motor vehicle fuel property
22 defined in paragraph 3 of subsection B of this section, a per-
23 location credit of forty-five percent (45%) of the cost of the
24 qualified clean-burning motor vehicle fuel property; and

1 3. For qualified clean-burning motor vehicle fuel property
2 defined in paragraph 4 of subsection B of this section, a per-
3 location credit of the lesser of fifty percent (50%) of the cost of
4 the qualified clean-burning motor vehicle fuel property or Two
5 Thousand Five Hundred Dollars (\$2,500.00).

6 E. In cases where no credit has been claimed pursuant to
7 paragraph 1 of subsection D of this section by any prior owner and
8 in which a motor vehicle is purchased by a taxpayer with qualified
9 clean-burning motor vehicle fuel property installed by the
10 manufacturer of such motor vehicle and the taxpayer is unable or
11 elects not to determine the exact basis which is attributable to
12 such property, the taxpayer may claim a credit in an amount not
13 exceeding the lesser of ten percent (10%) of the cost of the motor
14 vehicle or One Thousand Five Hundred Dollars (\$1,500.00).

15 F. If the tax credit allowed pursuant to subsection A of this
16 section exceeds the amount of income taxes due or if there are no
17 state income taxes due on the income of the taxpayer, the amount of
18 the credit not used as an offset against the income taxes of a
19 taxable year may be carried forward, in order, as a credit against
20 subsequent income tax liability for a period not to exceed five (5)
21 years. The tax credit authorized pursuant to the provisions of this
22 section shall not be used to reduce the tax liability of the
23 taxpayer to less than zero (0).

24

1 G. A husband and wife who file separate returns for a taxable
2 year in which they could have filed a joint return may each claim
3 only one-half (1/2) of the tax credit that would have been allowed
4 for a joint return.

5 H. The Oklahoma Tax Commission is herein empowered to
6 promulgate rules by which the purpose of this section shall be
7 administered including the power to establish and enforce penalties
8 for violations thereof.

9 I. Notwithstanding the provisions of Section 2352 of this
10 title, for the fiscal year beginning on July 1, 2014, through fiscal
11 year 2023, the Tax Commission shall calculate an amount that equals
12 five percent (5%) of the cost of qualified clean-burning motor
13 vehicle fuel property as provided for in paragraph 1 of subsection D
14 of this section for tax year 2012. For each subsequent fiscal year
15 thereafter, the Tax Commission shall perform the same computation
16 with respect to the second tax year preceding the beginning of each
17 subsequent fiscal year. For fiscal year 2024, the Tax Commission
18 shall calculate an amount that equals twelve percent (12%) of the
19 credit for qualified clean-burning motor vehicle fuel property as
20 provided in paragraph 1 of subsection D of this section for tax year
21 2021. For each subsequent fiscal year, the Tax Commission shall
22 perform the same calculation for credits claimed in the second
23 preceding tax year. The Tax Commission shall then transfer an
24 amount equal to the amount calculated in this subsection from the

1 revenue derived pursuant to the provisions of subsections A, B and E
2 of Section 2355 of this title to the Compressed Natural Gas
3 Conversion Safety and Regulation Fund created in Section 130.25 of
4 Title 74 of the Oklahoma Statutes.

5 J. For the tax years 2020 through 2022, the total amount of
6 credits authorized by this section used to offset tax shall be
7 adjusted annually to limit the annual amount of credits to Twenty
8 Million Dollars (\$20,000,000.00). The Tax Commission shall annually
9 calculate and publish by the first day of the affected taxable year
10 a percentage by which the credits authorized by this section shall
11 be reduced so the total amount of credits used to offset tax does
12 not exceed Twenty Million Dollars (\$20,000,000.00) per year. The
13 formula to be used for the percentage adjustment shall be Twenty
14 Million Dollars (\$20,000,000.00) divided by the credits claimed in
15 the second preceding year, with respect to any changes to the future
16 of the credit.

17 K. Pursuant to subsection J of this section, in the event the
18 total tax credits authorized by this section exceed Twenty Million
19 Dollars (\$20,000,000.00) in any calendar year, the Tax Commission
20 shall permit any excess over Twenty Million Dollars (\$20,000,000.00)
21 but shall factor such excess into the percentage adjustment formula
22 for subsequent years with respect to any changes to the future of
23 the credit.

24

1 L. For the tax years 2023 through 2028, the total amount of
2 credits authorized by this section used to offset tax shall be
3 adjusted annually to limit the annual amount of credits to:

4 1. Ten Million Dollars (\$10,000,000.00) for qualified clean
5 burning fuel property propelled by compressed natural gas, liquefied
6 natural gas, or liquefied petroleum gas, property related to the
7 delivery of compressed natural gas, liquefied natural gas or
8 liquefied petroleum gas, and property directly related to the
9 compression and delivery of natural gas;

10 2. Ten Million Dollars (\$10,000,000.00) for property originally
11 equipped so that the vehicle may be propelled by a hydrogen fuel
12 cell electric fueling system and property directly related to the
13 delivery of hydrogen; and

14 3. Ten Million Dollars (\$10,000,000.00) for property which is a
15 metered-for-fee, public access recharging system for motor vehicles
16 propelled in whole or in part by electricity.

17 The Tax Commission shall annually calculate and publish by the
18 first day of the affected taxable year a percentage by which the
19 credits authorized by this section shall be reduced so the total
20 amount of credits used to offset tax does not exceed each of the
21 limits provided in paragraphs 1 through 3 of this subsection. The
22 formula to be used for the percentage adjustment shall be Ten
23 Million Dollars (\$10,000,000.00) divided by the credits claimed in
24

1 the second preceding year, with respect to any changes to the future
2 of the credit.

3 M. Pursuant to subsection L of this section, in the event the
4 tax credits authorized by this section exceed any of the limits
5 provided in paragraphs 1 through 3 of subsection L of this section
6 in any year, the Tax Commission shall permit any excess over Ten
7 Million Dollars (\$10,000,000.00) but shall factor such excess into
8 the percentage adjustment formula for subsequent years with respect
9 to any changes to the future of the credit.

10 N. The Tax Commission shall notify the Office of the State
11 Secretary of Energy and Environment at any time when the amount of
12 claims for credits allowed pursuant to this section reaches eighty
13 percent (80%) of the total annual limit provided in subsection J of
14 this section. Upon such notification, the Secretary shall provide
15 notice to the Governor, President Pro Tempore of the Senate and
16 Speaker of the House of Representatives.

17 SECTION 154. REPEALER 68 O.S. 2021, Section 2357.22, as
18 last amended by Section 1, Chapter 114, O.S.L. 2023 (68 O.S. Supp.
19 2023, Section 2357.22), is hereby repealed.

20 SECTION 155. AMENDATORY 68 O.S. 2021, Section 2358, as
21 last amended by Section 2, Chapter 341, O.S.L. 2022 (68 O.S. Supp.
22 2023, Section 2358), is amended to read as follows:

23 Section 2358. For all tax years beginning after December 31,
24 1981, taxable income and adjusted gross income shall be adjusted to

1 arrive at Oklahoma taxable income and Oklahoma adjusted gross income
2 as required by this section.

3 A. The taxable income of any taxpayer shall be adjusted to
4 arrive at Oklahoma taxable income for corporations and Oklahoma
5 adjusted gross income for individuals, as follows:

6 1. There shall be added interest income on obligations of any
7 state or political subdivision thereto which is not otherwise
8 exempted pursuant to other laws of this state, to the extent that
9 such interest is not included in taxable income and adjusted gross
10 income.

11 2. There shall be deducted amounts included in such income that
12 the state is prohibited from taxing because of the provisions of the
13 Federal Constitution, the State Constitution, federal laws or laws
14 of Oklahoma.

15 3. The amount of any federal net operating loss deduction shall
16 be adjusted as follows:

17 a. For carryovers and carrybacks to taxable years
18 beginning before January 1, 1981, the amount of any
19 net operating loss deduction allowed to a taxpayer for
20 federal income tax purposes shall be reduced to an
21 amount which is the same portion thereof as the loss
22 from sources within this state, as determined pursuant
23 to this section and Section 2362 of this title, for
24

1 the taxable year in which such loss is sustained is of
2 the total loss for such year;

3 b. For carryovers and carrybacks to taxable years

4 beginning after December 31, 1980, the amount of any
5 net operating loss deduction allowed for the taxable
6 year shall be an amount equal to the aggregate of the
7 Oklahoma net operating loss carryovers and carrybacks
8 to such year. Oklahoma net operating losses shall be
9 separately determined by reference to Section 172 of
10 the Internal Revenue Code, 26 U.S.C., Section 172, as
11 modified by the Oklahoma Income Tax Act, Section 2351
12 et seq. of this title, and shall be allowed without
13 regard to the existence of a federal net operating
14 loss. For tax years beginning after December 31,
15 2000, and ending before January 1, 2008, the years to
16 which such losses may be carried shall be determined
17 solely by reference to Section 172 of the Internal
18 Revenue Code, 26 U.S.C., Section 172, with the
19 exception that the terms "net operating loss" and
20 "taxable income" shall be replaced with "Oklahoma net
21 operating loss" and "Oklahoma taxable income". For
22 tax years beginning after December 31, 2007, and
23 ending before January 1, 2009, years to which such
24 losses may be carried back shall be limited to two (2)

1 years. For tax years beginning after December 31,
2 2008, the years to which such losses may be carried
3 back shall be determined solely by reference to
4 Section 172 of the Internal Revenue Code, 26 U.S.C.,
5 Section 172, with the exception that the terms "net
6 operating loss" and "taxable income" shall be replaced
7 with "Oklahoma net operating loss" and "Oklahoma
8 taxable income".

9 4. Items of the following nature shall be allocated as
10 indicated. Allowable deductions attributable to items separately
11 allocable in subparagraphs a, b and c of this paragraph, whether or
12 not such items of income were actually received, shall be allocated
13 on the same basis as those items:

14 a. Income from real and tangible personal property, such
15 as rents, oil and mining production or royalties, and
16 gains or losses from sales of such property, shall be
17 allocated in accordance with the situs of such
18 property;

19 b. Income from intangible personal property, such as
20 interest, dividends, patent or copyright royalties,
21 and gains or losses from sales of such property, shall
22 be allocated in accordance with the domiciliary situs
23 of the taxpayer, except that:
24

1 (1) where such property has acquired a nonunitary
2 business or commercial situs apart from the
3 domicile of the taxpayer such income shall be
4 allocated in accordance with such business or
5 commercial situs; interest income from
6 investments held to generate working capital for
7 a unitary business enterprise shall be included
8 in apportionable income; a resident trust or
9 resident estate shall be treated as having a
10 separate commercial or business situs insofar as
11 undistributed income is concerned, but shall not
12 be treated as having a separate commercial or
13 business situs insofar as distributed income is
14 concerned,

15 (2) for taxable years beginning after December 31,
16 2003, capital or ordinary gains or losses from
17 the sale of an ownership interest in a publicly
18 traded partnership, as defined by Section 7704(b)
19 of the Internal Revenue Code, shall be allocated
20 to this state in the ratio of the original cost
21 of such partnership's tangible property in this
22 state to the original cost of such partnership's
23 tangible property everywhere, as determined at
24 the time of the sale; if more than fifty percent

1 (50%) of the value of the partnership's assets
2 consists of intangible assets, capital or
3 ordinary gains or losses from the sale of an
4 ownership interest in the partnership shall be
5 allocated to this state in accordance with the
6 sales factor of the partnership for its first
7 full tax period immediately preceding its tax
8 period during which the ownership interest in the
9 partnership was sold; the provisions of this
10 division shall only apply if the capital or
11 ordinary gains or losses from the sale of an
12 ownership interest in a partnership do not
13 constitute qualifying gain receiving capital
14 treatment as defined in subparagraph a of
15 paragraph 2 of subsection F of this section,

16 (3) income from such property which is required to be
17 allocated pursuant to the provisions of paragraph
18 5 of this subsection shall be allocated as herein
19 provided;

20 c. Net income or loss from a business activity which is
21 not a part of business carried on within or without
22 the state of a unitary character shall be separately
23 allocated to the state in which such activity is
24 conducted;

1 d. In the case of a manufacturing or processing
2 enterprise the business of which in Oklahoma consists
3 solely of marketing its products by:

4 (1) sales having a situs without this state, shipped
5 directly to a point from without the state to a
6 purchaser within the state, commonly known as
7 interstate sales,

8 (2) sales of the product stored in public warehouses
9 within the state pursuant to "in transit"
10 tariffs, as prescribed and allowed by the
11 Interstate Commerce Commission, to a purchaser
12 within the state,

13 (3) sales of the product stored in public warehouses
14 within the state where the shipment to such
15 warehouses is not covered by "in transit"
16 tariffs, as prescribed and allowed by the
17 Interstate Commerce Commission, to a purchaser
18 within or without the state,

19 the Oklahoma net income shall, at the option of the
20 taxpayer, be that portion of the total net income of
21 the taxpayer for federal income tax purposes derived
22 from the manufacture and/or processing and sales
23 everywhere as determined by the ratio of the sales
24 defined in this section made to the purchaser within

1 the state to the total sales everywhere. The term
2 "public warehouse" as used in this subparagraph means
3 a licensed public warehouse, the principal business of
4 which is warehousing merchandise for the public;

5 e. In the case of insurance companies, Oklahoma taxable
6 income shall be taxable income of the taxpayer for
7 federal tax purposes, as adjusted for the adjustments
8 provided pursuant to the provisions of paragraphs 1
9 and 2 of this subsection, apportioned as follows:

10 (1) except as otherwise provided by division (2) of
11 this subparagraph, taxable income of an insurance
12 company for a taxable year shall be apportioned
13 to this state by multiplying such income by a
14 fraction, the numerator of which is the direct
15 premiums written for insurance on property or
16 risks in this state, and the denominator of which
17 is the direct premiums written for insurance on
18 property or risks everywhere. For purposes of
19 this subsection, the term "direct premiums
20 written" means the total amount of direct
21 premiums written, assessments and annuity
22 considerations as reported for the taxable year
23 on the annual statement filed by the company with
24 the Insurance Commissioner in the form approved

1 by the National Association of Insurance
2 Commissioners, or such other form as may be
3 prescribed in lieu thereof,

4 (2) if the principal source of premiums written by an
5 insurance company consists of premiums for
6 reinsurance accepted by it, the taxable income of
7 such company shall be apportioned to this state
8 by multiplying such income by a fraction, the
9 numerator of which is the sum of (a) direct
10 premiums written for insurance on property or
11 risks in this state, plus (b) premiums written
12 for reinsurance accepted in respect of property
13 or risks in this state, and the denominator of
14 which is the sum of (c) direct premiums written
15 for insurance on property or risks everywhere,
16 plus (d) premiums written for reinsurance
17 accepted in respect of property or risks
18 everywhere. For purposes of this paragraph,
19 premiums written for reinsurance accepted in
20 respect of property or risks in this state,
21 whether or not otherwise determinable, may at the
22 election of the company be determined on the
23 basis of the proportion which premiums written
24 for insurance accepted from companies

1 commercially domiciled in Oklahoma bears to
2 premiums written for reinsurance accepted from
3 all sources, or alternatively in the proportion
4 which the sum of the direct premiums written for
5 insurance on property or risks in this state by
6 each ceding company from which reinsurance is
7 accepted bears to the sum of the total direct
8 premiums written by each such ceding company for
9 the taxable year.

10 5. The net income or loss remaining after the separate
11 allocation in paragraph 4 of this subsection, being that which is
12 derived from a unitary business enterprise, shall be apportioned to
13 this state on the basis of the arithmetical average of three factors
14 consisting of property, payroll and sales or gross revenue
15 enumerated as subparagraphs a, b and c of this paragraph. Net
16 income or loss as used in this paragraph includes that derived from
17 patent or copyright royalties, purchase discounts, and interest on
18 accounts receivable relating to or arising from a business activity,
19 the income from which is apportioned pursuant to this subsection,
20 including the sale or other disposition of such property and any
21 other property used in the unitary enterprise. Deductions used in
22 computing such net income or loss shall not include taxes based on
23 or measured by income. Provided, for corporations whose property
24 for purposes of the tax imposed by Section 2355 of this title has an

1 initial investment cost equaling or exceeding Two Hundred Million
2 Dollars (\$200,000,000.00) and such investment is made on or after
3 July 1, 1997, or for corporations which expand their property or
4 facilities in this state and such expansion has an investment cost
5 equaling or exceeding Two Hundred Million Dollars (\$200,000,000.00)
6 over a period not to exceed three (3) years, and such expansion is
7 commenced on or after January 1, 2000, the three factors shall be
8 apportioned with property and payroll, each comprising twenty-five
9 percent (25%) of the apportionment factor and sales comprising fifty
10 percent (50%) of the apportionment factor. The apportionment
11 factors shall be computed as follows:

12 a. The property factor is a fraction, the numerator of
13 which is the average value of the taxpayer's real and
14 tangible personal property owned or rented and used in
15 this state during the tax period and the denominator
16 of which is the average value of all the taxpayer's
17 real and tangible personal property everywhere owned
18 or rented and used during the tax period.

19 (1) Property, the income from which is separately
20 allocated in paragraph 4 of this subsection,
21 shall not be included in determining this
22 fraction. The numerator of the fraction shall
23 include a portion of the investment in
24 transportation and other equipment having no

1 fixed situs, such as rolling stock, buses, trucks
2 and trailers, including machinery and equipment
3 carried thereon, airplanes, salespersons'
4 automobiles and other similar equipment, in the
5 proportion that miles traveled in Oklahoma by
6 such equipment bears to total miles traveled,

7 (2) Property owned by the taxpayer is valued at its
8 original cost. Property rented by the taxpayer
9 is valued at eight times the net annual rental
10 rate. Net annual rental rate is the annual
11 rental rate paid by the taxpayer, less any annual
12 rental rate received by the taxpayer from
13 subrentals,

14 (3) The average value of property shall be determined
15 by averaging the values at the beginning and
16 ending of the tax period but the Oklahoma Tax
17 Commission may require the averaging of monthly
18 values during the tax period if reasonably
19 required to reflect properly the average value of
20 the taxpayer's property;

21 b. The payroll factor is a fraction, the numerator of
22 which is the total compensation for services rendered
23 in the state during the tax period, and the
24 denominator of which is the total compensation for

1 services rendered everywhere during the tax period.

2 "Compensation", as used in this subsection means those
3 paid-for services to the extent related to the unitary
4 business but does not include officers' salaries,
5 wages and other compensation.

6 (1) In the case of a transportation enterprise, the
7 numerator of the fraction shall include a portion
8 of such expenditure in connection with employees
9 operating equipment over a fixed route, such as
10 railroad employees, airline pilots, or bus
11 drivers, in this state only a part of the time,
12 in the proportion that mileage traveled in
13 Oklahoma bears to total mileage traveled by such
14 employees,

15 (2) In any case the numerator of the fraction shall
16 include a portion of such expenditures in
17 connection with itinerant employees, such as
18 traveling salespersons, in this state only a part
19 of the time, in the proportion that time spent in
20 Oklahoma bears to total time spent in furtherance
21 of the enterprise by such employees;

22 c. The sales factor is a fraction, the numerator of which
23 is the total sales or gross revenue of the taxpayer in
24 this state during the tax period, and the denominator

1 of which is the total sales or gross revenue of the
2 taxpayer everywhere during the tax period. "Sales",
3 as used in this subsection does not include sales or
4 gross revenue which are separately allocated in
5 paragraph 4 of this subsection.

6 (1) Sales of tangible personal property have a situs
7 in this state if the property is delivered or
8 shipped to a purchaser other than the United
9 States government, within this state regardless
10 of the FOB point or other conditions of the sale;
11 or the property is shipped from an office, store,
12 warehouse, factory or other place of storage in
13 this state and (a) the purchaser is the United
14 States government or (b) the taxpayer is not
15 doing business in the state of the destination of
16 the shipment.

17 (2) In the case of a railroad or interurban railway
18 enterprise, the numerator of the fraction shall
19 not be less than the allocation of revenues to
20 this state as shown in its annual report to the
21 Corporation Commission.

22 (3) In the case of an airline, truck or bus
23 enterprise or freight car, tank car, refrigerator
24 car or other railroad equipment enterprise, the

1 numerator of the fraction shall include a portion
2 of revenue from interstate transportation in the
3 proportion that interstate mileage traveled in
4 Oklahoma bears to total interstate mileage
5 traveled.

6 (4) In the case of an oil, gasoline or gas pipeline
7 enterprise, the numerator of the fraction shall
8 be either the total of traffic units of the
9 enterprise within Oklahoma or the revenue
10 allocated to Oklahoma based upon miles moved, at
11 the option of the taxpayer, and the denominator
12 of which shall be the total of traffic units of
13 the enterprise or the revenue of the enterprise
14 everywhere as appropriate to the numerator. A
15 "traffic unit" is hereby defined as the
16 transportation for a distance of one (1) mile of
17 one (1) barrel of oil, one (1) gallon of gasoline
18 or one thousand (1,000) cubic feet of natural or
19 casinghead gas, as the case may be.

20 (5) In the case of a telephone or telegraph or other
21 communication enterprise, the numerator of the
22 fraction shall include that portion of the
23 interstate revenue as is allocated pursuant to
24 the accounting procedures prescribed by the

1 Federal Communications Commission; provided that
2 in respect to each corporation or business entity
3 required by the Federal Communications Commission
4 to keep its books and records in accordance with
5 a uniform system of accounts prescribed by such
6 Commission, the intrastate net income shall be
7 determined separately in the manner provided by
8 such uniform system of accounts and only the
9 interstate income shall be subject to allocation
10 pursuant to the provisions of this subsection.
11 Provided further, that the gross revenue factors
12 shall be those as are determined pursuant to the
13 accounting procedures prescribed by the Federal
14 Communications Commission.

15 In any case where the apportionment of the three factors
16 prescribed in this paragraph attributes to Oklahoma a portion of net
17 income of the enterprise out of all appropriate proportion to the
18 property owned and/or business transacted within this state, because
19 of the fact that one or more of the factors so prescribed are not
20 employed to any appreciable extent in furtherance of the enterprise;
21 or because one or more factors not so prescribed are employed to a
22 considerable extent in furtherance of the enterprise; or because of
23 other reasons, the Tax Commission is empowered to permit, after a
24 showing by taxpayer that an excessive portion of net income has been

1 attributed to Oklahoma, or require, when in its judgment an
2 insufficient portion of net income has been attributed to Oklahoma,
3 the elimination, substitution, or use of additional factors, or
4 reduction or increase in the weight of such prescribed factors.
5 Provided, however, that any such variance from such prescribed
6 factors which has the effect of increasing the portion of net income
7 attributable to Oklahoma must not be inherently arbitrary, and
8 application of the recomputed final apportionment to the net income
9 of the enterprise must attribute to Oklahoma only a reasonable
10 portion thereof.

11 6. For calendar years 1997 and 1998, the owner of a new or
12 expanded agricultural commodity processing facility in this state
13 may exclude from Oklahoma taxable income, or in the case of an
14 individual, the Oklahoma adjusted gross income, fifteen percent
15 (15%) of the investment by the owner in the new or expanded
16 agricultural commodity processing facility. For calendar year 1999,
17 and all subsequent years, the percentage, not to exceed fifteen
18 percent (15%), available to the owner of a new or expanded
19 agricultural commodity processing facility in this state claiming
20 the exemption shall be adjusted annually so that the total estimated
21 reduction in tax liability does not exceed One Million Dollars
22 (\$1,000,000.00) annually. The Tax Commission shall promulgate rules
23 for determining the percentage of the investment which each eligible
24 taxpayer may exclude. The exclusion provided by this paragraph

1 shall be taken in the taxable year when the investment is made. In
2 the event the total reduction in tax liability authorized by this
3 paragraph exceeds One Million Dollars (\$1,000,000.00) in any
4 calendar year, the Tax Commission shall permit any excess over One
5 Million Dollars (\$1,000,000.00) and shall factor such excess into
6 the percentage for subsequent years. Any amount of the exemption
7 permitted to be excluded pursuant to the provisions of this
8 paragraph but not used in any year may be carried forward as an
9 exemption from income pursuant to the provisions of this paragraph
10 for a period not exceeding six (6) years following the year in which
11 the investment was originally made.

12 For purposes of this paragraph:

- 13 a. "Agricultural commodity processing facility" means
14 building, structures, fixtures and improvements used
15 or operated primarily for the processing or production
16 of marketable products from agricultural commodities.
17 The term shall also mean a dairy operation that
18 requires a depreciable investment of at least Two
19 Hundred Fifty Thousand Dollars (\$250,000.00) and which
20 produces milk from dairy cows. The term does not
21 include a facility that provides only, and nothing
22 more than, storage, cleaning, drying or transportation
23 of agricultural commodities, and

24

1 b. "Facility" means each part of the facility which is
2 used in a process primarily for:

3 (1) the processing of agricultural commodities,
4 including receiving or storing agricultural
5 commodities, or the production of milk at a dairy
6 operation,

7 (2) transporting the agricultural commodities or
8 product before, during or after the processing,
9 or

10 (3) packaging or otherwise preparing the product for
11 sale or shipment.

12 7. Despite any provision to the contrary in paragraph 3 of this
13 subsection, for taxable years beginning after December 31, 1999, in
14 the case of a taxpayer which has a farming loss, such farming loss
15 shall be considered a net operating loss carryback in accordance
16 with and to the extent of the Internal Revenue Code, 26 U.S.C.,
17 Section 172(b)(G). However, the amount of the net operating loss
18 carryback shall not exceed the lesser of:

19 a. Sixty Thousand Dollars (\$60,000.00), or

20 b. the loss properly shown on Schedule F of the Internal
21 Revenue Service Form 1040 reduced by one-half (1/2) of
22 the income from all other sources other than reflected
23 on Schedule F.

1 8. In taxable years beginning after December 31, 1995, all
2 qualified wages equal to the federal income tax credit set forth in
3 26 U.S.C.A., Section 45A, shall be deducted from taxable income.
4 The deduction allowed pursuant to this paragraph shall only be
5 permitted for the tax years in which the federal tax credit pursuant
6 to 26 U.S.C.A., Section 45A, is allowed. For purposes of this
7 paragraph, "qualified wages" means those wages used to calculate the
8 federal credit pursuant to 26 U.S.C.A., Section 45A.

9 9. In taxable years beginning after December 31, 2005, an
10 employer that is eligible for and utilizes the Safety Pays OSHA
11 Consultation Service provided by the Oklahoma Department of Labor
12 shall receive an exemption from taxable income in the amount of One
13 Thousand Dollars (\$1,000.00) for the tax year that the service is
14 utilized.

15 10. For taxable years beginning on or after January 1, 2010,
16 there shall be added to Oklahoma taxable income an amount equal to
17 the amount of deferred income not included in such taxable income
18 pursuant to Section 108(i)(1) of the Internal Revenue Code of 1986
19 as amended by Section 1231 of the American Recovery and Reinvestment
20 Act of 2009 (P.L. No. 111-5). There shall be subtracted from
21 Oklahoma taxable income an amount equal to the amount of deferred
22 income included in such taxable income pursuant to Section 108(i)(1)
23 of the Internal Revenue Code by Section 1231 of the American
24 Recovery and Reinvestment Act of 2009 (P.L. No. 111-5).

1 11. For taxable years beginning on or after January 1, 2019,
2 there shall be subtracted from Oklahoma taxable income or adjusted
3 gross income any item of income or gain, and there shall be added to
4 Oklahoma taxable income or adjusted gross income any item of loss or
5 deduction that in the absence of an election pursuant to the
6 provisions of the Pass-Through Entity Tax Equity Act of 2019 would
7 be allocated to a member or to an indirect member of an electing
8 pass-through entity pursuant to Section 2351 et seq. of this title,
9 if (i) the electing pass-through entity has accounted for such item
10 in computing its Oklahoma net entity income or loss pursuant to the
11 provisions of the Pass-Through Entity Tax Equity Act of 2019, and
12 (ii) the total amount of tax attributable to any resulting Oklahoma
13 net entity income has been paid. The Oklahoma Tax Commission shall
14 promulgate rules for the reporting of such exclusion to direct and
15 indirect members of the electing pass-through entity. As used in
16 this paragraph, "electing pass-through entity", "indirect member",
17 and "member" shall be defined in the same manner as prescribed by
18 Section 2355.1P-2 of this title. Notwithstanding the application of
19 this paragraph, the adjusted tax basis of any ownership interest in
20 a pass-through entity for purposes of Section 2351 et seq. of this
21 title shall be equal to its adjusted tax basis for federal income
22 tax purposes.

23 B. 1. The taxable income of any corporation shall be further
24 adjusted to arrive at Oklahoma taxable income, except those

1 corporations electing treatment as provided in subchapter S of the
2 Internal Revenue Code, 26 U.S.C., Section 1361 et seq., and Section
3 2365 of this title, deductions pursuant to the provisions of the
4 Accelerated Cost Recovery System as defined and allowed in the
5 Economic Recovery Tax Act of 1981, Public Law 97-34, 26 U.S.C.,
6 Section 168, for depreciation of assets placed into service after
7 December 31, 1981, shall not be allowed in calculating Oklahoma
8 taxable income. Such corporations shall be allowed a deduction for
9 depreciation of assets placed into service after December 31, 1981,
10 in accordance with provisions of the Internal Revenue Code, 26
11 U.S.C., Section 1 et seq., in effect immediately prior to the
12 enactment of the Accelerated Cost Recovery System. The Oklahoma tax
13 basis for all such assets placed into service after December 31,
14 1981, calculated in this section shall be retained and utilized for
15 all Oklahoma income tax purposes through the final disposition of
16 such assets.

17 Notwithstanding any other provisions of the Oklahoma Income Tax
18 Act, Section 2351 et seq. of this title, or of the Internal Revenue
19 Code to the contrary, this subsection shall control calculation of
20 depreciation of assets placed into service after December 31, 1981,
21 and before January 1, 1983.

22 For assets placed in service and held by a corporation in which
23 accelerated cost recovery system was previously disallowed, an
24 adjustment to taxable income is required in the first taxable year

1 beginning after December 31, 1982, to reconcile the basis of such
2 assets to the basis allowed in the Internal Revenue Code. The
3 purpose of this adjustment is to equalize the basis and allowance
4 for depreciation accounts between that reported to the Internal
5 Revenue Service and that reported to Oklahoma.

6 2. For tax years beginning on or after January 1, 2009, and
7 ending on or before December 31, 2009, there shall be added to
8 Oklahoma taxable income any amount in excess of One Hundred Seventy-
9 five Thousand Dollars (\$175,000.00) which has been deducted as a
10 small business expense under Internal Revenue Code, Section 179 as
11 provided in the American Recovery and Reinvestment Act of 2009.

12 C. 1. For taxable years beginning after December 31, 1987, the
13 taxable income of any corporation shall be further adjusted to
14 arrive at Oklahoma taxable income for transfers of technology to
15 qualified small businesses located in Oklahoma. Such transferor
16 corporation shall be allowed an exemption from taxable income of an
17 amount equal to the amount of royalty payment received as a result
18 of such transfer; provided, however, such amount shall not exceed
19 ten percent (10%) of the amount of gross proceeds received by such
20 transferor corporation as a result of the technology transfer. Such
21 exemption shall be allowed for a period not to exceed ten (10) years
22 from the date of receipt of the first royalty payment accruing from
23 such transfer. No exemption may be claimed for transfers of

24

1 technology to qualified small businesses made prior to January 1,
2 1988.

3 2. For purposes of this subsection:

4 a. "Qualified small business" means an entity, whether
5 organized as a corporation, partnership, or
6 proprietorship, organized for profit with its
7 principal place of business located within this state
8 and which meets the following criteria:

9 (1) Capitalization of not more than Two Hundred Fifty
10 Thousand Dollars (\$250,000.00),

11 (2) Having at least fifty percent (50%) of its
12 employees and assets located in Oklahoma at the
13 time of the transfer, and

14 (3) Not a subsidiary or affiliate of the transferor
15 corporation;

16 b. "Technology" means a proprietary process, formula,
17 pattern, device or compilation of scientific or
18 technical information which is not in the public
19 domain;

20 c. "Transferor corporation" means a corporation which is
21 the exclusive and undisputed owner of the technology
22 at the time the transfer is made; and
23
24

1 d. "Gross proceeds" means the total amount of
2 consideration for the transfer of technology, whether
3 the consideration is in money or otherwise.

4 D. 1. For taxable years beginning after December 31, 2005, the
5 taxable income of any corporation, estate or trust, shall be further
6 adjusted for qualifying gains receiving capital treatment. Such
7 corporations, estates or trusts shall be allowed a deduction from
8 Oklahoma taxable income for the amount of qualifying gains receiving
9 capital treatment earned by the corporation, estate or trust during
10 the taxable year and included in the federal taxable income of such
11 corporation, estate or trust.

12 2. As used in this subsection:

13 a. "qualifying gains receiving capital treatment" means
14 the amount of net capital gains, as defined in Section
15 1222(11) of the Internal Revenue Code, included in the
16 federal income tax return of the corporation, estate
17 or trust that result from:

18 (1) the sale of real property or tangible personal
19 property located within Oklahoma that has been
20 directly or indirectly owned by the corporation,
21 estate or trust for a holding period of at least
22 five (5) years prior to the date of the
23 transaction from which such net capital gains
24 arise,

1 (2) the sale of stock or on the sale of an ownership
2 interest in an Oklahoma company, limited
3 liability company, or partnership where such
4 stock or ownership interest has been directly or
5 indirectly owned by the corporation, estate or
6 trust for a holding period of at least three (3)
7 years prior to the date of the transaction from
8 which the net capital gains arise, or

9 (3) the sale of real property, tangible personal
10 property or intangible personal property located
11 within Oklahoma as part of the sale of all or
12 substantially all of the assets of an Oklahoma
13 company, limited liability company, or
14 partnership where such property has been directly
15 or indirectly owned by such entity owned by the
16 owners of such entity, and used in or derived
17 from such entity for a period of at least three
18 (3) years prior to the date of the transaction
19 from which the net capital gains arise,

20 b. "holding period" means an uninterrupted period of
21 time. The holding period shall include any additional
22 period when the property was held by another
23 individual or entity, if such additional period is
24

1 included in the taxpayer's holding period for the
2 asset pursuant to the Internal Revenue Code,

3 c. "Oklahoma company", "limited liability company", or
4 "partnership" means an entity whose primary
5 headquarters have been located in Oklahoma for at
6 least three (3) uninterrupted years prior to the date
7 of the transaction from which the net capital gains
8 arise,

9 d. "direct" means the taxpayer directly owns the asset,
10 and

11 e. "indirect" means the taxpayer owns an interest in a
12 pass-through entity (or chain of pass-through
13 entities) that sells the asset that gives rise to the
14 qualifying gains receiving capital treatment.

15 (1) With respect to sales of real property or
16 tangible personal property located within
17 Oklahoma, the deduction described in this
18 subsection shall not apply unless the pass-
19 through entity that makes the sale has held the
20 property for not less than five (5) uninterrupted
21 years prior to the date of the transaction that
22 created the capital gain, and each pass-through
23 entity included in the chain of ownership has
24 been a member, partner, or shareholder of the

1 pass-through entity in the tier immediately below
2 it for an uninterrupted period of not less than
3 five (5) years.

4 (2) With respect to sales of stock or ownership
5 interest in or sales of all or substantially all
6 of the assets of an Oklahoma company, limited
7 liability company, or partnership, the deduction
8 described in this subsection shall not apply
9 unless the pass-through entity that makes the
10 sale has held the stock or ownership interest or
11 the assets for not less than three (3)
12 uninterrupted years prior to the date of the
13 transaction that created the capital gain, and
14 each pass-through entity included in the chain of
15 ownership has been a member, partner or
16 shareholder of the pass-through entity in the
17 tier immediately below it for an uninterrupted
18 period of not less than three (3) years.

19 E. The Oklahoma adjusted gross income of any individual
20 taxpayer shall be further adjusted as follows to arrive at Oklahoma
21 taxable income:

22 1. a. In the case of individuals, there shall be added or
23 deducted, as the case may be, the difference necessary
24 to allow personal exemptions of One Thousand Dollars

1 (\$1,000.00) in lieu of the personal exemptions allowed
2 by the Internal Revenue Code.

3 b. There shall be allowed an additional exemption of One
4 Thousand Dollars (\$1,000.00) for each taxpayer or
5 spouse who is blind at the close of the tax year. For
6 purposes of this subparagraph, an individual is blind
7 only if the central visual acuity of the individual
8 does not exceed 20/200 in the better eye with
9 correcting lenses, or if the visual acuity of the
10 individual is greater than 20/200, but is accompanied
11 by a limitation in the fields of vision such that the
12 widest diameter of the visual field subtends an angle
13 no greater than twenty (20) degrees.

14 c. There shall be allowed an additional exemption of One
15 Thousand Dollars (\$1,000.00) for each taxpayer or
16 spouse who is sixty-five (65) years of age or older at
17 the close of the tax year based upon the filing status
18 and federal adjusted gross income of the taxpayer.
19 Taxpayers with the following filing status may claim
20 this exemption if the federal adjusted gross income
21 does not exceed:

22 (1) Twenty-five Thousand Dollars (\$25,000.00) if
23 married and filing jointly~~+~~l

- 1 (2) Twelve Thousand Five Hundred Dollars (\$12,500.00)
2 if married and filing separately~~+~~l,
3 (3) Fifteen Thousand Dollars (\$15,000.00) if single~~+~~l,
4 and
5 (4) Nineteen Thousand Dollars (\$19,000.00) if a
6 qualifying head of household.

7 Provided, for taxable years beginning after December
8 31, 1999, amounts included in the calculation of
9 federal adjusted gross income pursuant to the
10 conversion of a traditional individual retirement
11 account to a Roth individual retirement account shall
12 be excluded from federal adjusted gross income for
13 purposes of the income thresholds provided in this
14 subparagraph.

- 15 2. a. For taxable years beginning on or before December 31,
16 2005, in the case of individuals who use the standard
17 deduction in determining taxable income, there shall
18 be added or deducted, as the case may be, the
19 difference necessary to allow a standard deduction in
20 lieu of the standard deduction allowed by the Internal
21 Revenue Code, in an amount equal to the larger of
22 fifteen percent (15%) of the Oklahoma adjusted gross
23 income or One Thousand Dollars (\$1,000.00), but not to
24 exceed Two Thousand Dollars (\$2,000.00), except that

1 in the case of a married individual filing a separate
2 return such deduction shall be the larger of fifteen
3 percent (15%) of such Oklahoma adjusted gross income
4 or Five Hundred Dollars (\$500.00), but not to exceed
5 the maximum amount of One Thousand Dollars
6 (\$1,000.00).

7 b. For taxable years beginning on or after January 1,
8 2006, and before January 1, 2007, in the case of
9 individuals who use the standard deduction in
10 determining taxable income, there shall be added or
11 deducted, as the case may be, the difference necessary
12 to allow a standard deduction in lieu of the standard
13 deduction allowed by the Internal Revenue Code, in an
14 amount equal to:

15 (1) Three Thousand Dollars (\$3,000.00), if the filing
16 status is married filing joint, head of household
17 or qualifying widow~~r~~, or

18 (2) Two Thousand Dollars (\$2,000.00), if the filing
19 status is single or married filing separate.

20 c. For the taxable year beginning on January 1, 2007, and
21 ending December 31, 2007, in the case of individuals
22 who use the standard deduction in determining taxable
23 income, there shall be added or deducted, as the case
24 may be, the difference necessary to allow a standard

1 deduction in lieu of the standard deduction allowed by
2 the Internal Revenue Code, in an amount equal to:

3 (1) Five Thousand Five Hundred Dollars (\$5,500.00),
4 if the filing status is married filing joint or
5 qualifying widow~~r~~e, or

6 (2) Four Thousand One Hundred Twenty-five Dollars
7 (\$4,125.00) for a head of household~~r~~e, or

8 (3) Two Thousand Seven Hundred Fifty Dollars
9 (\$2,750.00), if the filing status is single or
10 married filing separate.

11 d. For the taxable year beginning on January 1, 2008, and
12 ending December 31, 2008, in the case of individuals
13 who use the standard deduction in determining taxable
14 income, there shall be added or deducted, as the case
15 may be, the difference necessary to allow a standard
16 deduction in lieu of the standard deduction allowed by
17 the Internal Revenue Code, in an amount equal to:

18 (1) Six Thousand Five Hundred Dollars (\$6,500.00), if
19 the filing status is married filing joint or
20 qualifying widow, ~~or~~

21 (2) Four Thousand Eight Hundred Seventy-five Dollars
22 (\$4,875.00) for a head of household, or
23
24

1 (3) Three Thousand Two Hundred Fifty Dollars
2 (\$3,250.00), if the filing status is single or
3 married filing separate.

4 e. For the taxable year beginning on January 1, 2009, and
5 ending December 31, 2009, in the case of individuals
6 who use the standard deduction in determining taxable
7 income, there shall be added or deducted, as the case
8 may be, the difference necessary to allow a standard
9 deduction in lieu of the standard deduction allowed by
10 the Internal Revenue Code, in an amount equal to:

11 (1) Eight Thousand Five Hundred Dollars (\$8,500.00),
12 if the filing status is married filing joint or
13 qualifying widow, ~~or~~

14 (2) Six Thousand Three Hundred Seventy-five Dollars
15 (\$6,375.00) for a head of household, or

16 (3) Four Thousand Two Hundred Fifty Dollars
17 (\$4,250.00), if the filing status is single or
18 married filing separate.

19 Oklahoma adjusted gross income shall be increased by
20 any amounts paid for motor vehicle excise taxes which
21 were deducted as allowed by the Internal Revenue Code.

22 f. For taxable years beginning on or after January 1,
23 2010, and ending on December 31, 2016, in the case of
24 individuals who use the standard deduction in

1 determining taxable income, there shall be added or
2 deducted, as the case may be, the difference necessary
3 to allow a standard deduction equal to the standard
4 deduction allowed by the Internal Revenue Code, based
5 upon the amount and filing status prescribed by such
6 Code for purposes of filing federal individual income
7 tax returns.

8 g. For taxable years beginning on or after January 1,
9 2017, in the case of individuals who use the standard
10 deduction in determining taxable income, there shall
11 be added or deducted, as the case may be, the
12 difference necessary to allow a standard deduction in
13 lieu of the standard deduction allowed by the Internal
14 Revenue Code, as follows:

15 (1) Six Thousand Three Hundred Fifty Dollars
16 (\$6,350.00) for single or married filing
17 separately,

18 (2) Twelve Thousand Seven Hundred Dollars
19 (\$12,700.00) for married filing jointly or
20 qualifying widower with dependent child, and

21 (3) Nine Thousand Three Hundred Fifty Dollars
22 (\$9,350.00) for head of household.

23 3. a. In the case of resident and part-year resident
24 individuals having adjusted gross income from sources

1 both within and without the state, the itemized or
2 standard deductions and personal exemptions shall be
3 reduced to an amount which is the same portion of the
4 total thereof as Oklahoma adjusted gross income is of
5 adjusted gross income. To the extent itemized
6 deductions include allowable moving expense, proration
7 of moving expense shall not be required or permitted
8 but allowable moving expense shall be fully deductible
9 for those taxpayers moving within or into Oklahoma and
10 no part of moving expense shall be deductible for
11 those taxpayers moving without or out of Oklahoma.
12 All other itemized or standard deductions and personal
13 exemptions shall be subject to proration as provided
14 by law.

15 b. For taxable years beginning on or after January 1,
16 2018, the net amount of itemized deductions allowable
17 on an Oklahoma income tax return, subject to the
18 provisions of paragraph 24 of this subsection, shall
19 not exceed Seventeen Thousand Dollars (\$17,000.00).
20 For purposes of this subparagraph, charitable
21 contributions and medical expenses deductible for
22 federal income tax purposes shall be excluded from the
23 amount of Seventeen Thousand Dollars (\$17,000.00) as
24 specified by this subparagraph.

1 4. A resident individual with a physical disability
2 constituting a substantial handicap to employment may deduct from
3 Oklahoma adjusted gross income such expenditures to modify a motor
4 vehicle, home or workplace as are necessary to compensate for his or
5 her handicap. A veteran certified by the Department of Veterans
6 Affairs of the federal government as having a service-connected
7 disability shall be conclusively presumed to be an individual with a
8 physical disability constituting a substantial handicap to
9 employment. The Tax Commission shall promulgate rules containing a
10 list of combinations of common disabilities and modifications which
11 may be presumed to qualify for this deduction. The Tax Commission
12 shall prescribe necessary requirements for verification.

13 5. a. Before July 1, 2010, the first One Thousand Five
14 Hundred Dollars (\$1,500.00) received by any person
15 from the United States as salary or compensation in
16 any form, other than retirement benefits, as a member
17 of any component of the Armed Forces of the United
18 States shall be deducted from taxable income.

19 b. On or after July 1, 2010, one hundred percent (100%)
20 of the income received by any person from the United
21 States as salary or compensation in any form, other
22 than retirement benefits, as a member of any component
23 of the Armed Forces of the United States shall be
24 deducted from taxable income.

1 c. Whenever the filing of a timely income tax return by a
2 member of the Armed Forces of the United States is
3 made impracticable or impossible of accomplishment by
4 reason of:

5 (1) absence from the United States, which term
6 includes only the states and the District of
7 Columbia~~†~~,

8 (2) absence from the State of Oklahoma while on
9 active duty~~†~~ or

10 (3) confinement in a hospital within the United
11 States for treatment of wounds, injuries or
12 disease,

13 the time for filing a return and paying an income tax
14 shall be and is hereby extended without incurring
15 liability for interest or penalties, to the fifteenth
16 day of the third month following the month in which:

17 (a) Such individual shall return to the United
18 States if the extension is granted pursuant
19 to subparagraph a of this paragraph, return
20 to the State of Oklahoma if the extension is
21 granted pursuant to subparagraph b of this
22 paragraph or be discharged from such
23 hospital if the extension is granted
24

1 pursuant to subparagraph c of this
2 paragraph~~+~~, or

3 (b) An executor, administrator, or conservator
4 of the estate of the taxpayer is appointed,
5 whichever event occurs the earliest.

6 Provided, that the Tax Commission may, in its discretion, grant
7 any member of the Armed Forces of the United States an extension of
8 time for filing of income tax returns and payment of income tax
9 without incurring liabilities for interest or penalties. Such
10 extension may be granted only when in the judgment of the Tax
11 Commission a good cause exists therefor and may be for a period in
12 excess of six (6) months. A record of every such extension granted,
13 and the reason therefor, shall be kept.

14 6. Before July 1, 2010, the salary or any other form of
15 compensation, received from the United States by a member of any
16 component of the Armed Forces of the United States, shall be
17 deducted from taxable income during the time in which the person is
18 detained by the enemy in a conflict, is a prisoner of war or is
19 missing in action and not deceased; provided, after July 1, 2010,
20 all such salary or compensation shall be subject to the deduction as
21 provided pursuant to paragraph 5 of this subsection.

22 7. a. An individual taxpayer, whether resident or
23 nonresident, may deduct an amount equal to the federal
24

1 income taxes paid by the taxpayer during the taxable
2 year.

3 b. Federal taxes as described in subparagraph a of this
4 paragraph shall be deductible by any individual
5 taxpayer, whether resident or nonresident, only to the
6 extent they relate to income subject to taxation
7 pursuant to the provisions of the Oklahoma Income Tax
8 Act. The maximum amount allowable in the preceding
9 paragraph shall be prorated on the ratio of the
10 Oklahoma adjusted gross income to federal adjusted
11 gross income.

12 c. For the purpose of this paragraph, "federal income
13 taxes paid" shall mean federal income taxes, surtaxes
14 imposed on incomes or excess profits taxes, as though
15 the taxpayer was on the accrual basis. In determining
16 the amount of deduction for federal income taxes for
17 tax year 2001, the amount of the deduction shall not
18 be adjusted by the amount of any accelerated ten
19 percent (10%) tax rate bracket credit or advanced
20 refund of the credit received during the tax year
21 provided pursuant to the federal Economic Growth and
22 Tax Relief Reconciliation Act of 2001, P.L. No. 107-
23 16, and the advanced refund of such credit shall not
24 be subject to taxation.

1 d. The provisions of this paragraph shall apply to all
2 taxable years ending after December 31, 1978, and
3 beginning before January 1, 2006.

4 8. Retirement benefits not to exceed Five Thousand Five Hundred
5 Dollars (\$5,500.00) for the 2004 tax year, Seven Thousand Five
6 Hundred Dollars (\$7,500.00) for the 2005 tax year and Ten Thousand
7 Dollars (\$10,000.00) for the 2006 tax year and all subsequent tax
8 years, which are received by an individual from the civil service of
9 the United States, the Oklahoma Public Employees Retirement System,
10 the Teachers' Retirement System of Oklahoma, the Oklahoma Law
11 Enforcement Retirement System, the Oklahoma Firefighters Pension and
12 Retirement System, the Oklahoma Police Pension and Retirement
13 System, the employee retirement systems created by counties pursuant
14 to Section 951 et seq. of Title 19 of the Oklahoma Statutes, the
15 Uniform Retirement System for Justices and Judges, the Oklahoma
16 Wildlife Conservation Department Retirement Fund, the Oklahoma
17 Employment Security Commission Retirement Plan, or the employee
18 retirement systems created by municipalities pursuant to Section 48-
19 101 et seq. of Title 11 of the Oklahoma Statutes shall be exempt
20 from taxable income.

21 9. In taxable years beginning after December 31, 1984, Social
22 Security benefits received by an individual shall be exempt from
23 taxable income, to the extent such benefits are included in the
24

1 federal adjusted gross income pursuant to the provisions of Section
2 86 of the Internal Revenue Code, 26 U.S.C., Section 86.

3 10. For taxable years beginning after December 31, 1994, lump-
4 sum distributions from employer plans of deferred compensation,
5 which are not qualified plans within the meaning of Section 401(a)
6 of the Internal Revenue Code, 26 U.S.C., Section 401(a), and which
7 are deposited in and accounted for within a separate bank account or
8 brokerage account in a financial institution within this state,
9 shall be excluded from taxable income in the same manner as a
10 qualifying rollover contribution to an individual retirement account
11 within the meaning of Section 408 of the Internal Revenue Code, 26
12 U.S.C., Section 408. Amounts withdrawn from such bank or brokerage
13 account, including any earnings thereon, shall be included in
14 taxable income when withdrawn in the same manner as withdrawals from
15 individual retirement accounts within the meaning of Section 408 of
16 the Internal Revenue Code.

17 11. In taxable years beginning after December 31, 1995,
18 contributions made to and interest received from a medical savings
19 account established pursuant to Sections 2621 through 2623 of Title
20 63 of the Oklahoma Statutes shall be exempt from taxable income.

21 12. For taxable years beginning after December 31, 1996, the
22 Oklahoma adjusted gross income of any individual taxpayer who is a
23 swine or poultry producer may be further adjusted for the deduction
24 for depreciation allowed for new construction or expansion costs

1 which may be computed using the same depreciation method elected for
2 federal income tax purposes except that the useful life shall be
3 seven (7) years for purposes of this paragraph. If depreciation is
4 allowed as a deduction in determining the adjusted gross income of
5 an individual, any depreciation calculated and claimed pursuant to
6 this section shall in no event be a duplication of any depreciation
7 allowed or permitted on the federal income tax return of the
8 individual.

9 13. a. In taxable years beginning before January 1, 2005,
10 retirement benefits not to exceed the amounts
11 specified in this paragraph, which are received by an
12 individual sixty-five (65) years of age or older and
13 whose Oklahoma adjusted gross income is Twenty-five
14 Thousand Dollars (\$25,000.00) or less if the filing
15 status is single, head of household, or married filing
16 separate, or Fifty Thousand Dollars (\$50,000.00) or
17 less if the filing status is married filing joint or
18 qualifying widow, shall be exempt from taxable income.
19 In taxable years beginning after December 31, 2004,
20 retirement benefits not to exceed the amounts
21 specified in this paragraph, which are received by an
22 individual whose Oklahoma adjusted gross income is
23 less than the qualifying amount specified in this
24 paragraph, shall be exempt from taxable income.

1 b. For purposes of this paragraph, the qualifying amount
2 shall be as follows:

3 (1) in taxable years beginning after December 31,
4 2004, and prior to January 1, 2007, the
5 qualifying amount shall be Thirty-seven Thousand
6 Five Hundred Dollars (\$37,500.00) or less if the
7 filing status is single, head of household, or
8 married filing separate, or Seventy-five Thousand
9 Dollars (\$75,000.00) or less if the filing status
10 is married filing jointly or qualifying widow,

11 (2) in the taxable year beginning January 1, 2007,
12 the qualifying amount shall be Fifty Thousand
13 Dollars (\$50,000.00) or less if the filing status
14 is single, head of household, or married filing
15 separate, or One Hundred Thousand Dollars
16 (\$100,000.00) or less if the filing status is
17 married filing jointly or qualifying widow,

18 (3) in the taxable year beginning January 1, 2008,
19 the qualifying amount shall be Sixty-two Thousand
20 Five Hundred Dollars (\$62,500.00) or less if the
21 filing status is single, head of household, or
22 married filing separate, or One Hundred Twenty-
23 five Thousand Dollars (\$125,000.00) or less if
24

1 the filing status is married filing jointly or
2 qualifying widow,

3 (4) in the taxable year beginning January 1, 2009,
4 the qualifying amount shall be One Hundred
5 Thousand Dollars (\$100,000.00) or less if the
6 filing status is single, head of household, or
7 married filing separate, or Two Hundred Thousand
8 Dollars (\$200,000.00) or less if the filing
9 status is married filing jointly or qualifying
10 widow, and

11 (5) in the taxable year beginning January 1, 2010,
12 and subsequent taxable years, there shall be no
13 limitation upon the qualifying amount.

14 c. For purposes of this paragraph, "retirement benefits"
15 means the total distributions or withdrawals from the
16 following:

17 (1) an employee pension benefit plan which satisfies
18 the requirements of Section 401 of the Internal
19 Revenue Code, 26 U.S.C., Section 401,

20 (2) an eligible deferred compensation plan that
21 satisfies the requirements of Section 457 of the
22 Internal Revenue Code, 26 U.S.C., Section 457,

23 (3) an individual retirement account, annuity or
24 trust or simplified employee pension that

1 satisfies the requirements of Section 408 of the
2 Internal Revenue Code, 26 U.S.C., Section 408,
3 (4) an employee annuity subject to the provisions of
4 Section 403(a) or (b) of the Internal Revenue
5 Code, 26 U.S.C., Section 403(a) or (b),
6 (5) United States Retirement Bonds which satisfy the
7 requirements of Section 86 of the Internal
8 Revenue Code, 26 U.S.C., Section 86, or
9 (6) lump-sum distributions from a retirement plan
10 which satisfies the requirements of Section
11 402(e) of the Internal Revenue Code, 26 U.S.C.,
12 Section 402(e).

13 d. The amount of the exemption provided by this paragraph
14 shall be limited to Five Thousand Five Hundred Dollars
15 (\$5,500.00) for the 2004 tax year, Seven Thousand Five
16 Hundred Dollars (\$7,500.00) for the 2005 tax year and
17 Ten Thousand Dollars (\$10,000.00) for the tax year
18 2006 and for all subsequent tax years. Any individual
19 who claims the exemption provided for in paragraph 8
20 of this subsection shall not be permitted to claim a
21 combined total exemption pursuant to this paragraph
22 and paragraph 8 of this subsection in an amount
23 exceeding Five Thousand Five Hundred Dollars
24 (\$5,500.00) for the 2004 tax year, Seven Thousand Five

1 Hundred Dollars (\$7,500.00) for the 2005 tax year and
2 Ten Thousand Dollars (\$10,000.00) for the 2006 tax
3 year and all subsequent tax years.

4 14. In taxable years beginning after December 31, 1999, for an
5 individual engaged in production agriculture who has filed a
6 Schedule F form with the taxpayer's federal income tax return for
7 such taxable year, there shall be excluded from taxable income any
8 amount which was included as federal taxable income or federal
9 adjusted gross income and which consists of the discharge of an
10 obligation by a creditor of the taxpayer incurred to finance the
11 production of agricultural products.

12 15. In taxable years beginning December 31, 2000, an amount
13 equal to one hundred percent (100%) of the amount of any scholarship
14 or stipend received from participation in the Oklahoma Police Corps
15 Program, as established in Section 2-140.3 of Title 47 of the
16 Oklahoma Statutes shall be exempt from taxable income.

17 16. a. In taxable years beginning after December 31, 2001,
18 and before January 1, 2005, there shall be allowed a
19 deduction in the amount of contributions to accounts
20 established pursuant to the Oklahoma College Savings
21 Plan Act. The deduction shall equal the amount of
22 contributions to accounts, but in no event shall the
23 deduction for each contributor exceed Two Thousand
24

1 Five Hundred Dollars (\$2,500.00) each taxable year for
2 each account.

3 b. In taxable years beginning after December 31, 2004,
4 each taxpayer shall be allowed a deduction for
5 contributions to accounts established pursuant to the
6 Oklahoma College Savings Plan Act. The maximum annual
7 deduction shall equal the amount of contributions to
8 all such accounts plus any contributions to such
9 accounts by the taxpayer for prior taxable years after
10 December 31, 2004, which were not deducted, but in no
11 event shall the deduction for each tax year exceed Ten
12 Thousand Dollars (\$10,000.00) for each individual
13 taxpayer or Twenty Thousand Dollars (\$20,000.00) for
14 taxpayers filing a joint return. Any amount of a
15 contribution that is not deducted by the taxpayer in
16 the year for which the contribution is made may be
17 carried forward as a deduction from income for the
18 succeeding five (5) years. For taxable years
19 beginning after December 31, 2005, deductions may be
20 taken for contributions and rollovers made during a
21 taxable year and up to April 15 of the succeeding
22 year, or the due date of a taxpayer's state income tax
23 return, excluding extensions, whichever is later.

1 Provided, a deduction for the same contribution may
2 not be taken for two (2) different taxable years.

3 c. In taxable years beginning after December 31, 2006,
4 deductions for contributions made pursuant to
5 subparagraph b of this paragraph shall be limited as
6 follows:

7 (1) for a taxpayer who qualified for the five-year
8 carryforward election and who takes a rollover or
9 nonqualified withdrawal during that period, the
10 tax deduction otherwise available pursuant to
11 subparagraph b of this paragraph shall be reduced
12 by the amount which is equal to the rollover or
13 nonqualified withdrawal, and

14 (2) for a taxpayer who elects to take a rollover or
15 nonqualified withdrawal within the same tax year
16 in which a contribution was made to the
17 taxpayer's account, the tax deduction otherwise
18 available pursuant to subparagraph b of this
19 paragraph shall be reduced by the amount of the
20 contribution which is equal to the rollover or
21 nonqualified withdrawal.

22 d. If a taxpayer elects to take a rollover on a
23 contribution for which a deduction has been taken
24 pursuant to subparagraph b of this paragraph within

1 one (1) year of the date of contribution, the amount
2 of such rollover shall be included in the adjusted
3 gross income of the taxpayer in the taxable year of
4 the rollover.

5 e. If a taxpayer makes a nonqualified withdrawal of
6 contributions for which a deduction was taken pursuant
7 to subparagraph b of this paragraph, such nonqualified
8 withdrawal and any earnings thereon shall be included
9 in the adjusted gross income of the taxpayer in the
10 taxable year of the nonqualified withdrawal.

11 f. As used in this paragraph:

12 (1) "non-qualified withdrawal" means a withdrawal
13 from an Oklahoma College Savings Plan account
14 other than one of the following:

15 (a) a qualified withdrawal,

16 (b) a withdrawal made as a result of the death
17 or disability of the designated beneficiary
18 of an account,

19 (c) a withdrawal that is made on the account of
20 a scholarship or the allowance or payment
21 described in Section 135(d)(1)(B) or (C) or
22 by the Internal Revenue Code, received by
23 the designated beneficiary to the extent the
24 amount of the refund does not exceed the

1 amount of the scholarship, allowance, or
2 payment, or

3 (d) a rollover or change of designated
4 beneficiary as permitted by subsection F of
5 Section 3970.7 of Title 70 of Oklahoma
6 Statutes, and

7 (2) "rollover" means the transfer of funds from the
8 Oklahoma College Savings Plan to any other plan
9 under Section 529 of the Internal Revenue Code.

10 17. For ~~taxable years beginning after December 31, 2005~~ tax
11 years 2006 through 2021, retirement benefits received by an
12 individual from any component of the Armed Forces of the United
13 States in an amount not to exceed the greater of seventy-five
14 percent (75%) of such benefits or Ten Thousand Dollars (\$10,000.00)
15 shall be exempt from taxable income but in no case less than the
16 amount of the exemption provided by paragraph 13 of this subsection.
17 For tax year 2022 and subsequent tax years, retirement benefits
18 received by an individual from any component of the Armed Forces of
19 the United States shall be exempt from taxable income.

20 18. For taxable years beginning after December 31, 2006,
21 retirement benefits received by federal civil service retirees,
22 including survivor annuities, paid in lieu of Social Security
23 benefits shall be exempt from taxable income to the extent such
24 benefits are included in the federal adjusted gross income pursuant

1 to the provisions of Section 86 of the Internal Revenue Code, 26
2 U.S.C., Section 86, according to the following schedule:

- 3 a. in the taxable year beginning January 1, 2007, twenty
4 percent (20%) of such benefits shall be exempt,
- 5 b. in the taxable year beginning January 1, 2008, forty
6 percent (40%) of such benefits shall be exempt,
- 7 c. in the taxable year beginning January 1, 2009, sixty
8 percent (60%) of such benefits shall be exempt,
- 9 d. in the taxable year beginning January 1, 2010, eighty
10 percent (80%) of such benefits shall be exempt, and
- 11 e. in the taxable year beginning January 1, 2011, and
12 subsequent taxable years, one hundred percent (100%)
13 of such benefits shall be exempt.

14 19. a. For taxable years beginning after December 31, 2007, a
15 resident individual may deduct up to Ten Thousand
16 Dollars (\$10,000.00) from Oklahoma adjusted gross
17 income if the individual, or the dependent of the
18 individual, while living, donates one or more human
19 organs of the individual to another human being for
20 human organ transplantation. As used in this
21 paragraph, "human organ" means all or part of a liver,
22 pancreas, kidney, intestine, lung, or bone marrow. A
23 deduction that is claimed under this paragraph may be
24

1 claimed in the taxable year in which the human organ
2 transplantation occurs.

3 b. An individual may claim this deduction only once, and
4 the deduction may be claimed only for unreimbursed
5 expenses that are incurred by the individual and
6 related to the organ donation of the individual.

7 c. The Oklahoma Tax Commission shall promulgate rules to
8 implement the provisions of this paragraph which shall
9 contain a specific list of expenses which may be
10 presumed to qualify for the deduction. The Tax
11 Commission shall prescribe necessary requirements for
12 verification.

13 20. For taxable years beginning after December 31, 2009, there
14 shall be exempt from taxable income any amount received by the
15 beneficiary of the death benefit for an emergency medical technician
16 or a registered emergency medical responder provided by Section 1-
17 2505.1 of Title 63 of the Oklahoma Statutes.

18 21. For taxable years beginning after December 31, 2008,
19 taxable income shall be increased by any unemployment compensation
20 exempted under Section 85(c) of the Internal Revenue Code, 26
21 U.S.C., Section 85(c) (2009).

22 22. For taxable years beginning after December 31, 2008, there
23 shall be exempt from taxable income any payment in an amount less
24 than Six Hundred Dollars (\$600.00) received by a person as an award

1 for participation in a competitive livestock show event. For
2 purposes of this paragraph, the payment shall be treated as a
3 scholarship amount paid by the entity sponsoring the event and the
4 sponsoring entity shall cause the payment to be categorized as a
5 scholarship in its books and records.

6 23. For taxable years beginning on or after January 1, 2016,
7 taxable income shall be increased by any amount of state and local
8 sales or income taxes deducted under 26 U.S.C., Section 164 of the
9 Internal Revenue Code. If the amount of state and local taxes
10 deducted on the federal return is limited, taxable income on the
11 state return shall be increased only by the amount actually deducted
12 after any such limitations are applied.

13 24. For taxable years beginning after December 31, 2020, each
14 taxpayer shall be allowed a deduction for contributions to accounts
15 established pursuant to the Achieving a Better Life Experience
16 (ABLE) Program as established in Section 4001.1 et seq. of Title 56
17 of the Oklahoma Statutes. For any tax year, the deduction provided
18 for in this paragraph shall not exceed Ten Thousand Dollars
19 (\$10,000.00) for an individual taxpayer or Twenty Thousand Dollars
20 (\$20,000.00) for taxpayers filing a joint return. Any amount of
21 contribution not deducted by the taxpayer in the tax year for which
22 the contribution is made may be carried forward as a deduction from
23 income for up to five (5) tax years. Deductions may be taken for
24 contributions made during the tax year and through April 15 of the

1 succeeding tax year, or through the due date of a taxpayer's state
2 income tax return excluding extensions, whichever is later.

3 Provided, a deduction for the same contribution may not be taken in
4 more than one (1) tax year.

5 F. 1. For taxable years beginning after December 31, 2004, a
6 deduction from the Oklahoma adjusted gross income of any individual
7 taxpayer shall be allowed for qualifying gains receiving capital
8 treatment that are included in the federal adjusted gross income of
9 such individual taxpayer during the taxable year.

10 2. As used in this subsection:

11 a. "qualifying gains receiving capital treatment" means
12 the amount of net capital gains, as defined in Section
13 1222(11) of the Internal Revenue Code, included in an
14 individual taxpayer's federal income tax return that
15 result from:

16 (1) the sale of real property or tangible personal
17 property located within Oklahoma that has been
18 directly or indirectly owned by the individual
19 taxpayer for a holding period of at least five
20 (5) years prior to the date of the transaction
21 from which such net capital gains arise,

22 (2) the sale of stock or the sale of a direct or
23 indirect ownership interest in an Oklahoma
24 company, limited liability company, or

1 partnership where such stock or ownership
2 interest has been directly or indirectly owned by
3 the individual taxpayer for a holding period of
4 at least two (2) years prior to the date of the
5 transaction from which the net capital gains
6 arise, or

7 (3) the sale of real property, tangible personal
8 property or intangible personal property located
9 within Oklahoma as part of the sale of all or
10 substantially all of the assets of an Oklahoma
11 company, limited liability company, or
12 partnership or an Oklahoma proprietorship
13 business enterprise where such property has been
14 directly or indirectly owned by such entity or
15 business enterprise or owned by the owners of
16 such entity or business enterprise for a period
17 of at least two (2) years prior to the date of
18 the transaction from which the net capital gains
19 arise,

20 b. "holding period" means an uninterrupted period of
21 time. The holding period shall include any additional
22 period when the property was held by another
23 individual or entity, if such additional period is
24

1 included in the taxpayer's holding period for the
2 asset pursuant to the Internal Revenue Code,

3 c. "Oklahoma company," "limited liability company," or
4 "partnership" means an entity whose primary
5 headquarters have been located in Oklahoma for at
6 least three (3) uninterrupted years prior to the date
7 of the transaction from which the net capital gains
8 arise,

9 d. "direct" means the individual taxpayer directly owns
10 the asset,

11 e. "indirect" means the individual taxpayer owns an
12 interest in a pass-through entity (or chain of pass-
13 through entities) that sells the asset that gives rise
14 to the qualifying gains receiving capital treatment.

15 (1) With respect to sales of real property or
16 tangible personal property located within
17 Oklahoma, the deduction described in this
18 subsection shall not apply unless the pass-
19 through entity that makes the sale has held the
20 property for not less than five (5) uninterrupted
21 years prior to the date of the transaction that
22 created the capital gain, and each pass-through
23 entity included in the chain of ownership has
24 been a member, partner, or shareholder of the

1 pass-through entity in the tier immediately below
2 it for an uninterrupted period of not less than
3 five (5) years.

4 (2) With respect to sales of stock or ownership
5 interest in or sales of all or substantially all
6 of the assets of an Oklahoma company, limited
7 liability company, partnership or Oklahoma
8 proprietorship business enterprise, the deduction
9 described in this subsection shall not apply
10 unless the pass-through entity that makes the
11 sale has held the stock or ownership interest for
12 not less than two (2) uninterrupted years prior
13 to the date of the transaction that created the
14 capital gain, and each pass-through entity
15 included in the chain of ownership has been a
16 member, partner or shareholder of the pass-
17 through entity in the tier immediately below it
18 for an uninterrupted period of not less than two
19 (2) years. For purposes of this division,
20 uninterrupted ownership prior to July 1, 2007,
21 shall be included in the determination of the
22 required holding period prescribed by this
23 division, and
24

1 f. "Oklahoma proprietorship business enterprise" means a
2 business enterprise whose income and expenses have
3 been reported on Schedule C or F of an individual
4 taxpayer's federal income tax return, or any similar
5 successor schedule published by the Internal Revenue
6 Service and whose primary headquarters have been
7 located in Oklahoma for at least three (3)
8 uninterrupted years prior to the date of the
9 transaction from which the net capital gains arise.

10 G. 1. For purposes of computing its Oklahoma taxable income
11 under this section, the dividends-paid deduction otherwise allowed
12 by federal law in computing net income of a real estate investment
13 trust that is subject to federal income tax shall be added back in
14 computing the tax imposed by this state under this title if the real
15 estate investment trust is a captive real estate investment trust.

16 2. For purposes of computing its Oklahoma taxable income under
17 this section, a taxpayer shall add back otherwise deductible rents
18 and interest expenses paid to a captive real estate investment trust
19 that is not subject to the provisions of paragraph 1 of this
20 subsection. As used in this subsection:

21 a. the term "real estate investment trust" or "REIT"
22 means the meaning ascribed to such term in Section 856
23 of the Internal Revenue Code,
24

1 b. the term "captive real estate investment trust" means
2 a real estate investment trust, the shares or
3 beneficial interests of which are not regularly traded
4 on an established securities market and more than
5 fifty percent (50%) of the voting power or value of
6 the beneficial interests or shares of which are owned
7 or controlled, directly or indirectly, or
8 constructively, by a single entity that is:

- 9 (1) treated as an association taxable as a
10 corporation under the Internal Revenue Code, and
11 (2) not exempt from federal income tax pursuant to
12 the provisions of Section 501(a) of the Internal
13 Revenue Code.

14 The term shall not include a real estate investment
15 trust that is intended to be regularly traded on an
16 established securities market, and that satisfies the
17 requirements of Section 856(a)(5) and (6) of the U.S.
18 Internal Revenue Code by reason of Section 856(h)(2)
19 of the Internal Revenue Code,

20 c. the term "association taxable as a corporation" shall
21 not include the following entities:

- 22 (1) any real estate investment trust as defined in
23 paragraph a of this subsection other than a
24 "captive real estate investment trust", ~~or~~

1 (2) any qualified real estate investment trust
2 subsidiary under Section 856(i) of the Internal
3 Revenue Code, other than a qualified REIT
4 subsidiary of a "captive real estate investment
5 trust", ~~or~~

6 (3) any Listed Australian Property Trust (meaning an
7 Australian unit trust registered as a "Managed
8 Investment Scheme" under the Australian
9 Corporations Act in which the principal class of
10 units is listed on a recognized stock exchange in
11 Australia and is regularly traded on an
12 established securities market), or an entity
13 organized as a trust, provided that a Listed
14 Australian Property Trust owns or controls,
15 directly or indirectly, seventy-five percent
16 (75%) or more of the voting power or value of the
17 beneficial interests or shares of such trust, or

18 (4) any Qualified Foreign Entity, meaning a
19 corporation, trust, association or partnership
20 organized outside the laws of the United States
21 and which satisfies the following criteria:

22 (a) at least seventy-five percent (75%) of the
23 entity's total asset value at the close of
24 its taxable year is represented by real

1 estate assets, as defined in Section
2 856(c)(5)(B) of the Internal Revenue Code,
3 thereby including shares or certificates of
4 beneficial interest in any real estate
5 investment trust, cash and cash equivalents,
6 and U.S. Government securities,

7 (b) the entity receives a dividend-paid
8 deduction comparable to Section 561 of the
9 Internal Revenue Code, or is exempt from
10 entity level tax,

11 (c) the entity is required to distribute at
12 least eighty-five percent (85%) of its
13 taxable income, as computed in the
14 jurisdiction in which it is organized, to
15 the holders of its shares or certificates of
16 beneficial interest on an annual basis,

17 (d) not more than ten percent (10%) of the
18 voting power or value in such entity is held
19 directly or indirectly or constructively by
20 a single entity or individual, or the shares
21 or beneficial interests of such entity are
22 regularly traded on an established
23 securities market, and
24

1 (e) the entity is organized in a country which
2 has a tax treaty with the United States.

3 3. For purposes of this subsection, the constructive ownership
4 rules of Section 318(a) of the Internal Revenue Code, as modified by
5 Section 856(d) (5) of the Internal Revenue Code, shall apply in
6 determining the ownership of stock, assets, or net profits of any
7 person.

8 4. A real estate investment trust that does not become
9 regularly traded on an established securities market within one (1)
10 year of the date on which it first becomes a real estate investment
11 trust shall be deemed not to have been regularly traded on an
12 established securities market, retroactive to the date it first
13 became a real estate investment trust, and shall file an amended
14 return reflecting such retroactive designation for any tax year or
15 part year occurring during its initial year of status as a real
16 estate investment trust. For purposes of this subsection, a real
17 estate investment trust becomes a real estate investment trust on
18 the first day it has both met the requirements of Section 856 of the
19 Internal Revenue Code and has elected to be treated as a real estate
20 investment trust pursuant to Section 856(c) (1) of the Internal
21 Revenue Code.

22 SECTION 156. REPEALER 68 O.S. 2021, Section 2358, as
23 amended by Section 1, Chapter 377, O.S.L. 2022 (68 O.S. Supp. 2023,
24 Section 2358), is hereby repealed.

1 SECTION 157. AMENDATORY 68 O.S. 2021, Section 3604, as
2 amended by Section 1, Chapter 360, O.S.L. 2023 (68 O.S. Supp. 2023,
3 Section 3604), is amended to read as follows:

4 Section 3604. A. Except as otherwise provided in subsection I
5 or subsection L of this section, an establishment which meets the
6 qualifications specified in the Oklahoma Quality Jobs Program Act
7 may receive quarterly incentive payments for a ten-year period from
8 the Oklahoma Tax Commission pursuant to the provisions of the
9 Oklahoma Quality Jobs Program Act; provided, such an establishment
10 defined or classified in the NAICS Manual under U.S. Industry No.
11 711211 (2007 version) may receive quarterly incentive payments for a
12 ~~thirty-year~~ thirty-year period. The amount of such payments shall
13 be equal to the net benefit rate multiplied by the actual gross
14 payroll of new direct jobs for a calendar quarter as verified by the
15 Oklahoma Employment Security Commission. For an establishment
16 defined or classified in the NAICS Manual under U.S. Industry No.
17 711211 (2007 version) that entered into a contract pursuant to the
18 Oklahoma Quality Jobs Program Act with the Oklahoma Department of
19 Commerce before the effective date of this act:

20 1. The contract shall be extended from fifteen (15) years to
21 thirty (30) years; and

22 2. The extension shall not include additional money awarded but
23 shall allow for payments to continue for the thirty-year period, or
24 until the net benefit for the new direct jobs for the original

1 contract has been fully paid out as calculated based upon the
2 original application.

3 B. In order to receive incentive payments, an establishment
4 shall apply to the Oklahoma Department of Commerce. The application
5 shall be on a form prescribed by the Department and shall contain
6 such information as may be required by the Department to determine
7 if the applicant is qualified. An establishment may apply for an
8 effective date for a project, which shall not be more than twenty-
9 four (24) months from the date the application is submitted to the
10 Department.

11 C. Except as otherwise provided by subsection D or E of this
12 section, in order to qualify to receive such payments, the
13 establishment applying shall be required to:

14 1. Be engaged in a basic industry;

15 2. Have an annual gross payroll for new direct jobs projected
16 by the Department to equal or exceed Two Million Five Hundred
17 Thousand Dollars (\$2,500,000.00) within three (3) years of the first
18 complete calendar quarter following the start date; and

19 3. Have a number of full-time-equivalent employees subject to
20 the tax imposed by Section 2355 of this title and working an annual
21 average of thirty (30) or more hours per week in new direct jobs
22 located in this state equal to or in excess of eighty percent (80%)
23 of the total number of new direct jobs.

24

1 D. In order to qualify to receive incentive payments as
2 authorized by the Oklahoma Quality Jobs Program Act, an
3 establishment engaged in an activity described under:

4 1. Industry Group Nos. 3111 through 3119 of the NAICS Manual
5 shall be required to:

- 6 a. have an annual gross payroll for new direct jobs
7 projected by the Department to equal or exceed One
8 Million Five Hundred Thousand Dollars (\$1,500,000.00)
9 within three (3) years of the first complete calendar
10 quarter following the start date and make, or which
11 will make within one (1) year, at least seventy-five
12 percent (75%) of its total sales, as determined by the
13 Incentive Approval Committee pursuant to the
14 provisions of subsection B of Section 3603 of this
15 title, to out-of-state customers or buyers, to in-
16 state customers or buyers if the product or service is
17 resold by the purchaser to an out-of-state customer or
18 buyer for ultimate use, or to the federal government,
19 unless the annual gross payroll equals or exceeds Two
20 Million Five Hundred Thousand Dollars (\$2,500,000.00)
21 in which case the requirements for purchase of output
22 provided by this subparagraph shall not apply, and
23 b. have a number of full-time-equivalent employees
24 working an average of thirty (30) or more hours per

1 week in new direct jobs equal to or in excess of
2 eighty percent (80%) of the total number of new direct
3 jobs; and

4 2. Division (4) of subparagraph a of paragraph 1 of subsection
5 A of Section 3603 of this title, shall be required to:

6 a. have an annual gross payroll for new direct jobs
7 projected by the Department to equal or exceed One
8 Million Five Hundred Thousand Dollars (\$1,500,000.00)
9 within three (3) years of the first complete calendar
10 quarter following the start date, and

11 b. have a number of full-time-equivalent employees
12 working an average of thirty (30) or more hours per
13 week in new direct jobs equal to or in excess of
14 eighty percent (80%) of the total number of new direct
15 jobs.

16 E. 1. An establishment which locates its principal business
17 activity within a site consisting of at least ten (10) acres which:

18 a. is a federal Superfund removal site,
19 b. is listed on the National Priorities List established
20 under Section 9605 of Title 42 of the United States
21 Code,

22 c. has been formally deferred to the state in lieu of
23 listing on the National Priorities List, or
24

1 d. has been determined by the Department of Environmental
2 Quality to be contaminated by any substance regulated
3 by a federal or state statute governing environmental
4 conditions for real property pursuant to an order of
5 the Department of Environmental Quality,
6 shall qualify for incentive payments irrespective of its actual
7 gross payroll or the number of full-time-equivalent employees
8 engaged in new direct jobs.

9 2. In order to qualify for the incentive payments pursuant to
10 this subsection, the establishment shall conduct the activity
11 resulting in at least fifty percent (50%) of its Oklahoma taxable
12 income or adjusted gross income, as determined under Section 2358 of
13 this title, whether from the sale of products or services or both
14 products and services, at the physical location which has been
15 determined not to comply with the federal or state statutes
16 described in this subsection with respect to environmental
17 conditions for real property. The establishment shall be subject to
18 all other requirements of the Oklahoma Quality Jobs Program Act
19 other than the exemptions provided by this subsection.

20 3. In order to qualify for the incentive payments pursuant to
21 this subsection, the entity shall obtain from the Department of
22 Environmental Quality a letter of concurrence that:
23
24

1 a. the site designated by the entity does meet one or
2 more of the requirements listed in paragraph 1 of this
3 subsection, and

4 b. the site is being or has been remediated to a level
5 which is consistent with the intended use of the
6 property.

7 In making its determination, the Department of Environmental
8 Quality may rely on existing data and information available to it,
9 but may also require the applying entity to provide additional data
10 and information, as necessary.

11 4. If authorized by the Department of Environmental Quality
12 pursuant to paragraph 3 of this subsection, the entity may utilize a
13 remediated portion of the property for its intended purpose prior to
14 remediation of the remainder of the site, and shall qualify for
15 incentive payments based on employment associated with the portion
16 of the site.

17 F. Except as otherwise provided by subsection G of this
18 section, for applications submitted on and after June 4, 2003, in
19 order to qualify to receive incentive payments as authorized by the
20 Oklahoma Quality Jobs Program Act, in addition to other
21 qualifications specified herein, an establishment shall be required
22 to pay new direct jobs an average annualized wage which equals or
23 exceeds:

1 1. One hundred ten percent (110%) of the average county wage as
2 determined by the Department of Commerce based on the most recent
3 U.S. Department of Commerce data for the county in which the new
4 direct jobs are located. For purposes of this paragraph, health
5 care premiums paid by the applicant for individuals in new direct
6 jobs shall be included in the annualized wage; or

7 2. One hundred percent (100%) of the average county wage as
8 that percentage is determined by the Department of Commerce based
9 upon the most recent U.S. Department of Commerce data for the county
10 in which the new jobs are located. For purposes of this paragraph,
11 health care premiums paid by the applicant for individuals in new
12 direct jobs shall not be included in the annualized wage.

13 Provided, no average wage requirement shall exceed Twenty-five
14 Thousand Dollars (\$25,000.00), in any county. This maximum wage
15 threshold shall be indexed and modified from time to time based on
16 the latest Consumer Price Index year-to-date percent change release
17 as of the date of the annual average county wage data release from
18 the Bureau of Economic Analysis of the U.S. Department of Commerce.

19 G. 1. As used in this subsection, "opportunity zone" means one
20 or more census tracts in which, according to the most recent Federal
21 Decennial Census, at least thirty percent (30%) of the residents
22 have annual gross household incomes from all sources below the
23 poverty guidelines established by the U.S. Department of Health and
24 Human Services. An establishment which is otherwise qualified to

1 receive incentive payments and which locates its principal business
2 activity in an opportunity zone shall not be subject to the
3 requirements of subsection F of this section.

4 2. As used in this subsection:

5 a. "negative economic event" means:

6 (1) a man-made disaster or natural disaster as
7 defined in Section 683.3 of Title 63 of the
8 Oklahoma Statutes, resulting in the loss of a
9 significant number of jobs within a particular
10 county of this state, or

11 (2) an economic circumstance in which a significant
12 number of jobs within a particular county of this
13 state have been lost due to an establishment
14 changing its structure, consolidating with
15 another establishment, closing or moving all or
16 part of its operations out of this state, and

17 b. "significant number of jobs" means Local Area
18 Unemployment Statistics (LAUS) data, as determined by
19 the Bureau of Labor Statistics, for a county which are
20 equal to or in excess of five percent (5%) of the
21 total amount of Local Area Unemployment Statistics
22 (LAUS) data for that county for the calendar year, or
23 most recent twelve-month period in which employment is
24 measured, preceding the event.

1 An establishment which is otherwise qualified to receive
2 incentive payments and which locates in a county in which a negative
3 economic event has occurred within the eighteen-month period
4 preceding the start date shall not be subject to the requirements of
5 subsection F of this section; provided, an establishment shall not
6 be eligible to receive incentive payments based upon a negative
7 economic event with respect to jobs that are transferred from one
8 county of this state to another.

9 H. The Department shall determine if the applicant is qualified
10 to receive incentive payments.

11 I. If the applicant is determined to be qualified by the
12 Department and is not subject to the provisions of subparagraph d of
13 paragraph 7 of subsection A of Section 3603 of this title, the
14 Department shall conduct a cost/benefit analysis to determine the
15 estimated net direct state benefits and the net benefit rate
16 applicable for a ten-year period beginning with the first complete
17 calendar quarter following the start date and to estimate the amount
18 of gross payroll for a ten-year period beginning with the first
19 complete calendar quarter following the start date or for a thirty-
20 year period for an establishment defined or classified in the NAICS
21 Manual under U.S. Industry No. 711211 (2007 version). In conducting
22 such cost/benefit analysis, the Department shall consider
23 quantitative factors, such as the anticipated level of new tax
24 revenues to the state along with the added cost to the state of

1 providing services, and such other criteria as deemed appropriate by
2 the Department. In no event shall incentive payments, cumulatively,
3 exceed the estimated net direct state benefits, except for
4 applicants subject to the provisions of subparagraph d of paragraph
5 7 of subsection A of Section 3603 of this title.

6 J. Upon approval of such an application, the Department shall
7 notify the Tax Commission and shall provide it with a copy of the
8 contract and the results of the cost/benefit analysis. The Tax
9 Commission may require the qualified establishment to submit such
10 additional information as may be necessary to administer the
11 provisions of the Oklahoma Quality Jobs Program Act. The approved
12 establishment shall file quarterly claims with the Tax Commission
13 and shall continue to file such quarterly claims during the ten-year
14 incentive period to show its continued eligibility for incentive
15 payments, as provided in Section 3606 of this title, or until it is
16 no longer qualified to receive incentive payments. The
17 establishment may be audited by the Tax Commission to verify such
18 eligibility. Once the establishment is approved, an agreement shall
19 be deemed to exist between the establishment and the State of
20 Oklahoma, requiring the continued incentive payment to be made as
21 long as the establishment retains its eligibility as defined in and
22 established pursuant to this section and Sections 3603 and 3606 of
23 this title and within the limitations contained in the Oklahoma
24 Quality Jobs Program Act, which existed at the time of such

1 approval. An establishment described in this subsection shall be
2 required to repay all incentive payments received under the Oklahoma
3 Quality Jobs Program Act if the establishment is determined by the
4 Oklahoma Tax Commission to no longer have business operations in the
5 state within three (3) years from the beginning of the calendar
6 quarter for which the first incentive payment claim is filed.

7 K. A municipality with a population of less than one hundred
8 thousand (100,000) persons in which an establishment eligible to
9 receive quarterly incentive payments pursuant to the provisions of
10 this section is located may file a claim with the Tax Commission for
11 up to twenty-five percent (25%) of the amount of such payment. The
12 amount of such claim shall not exceed amounts paid by the
13 municipality for direct costs of municipal infrastructure
14 improvements to provide water and sewer service to the
15 establishment. Such claim shall not be approved by the Tax
16 Commission unless the municipality and the establishment have
17 entered into a written agreement for such claims to be filed by the
18 municipality prior to submission of the application of the
19 establishment pursuant to the provisions of this section. If such
20 claim is approved, the amount of the payment to the establishment
21 made pursuant to the provisions of Section 3606 of this title shall
22 be reduced by the amount of the approved claim by the municipality
23 and the Tax Commission shall issue a warrant to the municipality in

24

1 the amount of the approved claim in the same manner as warrants are
2 issued to qualifying establishments.

3 L. For any contract executed by an establishment on or after
4 August 2, 2018, five percent (5%) of the quarterly incentive payment
5 amount shall be transferred by the Oklahoma Tax Commission to the
6 Oklahoma Quick Action Closing Fund.

7 SECTION 158. REPEALER 68 O.S. 2021, Section 3604, as
8 amended by Section 1, Chapter 29, 1st Extraordinary Session, O.S.L.
9 2023 (68 O.S. Supp. 2023, Section 3604), is hereby repealed.

10 SECTION 159. AMENDATORY 68 O.S. 2021, Section 3635, as
11 last amended by Section 2, Chapter 347, O.S.L. 2023 (68 O.S. Supp.
12 2023, Section 3635), is amended to read as follows:

13 Section 3635. A. Subject to the final approval of the
14 eligibility application by the Oklahoma Department of Commerce, a
15 requirement that the incentive payments made pursuant to the
16 provisions of the Filmed in Oklahoma Act of 2021 achieve the maximum
17 positive impact for the Oklahoma economy and subject to the Oklahoma
18 workforce requirements of Section 3637 of this title, the base
19 incentive amount for a project filmed in this state, not including
20 above-the-line personnel, shall be a maximum of thirty percent (30%)
21 of the qualified production expenditure amount. An incentive for a
22 project filmed in this state for wages paid to nonresident crew, not
23 including above-the-line personnel, shall be provided in the amount
24 of seven and one-half percent (7.5%) for wages paid before April 1,

1 2023, and twenty percent (20%) for wages paid on or after April 1,
2 2023.

3 B. In addition to the amount authorized by subsection A of this
4 section, there may be an additional incentive amount, subject to the
5 final approval of the Oklahoma Department of Commerce, in the
6 maximum amount of:

7 1. Three percent (3%) of the qualified production expenditure
8 amount for projects where at least twenty-five percent (25%) of main
9 crew principal photography days are filmed on location, excluding
10 sound stage production, in any county of this state if the county
11 has a population of less than two hundred fifty thousand (250,000)
12 persons according to the Federal Decennial Census or most recent
13 population estimate;

14 2. Two percent (2%) of the qualified production expenditure
15 amount for projects whose hub location, as determined by the
16 Department, is ~~or~~ for projects where at least twenty-five percent
17 (25%) of main crew principal photography days are filmed on
18 location, excluding sound stage production, in a municipality having
19 a population of twenty-five thousand (25,000) or fewer persons
20 according to the Federal Decennial Census or most recent population
21 estimate regardless of the county in which the municipality is
22 located or partially located;

23 3. Five percent (5%) of the qualified production expenditure
24 amount for soundstage expenditures if at least twenty-five percent

1 (25%) of main crew principal photography days are filmed at a
2 qualified soundstage facility;

3 4. For eligible television series as defined in paragraph 4 of
4 Section 3632 of this title:

5 a. two percent (2%) of the qualified production
6 expenditure amount for an eligible television episodic
7 pilot, and

8 b. five percent (5%) of the qualified production
9 expenditure amount if a television series is filmed
10 for one or more seasons;

11 5. Five percent (5%) of the qualified production expenditure
12 amount for an eligible multi-film deal as defined in paragraph 7 of
13 Section 3632 of this title;

14 6. On or after July 1, 2023, two percent (2%) of the qualified
15 production expenditure amount for the post-production expenses of:

16 a. music production, recording, mixing, or composition,
17 or

18 b. licensing of Oklahoma music; and

19 7. Three percent (3%) of the qualified production expenditure
20 amount based on expenditures paid to Oklahoma vendors for post-
21 production expenses with a minimum expenditure of three percent (3%)
22 of Oklahoma production expenditures. Post-production expenditures
23 include but are not limited to the following categories:

24 a. sound recording or mixing,

- b. color grading,
- c. editorial work,
- d. visual effects,
- e. animation,
- f. deliverables, excluding marketing and advertising,
- g. editing equipment or editing facility rental,
- h. color grading or digital intermediate processing,
- i. audio post-production processes including Foley artist processes or services, and
- j. graphics, including but not limited to the GFX system.

C. Notwithstanding any other provisions of this section or the provisions of the Filmed in Oklahoma Act of 2021 to the contrary, in no case shall the total incentive payments authorized by this section exceed thirty percent (30%) of the otherwise qualified production expenditure amount. The incentive payment amount prescribed by subsection A of this section may be used in any combination with the additional incentive amounts authorized by subsection B of this section, but the combination of the incentive amounts shall not exceed thirty percent (30%).

SECTION 160. REPEALER 68 O.S. 2021, Section 3635, as amended by Section 1, Chapter 276, O.S.L. 2023 (68 O.S. Supp. 2023, Section 3635), is hereby repealed.

1 SECTION 161. REPEALER 68 O.S. 2021, Section 3638, as
2 amended by Section 2, Chapter 276, O.S.L. 2023 (68 O.S. Supp. 2023,
3 Section 3638), is hereby repealed.

4 SECTION 162. AMENDATORY 70 O.S. 2021, Section 6-122.3,
5 as amended by Section 1, Chapter 121, O.S.L. 2022 (70 O.S. Supp.
6 2023, Section 6-122.3), is amended to read as follows:

7 Section 6-122.3. A. The State Board of Education shall grant
8 an alternative placement teaching certificate to a person who makes
9 application to the Board and meets the following criteria:

- 10 1. a. holds at least a baccalaureate degree from an
11 institution whose accreditation is recognized by the
12 Oklahoma State Regents for Higher Education and has
13 attained a retention grade point average of not less
14 than 2.50 on a 4.0 scale, or
- 15 b. has successfully completed a terminal degree, such as
16 a doctorate of philosophy, a doctorate in education,
17 professional doctorates, a master of fine arts degree
18 or a master of library science degree, from an
19 institution accredited by a national or regional
20 accrediting agency which is recognized by the
21 Secretary of the United States Department of
22 Education. The Oklahoma State Regents for Higher
23 Education shall be consulted to verify other terminal
24 degrees, or

1 c. holds at least a baccalaureate degree from an
2 institution whose accreditation is recognized by the
3 Oklahoma State Regents for Higher Education and has
4 qualified work experience in a field that corresponds
5 to an area of certification as determined by the State
6 Board of Education, and

7 d. in addition to the requirements of subparagraphs a, b
8 and c of this paragraph, has demonstrated competency
9 or completed a major in a field that corresponds to an
10 area of specialization for an Elementary-Secondary
11 Certificate or a Secondary Certificate as determined
12 by the State Board of Education or a vocational-
13 technical certificate as recommended by the Oklahoma
14 Department of Career and Technology Education;

15 2. Declares the intention to earn standard certification by
16 means of an alternative placement program in not more than three (3)
17 years. The State Board of Education shall determine the subject
18 matter and the number of clock or semester hours required for the
19 professional education component for each person making application
20 for an alternative placement teaching certificate based on the
21 criteria of paragraph 1 of this subsection.

22 The State Board of Education shall establish a core minimum of
23 six (6) semester hours or ninety (90) clock hours and a maximum of
24

1 eighteen (18) semester hours or two hundred seventy (270) clock
2 hours for the professional education component.

3 The requirements set forth in this subsection shall exclude all
4 student teaching requirements pursuant to the provisions of
5 subsection E of this section;

6 3. Has passed the ~~general education and subject area portions~~
7 portion of the competency examination required in Section 6-187 of
8 this title in the area of specialization for which certification is
9 sought; and

10 4. Either presents a document from an accredited public school
11 district in this state offering employment in the area of
12 specialization for which certification is sought on condition that
13 the person enroll in an alternative placement program approved by
14 the State Board of Education or declares the intention to seek
15 employment as a teacher at an accredited public school district in
16 this state. The certificate granted pursuant to this subsection
17 shall be considered a "valid certificate of qualification" for the
18 purposes of Sections 6-107 and 6-108 of this title, and the holder
19 of the certificate shall be considered an inductee for the purposes
20 of Section 6-195 of this title.

21 B. An alternative placement teaching certificate shall be
22 renewed for not more than a maximum of three (3) years upon
23 presentation of a document from an accredited public school district
24 in this state offering renewed employment in the same area of

1 specialization and a document from a teacher education institution
2 verifying satisfactory progress in an appropriate alternative
3 placement program.

4 C. Persons enrolled in an alternative placement program shall:

5 1. Have never been denied admittance to a teacher education
6 program approved by the Oklahoma State Regents for Higher Education,
7 the North Central Association of Colleges and Schools and by the
8 Oklahoma Commission for Teacher Preparation to offer teacher
9 education programs, nor have enrolled in and subsequently failed
10 courses necessary to successfully meet the minimum requirements of
11 the program, except those persons who hold a certificate;

12 2. Have on file with the director of teacher education at an
13 Oklahoma institution of higher education a plan for meeting standard
14 certification requirements within three (3) years; and

15 3. Participate in an induction program as required in Section
16 6-195 of this title and have the same duties and responsibilities as
17 other inductees.

18 D. The State Board of Education may grant an exception to the
19 requirements for certification and, upon demonstration by an
20 individual of specific competency in the subject area of
21 specialization, may grant a certificate to the individual. The
22 State Board may establish other requirements necessary to grant
23 exceptions.

24

1 E. The State Board of Education, in consultation with the
2 Commission for Educational Quality and Accountability, may grant an
3 exception to the requirement to complete a subject area examination
4 for initial certification in a field which does not require an
5 advanced degree pursuant to this section if the candidate has an
6 advanced degree in a subject that is substantially comparable to the
7 content assessed on a subject area examination. The degree shall be
8 from an institution accredited by a national or regional accrediting
9 agency which is recognized by the Secretary of the U.S. Department
10 of Education. The Commission shall provide the Board with the
11 necessary information to determine comparability.

12 F. Student teaching and a prestudent teaching field experience
13 shall not be required of alternative placement program participants
14 for standard certification.

15 G. The State Board of Education shall promulgate rules
16 authorizing adjunct teachers who shall be persons with distinguished
17 qualifications in their field. Adjunct teachers shall not be
18 required to meet standard certification. A person employed as an
19 adjunct teacher pursuant to this subsection who does not hold a
20 valid certificate to teach shall not be considered a teacher as
21 defined by Section 1-116 of this title.

22 H. Each teacher education institution shall provide the
23 Oklahoma Commission for Teacher Preparation an annual report of
24

1 information as specified by the Commission regarding participation
2 in the alternative placement programs offered by the institution.

3 I. The Oklahoma Commission for Teacher Preparation shall not
4 accredit, renew the accreditation of, or otherwise approve any
5 teacher education program of any institution of higher education in
6 this state that has not implemented alternative placement programs
7 in at least four areas of specialization including mathematics,
8 science and a foreign language. Each institution shall allow
9 individuals who meet the criteria of subsections A and C of this
10 section to be:

11 1. Admitted to an alternative placement program without further
12 qualification; and

13 2. Offered the opportunity to complete the requirements for
14 standard certification set forth in subsection A of this section
15 during the summer preceding and the summer following the first year
16 of teaching with an alternative placement teaching certificate. Any
17 person seeking standard certification through an alternative
18 placement program shall be permitted to take necessary courses
19 during regular semesters if offered.

20 J. The criteria specified in subsection I of this section can
21 be met through a cooperative arrangement entered into by two or more
22 institutions of higher education.

23

24

1 SECTION 163. REPEALER 70 O.S. 2021, Section 6-122.3, as
2 last amended by Section 1, Chapter 220, O.S.L. 2022 (70 O.S. Supp.
3 2023, Section 6-122.3), is hereby repealed.

4 SECTION 164. AMENDATORY 70 O.S. 2021, Section 6-187, as
5 amended by Section 49, Chapter 228, O.S.L. 2022 (70 O.S. Supp. 2023,
6 Section 6-187), is amended to read as follows:

7 Section 6-187. A. Prior to July 1, 2014, a competency
8 examination shall be adopted by the Oklahoma Commission for Teacher
9 Preparation and beginning July 1, 2014, a competency examination
10 shall be adopted by the Commission for Educational Quality and
11 Accountability for the ~~general education~~, professional education and
12 various subject areas and grade levels for purposes of ensuring
13 academic achievement and competency of each teacher candidate or
14 teacher in the subject area the person is seeking certification to
15 teach which shall also include certification as an administrator, as
16 prescribed by the State Board of Education.

17 The Commission, consistent with the purposes of this section,
18 shall promulgate rules and procedures to guarantee the
19 confidentiality of examinations.

20 B. No teacher candidate shall be eligible for certification
21 until successfully completing the competency examination except
22 those candidates who make application to the State Board and meet
23 the criteria for the alternative placement program pursuant to
24 Section 6-122.3 of this title. Certification shall be limited to

1 areas of approval in which the certified teacher has successfully
2 completed the examination. Subject to the provisions of subsection
3 C of this section, testing for certification for subjects in which a
4 teacher candidate or teacher is seeking a minor teaching assignment
5 or an endorsement to teach shall be limited to the specific subject
6 area test.

7 A teacher candidate or teacher may take the ~~general education,~~
8 professional education or subject area portions of the examination
9 subject to any limit imposed by the Commission.

10 C. 1. Except as otherwise provided for in this subsection, a
11 teacher may be certified in as many areas as the teacher meets the
12 necessary requirements provided by law and has successfully
13 completed the subject area portion of the examination.

14 2. Except as otherwise provided for in this paragraph,
15 certification in early childhood, elementary, or special education
16 shall require completion of an appropriate teacher education program
17 approved by the Commission.

18 Any teacher who is certified to teach elementary education may
19 be certified in early childhood education upon meeting the
20 requirements provided in law and successful completion of the
21 appropriate subject area portion of the examination. Any teacher
22 who is certified to teach early childhood education may be certified
23 in elementary education upon meeting the requirements provided in
24 law and successful completion of the appropriate subject area

1 portion of the examination. Any special education teacher who
2 becomes certified to teach through completion of an accredited
3 teacher preparation program may be certified in early childhood or
4 elementary education upon meeting the requirements provided in law
5 and successful completion of the appropriate subject portion of the
6 examination. Any teacher who becomes certified to teach through
7 completion of an accredited teacher preparation program or becomes
8 alternatively certified to teach through the Troops to Teachers
9 program may be certified in special education upon meeting the
10 requirements provided in law and successful completion of the
11 appropriate subject area portion of the examination. Any special
12 education teacher who has not completed a Commission-approved
13 teacher education program in elementary education or early childhood
14 education but who has successfully completed the subject area
15 portion of the examination may be certified in elementary education
16 or early childhood education for the purpose of providing direct
17 instruction and serving as the teacher of record for grading
18 purposes in special education settings only.

19 D. The Commission shall offer the competency examination at
20 least four times per calendar year on dates to be established by the
21 Commission.

22 E. If a teacher candidate or teacher is a non-native-English
23 speaker, the Commission shall offer the subject area competency
24 examination in the native language of the teacher candidate or

1 teacher only if the teacher candidate or teacher is employed or has
2 been offered employment by a school district as a teacher in a
3 foreign language immersion program offered by the school district.
4 If a non-native-English speaker who has received certification in a
5 subject area after taking the subject area competency examination in
6 the native language of the speaker seeks to add a certification area
7 in the future and that person is no longer employed as a teacher in
8 a foreign language immersion program, the examination for the
9 additional certification area shall be taken in English. The State
10 Board of Education shall issue a restricted license or certificate
11 to any teacher who has completed a subject area competency
12 examination in the native language of the teacher as provided for in
13 this subsection restricting the teacher to teaching only in a
14 foreign language immersion program.

15 F. The State Board of Education, in consultation with the
16 Commission for Educational Quality and Accountability, may grant an
17 exception to the requirement to complete a subject area examination
18 for initial certification in a field which does not require an
19 advanced degree if the candidate has an advanced degree in a subject
20 that is substantially comparable to the content assessed on a
21 subject area examination. The advanced degree shall be from an
22 institution accredited by a national or regional accrediting agency
23 which is recognized by the Secretary of the United States Department
24

1 of Education. The Commission shall provide the Board with the
2 necessary information to determine comparability.

3 G. 1. Nothing in the Oklahoma Teacher Preparation Act shall
4 restrict the right of the State Board of Education to issue an
5 emergency or provisional certificate, as needed. Provided, however,
6 prior to the issuance of an emergency certificate, the district
7 shall document substantial efforts to employ a teacher who holds a
8 provisional or standard certificate. In the event a district is
9 unable to hire an individual meeting this criteria, the district
10 shall document efforts to employ an individual with a provisional or
11 standard certificate in another curricular area with academic
12 preparation in the field of need. Only after these alternatives
13 have been exhausted shall the district be allowed to employ an
14 individual meeting minimum standards as established by the State
15 Board of Education for the issuance of emergency certificates.

16 2. The State Board of Education may renew the emergency or
17 provisional certificate of an individual who has been employed by a
18 school district board of education for at least two (2) years if the
19 following criteria are met:

- 20 a. the individual has been granted an emergency or
21 provisional certificate pursuant to paragraph 1 of
22 this subsection for two (2) years,
23 b. the individual has not successfully completed the
24 competency examinations required by this section,

- 1 c. the individual submits a portfolio of his or her work
2 to the State Board of Education, which shall include
3 evidence of progress toward standard certification,
4 d. the employing school district board of education
5 agrees to renew the individual's contract to teach for
6 the ensuing fiscal year, and
7 e. the superintendent of the employing school district
8 submits to the State Board of Education the reason the
9 emergency or provisional certificate should be renewed
10 and provides evidence of the district's inability to
11 hire a teacher who holds a standard certificate.

12 3. Individuals employed by a school district under an emergency
13 or provisional certificate shall not be considered career teachers
14 and therefore not entitled to the protections of the Teacher Due
15 Process Act of 1990.

16 H. The State Board of Education may grant an exception to the
17 requirements for all certification examinations for teacher
18 candidates who are "deaf", which for the purposes of this section
19 shall mean having a hearing loss so severe that the person cannot
20 process auditory linguistic information with or without
21 accommodation and whose primary language and teaching environment is
22 American Sign Language. The Board may grant an exception upon:
23
24

- 1 1. Verification by a licensed audiologist of a hearing loss so
2 severe that the teacher candidate cannot process auditory linguistic
3 information with or without accommodation;
- 4 2. Demonstration of fluency in American Sign Language;
- 5 3. Demonstration of competency in the subject area of
6 specialization as approved by the Board in lieu of certification
7 examinations; and
- 8 4. Sponsorship by a certified deaf education teacher for a
9 mentorship program.

10 The Board may promulgate rules and other requirements as
11 necessary to grant the exceptions described in this subsection.
12 Applicable teaching environments may include American Sign Language
13 immersion programs, the Oklahoma School for the Deaf, programs for
14 the deaf or other classroom settings in which American Sign Language
15 is the language of instruction.

16 SECTION 165. REPEALER 70 O.S. 2021, Section 6-187, as
17 last amended by Section 4, Chapter 220, O.S.L. 2022 (70 O.S. Supp.
18 2023, Section 6-187), is hereby repealed.

19 SECTION 166. AMENDATORY 70 O.S. 2021, Section 11-103.6,
20 as last amended by Section 1, Chapter 9, O.S.L. 2023 (70 O.S. Supp.
21 2023, Section 11-103.6), is amended to read as follows:

22 Section 11-103.6. A. 1. The State Board of Education shall
23 adopt subject matter standards for instruction of students in the
24 public schools of this state that are necessary to ensure there is

1 attainment of desired levels of competencies in a variety of areas
2 to include language, mathematics, science, social studies,
3 communication, and health and physical education.

4 2. School districts shall develop and implement curriculum,
5 courses and instruction in order to ensure that students meet the
6 skills and competencies as set forth in this section and in the
7 subject matter standards adopted by the State Board of Education.

8 3. All students shall gain literacy at the elementary and
9 secondary levels. Students shall develop skills in reading,
10 writing, speaking, computing and critical thinking. For purposes of
11 this section, critical thinking means a manner of analytical
12 thinking which is logical and uses linear factual analysis to reach
13 a conclusion. They shall learn about cultures and environments -
14 their own and those of others with whom they share the earth. All
15 students shall receive the instruction needed to lead healthy and
16 physically active lifestyles. Students, therefore, shall study
17 social studies, literature, languages, the arts, health, mathematics
18 and science. Such curricula shall provide for the teaching of a
19 hands-on career exploration program in cooperation with technology
20 center schools.

21 4. The subject matter standards shall be designed to teach the
22 competencies for which students shall be tested as provided in
23 Section 1210.508 of this title, and shall be designed to prepare all
24 students for active citizenship, employment and/or successful

1 completion of postsecondary education without the need for remedial
2 coursework at the postsecondary level.

3 5. The subject matter standards shall be designed with rigor as
4 defined in paragraph 3 of subsection G of this section.

5 6. The subject matter standards for English Language Arts shall
6 give Classic Literature and nonfiction literature equal
7 consideration to other literature. In addition, emphasis shall be
8 given to the study of complete works of literature.

9 7. At a minimum, the subject matter standards for mathematics
10 shall require mastery of the standard algorithms in mathematics,
11 which is the most logical, efficient way of solving a problem that
12 consistently works, and for students to attain fluency in Euclidian
13 geometry.

14 8. The subject matter standards for history, social studies and
15 United States Government shall include study of important historical
16 documents, including the United States Constitution, Declaration of
17 Independence, Emancipation Proclamation, Federalist Papers and other
18 documents with significant history and heritage of the United
19 States, and the content of the United States naturalization test,
20 with an emphasis on the specific content of the test and the ideas
21 and concepts it references. Beginning with the 2022-2023 school
22 year, the United States naturalization test shall be administered in
23 accordance with subsection F of this section.

24

1 9. The subject matter standards for United States Government
2 shall include an emphasis on civics, the structure and relationship
3 between the national, state, county and local governments and
4 simulations of the democratic process. For the purposes of this
5 section, "civics" means the study of the rights and duties of
6 Oklahoma and United States citizens and of how those governments
7 work.

8 10. The subject matter standards for health and physical
9 education shall include but not be limited to the domains of
10 physical, emotional, social and intellectual health. Health
11 literacy shall include the ability to obtain, process and understand
12 basic health information and services needed to make appropriate
13 health decisions. Health shall also include the importance of
14 proper nutrition and exercise, mental health and wellness, substance
15 abuse, coping skills for understanding and managing trauma,
16 establishing and maintaining positive relationships and responsible
17 decision making. Physical literacy shall include the ability to
18 move with competence and confidence in a wide variety of physical
19 activities in multiple environments that benefit the healthy
20 development of the whole person.

21 B. Subject to the provisions of subsection C of this section,
22 in order to graduate from a public high school accredited by the
23 State Board of Education with a standard diploma, students shall
24

1 complete the following college preparatory/work ready curriculum
2 units or sets of competencies at the secondary level:

3 1. Four units or sets of competencies of English to include
4 Grammar, Composition, Literature, or any English course approved for
5 college admission requirements;

6 2. Three units or sets of competencies of mathematics, limited
7 to Algebra I, Algebra II, Geometry, Trigonometry, Math Analysis,
8 Calculus, Advanced Placement Statistics, or any mathematics course
9 with content and/or rigor above Algebra I and approved for college
10 admission requirements;

11 3. Three units or sets of competencies of laboratory science
12 approved for college admission requirements including one unit or
13 set of competencies of life science meeting the standards for
14 Biology I; one unit or set of competencies of physical science,
15 meeting the standards for Physical Science, Chemistry or Physics;
16 and one unit or set of competencies from the domains of physical
17 science, life science or earth and space science such that the
18 content and rigor is above Biology I or Physical Science;

19 4. Three units or sets of competencies of history and
20 citizenship skills, including one unit of American History, one-half
21 unit of Oklahoma History, one-half unit of United States Government
22 and one unit from the subjects of History, Government, Geography,
23 Economics, Civics, or non-Western culture and approved for college
24 admission requirements;

1 5. Two units or sets of competencies of the same world or non-
2 English language or two units of computer technology approved for
3 college admission requirements, whether taught at a high school or a
4 technology center school, including computer programming, hardware,
5 and business computer applications, such as word processing,
6 databases, spreadsheets, and graphics, excluding keyboarding or
7 typing courses;

8 6. One additional unit or set of competencies selected from
9 paragraphs 1 through 5 of this subsection or career and technology
10 education courses, concurrently enrolled courses, ~~Advanced Placement~~
11 advanced placement courses, or International Baccalaureate courses
12 approved for college admission requirements; and

13 7. One unit or set of competencies of fine arts, such as music,
14 art, or drama, or one unit or set of competencies of speech.

15 C. In lieu of the requirements of subsection B of this section
16 which requires a college preparatory/work ready curriculum, a
17 student may enroll in the core curriculum as provided in subsection
18 D of this section upon written approval of the parent or legal
19 guardian of the student. For students under the age of eighteen
20 (18) school districts shall require a parent or legal guardian of
21 the student to meet with a designee of the school prior to
22 enrollment in the core curriculum. The State Department of
23 Education shall develop and distribute to school districts a form
24 suitable for this purpose, which shall include information on the

1 benefits to students of completing the college preparatory/work
2 ready curriculum as provided for in subsection B of this section.

3 D. For those students subject to the requirements of subsection
4 C of this section, in order to graduate from a public high school
5 accredited by the State Board of Education with a standard diploma,
6 students shall complete the following core curriculum units or sets
7 of competencies at the secondary level:

8 1. Language Arts - Four units or sets of competencies, to
9 consist of one unit or set of competencies of grammar and
10 composition, and three units or sets of competencies which may
11 include, but are not limited to, the following courses:

- 12 a. American Literature,
- 13 b. English Literature,
- 14 c. World Literature,
- 15 d. Advanced English Courses, or
- 16 e. other English courses with content and/or rigor equal
17 to or above grammar and composition;

18 2. Mathematics - Three units or sets of competencies to consist
19 of one unit or set of competencies of Algebra I or Algebra I taught
20 in a contextual methodology, and two units or sets of competencies
21 which may include, but are not limited to, the following courses:

- 22 a. Algebra II,
- 23 b. Geometry or Geometry taught in a contextual
24 methodology,

- 1 c. Trigonometry,
- 2 d. Math Analysis or Precalculus,
- 3 e. Calculus,
- 4 f. Statistics and/or Probability,
- 5 g. Computer Science or acceptance and successful
- 6 completion of one (1) year of a full-time, three-hour
- 7 career and technology program leading to an industry
- 8 credential/certificate or college credit. The State
- 9 Board of Career and Technology Education shall
- 10 promulgate rules to define the provisions of this
- 11 section related to the accepted industry-valued
- 12 credentials which are industry-endorsed or industry-
- 13 aligned. The list of accepted industry-valued
- 14 credentials shall be reviewed annually and updated at
- 15 least every three (3) years by the Board,
- 16 h. (1) contextual mathematics courses which enhance
- 17 technology preparation, or
- 18 (2) a science, technology, engineering and math
- 19 (STEM) block course meeting the requirements for
- 20 course competencies listed in paragraph 2 of
- 21 subsection B of this section, whether taught at
- 22 a:
- 23 (a) comprehensive high school, or
- 24

1 (b) technology center school when taken in the
2 tenth, eleventh or twelfth grade, taught by
3 a certified teacher, and approved by the
4 State Board of Education and the independent
5 district board of education,

- 6 i. mathematics courses taught at a technology center
7 school by a teacher certified in the secondary subject
8 area when taken in the tenth, eleventh or twelfth
9 grade upon approval of the State Board of Education
10 and the independent district board of education, or
- 11 j. any other mathematics course with content and/or rigor
12 equal to or above Algebra I;

13 3. Science - Three units or sets of competencies to consist of
14 one unit or set of competencies of Biology I or Biology I taught in
15 a contextual methodology, and two units or sets of competencies in
16 the areas of life, physical, or earth science or technology which
17 may include, but are not limited to, the following courses:

- 18 a. Chemistry I,
- 19 b. Physics,
- 20 c. Biology II,
- 21 d. Chemistry II,
- 22 e. Physical Science,
- 23 f. Earth Science,
- 24 g. Botany,

- 1 h. Zoology,
- 2 i. Physiology,
- 3 j. Astronomy,
- 4 k. Applied Biology/Chemistry,
- 5 l. Applied Physics,
- 6 m. Principles of Technology,
- 7 n. qualified agricultural education courses,
- 8 o. (1) contextual science courses which enhance
- 9 technology preparation, or
- 10 (2) a science, technology, engineering and math
- 11 (STEM) block course meeting the requirements for
- 12 course competencies listed in paragraph 3 of
- 13 subsection B of this section, whether taught at
- 14 a:
- 15 (a) comprehensive high school, or
- 16 (b) technology center school when taken in the
- 17 tenth, eleventh, or twelfth grade, taught by
- 18 a certified teacher, and approved by the
- 19 State Board of Education and the independent
- 20 district board of education,
- 21 p. science courses taught at a technology center school
- 22 by a teacher certified in the secondary subject area
- 23 when taken in the tenth, eleventh or twelfth grade
- 24

1 upon approval of the State Board of Education and the
2 independent district board of education, or

3 q. other science courses with content and/or rigor equal
4 to or above Biology I;

5 4. Social Studies - Three units or sets of competencies, to
6 consist of one unit or set of competencies of United States History,
7 one-half to one unit or set of competencies of United States
8 Government, one-half unit or set of competencies of Oklahoma
9 History, and one-half to one unit or set of competencies which may
10 include, but are not limited to, the following courses:

11 a. World History,

12 b. Geography,

13 c. Economics,

14 d. Anthropology, or

15 e. other social studies courses with content and/or rigor
16 equal to or above United States History, United States
17 Government, and Oklahoma History;

18 5. Arts - One unit or set of competencies which may include,
19 but is not limited to, courses in Visual Arts and General Music; and

20 6. Computer Education or World Language - One unit or set of
21 competencies of computer technology, whether taught at a high school
22 or a technology center school, including computer programming,
23 hardware, and business computer applications, such as word
24 processing, databases, spreadsheets and graphics, excluding

1 keyboarding or typing courses, or one unit or set of competencies of
2 world or non-English language.

3 E. The State Board of Education may develop rules to determine
4 if courses on aviation are eligible for non-elective academic credit
5 toward meeting the graduation requirements set forth in subsections
6 B and D of this section.

7 F. A school district may issue an alternate diploma to a
8 student who meets the definition of a student with the most
9 significant cognitive disabilities and who participates in the
10 Oklahoma Alternate Assessment Program (OAAP) beginning in the 2023-
11 2024 school year. An alternate diploma shall be standards-based,
12 aligned with requirements for a standard diploma, and obtained by
13 the school year in which a student turns twenty-two (22) years of
14 age.

15 ~~F.~~ G. An alternate diploma shall not terminate a Free and
16 Appropriate Public Education (FAPE) for students with an
17 Individualized Education Program (IEP) unless they reach the maximum
18 age of FAPE. The IEP team shall determine subsequent courses and
19 services for students who receive an alternate diploma.

20 ~~G.~~ H. Students participating in the OAAP shall not be precluded
21 from attempting to meet the requirements of a standard diploma and
22 participation in the OAAP shall not determine a student's
23 educational setting under the Individuals with Disabilities
24 Education Act (IDEA).

1 ~~H.~~ I. Students who meet requirements for an alternate diploma
2 may count as having received a standard diploma for purposes of
3 calculating and reporting the adjusted cohort graduation rate
4 (ACGR).

5 ~~I.~~ J. A student may be awarded an alternate diploma upon
6 completion of the following curriculum units or sets of competencies
7 at the secondary level:

8 1. Language Arts - Four units or sets of competencies based on
9 alternate academic achievement standards to consist of reading
10 literature, reading informational text, writing, speaking and
11 listening, and language in the following courses:

- 12 a. English 1 Alternate,
- 13 b. English 2 Alternate,
- 14 c. English 3 Alternate, and
- 15 d. English 4 Alternate;

16 2. Mathematics - Three units or sets of competencies based on
17 alternate academic achievement standards to consist of number,
18 quantities, algebra, functions/statistics, probability, and geometry
19 in the following courses:

- 20 a. Math Alternate 1,
- 21 b. Math Alternate 2, and
- 22 c. Math Alternate 3;

23

24

1 3. Science - Three units or sets of competencies based on
2 alternate academic achievement standards to consist of life science,
3 physical science, and earth science in the following courses:

- 4 a. Life Science Alternate,
- 5 b. Physical Science Alternate, and
- 6 c. Earth Science Alternate;

7 4. Social Studies - Three units or sets of competencies based
8 on alternate academic achievement standards to consist of United
9 States History, United States Government, Oklahoma History,
10 Geography, and Social Studies in the following courses:

- 11 a. Social Studies Alternate 1,
- 12 b. Social Studies Alternate 2, and
- 13 c. Social Studies Alternate 3;

14 5. Arts - One unit or set of competencies which may include,
15 but is not limited to, courses in Visual Arts and General Music;

16 6. Computer Education or World Language - One unit or set of
17 competencies of computer technology, whether taught at a high school
18 or a technology center school, including computer programming,
19 hardware, and business computer applications, such as word
20 processing, databases, spreadsheets, and graphics, excluding
21 keyboarding or typing courses, or one unit or set of competencies of
22 world or non-English language;

23 7. Career Readiness - at least two units of Career Readiness,
24 including Career Readiness I, Career Readiness II, Career Readiness

1 III, or Career Readiness IV. Each Career Readiness course may be
2 substituted for Careers/Exploration, Internship I, or Internship II;
3 and

4 8. Life Skills - at least two units of Life Skills, such as
5 Life Skills I, Life Skills II, Life Skills III, or Life Skills IV.
6 Each Life Skills course may be substituted for the Life Skills or
7 Family and Consumer Science courses.

8 ~~J.~~ K. Courses in the core curriculum may be used as a
9 substitute for corresponding courses required by the alternate
10 diploma. Other courses may be substituted as determined by the
11 State Board of Education.

12 ~~K.~~ L. 1. In addition to the curriculum requirements of either
13 subsection B or D of this section, in order to graduate from a
14 public high school accredited by the State Board of Education
15 students shall complete the requirements for a personal financial
16 literacy passport as set forth in the Passport to Financial Literacy
17 Act and any additional course requirements or recommended elective
18 courses as may be established by the State Board of Education and
19 the district school board. School districts shall strongly
20 encourage students to complete two units or sets of competencies of
21 world languages and two units or sets of competencies of physical
22 and health education.

23

24

1 2. No student shall receive credit for high school graduation
2 more than once for completion of the same unit or set of
3 competencies to satisfy the curriculum requirements of this section.

4 3. A school district shall not be required to offer every
5 course listed in subsections B and D of this section but shall offer
6 sufficient courses to allow a student to meet the graduation
7 requirements during the secondary grade years of the student.

8 ~~E.~~ M. 1. In addition to the curriculum requirements of either
9 subsection B or D of this section, beginning with ninth graders in
10 the 2021-22 school year, in order to graduate from a public high
11 school accredited by the State Board of Education, students shall
12 pass the United States naturalization test pursuant to the
13 provisions of this subsection.

14 2. School districts shall offer the United States
15 naturalization test to students at least once per school year,
16 beginning as early as eighth grade at the discretion of the school
17 district; provided, any student may retake the exam upon request,
18 and as often as desired, until earning a passing score. For
19 purposes of this subsection, a passing score shall be 60 out of 100
20 questions.

21 3. School districts shall exempt students with disabilities
22 whose individualized education program (IEP), consistent with state
23 law, indicates that the student is to be assessed with alternate
24 achievement standards through the OAAP.

1 ~~M.~~ N. For purposes of this section:

2 1. "Contextual methodology" means academic content and skills
3 taught by utilizing real-world problems and projects in a way that
4 helps students understand the application of that knowledge;

5 2. "Qualified agricultural education courses" means courses
6 that have been determined by the State Board of Education to offer
7 the sets of competencies for one or more science content areas and
8 which correspond to academic science courses. Qualified

9 agricultural education courses shall include, but are not limited
10 to, ~~Horticulture~~ horticulture, ~~Plant~~ plant and ~~Soil Science~~ soil
11 science, ~~Natural Resources~~ natural resources and ~~Environmental~~
12 ~~Science~~ environmental science, and ~~Animal Science~~ animal science.

13 The courses shall be taught by teachers certified in agricultural
14 education and comply with all rules of the Oklahoma Department of
15 Career and Technology Education;

16 3. "Rigor" means a level of difficulty that is thorough,
17 exhaustive and accurate and is appropriate for the grade level;

18 4. "Sets of competencies" means instruction in those skills and
19 competencies that are specified in the subject matter standards
20 adopted by the State Board of Education and other skills and
21 competencies adopted by the Board, without regard to specified
22 instructional time; and

23 5. "Unit" means a Carnegie Unit as defined by the North Central
24 Association's Commission on Schools.

1 ~~N. O.~~ 1. The State Board of Education shall adopt a plan to
2 ensure that rigor is maintained in the content, teaching
3 methodology, level of expectations for student achievement, and
4 application of learning in all the courses taught to meet the
5 graduation requirements as specified in this section.

6 2. The State Board of Education shall allow as much flexibility
7 at the district level as is possible without diminishing the rigor
8 or undermining the intent of providing these courses. To accomplish
9 this purpose, the State Department of Education shall work with
10 school districts in reviewing and approving courses taught by
11 districts that are not specifically listed in subsections B and D of
12 this section. Options may include, but shall not be limited to,
13 courses taken by concurrent enrollment, advanced placement, or
14 correspondence, or courses bearing different titles.

15 3. The State Board of Education shall approve an advanced
16 placement computer science course to meet the requirements of course
17 competencies listed in paragraph 2 of subsection B of this section
18 if the course is taken in a student's senior year and the student is
19 concurrently enrolled in or has successfully completed Algebra II.

20 4. Technology center school districts may offer programs
21 designed in cooperation with institutions of higher education which
22 have an emphasis on a focused field of career study upon approval of
23 the State Board of Education and the independent district board of
24 education. Students in the tenth grade may be allowed to attend

1 these programs for up to one-half (1/2) of a school day and credit
2 for the units or sets of competencies required in paragraphs 2, 3
3 and 6 of subsection B or D of this section shall be given if the
4 courses are taught by a teacher certified in the secondary subject
5 area; provided, credit for units or sets of competencies pursuant to
6 subsection B of this section shall be approved for college admission
7 requirements.

8 5. If a student enrolls in a concurrent course, the school
9 district shall not be responsible for any costs incurred for that
10 course, unless the school district does not offer enough course
11 selection during the student's secondary grade years to allow the
12 student to receive the courses needed to meet the graduation
13 requirements of this section. If the school district does not offer
14 the necessary course selection during the student's secondary grade
15 years, it shall be responsible for the cost of resident tuition at
16 an institution in The Oklahoma State System of Higher Education,
17 fees, and books for the concurrent enrollment course, and providing
18 for transportation to and from the institution to the school site.

19 It is the intent of the Legislature that for students enrolled
20 in a concurrent enrollment course which is paid for by the school
21 district pursuant to this paragraph, the institution charge only the
22 supplementary and special service fees that are directly related to
23 the concurrent enrollment course and enrollment procedures for that
24 student. It is further the intent of the Legislature that fees for

1 student activities and student service facilities, including the
2 student health care and cultural and recreational service fees, not
3 be charged to such students.

4 6. Credit for the units or sets of competencies required in
5 subsection B or D of this section shall be given when such units or
6 sets of competencies are taken prior to ninth grade if the teachers
7 are certified or authorized to teach the subjects for high school
8 credit and the required rigor is maintained.

9 7. The three units or sets of competencies in mathematics
10 required in subsection B or D of this section shall be completed in
11 the ninth through twelfth grades. If a student completes any
12 required courses or sets of competencies in mathematics prior to
13 ninth grade, the student may take any other mathematics courses or
14 sets of competencies to fulfill the requirement to complete three
15 units or sets of competencies in grades nine through twelve after
16 the student has satisfied the requirements of subsection B or D of
17 this section.

18 8. All units or sets of competencies required for graduation
19 may be taken in any sequence recommended by the school district.

20 ~~Θ.~~ P. As a condition of receiving accreditation from the State
21 Board of Education, all students in grades nine through twelve shall
22 enroll in a minimum of six periods, or the equivalent in block
23 scheduling or other scheduling structure that allows for instruction
24 in sets of competencies, of rigorous academic and/or rigorous

1 vocational courses each day, which may include arts, vocal and
2 instrumental music, speech classes, and physical education classes.

3 ~~P.~~ Q. 1. Academic and vocational-technical courses designed to
4 offer sets of competencies integrated or embedded within the courses
5 that provide for the teaching and learning of the appropriate skills
6 and knowledge in the subject matter standards, as adopted by the
7 State Board of Education, may, upon approval of the Board, in
8 consultation with the Oklahoma Department of Career and Technology
9 Education if the courses are offered at a technology center school
10 district, be counted for academic credit and toward meeting the
11 graduation requirements of this section.

12 2. Internet-based courses offered by a technology center school
13 that are taught by a certified teacher and provide for the teaching
14 and learning of the appropriate skills and knowledge in the subject
15 matter standards may, upon approval of the State Board of Education
16 and the independent district board of education, be counted for
17 academic credit and toward meeting the graduation requirements of
18 this section.

19 3. Internet-based courses or vocational-technical courses
20 utilizing integrated or embedded skills for which no subject matter
21 standards have been adopted by the State Board of Education may be
22 approved by the Board, in consultation with the Oklahoma Department
23 of Career and Technology Education if the courses are offered at a
24 technology center school district, if such courses incorporate

1 standards of nationally recognized professional organizations and
2 are taught by certified teachers.

3 4. Courses offered by a supplemental education organization
4 that is accredited by a national accrediting body and that are
5 taught by a certified teacher and provide for the teaching and
6 learning of the appropriate skills and knowledge in the subject
7 matter standards may, upon approval of the State Board of Education
8 and the school district board of education, be counted for academic
9 credit and toward meeting the graduation requirements of this
10 section.

11 ~~Q.~~ R. The State Board of Education shall provide an option for
12 high school graduation based upon attainment of the desired levels
13 of competencies as required in tests pursuant to the provisions of
14 Section 1210.508 of this title. Such option shall be in lieu of the
15 amount of course credits earned.

16 ~~R.~~ S. The State Board of Education shall prescribe, adopt and
17 approve a promotion system based on the attainment by students of
18 specified levels of competencies in each area of the core
19 curriculum.

20 ~~S.~~ T. Children who have an IEP pursuant to the IDEA, and who
21 satisfy the graduation requirements through the individualized
22 education program for that student shall be awarded a standard
23 diploma.

24

1 ~~¶~~ U. Students who enter the ninth grade in or prior to the
2 2007-08 school year who are enrolled in an alternative education
3 program and meet the requirements of their plans leading to high
4 school graduation developed pursuant to Section 1210.568 of this
5 title shall be awarded a standard diploma.

6 ~~¶~~ V. Any student who completes the curriculum requirements of
7 the International Baccalaureate Diploma Program shall be awarded a
8 standard diploma.

9 ~~¶~~ W. Any student who successfully completes an advanced
10 mathematics or science course offered pursuant to Section 1210.404
11 of this title shall be granted academic credit toward meeting the
12 graduation requirements pursuant to paragraph 2 or 3, as
13 appropriate, of subsection B or D of this section.

14 ~~¶~~ X. For purposes of this section, the courses approved for
15 college admission requirements shall be courses which are approved
16 by the Oklahoma State Regents for Higher Education for admission to
17 an institution within The Oklahoma State System of Higher Education.

18 ~~¶~~ Y. Students who have been denied a standard diploma by the
19 school district in which the student is or was enrolled for failing
20 to meet the requirements of this section may re-enroll in the school
21 district that denied the student a standard diploma following the
22 denial of a standard diploma. The student shall be provided
23 remediation or intervention and the opportunity to complete the
24 curriculum units or sets of competencies required by this section to

1 obtain a standard diploma. Students who re-enroll in the school
2 district to meet the graduation requirements of this section shall
3 be exempt from the hourly instructional requirements of Section 1-
4 111 of this title and the six-period enrollment requirements of this
5 section.

6 ~~Y.~~ Z. The State Department of Education shall collect and
7 report data by school site and district on the number of students
8 who enroll in the core curriculum as provided in subsection D of
9 this section.

10 SECTION 167. REPEALER 70 O.S. 2021, Section 11-103.6, as
11 amended by Section 1, Chapter 122, O.S.L. 2022 (70 O.S. Supp. 2023,
12 Section 11-103.6), is hereby repealed.

13 SECTION 168. AMENDATORY 70 O.S. 2021, Section 3247, as
14 last amended by Section 1, Chapter 348, O.S.L. 2023 (70 O.S. Supp.
15 2023, Section 3247), is amended to read as follows:

16 Section 3247. A. A student shall be eligible for in-state
17 status regardless of the residency of the student if the student is
18 a:

19 1. Dependent child or spouse of a person currently serving as a
20 member of the active uniformed services of the United States on
21 full-time active duty status of more than thirty (30) days and for
22 whom Oklahoma is the home of record;

23

24

1 2. Dependent child or spouse of a person currently serving as a
2 member of the military reserve on active duty orders of more than
3 thirty (30) days and for whom Oklahoma is the home of record;

4 3. Person, or spouse or dependent child of a person, currently
5 serving as a member of the uniformed services of the United States
6 who is on full-time active duty for a period of more than thirty
7 (30) days and is stationed or temporarily present in Oklahoma
8 through military orders;

9 4. Person, or spouse or dependent child of a person, who was
10 discharged or released from a period of not fewer than ninety (90)
11 days of active uniformed service; ~~or~~

12 5. Person who is participating in or has received a partial or
13 full scholarship from the Air Force Reserve Officers' Training
14 Corps, Army Reserve Officers' Training Corps or the Navy/Marines
15 Reserve Officers' Training Corps; or

16 6. Person who is a current member of the Oklahoma National
17 Guard.

18 B. To be eligible for in-state status as provided for in
19 subsection A of this section and to maintain eligibility, the
20 student shall:

21 1. Satisfy admission and retention standards as determined by
22 the Oklahoma State Regents for Higher Education for an institution
23 within The Oklahoma State System of Higher Education; and
24

1 2. Have secured admission to and enrolls full-time or part-time
2 in a program of study at an institution within The Oklahoma State
3 System of Higher Education.

4 C. A student who files with the institution within The Oklahoma
5 State System of Higher Education at which the student intends to
6 register a letter of intent to establish residence in the state and
7 who resides in the state while enrolled in the institution shall be
8 eligible for in-state status, regardless of the residency of the
9 student or home of record, if the student:

10 1. Is a person who:

11 a. was discharged or released from a period of not fewer
12 than ninety (90) days of active duty uniformed
13 service, and

14 b. is pursuing a course of education with educational
15 assistance under Chapter 30, 31, 33, or 35 of Title 38
16 of the United States Code while living in this state;
17 or

18 2. Is a person who:

19 a. is entitled to assistance under Section 3311(b) (9) or
20 3319 of Title 38 of the United States Code by virtue
21 of a relationship to a person who was discharged or
22 released from a period of not fewer than ninety (90)
23 days of active duty uniformed services, and

1 b. enrolls in the course(s) concerned within five (5)
2 years of the date the related person was discharged or
3 released from a period of not fewer than ninety (90)
4 days of active duty uniformed services.

5 D. To be eligible for in-state status as provided for in
6 subsection C of this section and to maintain eligibility, the
7 student shall:

8 1. Satisfy admission and retention standards as determined by
9 the Oklahoma State Regents for Higher Education for an institution
10 within The Oklahoma State System of Higher Education; and

11 2. Have secured admission to and enrolls full-time or part-time
12 in a program of study at an institution within The Oklahoma State
13 System of Higher Education.

14 E. A student who meets the eligibility requirements for in-
15 state status shall maintain in-state status if the student remains
16 continuously enrolled at an institution within The Oklahoma State
17 System of Higher Education after the student:

18 1. As described in paragraph 1, 2, 3, or 4 of subsection A or
19 paragraph 1 or 2 of subsection C of this section is discharged or
20 released from active duty service;

21 2. As described in paragraph 1 of subsection C of this section
22 has exhausted education assistance provided under Chapter 30, 31,
23 33, or 35 of Title 38 of the United States Code; or

1 3. As described in paragraph 2 of subsection C of this section
2 has exhausted education assistance provided under Section 3311(b) (9)
3 or 3319 of Title 38 of the United States Code.

4 F. For purposes of this section, "home of record" means the
5 place where one was living when the person enlisted or was
6 commissioned into the military or reenlisted in the military.

7 G. The State Regents for Higher Education shall develop
8 policies and procedures necessary to implement the provisions of
9 this section.

10 SECTION 169. REPEALER 70 O.S. 2021, Section 3247, as
11 amended by Section 1, Chapter 23, O.S.L. 2022 (70 O.S. Supp. 2023,
12 Section 3247), is hereby repealed.

13 SECTION 170. AMENDATORY 74 O.S. 2021, Section 18b, as
14 amended by Section 1, Chapter 100, O.S.L. 2022 (74 O.S. Supp. 2023,
15 Section 18b), is amended to read as follows:

16 Section 18b. A. The duties of the Attorney General as the
17 chief law officer of the state shall be:

18 1. To appear for the state and prosecute and defend all actions
19 and proceedings, civil or criminal, in the Supreme Court and Court
20 of Criminal Appeals in which the state is interested as a party;

21 2. To appear for the state and prosecute and defend all actions
22 and proceedings in any of the federal courts in which the state is
23 interested as a party;

24

1 3. To initiate or appear in any action in which the interests
2 of the state or the people of the state are at issue, or to appear
3 at the request of the Governor, the Legislature, or either branch
4 thereof, and prosecute and defend in any court or before any
5 commission, board or officers any cause or proceeding, civil or
6 criminal, in which the state may be a party or interested; and when
7 so appearing in any such cause or proceeding, the Attorney General
8 may, if the Attorney General deems it advisable and to the best
9 interest of the state, take and assume control of the prosecution or
10 defense of the state's interest therein;

11 4. To consult with and advise district attorneys, when
12 requested by them, in all matters pertaining to the duties of their
13 offices, when the district attorneys shall furnish the Attorney
14 General with a written opinion supported by citation of authorities
15 upon the matter submitted;

16 5. To give an opinion in writing upon all questions of law
17 submitted to the Attorney General by the Legislature or either
18 branch thereof, or by any state officer, board, commission or
19 department, provided, that the Attorney General shall not furnish
20 opinions to any but district attorneys, the Legislature or either
21 branch thereof, or any other state official, board, commission or
22 department, and to them only upon matters in which they are
23 officially interested;

24

1 6. At the request of the Governor, State Auditor and Inspector,
2 State Treasurer, or either branch of the Legislature, to prosecute
3 any official bond or any contract in which the state is interested,
4 upon a breach thereof, and to prosecute or defend for the state all
5 actions, civil or criminal, relating to any matter connected with
6 either of their Departments;

7 7. Whenever requested by any state officer, board or
8 commission, to prepare proper drafts for contracts, forms and other
9 writing which may be wanted for the use of the state;

10 8. To prepare drafts of bills and resolutions for individual
11 members of the Legislature upon their written request stating the
12 gist of the bill or resolution desired;

13 9. To enforce the proper application of monies appropriated by
14 the Legislature and to prosecute breaches of trust in the
15 administration of such funds;

16 10. To institute actions to recover state monies illegally
17 expended, to recover state property and to prevent the illegal use
18 of any state property, upon the request of the Governor or the
19 Legislature;

20 11. To pay into the State Treasury, immediately upon its
21 receipt, all monies received by the Attorney General belonging to
22 the state;

23 12. To settle, compromise and dispose of an action in which the
24 Attorney General represents the interests of the state, so long as

1 the consideration negotiated for such settlement, compromise or
2 disposition is payable to the state or one of its agencies which is
3 a named party of the action and any monies, any property or other
4 item of value is paid first to the State Treasury;

5 13. To keep and file copies of all opinions, contracts, forms
6 and letters of the office, and to keep an index of all opinions,
7 contracts and forms according to subject and section of the law
8 construed or applied;

9 14. To keep a register or docket of all actions, demands and
10 investigations prosecuted, defended or conducted by the Attorney
11 General in behalf of the state. The register or docket shall give
12 the style of the case or investigation, where pending, court number,
13 office number, the gist of the matter, result and the names of the
14 assistants who handled the matter;

15 15. To keep a complete office file of all cases and
16 investigations handled by the Attorney General on behalf of the
17 state;

18 16. To report to the Legislature or either branch thereof
19 whenever requested upon any business relating to the duties of the
20 Attorney General's office;

21 17. To institute civil actions against members of any state
22 board or commission for failure of such members to perform their
23 duties as prescribed by the statutes and the Constitution and to
24 prosecute members of any state board or commission for violation of

1 the criminal laws of this state where such violations have occurred
2 in connection with the performance of such members' official duties;

3 18. To respond to any request for an opinion of the Attorney
4 General's office, submitted by a member of the Legislature,
5 regardless of subject matter, by written opinion determinative of
6 the law regarding such subject matter;

7 19. To convene multicounty grand juries in such manner and for
8 such purposes as provided by law; provided, such grand juries are
9 composed of citizens from each of the counties on a pro rata basis
10 by county;

11 20. To investigate any report by the State Auditor and
12 Inspector filed with the Attorney General pursuant to Section 223 of
13 this title and prosecute all actions, civil or criminal, relating to
14 such reports or any irregularities or derelictions in the management
15 of public funds or property which are violations of the laws of this
16 state;

17 21. To represent and protect the collective interests of all
18 utility consumers of this state in rate-related proceedings before
19 the Corporation Commission or in any other state or federal judicial
20 or administrative proceeding;

21 22. To represent and protect the collective interests of
22 insurance consumers of this state in rate-related proceedings before
23 the Insurance Commissioner or in any other state or federal judicial
24 or administrative proceeding;

1 23. To investigate and prosecute any criminal action relating
2 to insurance fraud, if in the opinion of the Attorney General a
3 criminal prosecution is warranted, or to refer such matters to the
4 appropriate district attorney;

5 24. To monitor and evaluate any action by the federal
6 government including, but not limited to, executive orders by the
7 President of the United States, rules or regulations promulgated by
8 an agency of the federal government or acts of Congress to determine
9 if such actions are in violation of the Tenth Amendment to the
10 Constitution of the United States; ~~and~~

11 25. To cross-deputize police officers of the police department
12 of any municipality or any officer deputized by the county sheriff
13 or a designee subject to an interlocal governmental agreement with
14 the Attorney General's Office in an effort to combine city, county,
15 and state law enforcement efforts and to encourage cooperation
16 between city, county, and state law enforcement officials.

17 Liability for the conduct of any municipal police officer cross-
18 deputized under the terms and conditions of an interlocal
19 governmental agreement or any officer deputized by the county
20 sheriff under the terms and conditions of an interlocal governmental
21 agreement shall remain the responsibility of the respective employer
22 for that officer; and

23

24

1 26. To maintain data related to human trafficking and to assist
2 law enforcement, social service agencies, and victim services
3 programs in identifying and supporting victims of human trafficking.

4 B. Nothing in this section shall be construed as requiring the
5 Attorney General to appear and defend or prosecute in any court any
6 cause or proceeding for or on behalf of the Oklahoma Tax Commission,
7 the Board of Managers of the State Insurance Fund, or the
8 Commissioners of the Land Office.

9 C. In all appeals from the Corporation Commission to the
10 Supreme Court of Oklahoma in which the state is a party, the
11 Attorney General shall have the right to designate counsel of the
12 Corporation Commission as the Attorney General's legally appointed
13 representative in such appeals, and it shall be the duty of the
14 Corporation Commission counsel to act when so designated and to
15 consult and advise with the Attorney General regarding such appeals
16 prior to taking action therein.

17 SECTION 171. REPEALER 74 O.S. 2021, Section 18b, as last
18 amended by Section 1, Chapter 296, O.S.L. 2022 (74 O.S. Supp. 2023,
19 Section 18b), is hereby repealed.

20 SECTION 172. AMENDATORY 74 O.S. 2021, Section 840-2.20,
21 as last amended by Section 1, Chapter 18, 1st Extraordinary Session,
22 O.S.L. 2023 (74 O.S. Supp. 2023, Section 840-2.20), is amended to
23 read as follows:
24

1 Section 840-2.20. A. The Director of the Office of Management
2 and Enterprise Services shall promulgate such emergency and
3 permanent rules regarding leave and holiday leave as are necessary
4 to assist the state and its agencies.

5 The Director of the Office of Management and Enterprise
6 Services, in adopting new rules, amending rules and repealing rules,
7 shall ensure that the following provisions are incorporated:

8 1. Eligible employees who enter on duty or who are reinstated
9 after a break in service shall receive leave benefits in accordance
10 with the schedule outlined below. Leave shall be accrued based upon
11 hours worked, paid leave, and holidays, but excluding overtime, not
12 to exceed the total possible work hours for the pay period. Years
13 of service shall be based on cumulative periods of employment
14 calculated in the manner that cumulative service is determined for
15 longevity purposes pursuant to Section 840-2.18 of this title.
16 Employees may accumulate more than the maximum annual leave
17 accumulation limits shown in the schedule below provided that such
18 excess is used during the same calendar year in which it accrues or
19 within twelve (12) months of the date on which it accrues, at the
20 discretion of the appointing authority. If an employee whose job
21 duties include providing fire protection services, law enforcement
22 services or services with the Department of Corrections is unable to
23 use excess leave as provided for in this paragraph because the
24 employee's request for leave is denied by the employee's appointing

1 authority and the denial of leave is due to extraordinary
 2 circumstances such that taking leave could pose a threat to public
 3 safety, health or welfare, the employee shall receive compensation
 4 at the employee's regular rate of pay for the amount of excess leave
 5 the employee is unable to use. Such compensation shall be paid at
 6 the end of the time period during which the excess leave was
 7 required to have been used;

8 2. On and after the effective date of this act, the following
 9 accrual rates and accumulation limits apply to eligible employees as
 10 follows:

	ACCRUAL RATES			ACCUMULATION
				LIMITS
	Cumulative			
	Years of	Annual	Sick	Annual
	Service	Leave	Leave	Leave
16	Persons employed 0-5 yrs	= 15 day/yr	15 days/yr	30 days
17	5-10 yrs	= 18 day/yr	15 days/yr	80 days
18	10-20 yrs	= 20 day/yr	15 days/yr	80 days
19	over 20 yrs	= 25 day/yr	15 days/yr	80 days

20 Following an emergency declaration as described in Section 683.8
 21 of Title 63 of the Oklahoma Statutes, the accumulation limits for
 22 annual leave shall temporarily increase and shall carryover to the
 23 end of the fiscal year following the year in which the emergency
 24 declaration ended.

1 All annual leave that accrued or expired during the period of
2 the emergency declarations issued by the Governor in 2020 and 2021
3 in response to the novel coronavirus (COVID-19) shall carry over to
4 the end of the fiscal year following the year in which the emergency
5 declaration ended regardless of regulatory provisions that establish
6 a maximum amount of annual leave that may be accumulated by an
7 employee of this state. Expired annual leave governed by this
8 subsection shall be reinstated as of May 7, 2021, and accumulation
9 limits for annual leave shall not apply to amounts accrued or
10 reinstated pursuant to this subsection. Eligibility for
11 reinstatement of annual leave is limited to employees currently
12 employed by this state on May 7, 2021;

13 3. Temporary employees and other limited term employees are
14 ineligible to accrue, use, or be paid for sick leave and annual
15 leave. Such employees shall be eligible for paid holiday leave at
16 the discretion of the appointing authority;

17 4. Except as provided in paragraph 2 of this subsection,
18 employees shall not be entitled to retroactive accumulation of leave
19 as a result of amendments to this section;

20 5. The Director of the Office of Management and Enterprise
21 Services shall assist agencies in developing policies to prevent
22 violence in state government workplaces without abridging the rights
23 of state employees. Such policies shall include a paid
24 administrative leave provision as a cooling-off period which the

1 Director of the Office of Management and Enterprise Services is
2 authorized to provide pursuant to the Administrative Procedures Act.
3 Such leave shall not be charged to annual or sick leave
4 accumulations;

5 6. State employees who terminated their employment in the state
6 service on or after October 1, 1992, may be eligible to have sick
7 leave accrued at the time of termination of employment restored if
8 they return to state employment provided that the state employees'
9 enter-on-duty dates for reemployment occur on or before two (2)
10 years after their termination of employment and they are eligible to
11 accrue sick leave before the two (2) years expire;

12 7. Employees who are volunteer firefighters pursuant to the
13 Oklahoma Volunteer Firefighters Act and who are called to fight a
14 fire shall not have to use any accrued leave or need to make up any
15 time due to the performance of their volunteer firefighter duties;

16 8. Employees who are reserve municipal police officers pursuant
17 to Section 34-101 of Title 11 of the Oklahoma Statutes and who miss
18 work in performing their duties in cases of emergency shall not have
19 to use any accrued leave or need to make up any time due to the
20 performance of their reserve municipal police officer duties;

21 9. Employees who are reserve deputy sheriffs pursuant to
22 Section 547 of Title 19 of the Oklahoma Statutes and who miss work
23 in performing their duties in case of emergency shall not have to
24

1 use any accrued leave or need to make up any time due to the
2 performance of their reserve deputy sheriff duties; ~~and~~

3 10. For purposes of the computation required by this section,
4 any service performed by a person during which the person received
5 compensation for duties performed for the state shall be counted if
6 payment for such service was made using state fiscal resources. The
7 provisions of this section shall not apply to elected or appointed
8 justices or judges, including special judges, who perform service in
9 the trial or appellate courts. The provisions of this section shall
10 apply to persons who perform services as an administrative law judge
11 within the executive department and employees of the judicial
12 branch; and

13 11. Eligible employees shall be entitled to paid maternity
14 leave as provided for in Section 840-2.20D of this title.

15 B. Nothing in law is intended to prevent or discourage an
16 appointing authority from disciplining or terminating an employee
17 due to abuse of leave benefits or absenteeism. Appointing
18 authorities are encouraged to consider attendance of employees in
19 making decisions regarding promotions, pay increases, and
20 discipline.

21 C. Upon the transfer of a function in state government to an
22 entity outside state government, employees may, with the agreement
23 of the outside entity, waive any payment for leave accumulations to
24

1 which the employee is entitled and authorize the transfer of the
2 leave accumulations or a portion thereof to the outside entity.

3 D. All permanent employees of the state shall be eligible to
4 carry over a maximum of six hundred forty (640) hours of annual
5 leave each year. Additionally, all employees shall be paid up to a
6 maximum of six hundred forty (640) hours of annual leave upon
7 separation from state service.

8 SECTION 173. REPEALER 74 O.S. 2021, Section 840-2.20, as
9 last amended by Section 2, Chapter 32, 1st Extraordinary Session,
10 O.S.L. 2023 (74 O.S. Supp. 2023, Section 840-2.20), is hereby
11 repealed.

12 SECTION 174. AMENDATORY 82 O.S. 2021, Section 1085.30,
13 as last amended by Section 6, Chapter 185, O.S.L. 2022, and as
14 renumbered by Section 4, Chapter 164, O.S.L. 2023 (27A O.S. Supp.
15 2023, Section 2-6-103.2), is amended to read as follows:

16 Section 2-6-103.2. A. 1. In order to effectuate a
17 comprehensive program to assist in the prevention, control and
18 abatement of pollution of the waters of this state, and in order to
19 establish state standards which comply with the Federal Water
20 Pollution Control Act as amended, the Department of Environmental
21 Quality is authorized to promulgate rules to be known as "Oklahoma
22 Water Quality Standards" which establish classifications of uses of
23 waters of the state, criteria to maintain and protect such
24

1 classifications, and other standards or policies pertaining to the
2 quality of such waters.

3 2. The Oklahoma Water Quality Standards shall, at a minimum, be
4 designed to maintain and protect the quality of the waters of the
5 state.

6 3. Wherever the Department finds it is practical and in the
7 public interest to do so, the rules may be amended to upgrade and
8 improve progressively the quality of waters of the state.

9 4. a. The Department may also amend Oklahoma Water Quality
10 Standards to downgrade a designated use of any waters
11 of this state which is not an existing use, may
12 establish subcategories of a use or may provide for
13 less stringent criteria or other provisions thereof
14 only in those limited circumstances permissible under
15 the Federal Water Pollution Control Act as amended or
16 federal rules which implement the act.

17 b. The Department may amend the Oklahoma Water Quality
18 Standards to downgrade a designated use, establish
19 subcategories of a use or may provide for less
20 stringent criteria or other provisions thereof only to
21 the extent as will maintain or improve the existing
22 uses and the water quality of the water affected;
23 provided, however, the Department shall not modify the
24 Oklahoma Water Quality Standards applicable to scenic

1 river areas as such areas are described by Section
2 896.5 of this title, to downgrade a designated use,
3 establish a subcategory of a use or provide for less
4 stringent criteria or other provisions thereof.

5 5. The Department shall propose any necessary rules to allow
6 for the development of nutrient trading programs by state
7 environmental agencies no later than November 1, 2026.

8 B. 1. Prior to adopting such standards or any amendment
9 thereof, the Department shall conduct public hearings thereon.
10 Notice of such hearing shall be published in accordance with the
11 Administrative Procedures Act and shall be mailed at least twenty
12 (20) days before such public hearing to the chief executive of each
13 municipality and county in the area affected and shall be mailed to
14 all affected holders of permits obtained pursuant to the Oklahoma
15 Environmental Quality Code, and such other persons that have
16 requested notice of hearings on such standard modifications.

17 2. If adoption or amendment of a classification to a lower or
18 downgraded classification is proposed because treatment controls
19 required of the current or a higher or upgraded classification would
20 result in substantial and widespread social and economic impact, the
21 Department shall, in addition to any hearing required by subsection
22 B of this section, conduct a public meeting within a central
23 location within the area to be affected. The Department shall cause
24 notice of such additional public meeting to be published for at

1 least two (2) consecutive weeks in a newspaper of general
2 circulation published in the county or counties in the area
3 affected.

4 C. 1. The Oklahoma Water Quality Standards, their accompanying
5 use support assessment protocols, anti-degradation policy and
6 implementation, and policies generally affecting Oklahoma Water
7 Quality Standards application and implementation including, but not
8 limited to, mixing zones, low flows and variances, except for
9 variances and site-specific criteria adopted by the Department of
10 Environmental Quality pursuant to paragraph 18 of subsection B of
11 Section 1-3-101 of Title 27A of the Oklahoma Statutes, or any
12 modification or change thereof shall be promulgated by the
13 Department in compliance with the Administrative Procedures Act and
14 shall be enforced by all state agencies within the scope of their
15 jurisdiction. All use support assessment protocols promulgated by
16 the Department shall be consistent with state and federal law and
17 guidance specifically related to beneficial use support
18 determinations as set forth in Section 305(b) of the Federal Water
19 Pollution Control Act, where applicable.

20 2. In promulgating Oklahoma Water Quality Standards or making
21 any modification or change thereof, the Department shall announce a
22 reasonable time for persons discharging waste into the waters of the
23 state to comply with such new or modified standards unless such
24 discharges create an actual or potential hazard to public health.

1 3. Any discharge in accord with such standards of the
2 Department and in compliance with all other rules, requirements and
3 wasteload allocations established by the Department and with rules
4 promulgated by other state environmental agencies shall not be
5 deemed to be pollution.

6 4. Notwithstanding the implementation jurisdiction provided to
7 the Department in paragraph 1 of subsection C of this section, the
8 Department of Environmental Quality shall also have jurisdiction to
9 adopt variances and site-specific criteria and to develop and
10 utilize policies and requirements, as provided in ~~paragraph~~
11 paragraphs 18 and 22 of subsection B of Section 1-3-101 of Title 27A
12 of the Oklahoma Statutes.

13 SECTION 175. REPEALER 82 O.S. 2021, Section 1085.30, as
14 amended by Section 4, Chapter 113, O.S.L. 2022 (82 O.S. Supp. 2023,
15 Section 1085.30), is hereby repealed.

16 SECTION 176. It being immediately necessary for the
17 preservation of the public peace, health or safety, an emergency is
18 hereby declared to exist, by reason whereof this act shall take
19 effect and be in full force from and after its passage and approval.

20
21
22
23
24

