

1 ENGROSSED SENATE  
2 BILL NO. 1041

By: Daniels 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; repealing 2 O.S. 2011,  
9 Sections 18-402, as amended by Section 2, Chapter 43,  
10 O.S.L. 2018 and 18-404, as amended by Section 3,  
11 Chapter 13, O.S.L. 2018 (2 O.S. Supp. 2018, Sections  
12 18-402 and 18-404); amending 10 O.S. 2011, Section  
13 404, as last amended by Section 1, Chapter 2800,  
14 O.S.L. 2018 (10 O.S. Supp. 2018, Section 404);  
15 repealing 10 O.S. 2011, Section 404, as last amended  
16 by Section 1, Chapter 73, O.S.L. 2018 (10 O.S. Supp.  
17 2018, Section 404); amending 10A O.S. 2011, Section  
18 1-2-101, as last amended by Section 1, Chapter 277,  
19 O.S.L. 2018 (10A O.S. Supp. 2018, Section 1-2-101);  
20 repealing 10A O.S. 2011, Section 1-2-101, as last  
21 amended by Section 2, Chapter 256, O.S.L. 2018 (10A  
22 O.S. Supp. 2018, Section 1-2-101); repealing Section  
23 2, Chapter 92, O.S.L. 2015, as last amended by  
24 Section 1, Chapter 179, O.S.L. 2018 (17 O.S. Supp.  
2018, Section 160.20); amending 19 O.S. 2011, Section  
180.43, as last amended by Section 1, Chapter 83,  
O.S.L. 2018 (19 O.S. Supp. 2018, Section 180.43);  
repealing 19 O.S. 2011, Section 180.43, as last  
amended by Section 1, Chapter 19, O.S.L. 2018 (19  
O.S. Supp. 2018, Section 180.43); amending 19 O.S.  
2011, Section 339, as last amended by Section 1,  
Chapter 188, O.S.L. 2018 (19 O.S. Supp. 2018, Section  
339); repealing 19 O.S. 2011, Section 339, as last  
amended by Section 1, Chapter 122, O.S.L. 2018 (19  
O.S. Supp. 2018, Section 339); amending 19 O.S. 2011,  
Section 421.1, as last amended by Section 1, Chapter  
104, O.S.L. 2018 (19 O.S. Supp. 2018, Section 421.1);  
repealing 19 O.S. 2011, Section 421.1, as last  
amended by Section 2, Chapter 122, O.S.L. 2018 (19  
O.S. Supp. 2018, Section 421.1); amending 19 O.S.  
2011, Section 1505, as last amended by Section 1,  
Chapter 180, O.S.L. 2018 (19 O.S. Supp. 2018, Section

1505); repealing 19 O.S. 2011, Section 1505, as last amended by Section 1, Chapter 107, O.S.L. 2018 (19 O.S. Supp. 2018, Section 1505); amending 21 O.S. 2011, Section 1277, as last amended by Section 1, Chapter 247, O.S.L. 2018 (21 O.S. Supp. 2018, Section 1277); repealing 21 O.S. 2011, Section 1277, as last amended by Section 8, Chapter 304, O.S.L. 2018 (21 O.S. Supp. 2018, Section 1277); amending 22 O.S. 2011, Section 988.18, as amended by Section 6, Chapter 128, O.S.L. 2018 (22 O.S. Supp. 2018, Section 988.18); repealing 22 O.S. 2011, Section 988.18, as amended by Section 1, Chapter 85, O.S.L. 2018 (22 O.S. Supp. 2018, Section 988.18); amending Section 3, Chapter 366, O.S.L. 2016, as last amended by Section 13, Chapter 304, O.S.L. 2018 (37A O.S. Supp. 2018, Section 1-103); repealing Section 3, Chapter 366, O.S.L. 2016, as last amended by Section 1, Chapter 206, O.S.L. 2018 (37A O.S. Supp. 2018, Section 1-103); amending 47 O.S. 2011, Section 151, as last amended by Section 1, Chapter 97, O.S.L. 2018 (47 O.S. Supp. 2018, Section 151); repealing 47 O.S. 2011, Section 151, as last amended by Section 1, Chapter 102, O.S.L. 2018 (47 O.S. Supp. 2018, Section 151); amending 47 O.S. 2011, Section 1135.3, as last amended by Section 1, Chapter 226, O.S.L. 2018 (47 O.S. Supp. 2018, Section 1135.3); repealing 47 O.S. 2011, Section 1135.3, as last amended by Section 1, Chapter 293, O.S.L. 2018 (47 O.S. Supp. 2018, Section 1135.3); amending 47 O.S. 2011, Section 1135.5, as last amended by Section 2, Chapter 293, O.S.L. 2018 (47 O.S. Supp. 2018, Section 1135.5); repealing 47 O.S. 2011, Section 1135.5, as last amended by Section 1, Chapter 181, O.S.L. 2018 (47 O.S. Supp. 2018, Section 1135.5); repealing 47 O.S. 2011, Section 1135.5, as last amended by Section 2, Chapter 226, O.S.L. 2018 (47 O.S. Supp. 2018, Section 1135.5); repealing 47 O.S. 2011, Section 1135.5, as last amended by Section 15, Chapter 304, O.S.L. 2018 (47 O.S. Supp. 2018, Section 1135.5); amending 59 O.S. 2011, Section 161.11, as amended by Section 6, Chapter 94, O.S.L. 2018 (59 O.S. Supp. 2018, Section 161.11); repealing 59 O.S. 2011, Section 161.11, as amended by Section 1, Chapter 57, O.S.L. 2018 (59 O.S. Supp. 2018, Section 161.11); amending Section 3, Chapter 277, O.S.L. 2015, as amended by Section 2, Chapter 24, O.S.L. 2018 (63 O.S. Supp. 2018, Section 1-293); repealing Section 3, Chapter 277, O.S.L.

2015, as amended by Section 12, Chapter 106, O.S.L. 2018 (63 O.S. Supp. 2018, Section 1-293); amending 63 O.S. 2011, Section 2-101, as last amended by Section 3, Chapter 175, O.S.L. 2018 (63 O.S. Supp. 2018, Section 2-101); repealing 63 O.S. 2011, Section 2-101, as last amended by Section 11, Chapter 64, O.S.L. 2018 (63 O.S. Supp. 2018, Section 2-101); amending 63 O.S. 2011, Section 2-302, as amended by Section 1, Chapter 251, O.S.L. 2018 (63 O.S. Supp. 2018, Section 2-302); repealing 63 O.S. 2011, Section 2-302, as amended by Section 1, Chapter 250, O.S.L. 2018 (63 O.S. Supp. 2018, Section 2-302); amending 63 O.S. 2011, Section 2-309D, as last amended by Section 4, Chapter 175, O.S.L. 2018 (63 O.S. Supp. 2018, Section 2-309D); repealing 63 O.S. 2011, Section 2-309D, as last amended by Section 1, Chapter 32, O.S.L. 2018 (63 O.S. Supp. 2018, Section 2-309D); amending 63 O.S. 2011, Section 2-415, as last amended by Section 2, Chapter 130, O.S.L. 2018 (63 O.S. Supp. 2018, Section 2-415); repealing 63 O.S. 2011, Section 2-415, as last amended by Section 1, Chapter 7, O.S.L. 2018 (63 O.S. Supp. 2018, Section 2-415); amending 68 O.S. 2011, Section 3904, as last amended by Section 1, Chapter 191, O.S.L. 2018 (68 O.S. Supp. 2018, Section 3904); repealing 68 O.S. 2011, Section 3904, as last amended by Section 3, Chapter 144, O.S.L. 2018 (68 O.S. Supp. 2018, Section 3904); amending 70 O.S. 2011, Section 11-103.6, as last amended by Section 1, Chapter 241, O.S.L. 2018 (70 O.S. 2018, Section 11-103.6); repealing 70 O.S. 2011, Section 11-103.6, as last amended by Section 1, Chapter 67, O.S.L. 2018 (70 O.S. Supp. 2018, Section 11-103.6); repealing 70 O.S. 2011, Section 17-105, as last amended by Section 19, Chapter 304, O.S.L. 2018 (70 O.S. Supp. 2018, Section 17-105); amending 74 O.S. 2011, Section 913.4, as last amended by Section 4, Chapter 44, O.S.L. 2018 (74 O.S. Supp. 2018, Section 913.4); repealing 74 O.S. 2011, Section 913.4, as last amended by Section 2, Chapter 21, O.S.L. 2018 (74 O.S. Supp. 2018, Section 913.4); updating statutory cites; and declaring an emergency.

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

1       SECTION 1.       REPEALER       2 O.S. 2011, Section 18-402, as  
2 amended by Section 2, Chapter 43, O.S.L. 2018 (2 O.S. Supp. 2018,  
3 Section 18-402), is hereby repealed.

4       SECTION 2.       REPEALER       2 O.S. 2011, Section 18-404, as  
5 amended by Section 3, Chapter 13, O.S.L. 2018 (2 O.S. Supp. 2018,  
6 Section 18-404), is hereby repealed.

7       SECTION 3.       AMENDATORY       10 O.S. 2011, Section 404, as last  
8 amended by Section 1, Chapter 280, O.S.L. 2018 (10 O.S. Supp. 2018,  
9 Section 404), is amended to read as follows:

10       Section 404. A. 1. The Department of Human Services, in  
11 consultation with the Oklahoma Commission on Children and Youth,  
12 shall appoint advisory committees of representatives of child care  
13 facilities and others to recommend minimum requirements and  
14 desirable standards for promulgation by the Department.

15       2. Committee members shall be appointed for a three-year term,  
16 with a two-consecutive-term limit. The committees shall include  
17 representation for all categories of facilities licensed by the  
18 Department and shall be comprised as follows:

19           a. the Residential Children's Services subcommittee shall  
20 include at a minimum:

21               (1) a representative of a statewide organization  
22               representing children in care arrangements  
23               outside their own home,  
24

- (2) a representative of a statewide organization providing residential services to youth in state custody,
- (3) a recipient or former recipient of youth services for children in state custody,
- (4) a representative of a statewide organization promoting adoption services,
- (5) a parent or guardian providing foster care to a child or children in state custody,
- (6) a representative from a nonpublic, long-term residential care facility for children in state custody,
- (7) a representative from an organization promoting the interests of Native American children in state custody,
- (8) a provider of medical services for children,
- (9) a practicing behavioral health services provider,
- (10) a representative from an agency providing child-placing services, and
- (11) other appropriate representatives at the discretion of the Department of Human Services and Commission on Children and Youth,

b. the Child Care Centers subcommittee shall include at a minimum:

- (1) a representative of a statewide organization  
advocating for children in care arrangements  
outside their own home,
- (2) a representative of a statewide organization  
conducting programs for school-age children,
- (3) a parent or guardian with a child attending a  
licensed child care facility,
- (4) a representative of a licensed child care  
facility in a rural area,
- (5) a representative of a statewide organization  
advocating for licensed child care facilities  
owned or operated by Native Americans,
- (6) a representative of a licensed child care  
facility in an urban/suburban area,
- (7) a representative of a statewide organization  
advocating for programs provided under the Head  
Start program,
- (8) a representative with knowledge of child care  
programs offered by career technology center in  
this state,
- (9) a representative of a statewide organization  
advocating for early childhood education  
programs,

1 (10) a representative of a statewide organization  
2 providing resources and referrals to child care  
3 facilities,

4 (11) a provider of medical services for children, and

5 (12) other appropriate representatives at the  
6 discretion of the Department of Human Services  
7 and Commission on Children and Youth,

8 c. the Child Care Homes subcommittee shall include at a  
9 minimum:

10 (1) a representative of a statewide organization  
11 advocating for children in care arrangements  
12 outside their own home,

13 (2) a parent or guardian with a child receiving care  
14 at a licensed child care home,

15 (3) a representative of a licensed child care home in  
16 a rural area,

17 (4) a representative of a statewide organization  
18 advocating for licensed child care facilities  
19 owned or operated by Native Americans,

20 (5) a representative of a licensed child care home in  
21 an urban/suburban area,

22 (6) a representative of a statewide organization  
23 advocating for early childhood education  
24 programs,

1 (7) a representative of a statewide organization  
2 providing resources and referrals to child care  
3 facilities,

4 (8) a provider of medical services for children, and

5 (9) other appropriate representatives at the  
6 discretion of the Department of Human Services  
7 and Commission on Children and Youth, and

8 d. the Quality Rating and Improvement System subcommittee  
9 shall include representatives of child care centers  
10 and child care homes currently licensed by the State  
11 and other members as determined by the Department of  
12 Human Services and the Commission on Children and  
13 Youth.

14 3. The Department shall create a Child Care Facility Peer  
15 Review Board whose purpose shall be to participate in the  
16 Department's grievance process. A majority of the Board shall be  
17 representatives of child care facilities. The Department shall  
18 promulgate rules specifying the duties of the Child Care Facility  
19 Peer Review Board in the grievance process.

20 4. The advisory committee shall designate two people to serve  
21 on the Department's Stars Administrative Review Panel. At least one  
22 designee shall be the owner or operator of a licensed child care  
23 center.  
24



1       B. Child care facilities shall not allow children to be left  
2 alone in the care of any person under eighteen (18) years of age  
3 without supervision or sixteen (16) years of age with supervision as  
4 delineated by the Department's rules. Child care centers and family  
5 child care homes shall not:

6       1. Use soft or loose bedding, including, but not limited to,  
7 blankets, in sleeping equipment or in sleeping areas used only for  
8 infants;

9       2. Allow toys or educational devices in sleeping equipment or  
10 in a sleeping area used only for infants; or

11       3. Place a child in sleeping equipment or in a sleeping area  
12 which has not been previously approved for use as such by the  
13 Department.

14       C. The Department shall promulgate rules establishing minimum  
15 requirements and desirable standards as may be deemed necessary or  
16 advisable to carry out the provisions of the Oklahoma Child Care  
17 Facilities Licensing Act.

18       D. Such rules shall not be promulgated until after consultation  
19 with the State Department of Health, the State Department of  
20 Education, the Oklahoma State Bureau of Investigation, the State  
21 Fire Marshal, the Commission on Children and Youth, the Oklahoma  
22 Department of Mental Health and Substance Abuse Services and any  
23 other agency deemed necessary by the Department. Not less than  
24

1 sixty (60) days' notice, by regular mail, shall be given to all  
2 current licensees before any changes are made in such rules.

3 E. In order to improve the standards of child care, the  
4 Department shall advise and cooperate with licensees, the governing  
5 bodies and staff of licensed child care facilities and assist the  
6 staff through advice of progressive methods and procedures, and  
7 suggestions for the improvement of services.

8 F. The Department may participate in federal programs for child  
9 care services, and enter into agreements or plans on behalf of the  
10 state for that purpose, in accordance with federal laws and  
11 regulations.

12 SECTION 4. REPEALER 10 O.S. 2011, Section 404, as last  
13 amended by Section 1, Chapter 73, O.S.L. 2018 (10 O.S. Supp. 2018,  
14 Section 404), is hereby repealed.

15 SECTION 5. AMENDATORY 10A O.S. 2011, Section 1-2-101, as  
16 last amended by Section 1, Chapter 277, O.S.L. 2018 (10A O.S. Supp.  
17 2018, Section 1-2-101), is amended to read as follows:

18 Section 1-2-101. A. 1. The Department of Human Services shall  
19 establish a statewide centralized hotline for the reporting of child  
20 abuse or neglect to the Department.

21 2. The Department shall provide hotline-specific training  
22 including, but not limited to, interviewing skills, customer service  
23 skills, narrative writing, necessary computer systems, making case  
24 determinations, and identifying priority situations.

1        3. The Department is authorized to contract with third parties  
2 in order to train hotline workers.

3        4. The Department shall develop a system to track the number of  
4 calls received, and of that number:

5            a. the number of calls screened out,

6            b. the number of referrals assigned,

7            c. the number of calls received by persons unwilling to  
8 disclose basic personal information including, but not  
9 limited to, first and last name, and

10           d. the number of calls in which the allegations were  
11 later found to be unsubstantiated or ruled out.

12        5. The Department shall electronically record each referral  
13 received by the hotline and establish a secure means of retaining  
14 the recordings for twelve (12) months. The recordings shall be  
15 confidential and subject to disclosure only if a court orders the  
16 disclosure of the referral. The Department shall redact any  
17 information identifying the reporting party unless otherwise ordered  
18 by the court.

19        B. 1. Every person having reason to believe that a child under  
20 the age of eighteen (18) years is a victim of abuse or neglect shall  
21 report the matter immediately to the Department of Human Services.  
22 Reports shall be made to the hotline provided for in subsection A of  
23 this section. Any allegation of abuse or neglect reported in any  
24 manner to a county office shall immediately be referred to the

1 hotline by the Department. Provided, however, that in actions for  
2 custody by abandonment, provided for in Section 2-117 of Title 30 of  
3 the Oklahoma Statutes, there shall be no reporting requirement.

4       2.    a.    Every teacher of any child under the age of eighteen  
5               (18) years having reason to believe that a child under  
6               the age of eighteen (18) years is a victim of abuse or  
7               neglect shall report the matter immediately to the  
8               Department of Human Services. Reports shall be made  
9               to the hotline provided for in subsection A of this  
10              section. Any allegation of abuse or neglect reported  
11              in any manner to a county office shall immediately be  
12              referred to the hotline by the Department. Provided,  
13              however, that in actions for custody by abandonment,  
14              provided for in Section 2-117 of Title 30 of the  
15              Oklahoma Statutes, there shall be no reporting  
16              requirement, and

17        b.    every teacher of a student age eighteen (18) years or  
18               older having reason to believe that a student age  
19               eighteen (18) years or older is a victim of abuse or  
20               neglect shall report the matter immediately to local  
21               law enforcement.

22       3.    Every physician, surgeon, or other health care professional  
23              including doctors of medicine, licensed osteopathic physicians,  
24              residents and interns, or any other health care professional

1 ~~attending the birth of a child who~~ or midwife involved in the  
2 prenatal care of expectant mothers or the delivery or care of  
3 infants shall promptly report to the Department instances in which  
4 an infant tests positive for alcohol or a controlled dangerous  
5 substance ~~shall promptly report the matter to the Department.~~ This  
6 shall include infants who are diagnosed with Neonatal Abstinence  
7 Syndrome or Fetal Alcohol Spectrum Disorder.

8 4. No privilege or contract shall relieve any person from the  
9 requirement of reporting pursuant to this section.

10 5. The reporting obligations under this section are individual,  
11 and no employer, supervisor, administrator, governing body or entity  
12 shall interfere with the reporting obligations of any employee or  
13 other person or in any manner discriminate or retaliate against the  
14 employee or other person who in good faith reports suspected child  
15 abuse or neglect, or who provides testimony in any proceeding  
16 involving child abuse or neglect. Any employer, supervisor,  
17 administrator, governing body or entity who discharges,  
18 discriminates or retaliates against the employee or other person  
19 shall be liable for damages, costs and attorney fees. If a child  
20 who is the subject of the report or other child is harmed by the  
21 discharge, discrimination or retaliation described in this  
22 paragraph, the party harmed may file an action to recover damages,  
23 costs and attorney fees.

1        6. Every physician, surgeon, ~~or~~ other health care professional  
2 or midwife making a report of abuse or neglect as required by this  
3 subsection or examining a child to determine the likelihood of abuse  
4 or neglect and every hospital or related institution in which the  
5 child was examined or treated shall provide, upon request, copies of  
6 the results of the examination or copies of the examination on which  
7 the report was based and any other clinical notes, x-rays,  
8 photographs, and other previous or current records relevant to the  
9 case to law enforcement officers conducting a criminal investigation  
10 into the case and to employees of the Department of Human Services  
11 conducting an investigation of alleged abuse or neglect in the case.

12        C. Any person who knowingly and willfully fails to promptly  
13 report suspected child abuse or neglect or who interferes with the  
14 prompt reporting of suspected child abuse or neglect may be reported  
15 to local law enforcement for criminal investigation and, upon  
16 conviction thereof, shall be guilty of a misdemeanor. Any person  
17 with prolonged knowledge of ongoing child abuse or neglect who  
18 knowingly and willfully fails to promptly report such knowledge may  
19 be reported to local law enforcement for criminal investigation and,  
20 upon conviction thereof, shall be guilty of a felony. For the  
21 purposes of this paragraph, "prolonged knowledge" shall mean  
22 knowledge of at least six (6) months of child abuse or neglect.

23        D. 1. Any person who knowingly and willfully makes a false  
24 report pursuant to the provisions of this section or a report that

1 the person knows lacks factual foundation may be reported to local  
2 law enforcement for criminal investigation and, upon conviction  
3 thereof, shall be guilty of a misdemeanor.

4 2. If a court determines that an accusation of child abuse or  
5 neglect made during a child custody proceeding is false and the  
6 person making the accusation knew it to be false at the time the  
7 accusation was made, the court may impose a fine, not to exceed Five  
8 Thousand Dollars (\$5,000.00) and reasonable attorney fees incurred  
9 in recovering the sanctions, against the person making the  
10 accusation. The remedy provided by this paragraph is in addition to  
11 paragraph 1 of this subsection or to any other remedy provided by  
12 law.

13 E. Nothing contained in this section shall be construed to  
14 exempt or prohibit any person from reporting any suspected child  
15 abuse or neglect pursuant to subsection B of this section.

16 SECTION 6. REPEALER 10A O.S. 2011, Section 1-2-101, as  
17 last amended by Section 2, Chapter 256, O.S.L. 2018 (10A O.S. Supp.  
18 2018, Section 1-2-101), is hereby repealed.

19 SECTION 7. REPEALER Section 2, Chapter 92, O.S.L. 2015,  
20 as last amended by Section 1, Chapter 179, O.S.L. 2018 (17 O.S.  
21 Supp. 2018, Section 160.20), is hereby repealed.

22 SECTION 8. AMENDATORY 19 O.S. 2011, Section 180.43, as  
23 last amended by Section 1, Chapter 83, O.S.L. 2018 (19 O.S. Supp.  
24 2018, Section 180.43), is amended to read as follows:

1       Section 180.43. A. Each county sheriff may contract with any  
2 public or private entity engaged in the business of transportation  
3 of prisoners, the Department of Justice of the United States of  
4 America, the Department of Corrections, or any municipality of this  
5 state for the feeding, care, housing, and upkeep of federal, state,  
6 or municipal prisoners, or alien detainees incarcerated in the  
7 county jail. Any funds received pursuant to said contract shall be  
8 the funds of the county where the federal, state, or municipal  
9 prisoners, or alien detainees are incarcerated and shall be  
10 deposited in the Sheriff's Service Fee Account. All purchases made  
11 pursuant to the provisions of this subsection shall be made pursuant  
12 to the purchasing procedures specified in Sections 1500 through 1507  
13 of this title, including the use of blanket purchase orders as  
14 provided for in Section 310.8 of Title 62 of the Oklahoma Statutes.  
15 The sheriff shall be permitted to expend the funds for capital  
16 expenditures. The sheriff shall be permitted to expend any surplus  
17 in the Sheriff's Service Fee Account for administering expenses for  
18 salaries, training, equipment or travel.

19       The claim for said expenses shall be filed with and allowed by  
20 the board of county commissioners as other claims. The sheriff  
21 shall receive no compensation for said services. The sheriff shall  
22 file an annual report with the board of county commissioners not  
23 later than January 15 of each year. The State Auditor and Inspector  
24



1 shall conduct an audit of the report as on other public records of  
2 the county.

3       B. In lieu of the travel reimbursement or monthly travel  
4 allowance provided for by law, the board of county commissioners may  
5 purchase and provide for the operation, maintenance, insurance,  
6 equipping, and repair of an automobile for each county commissioner  
7 to be used in performing the duties of his office. In lieu of the  
8 travel reimbursement or monthly travel allowance provided for by  
9 law, the board of county commissioners, with the concurrence of the  
10 county sheriff, may purchase and provide for the operation,  
11 maintenance, insurance, equipping, and repair of automobiles for the  
12 use of the sheriff in performing the duties of his office. Any  
13 automobile purchased pursuant to the authority granted in this  
14 section shall be purchased by competitive bids. The use of any said  
15 automobile for private or personal purposes is hereby prohibited.  
16 In any county having a population of at least three hundred fifty  
17 thousand (350,000), where it is determined by the sheriff to be more  
18 economical and advantageous to the county, the sheriff may establish  
19 a monthly automobile allowance of not more than Four Hundred Dollars  
20 (\$400.00) per month in lieu of the mileage per mile for in-county  
21 driving as authorized in this section. Any travel reimbursement  
22 other than in-county driving as provided for in this section shall  
23 be for actual and necessary expenses as provided for in the State  
24 Travel Reimbursement Act. Any person violating the provisions of

1 this subsection, upon conviction, shall be guilty of a misdemeanor  
2 and shall be punished by a fine of not more than One Hundred Dollars  
3 (\$100.00) or by imprisonment in the county jail for not more than  
4 thirty (30) days, or by both said fine and imprisonment, and in  
5 addition thereto shall be discharged from county employment.

6 C. The State of Oklahoma hereby declares and states that the  
7 increased number of persons impersonating law enforcement officers  
8 by making routine traffic stops while using unmarked cars is a  
9 threat to the public health and safety of all of the citizens of the  
10 State of Oklahoma; therefore it shall be unlawful for any county  
11 sheriff, deputy sheriff or reserve deputy sheriff to use any vehicle  
12 which is not clearly marked as a law enforcement vehicle for routine  
13 traffic enforcement except as provided in Section 12-218 of Title 47  
14 of the Oklahoma Statutes. In addition to Section 12-218 of Title 47  
15 of the Oklahoma Statutes, the peace officer operating the law  
16 enforcement vehicle for routine traffic stops shall be dressed in  
17 the official uniform including shoulder patches, badge, and any  
18 other identifying insignias normally used by the employing law  
19 enforcement agency.

20 D. Each county sheriff may operate, or contract the operation  
21 of, a commissary for the benefit of persons lawfully confined in the  
22 county jail under the custody of the county sheriff. Any funds  
23 received pursuant to said operations shall be the funds of the  
24 county where the persons are incarcerated and shall be deposited in

1 the Sheriff's Commissary Account. The sheriff shall be permitted to  
2 expend the funds to improve or provide jail services. The sheriff  
3 shall be permitted to expend any surplus in the Sheriff's Commissary  
4 Account for administering expenses for training equipment, travel or  
5 for capital expenditures. The claims for expenses shall be filed  
6 with and allowed by the board of county commissioners in the same  
7 manner as other claims. The sheriff shall receive no compensation  
8 for the operation of said commissary. The sheriff shall file an  
9 annual report on any said commissary under his or her operation no  
10 later than January 15 of each year. The State Auditor and Inspector  
11 shall conduct an audit of the report in the same manner as other  
12 public records of the county.

13 E. Each county sheriff may operate, or contract the operation  
14 of, a telephone system for the benefit of persons lawfully confined  
15 in the county jail under the custody of the county sheriff. Any  
16 funds received pursuant to said operations shall be the funds of the  
17 county where the persons are incarcerated and shall be deposited in  
18 the Sheriff's Service Fee Account. Such funds may be expended  
19 according to the guidelines previously established for expenditures  
20 from the general fund. The claims for expenses shall be filed with  
21 and allowed by the board of county commissioners in the same manner  
22 as other claims.

1       SECTION 9.       REPEALER       19 O.S. 2011, Section 180.43, as  
2 last amended by Section 1, Chapter 19, O.S.L. 2018 (19 O.S. Supp.  
3 2018, Section 180.43), is hereby repealed.

4       SECTION 10.       AMENDATORY       19 O.S. 2011, Section 339, as  
5 last amended by Section 1, Chapter 188, O.S.L. 2018 (19 O.S. Supp.  
6 2018, Section 339), is amended to read as follows:

7       Section 339. A. The board of county commissioners shall have  
8 power:

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

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

21       3. To construct and repair bridges and to open, lay out and  
22 vacate highways; provided, however, that when any state institution,  
23 school or department shall own, lease or otherwise control land on  
24 both sides of any established highway, the governing board or body

1 of the same shall have the power to vacate, alter or relocate the  
2 highway adjoining the property in the following manner:

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

1        4. To recommend or sponsor an employee or prospective employee  
2 for job-related training and certification in an area that may  
3 require training or certification to comply with state or federal  
4 law as such training or certification is provided by the Department  
5 of Transportation, the Federal Highway Administration, or any other  
6 state agency, technology center school, or university;

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

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

18        7. To lease tools, apparatus, machinery or equipment of the  
19 county to another political subdivision or a state agency. The  
20 Association of County Commissioners of Oklahoma and the Oklahoma  
21 State University Center for Local Government Technology together  
22 shall establish a system of uniform rates for the leasing of such  
23 tools, apparatus, machinery and equipment;

1       8. To jointly, with other counties, buy heavy equipment and to  
2 loan or lease such equipment across county lines;

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

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

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

17       12. To provide for payment of notary commissions, filing fees,  
18 and the cost of notary seals and bonds;

19       13. To do and perform other duties and acts that the board of  
20 county commissioners may be required by law to do and perform;

21       14. To make purchases at a public auction pursuant to the  
22 county purchasing procedures in subsection D of Section 1505 of this  
23 title;  
24

1        15. To deposit interest income from highway funds in the  
2 general fund of the county;

3        16. To submit sealed bids for the purchase of equipment from  
4 this state, or any agency or political subdivision of this state;

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

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

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

23

24



1        20. To accept donations of right-of-way or right-of-way  
2 easements pursuant to Section 381 et seq. of Title 60 of the  
3 Oklahoma Statutes;

4        21. To establish by resolution the use of per diem for specific  
5 purposes in accordance with the limitations provided by Sections  
6 500.8 and 500.9 of Title 74 of the Oklahoma Statutes;

7        22. To apply to the Department of Environmental Quality for a  
8 waste tire permit to bale waste tires for use in approved  
9 engineering projects;

10       23. To enter into the National Association of Counties (NACo)  
11 Prescription Drug Discount Program;

12       24. To work with federal, state, municipal, and public school  
13 district properties in an effort to minimize cost to such entities;

14       25. To provide incentive awards to employees for participating  
15 in voluntary wellness programs which result in improved health.  
16 Incentive awards may be created by the Wellness Council set forth in  
17 Section 1302 of this title; ~~and~~

18       26. To establish a county employee benefit program to encourage  
19 outstanding performance in the workplace. Monies may be expended  
20 for the purchase of recognition awards for presentation to an  
21 employee or members of a work unit; and

22       27. To trade in equipment to a vendor or on statewide contract  
23 by acquiring used equipment values pursuant to subsection B of  
24 Section 421.1 of this title.

1       B. The county commissioners of a county or, in counties where  
2 there is a county budget board, the county budget board may  
3 designate money from general county funds for the designated purpose  
4 of drug enforcement and drug abuse prevention programs within the  
5 county.

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

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

21       E. When the board of county commissioners approves an express  
22 trust, pursuant to Sections 176 through 180.4 of Title 60 of the  
23 Oklahoma Statutes, for the purpose of operating a county jail, the  
24 trustees of the public trust may appoint commissioned peace

1 officers, certified by the Council on Law Enforcement Education and  
2 Training, to provide security for inmates that are required to be  
3 transported outside of the detention facility, and investigate  
4 violations of law within the detention facility. Other personnel  
5 necessary to operate the jail may be employed and trained or  
6 certified as may be required by applicable state or federal law.

7 SECTION 11. REPEALER 19 O.S. 2011, Section 339, as last  
8 amended by Section 1, Chapter 122, O.S.L. 2018 (19 O.S. Supp. 2018,  
9 Section 339), is hereby repealed.

10 SECTION 12. AMENDATORY 19 O.S. 2011, Section 421.1, as  
11 last amended by Section 1, Chapter 104, O.S.L. 2018 (19 O.S. Supp.  
12 2018, Section 421.1), is amended to read as follows:

13 Section 421.1. A. The board of county commissioners is hereby  
14 authorized to use any tools, apparatus, machinery or equipment  
15 belonging to the county, the original cost of which exceeded Five  
16 Hundred Dollars (\$500.00), as a trade-in on a cash purchase or lease  
17 purchase of any other tools, apparatus, machinery or equipment.

18 B. To establish an appraised value for an item to be sold at  
19 public auction or traded in, the purchasing agent may refer to an  
20 industry-recognized appraisal manual for used construction equipment  
21 to estimate the value of the item being sold, or obtain appraisal  
22 quotes from at least two vendors in the business of selling items  
23 like the one being sold.

1 C. Except when such items are disposed of pursuant to  
2 subsection F or I of this section, the following procedures shall be  
3 used for the sale, by the board of county commissioners, of any  
4 tools, apparatus, machinery or equipment, the original cost of which  
5 exceeded Five Hundred Dollars (\$500.00), belonging to the county:

6 1. The board of county commissioners shall give notice of such  
7 sale by publication in a newspaper of general paid circulation in  
8 the county for two (2) successive weekly issues;

9 2. Bids for such tools, apparatus, machinery or equipment on  
10 sale shall be in writing, sealed and delivered to the county clerk  
11 of such county;

12 3. At the next regular meeting of the board of county  
13 commissioners after the expiration of fifteen (15) days from the  
14 date of first publication of notice of the sale, the board of county  
15 commissioners shall open such bids and award such tools, apparatus,  
16 machinery or equipment to the highest and best bidder with the  
17 option of rejecting all bids; and

18 4. The board of county commissioners may hold a public auction  
19 or use an Internet auction, which may include online bidding, in  
20 lieu of advertising for sealed bids as provided above. Such auction  
21 shall be advertised as provided herein.

22 D. A board of county commissioners may sell any materials,  
23 tools, apparatus, machinery or equipment to a tribal governmental  
24 entity, state agency, if the agency is subject to The Oklahoma

1 Central Purchasing Act, or to a political subdivision of the state  
2 if the political subdivision is subject to such act or a similar  
3 competitive bidding procedure. The board of county commissioners  
4 may purchase materials, tools, apparatus, machinery or equipment  
5 from a state agency, if the agency is subject to The Oklahoma  
6 Central Purchasing Act, or from a political subdivision of the state  
7 if the political subdivision is subject to such act or a similar  
8 competitive bidding procedure.

9 E. The board of county commissioners may, by resolution, enter  
10 into an agreement with any tribal governmental entity or other  
11 county or political subdivision for the purpose of selling,  
12 transferring, trading or otherwise disposing of equipment or  
13 materials.

14 F. Advertisement of surplus property consigned to sell at a  
15 Circuit Engineering District auction shall be provided by the  
16 auction company under contract to conduct the sale. Advertising  
17 shall be provided to attract the most potential buyers. Advertising  
18 media may include, but not be limited to, sale flyers, newspapers,  
19 radio, television, and Internet postings.

20 G. Pursuant to the authority of Section 1 of this title, boards  
21 of county commissioners shall have authority, under such statute and  
22 in consideration of the procedures in this section to sell real  
23 property belonging to the county without declaring such property  
24 surplus under the following conditions:

1        1. A certified appraisal of the county property shall be  
2 performed to determine the market value of the property and accepted  
3 by the board of county commissioners;

4        2. After acceptance of the certified appraisal, the board of  
5 county commissioners shall, pursuant to the requirements of this  
6 section, give notice of such sale by publication in a newspaper of  
7 general paid circulation in the county for two successive weekly  
8 issues;

9        3. Bids for the real property shall be in writing, sealed and  
10 delivered to the county clerk of such county;

11       4. At the next regular meeting of the board of county  
12 commissioners after the expiration of fifteen (15) days from the  
13 date of first publication of notice of sale, the board of county  
14 commissioners shall open such bids;

15       5. A successful bid must be no less than the market value of  
16 the real property to be considered by the board of county  
17 commissioners for acceptance. The board of county commissioners  
18 reserves the right to reject any and all bids;

19       6. If more than one bid is above the market value of the real  
20 property, the board of county commissioners shall have the right to  
21 compel the potential buyers of the real property who have bid above  
22 the market amount to enter into public auction conducted by the  
23 chairman of the board of county commissioners after the opening of  
24 such bids, to establish the highest bid for the property in order to

1 assure that the county is receiving adequate consideration for the  
2 property;

3 7. A majority vote of the board of county commissioners shall  
4 be required to determine the successful bidder of the real property.  
5 Upon awarding the bid, either through sealed bid or by conducting a  
6 public auction of those bidders who bid more than the market value  
7 of the real property, the board of county commissioners shall have  
8 the right to pledge the occupied property, using an irrevocable bond  
9 or letter of credit, as provided for in paragraph 10 of this  
10 subsection, as collateral in order to finance bonds to purchase  
11 other real property or build a replacement building, or both;

12 8. If the sale price is less than the estimated cost of new  
13 land purchase or construction, then said sales contract shall be  
14 contingent upon the public approval of bond funding or other  
15 authorized funding to allow the complete payment of the contemplated  
16 project;

17 9. The board of county commissioners shall have authority  
18 pursuant to paragraphs 5 and 6 of Section 1 of this title to make  
19 any order concerning the sale of such property contingent upon a  
20 closing date in the future in order to continue to use said real  
21 property until a replacement building is completed. Upon completion  
22 of the replacement building, the board of county commissioners shall  
23 execute all documents and title transfers pertaining to said real  
24 property to the successful bidder;

1        10. The successful bidder shall execute an irrevocable bond or  
2 letter of credit with a surety company or bank licensed to do  
3 business in the State of Oklahoma and organized under the corporate  
4 laws of the State of Oklahoma and registered with the Secretary of  
5 State of Oklahoma equal to the amount of the purchase price of the  
6 real property within fifteen (15) days of awarding of the bid.  
7 Failure to provide either an irrevocable bond or letter of credit in  
8 favor of the board of county commissioners within said time  
9 limitation shall act as a rejection and cancellation by the board of  
10 the award of bid and said board may, at that point, enter into a  
11 contract with any secondary or subsequent bidder that meets the  
12 aforementioned qualifications without further notice; and

13        11. If there are no bids submitted or all submitted bids are  
14 less than the market value of the real property after the expiration  
15 of fifteen (15) days from the date of first publication of notice of  
16 sale, the board of county commissioners shall publish the notice of  
17 sale and accept bids for a second time complying with the  
18 requirements of paragraphs 2 through 4 of this subsection. If there  
19 are no bids submitted or all submitted bids are less than the market  
20 value of the real property after the expiration of fifteen (15) days  
21 from the date of second publication of notice of sale, the board of  
22 county commissioners shall have the right to sell real property,  
23 upon majority vote, without any bidding procedure or auction,  
24 directly to any person or entity for an amount that is not less than



1 the highest bid previously submitted through any previous bidding  
2 procedures provided in this subsection.

3 H. The board of county commissioners may solicit telephone bids  
4 for the removal of recyclable materials.

5 I. The board of county commissioners shall have the authority  
6 to trade in equipment to a vendor or on statewide contract by  
7 acquiring used equipment values pursuant to subsection B of this  
8 section.

9 SECTION 13. REPEALER 19 O.S. 2011, Section 421.1, as  
10 last amended by Section 2, Chapter 122, O.S.L. 2018 (19 O.S. Supp.  
11 2018, Section 421.1), is hereby repealed.

12 SECTION 14. AMENDATORY 19 O.S. 2011, Section 1505, as  
13 last amended by Section 1, Chapter 180, O.S.L. 2018 (19 O.S. Supp.  
14 2018, Section 1505), is amended to read as follows:

15 Section 1505. The following procedures shall be used by  
16 counties for the requisition, purchase, lease-purchase, rental, and  
17 receipt of supplies, materials, road and bridge construction  
18 services, equipment and information technology and telecommunication  
19 goods and services for the maintenance, operation, and capital  
20 expenditures of county government unless otherwise provided for by  
21 law.

22 A. The procedure for requisitioning items for county offices  
23 shall be as follows:

1        1. The requesting department shall prepare a requisition form  
2 in triplicate. The requisition shall contain any specifications for  
3 an item as deemed necessary by the requesting department. The form  
4 shall be prescribed by the State Auditor and Inspector;

5        2. The requesting department shall retain a copy of the  
6 requisition and forward the original requisition and a copy to the  
7 county purchasing agent; and

8        3. Upon receipt of the requisition, the county purchasing  
9 agent, within two (2) working days, shall begin the bidding and  
10 purchasing process as provided for in this section. Nothing in this  
11 section shall prohibit the transfer of supplies, materials, or  
12 equipment between county departments upon a written agreement  
13 between county officers.

14        B. The bid procedure for selecting a vendor for the purchase,  
15 lease-purchase, or rental of supplies, materials, equipment and  
16 information technology and telecommunication goods and services used  
17 by a county shall be as follows:

18        1. The county purchasing agent shall request written  
19 recommendations from all county officers pertaining to needed or  
20 commonly used supplies, materials, road and bridge construction  
21 services, equipment and information technology and telecommunication  
22 goods and services. From such recommendations and available  
23 requisition, purchase, or inventory records, the county purchasing  
24 agent shall prepare a list of items needed or commonly used by

1 county officers. The county purchasing agent shall request from the  
2 Purchasing Division or from the Information Services Division in the  
3 case of information technology and telecommunication goods and  
4 services of the Office of Management and Enterprise Services all  
5 contracts quoting the price the state is paying for the items. The  
6 county purchasing agent shall either request the Purchasing Division  
7 or the Information Services Division of the Office of Management and  
8 Enterprise Services, as applicable, to make the purchase for the  
9 county or the county purchasing agent shall solicit bids for unit  
10 prices on the items for periods of not to exceed twelve (12) months  
11 in the manner described in paragraph 2 of this subsection. If the  
12 county purchasing agent receives a requisition for an item for which  
13 the county purchasing agent does not have a current bid, the county  
14 purchasing agent shall request from the Purchasing Division or the  
15 Information Services Division of the Office of Management and  
16 Enterprise Services, as applicable, all contracts quoting the price  
17 the state is paying for the item. The county purchasing agent shall  
18 either request the Purchasing Division or the Information Services  
19 Division of the Office of Management and Enterprise Services, as  
20 applicable, to make the purchase for the county or the county  
21 purchasing agent shall solicit bids in the manner described in  
22 paragraph 2 of this subsection. Nothing in this paragraph shall  
23 prohibit bids from being taken on an item currently on a twelve-  
24 month bid list, at any time deemed necessary by the county

1 purchasing agent. Whenever the county purchasing agent deems it  
2 necessary to take a bid on an item currently on a twelve-month bid  
3 list, the reason for the bid shall be entered into the minutes of  
4 the board of county commissioners;

5 2. Bids shall be solicited by mailing or emailing a notice to  
6 all persons or firms who have made a written request of the county  
7 purchasing agent that they be notified of such bid solicitation and  
8 to all other persons or firms who might reasonably be expected to  
9 submit bids. Notice of solicitation of bids shall also be published  
10 one time in a newspaper of general circulation in the county.  
11 Notices shall be mailed and published at least ten (10) days prior  
12 to the date on which the bids are opened. Proof of the mailing or  
13 emailing shall be made by the affidavit of the person mailing or  
14 emailing the request for bids and shall be made a part of the  
15 official records of the county purchasing agent. Whenever any  
16 prospective supplier or vendor dealing in or listing for sale any  
17 particular item or article required to be purchased or acquired by  
18 sealed bids fails to enter or offer a sealed bid for three  
19 successive bid solicitations, the name of the supplier or vendor may  
20 be dropped from the mailing lists of the board of county  
21 commissioners;

22 3. The sealed bids received from vendors and the state contract  
23 price received from the applicable Division of the Office of  
24 Management and Enterprise Services shall be given to the county

1 clerk by the county purchasing agent. The county clerk shall  
2 forward the sealed bids and state contract price, if any, to the  
3 board of county commissioners;

4 4. The board of county commissioners, in an open meeting, shall  
5 open the sealed bids and compare them to the state contract price.  
6 The board of county commissioners shall select the lowest and best  
7 bid based upon, if applicable, the availability of material and  
8 transportation cost to the job site within thirty (30) days of the  
9 meeting. For any special item not included on the list of needed or  
10 commonly used items, the requisitioning official shall review the  
11 bids and submit a written recommendation to the board before final  
12 approval. The board of county commissioners shall keep a written  
13 record of the meeting as required by law, and any time the lowest  
14 bid was not considered to be the lowest and best bid, the reason for  
15 such conclusion shall be recorded. Whenever the board of county  
16 commissioners rejects the written recommendation of the  
17 requisitioning official pertaining to a special item, the reasons  
18 for the rejection shall be entered in their minutes and stated in a  
19 letter to the requisitioning official and county purchasing agent;

20 5. The county purchasing agent shall notify the successful  
21 bidders and shall maintain a copy of the notification. The county  
22 purchasing agent shall prepare and maintain a vendors list  
23 specifying the successful bidders and shall notify each county  
24 officer of the list. The county purchasing agent may remove any

1 vendor from such list who refuses to provide goods or services as  
2 provided by contract if the removal is authorized by the board of  
3 county commissioners. The county purchasing agent may make  
4 purchases from the successful bidders for a price at or below the  
5 bid price. If a vendor who is the low bidder cannot or will not  
6 sell goods or services as required by a county bid contract, the  
7 county purchasing agent may purchase from the next low bidder or  
8 take quotations as provided in paragraph 6 of this subsection,  
9 provided, however, such purchase does not exceed Fifteen Thousand  
10 Dollars (\$15,000.00) as the amount specified in subparagraph a of  
11 paragraph 3 of subsection A of Section 1501 of this title; and

12 6. When bids have been solicited as provided for by law and no  
13 bids have been received, the procedure shall be as follows:

- 14 a. the county purchasing agent shall determine if  
15 potential vendors are willing to commit to a firm  
16 price for a reduced period of time, and, if such is  
17 the case, the bid procedure described in this  
18 subsection shall be followed,
- 19 b. if vendors are not willing to commit to a firm price  
20 for a reduced period, the purchasing agent shall  
21 solicit and record at least three quotes of current  
22 prices available to the county and authorize the  
23 purchase of goods or services based on the lowest and  
24 best quote as it becomes necessary to acquire such

1 goods or services. The quotes shall be recorded on a  
2 form prescribed by the State Auditor and Inspector and  
3 shall be attached to the purchase order and filed with  
4 the county clerk's copy of the purchase order. Any  
5 time the lowest quote was not considered to be the  
6 lowest and best quote, the reason for this conclusion  
7 shall be recorded by the county purchasing agent and  
8 transmitted to the county clerk, or

9 c. if three quotes are not available, a memorandum to the  
10 county clerk from the county purchasing agent shall  
11 describe the basis upon which a purchase is  
12 authorized. The memorandum shall state the reasons  
13 why the price for such a purchase is the lowest and  
14 best under the circumstances. The county clerk shall  
15 then attach the memorandum to the county clerk's copy  
16 of the purchase order and file both in the office of  
17 the county clerk.

18 C. After selection of a vendor, the procedure for the purchase,  
19 lease-purchase, or rental of supplies, materials, road and bridge  
20 construction services, equipment and information technology and  
21 telecommunication goods and services used by a county shall be as  
22 follows:  
23  
24

1        1. The county purchasing agent shall prepare a purchase order  
2 in quadruplicate and submit it with a copy of the requisition to the  
3 county clerk;

4        2. The county clerk shall then encumber the amount stated on  
5 the purchase order and assign a sequential number to the purchase  
6 order;

7        3. If there is an unencumbered balance in the appropriation  
8 made for that purpose by the county excise board, the county clerk  
9 shall so certify in the following form:

10        "I hereby certify that the amount of this encumbrance has been  
11 entered against the designated appropriation accounts and that this  
12 encumbrance is within the authorized available balance of said  
13 appropriation.

14        Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

15        \_\_\_\_\_  
16        County Clerk/Deputy

17        of \_\_\_\_\_ County."

18 In instances where it is impossible to ascertain the exact amount of  
19 the indebtedness sought to be incurred at the time of recording the  
20 encumbrance, an estimated amount may be used. No purchase order  
21 shall be valid unless signed by the county purchasing agent and  
22 certified by the county clerk; and

23        4. The county clerk shall file the original purchase order and  
24 return three copies to the county purchasing agent who shall file a



1 copy, retain a copy for the county road and bridge inventory officer  
2 if the purchase order is for the purchase of equipment, supplies, or  
3 materials for the construction or maintenance of roads and bridges,  
4 and submit the other copy to the receiving officer of the requesting  
5 department.

6 D. 1. The procedure for the purchase of supplies, materials,  
7 equipment and information technology and telecommunication goods and  
8 services at public auction or by sealed bid to be used by a county  
9 shall be as follows:

- 10 a. the county purchasing agent shall prepare a purchase  
11 order in quadruplicate and submit it with a copy of  
12 the requisition to the county clerk,
- 13 b. the county clerk shall then encumber the amount stated  
14 on the purchase order and assign a sequential number  
15 to the purchase order,
- 16 c. if there is an unencumbered balance in the  
17 appropriation made for that purpose by the county  
18 excise board, the county clerk shall so certify in the  
19 following form:
- 20 "I hereby certify that the amount of this encumbrance  
21 has been entered against the designated appropriation  
22 accounts and that this encumbrance is within the  
23 authorized available balance of said appropriation.
- 24 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
County Clerk/Deputy

of \_\_\_\_\_ County."

In instances where it is impossible to ascertain the exact amount of the indebtedness sought to be incurred at the time of recording the encumbrance, an estimated amount may be used. No purchase order shall be valid unless signed by the county purchasing agent and certified by the county clerk, and

- d. the county clerk shall file the original purchase order and return three copies to the county purchasing agent who shall file a copy, retain a copy for the county road and bridge inventory officer if the purchase order is for the purchase of equipment, supplies, or materials for the construction or maintenance of roads and bridges, and submit the other copy to the receiving officer of the requesting department.

2. The procedure for the purchase of supplies, materials and equipment at a public auction when the purchase will be made with the proceeds from the sale of county property at the same public auction are as follows:

- a. the purchasing agent shall cause such items being sold to be appraised in the manner determined in Section 421.1 of this title,
- b. the county purchasing agent shall prepare a purchase order in quadruplicate and submit it with a copy of the requisition to the county clerk,
- c. the county clerk shall then encumber the amount of the appraised value and any additional funds obligated by the county on the purchase order and assign a sequential number to the purchase order,
- d. the county clerk shall certify that the amount of the encumbrance is equal to the appraised value of the item being sold plus any additional funds obligated by the county. In effect the recording of the encumbrance is an estimate that is authorized by law. No purchase order shall be valid unless signed by the county purchasing agent and certified by the county clerk,
- e. the county clerk shall file the original purchase order and return three copies to the county purchasing agent who shall file a copy, retain a copy for the county road and bridge inventory officer if the purchase order is for the purchase of equipment, supplies or materials for the construction or

1 maintenance of roads and bridges, and submit the other  
2 copy to the receiving officer of the requesting  
3 department, and

4 f. a purchase shall not be bid until such time that the  
5 appraised item or items are sold. Any item or items  
6 purchased shall not exceed the appraised value plus  
7 any additional funds obligated by the county or the  
8 actual selling price of the item or items, whichever  
9 is the lesser amount.

10 E. The procedure for the receipt of items shall be as follows:

11 1. A receiving officer for the requesting department shall be  
12 responsible for receiving all items delivered to that department;

13 2. Upon the delivery of an item, the receiving officer shall  
14 determine if a purchase order exists for the item being delivered;

15 3. If no such purchase order has been provided, the receiving  
16 officer shall refuse delivery of the item;

17 4. If a purchase order is on file, the receiving officer shall  
18 obtain a delivery ticket, bill of lading, or other delivery document  
19 and compare it with the purchase order. If any item is back-  
20 ordered, the back order and estimated date of delivery shall be  
21 noted in the receiving report;

22 5. The receiving officer shall complete a receiving report in  
23 quadruplicate which shall state the quantity and quality of goods  
24 delivered. The receiving report form shall be prescribed by the

1 State Auditor and Inspector. The person delivering the goods shall  
2 acknowledge the delivery by signature, noting the date and time;

3 6. The receiving officer shall file the original receiving  
4 report and submit:

5 a. a copy of the purchase order and a copy of the  
6 receiving report to the county purchasing agent, and

7 b. a copy of the receiving report with the delivery  
8 documentation to the county clerk;

9 7. The county purchasing agent shall file a copy of the  
10 purchase order and a copy of the receiving report;

11 8. Upon receipt of the original receiving report and the  
12 delivery documentation, the county clerk shall maintain a file until  
13 such time as an invoice is received from the vendor;

14 9. The invoice shall state the name and address of the vendor  
15 and must be sufficiently itemized to clearly describe each item  
16 purchased, the unit price when applicable, the number or volume of  
17 each item purchased, the total price, the total purchase price, and  
18 the date of the purchase;

19 10. Upon receipt of an invoice, the county clerk shall compare  
20 the following documents:

21 a. requisition,

22 b. purchase order,

23 c. invoice with noncollusion affidavit as required by  
24 law,

1           d.     receiving report, and

2           e.     delivery document.

3   The documents shall be available for public inspection during  
4   regular business hours; and

5       11.   If the documents conform as to the quantity and quality of  
6   the items, the county clerk shall prepare a warrant for payment  
7   according to procedures provided for by law.

8       F.    The following procedures are for the processing of purchase  
9   orders:

10      1.    The purchasing agent shall be allowed up to three (3) days  
11   to process purchase orders to be presented to the board of county  
12   commissioners for consideration and payment. Nothing herein shall  
13   prevent the purchasing agent from processing or the board of county  
14   commissioners from consideration and payment of utilities, travel  
15   claims and payroll claims;

16      2.    The board of county commissioners shall consider the  
17   purchase orders so presented and act upon the purchase orders, by  
18   allowing in full or in part or by holding for further information or  
19   disallowing the same. The disposition of purchase orders shall be  
20   indicated by the board of county commissioners, showing the amounts  
21   allowed or disallowed and shall be signed by at least two members of  
22   the board of county commissioners. Any claim held over for further  
23   information shall be acted upon by allowing or disallowing same at  
24   any future meeting of the board held within seventy-five (75) days

1 from the date of filing of the purchase order. Any purchase order  
2 not acted upon within the seventy-five (75) days from the date of  
3 filing shall be deemed to have been disallowed, but such  
4 disallowance shall not prevent the refiling of the purchase order at  
5 the proper time; and

6 3. Whenever any allowance, either in whole or in part, is made  
7 upon any purchase order presented to the board of county  
8 commissioners and is accepted by the person making the claim, such  
9 allowance shall be a full settlement of the entire purchase order  
10 and provided that the cashing of warrant shall be considered as  
11 acceptance by the claimant.

12 G. The procedure upon consumption or disposal of supplies,  
13 materials, or equipment shall be as follows:

14 1. For consumable road or bridge items or materials, a  
15 quarterly report of the road and bridge projects completed during  
16 such period shall be prepared and kept on file by the consuming  
17 department. The quarterly report may be prepared and kept  
18 electronically by the consuming department. The report shall  
19 contain a record of the date, the place, and the purpose for the use  
20 of the road or bridge items or materials. For purposes of  
21 identifying county bridges, the board of county commissioners shall  
22 number each bridge subject to its jurisdiction; and

23 2. For disposal of all equipment and information technology and  
24 telecommunication goods which originally cost more than Five Hundred

1 Dollars (\$500.00), resolution of disposal shall be submitted by the  
2 officer on a form prescribed by the State Auditor and Inspector's  
3 Office to the board of county commissioners. The approval of the  
4 resolution of disposal shall be entered into the minutes of the  
5 board.

6 H. Inventory forms and reports shall be retained for not less  
7 than two (2) years after all audit requirements for the state and  
8 federal government have been fulfilled and after any pending  
9 litigation involving the forms and reports has been resolved.

10 I. The procedures provided for in this section shall not apply  
11 when a county officer certifies that an emergency exists requiring  
12 an immediate expenditure of funds. Such an expenditure of funds  
13 shall not exceed Five Thousand Dollars (\$5,000.00). The county  
14 officer shall give the county purchasing agent a written explanation  
15 of the emergency. The county purchasing agent shall attach the  
16 written explanation to the purchase order. The purchases shall be  
17 paid by attaching a properly itemized invoice, as described in this  
18 section, to a purchase order which has been prepared by the county  
19 purchasing agent and submitting them to the county clerk for filing,  
20 encumbering, and consideration for payment by the board of county  
21 commissioners.

22 J. The county purchasing agent may authorize county purchasing  
23 officers to make acquisitions through the state purchase card  
24 program as authorized by the State Purchasing Director in accordance



1 with Section 85.5 of Title 74 of the Oklahoma Statutes and defined  
2 in Section 85.2 of Title 74 of the Oklahoma Statutes. Purchase  
3 cardholders shall sign a purchase card agreement prior to becoming a  
4 cardholder and attend purchase card procedure training as required  
5 by the State Purchasing Director. Complete descriptions of  
6 purchases made by county government entities shall be published  
7 through the state transparency portal pursuant to Section 85.33B of  
8 Title 74 of the Oklahoma Statutes, and as warrants required to be  
9 published pursuant to Sections 444 and 445 of this title.

10 K. Nothing in this section shall prohibit counties from  
11 providing material ~~or service~~ and/or services bids on the twelve-  
12 month bid list to all road and bridge projects and contracts. All  
13 non-road and bridge related construction contracts shall refer to  
14 subsection A of Section 103 of Title 61 of the Oklahoma Statutes.

15 SECTION 15. REPEALER 19 O.S. 2011, Section 1505, as last  
16 amended by Section 1, Chapter 107, O.S.L. 2018 (19 O.S. Supp. 2018,  
17 Section 1505), is hereby repealed.

18 SECTION 16. AMENDATORY 21 O.S. 2011, Section 1277, as  
19 last amended by Section 1, Chapter 247, O.S.L. 2018 (21 O.S. Supp.  
20 2018, Section 1277), is amended to read as follows:

21 Section 1277.

22 UNLAWFUL CARRY IN CERTAIN PLACES

23 A. It shall be unlawful for any person in possession of a valid  
24 handgun license issued pursuant to the provisions of the Oklahoma

1 Self-Defense Act to carry any concealed or unconcealed handgun into  
2 any of the following places:

3 1. Any structure, building, or office space which is owned or  
4 leased by a city, town, county, state or federal governmental  
5 authority for the purpose of conducting business with the public;

6 2. Any courthouse, courtroom, prison, jail, detention facility  
7 or any facility used to process, hold or house arrested persons,  
8 prisoners or persons alleged delinquent or adjudicated delinquent,  
9 except as provided in Section 21 of Title 57 of the Oklahoma  
10 Statutes;

11 3. Any public or private elementary or public or private  
12 secondary school, except as provided in subsections C and D of this  
13 section;

14 4. Any publicly owned or operated sports arena or venue during  
15 a professional sporting event, unless allowed by the event holder;

16 5. Any place where gambling is authorized by law, unless  
17 allowed by the property owner; and

18 6. Any other place specifically prohibited by law.

19 B. For purposes of subsection A of this section, the prohibited  
20 place does not include and specifically excludes the following  
21 property:

22 1. Any property set aside for the use or parking of any  
23 vehicle, whether attended or unattended, by a city, town, county,  
24 state or federal governmental authority;

1        2. Any property set aside for the use or parking of any  
2 vehicle, whether attended or unattended, which is open to the  
3 public, or by any entity engaged in gambling authorized by law;

4        3. Any property adjacent to a structure, building or office  
5 space in which concealed or unconcealed weapons are prohibited by  
6 the provisions of this section;

7        4. Any property designated by a city, town, county or state  
8 governmental authority as a park, recreational area, wildlife  
9 refuge, wildlife management area or fairgrounds; provided, nothing  
10 in this paragraph shall be construed to authorize any entry by a  
11 person in possession of a concealed or unconcealed handgun into any  
12 structure, building or office space which is specifically prohibited  
13 by the provisions of subsection A of this section; and

14        5. Any property set aside by a public or private elementary or  
15 secondary school for the use or parking of any vehicle, whether  
16 attended or unattended; provided, however, the handgun shall be  
17 stored and hidden from view in a locked motor vehicle when the motor  
18 vehicle is left unattended on school property.

19        Nothing contained in any provision of this subsection or  
20 subsection C of this section shall be construed to authorize or  
21 allow any person in control of any place described in subsection A  
22 of this section to establish any policy or rule that has the effect  
23 of prohibiting any person in lawful possession of a handgun license  
24

1 from possession of a handgun allowable under such license in places  
2 described in this subsection.

3 C. A concealed or unconcealed weapon may be carried onto  
4 private school property or in any school bus or vehicle used by any  
5 private school for transportation of students or teachers by a  
6 person who is licensed pursuant to the Oklahoma Self-Defense Act,  
7 provided a policy has been adopted by the governing entity of the  
8 private school that authorizes the carrying and possession of a  
9 weapon on private school property or in any school bus or vehicle  
10 used by a private school. Except for acts of gross negligence or  
11 willful or wanton misconduct, a governing entity of a private school  
12 that adopts a policy which authorizes the possession of a weapon on  
13 private school property, a school bus or vehicle used by the private  
14 school shall be immune from liability for any injuries arising from  
15 the adoption of the policy. The provisions of this subsection shall  
16 not apply to claims pursuant to the Administrative Workers'  
17 Compensation Act.

18 D. Notwithstanding paragraph 3 of subsection A of this section,  
19 a board of education of a school district may adopt a policy  
20 pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes to  
21 authorize the carrying of a handgun onto school property by school  
22 personnel specifically designated by the board of education,  
23 provided such personnel either:  
24

1        1. Possess a valid armed security guard license as provided for  
2 in Section 1750.1 et seq. of Title 59 of the Oklahoma Statutes; or

3        2. Hold a valid reserve peace officer certification as provided  
4 for in Section 3311 of Title 70 of the Oklahoma Statutes.

5 Nothing in this subsection shall be construed to restrict authority  
6 granted elsewhere in law to carry firearms.

7        E. Any person violating the provisions of paragraph 2 or 3 of  
8 subsection A of this section shall, upon conviction, be guilty of a  
9 misdemeanor punishable by a fine not to exceed Two Hundred Fifty  
10 Dollars (\$250.00). A person violating any other provision of  
11 subsection A of this section may be denied entrance onto the  
12 property or removed from the property. If the person refuses to  
13 leave the property and a peace officer is summoned, the person may  
14 be issued a citation for an amount not to exceed Two Hundred Fifty  
15 Dollars (\$250.00).

16        F. No person in possession of a valid handgun license issued  
17 pursuant to the provisions of the Oklahoma Self-Defense Act shall be  
18 authorized to carry the handgun into or upon any college, university  
19 or technology center school property, except as provided in this  
20 subsection. For purposes of this subsection, the following property  
21 shall not be construed as prohibited for persons having a valid  
22 handgun license:

23        1. Any property set aside for the use or parking of any motor  
24 vehicle, whether attended or unattended, provided the handgun is

1 carried or stored as required by law and the handgun is not removed  
2 from the motor vehicle without the prior consent of the college or  
3 university president or technology center school administrator while  
4 the vehicle is on any college, university or technology center  
5 school property;

6 2. Any property authorized for possession or use of handguns by  
7 college, university or technology center school policy; and

8 3. Any property authorized by the written consent of the  
9 college or university president or technology center school  
10 administrator, provided the written consent is carried with the  
11 handgun and the valid handgun license while on college, university  
12 or technology center school property.

13 The college, university or technology center school may notify  
14 the Oklahoma State Bureau of Investigation within ten (10) days of a  
15 violation of any provision of this subsection by a licensee. Upon  
16 receipt of a written notification of violation, the Bureau shall  
17 give a reasonable notice to the licensee and hold a hearing. At the  
18 hearing, upon a determination that the licensee has violated any  
19 provision of this subsection, the licensee may be subject to an  
20 administrative fine of Two Hundred Fifty Dollars (\$250.00) and may  
21 have the handgun license suspended for three (3) months.

22 Nothing contained in any provision of this subsection shall be  
23 construed to authorize or allow any college, university or  
24 technology center school to establish any policy or rule that has

1 the effect of prohibiting any person in lawful possession of a  
2 handgun license from possession of a handgun allowable under such  
3 license in places described in paragraphs 1, 2 and 3 of this  
4 subsection. Nothing contained in any provision of this subsection  
5 shall be construed to limit the authority of any college, university  
6 or technology center school in this state from taking administrative  
7 action against any student for any violation of any provision of  
8 this subsection.

9 G. The provisions of this section shall not apply to the  
10 following:

11 1. Any peace officer or any person authorized by law to carry a  
12 pistol in the course of employment;

13 2. District judges, associate district judges and special  
14 district judges, who are in possession of a valid handgun license  
15 issued pursuant to the provisions of the Oklahoma Self-Defense Act  
16 and whose names appear on a list maintained by the Administrative  
17 Director of the Courts, when acting in the course and scope of  
18 employment within the courthouses of this state;

19 3. Private investigators with a firearms authorization when  
20 acting in the course and scope of employment;

21 4. Elected officials of a county, who are in possession of a  
22 valid handgun license issued pursuant to the provisions of the  
23 Oklahoma Self-Defense Act, may carry a concealed handgun when acting  
24 in the performance of their duties within the courthouses of the

1 county in which he or she was elected. The provisions of this  
2 paragraph shall not allow the elected county official to carry the  
3 handgun into a courtroom;

4 5. The sheriff of any county may authorize certain employees of  
5 the county, who possess a valid handgun license issued pursuant to  
6 the provisions of the Oklahoma Self-Defense Act, to carry a  
7 concealed handgun when acting in the course and scope of employment  
8 within the courthouses in the county in which the person is  
9 employed. Nothing in ~~this act~~ the Oklahoma Self-Defense Act shall  
10 prohibit the sheriff from requiring additional instruction or  
11 training before receiving authorization to carry a concealed handgun  
12 within the courthouse. The provisions of this paragraph and of  
13 paragraph 6 of this subsection shall not allow the county employee  
14 to carry the handgun into a courtroom, sheriff's office, adult or  
15 juvenile jail or any other prisoner detention area; and

16 6. The board of county commissioners of any county may  
17 authorize certain employees of the county, who possess a valid  
18 handgun license issued pursuant to the provisions of the Oklahoma  
19 Self-Defense Act, to carry a concealed handgun when acting in the  
20 course and scope of employment on county annex facilities or grounds  
21 surrounding the county courthouse.

22 H. For the purposes of this section, "motor vehicle" means any  
23 automobile, truck, minivan ~~or~~, sports utility vehicle or motorcycle  
24 as defined in Section 1-135 of Title 47 of the Oklahoma Statutes,



1 equipped with a locked accessory container within or affixed to the  
2 motorcycle.

3 SECTION 17. REPEALER 21 O.S. 2011, Section 1277, as last  
4 amended by Section 8, Chapter 304, O.S.L. 2018 (21 O.S. Supp. 2018,  
5 Section 1277), is hereby repealed.

6 SECTION 18. AMENDATORY 22 O.S. 2011, Section 988.18, as  
7 amended by Section 6, Chapter 128, O.S.L. 2018 (22 O.S. Supp. 2018,  
8 Section 988.18), is amended to read as follows:

9 Section 988.18. A. On and after March 1, 2000, for each felony  
10 offender considered for any community punishment pursuant to the  
11 Oklahoma Community Sentencing Act, the judge shall, prior to  
12 sentencing, order an assessment and evaluation of the defendant as  
13 required by law. The judge may determine that no additional  
14 assessment is required if one was completed within the last six (6)  
15 months.

16 B. The risk and needs assessment and evaluation instrument  
17 designed to predict risk to recidivate approved by the Department of  
18 Corrections, shall be required to determine eligibility for any  
19 offender sentenced pursuant to the Oklahoma Community Sentencing  
20 Act. The completed assessment accompanied by a written supervision  
21 plan shall be presented to and reviewed by the court prior to  
22 determining any punishment for the offense. The purpose of the  
23 assessment shall be to identify the extent of the deficiencies and  
24 pro-social needs of the defendant, the potential risk to commit

1 additional offenses that threaten public safety, and the  
2 appropriateness of various community punishments.

3 C. Upon order of the court, the defendant shall be required to  
4 submit to the risk and needs assessment which shall be administered  
5 and scored by an appropriately trained person pursuant to a service  
6 agreement with the local community sentencing system. Any defendant  
7 lacking sufficient skills to comprehend or otherwise participate in  
8 the assessment and evaluation shall have appropriate assistance. If  
9 it is determined that the offender cannot be adequately evaluated  
10 using the risk and needs assessment, the offender shall be deemed  
11 ineligible for any community services pursuant to the Oklahoma  
12 Community Sentencing Act, and shall be sentenced as prescribed by  
13 law for the offense.

14 D. The willful failure or refusal of the defendant to be  
15 assessed and evaluated by using the risk and needs assessment shall  
16 preclude the defendant from eligibility for any community  
17 punishment.

18 E. The completed risk and needs assessment, shall include a  
19 written supervision plan and identify an appropriate community  
20 punishment, if any, when the offender is considered eligible for  
21 community punishments based upon the completed risk/need score from  
22 the risk and needs assessment of the offender. Unless otherwise  
23 prohibited by law, only eligible offenders, as defined in Section  
24

1 988.2 of this title, shall be eligible for any state-funded  
2 community punishments.

3 F. The court is not required to sentence any offender to a  
4 community punishment regardless of an eligible score on the risk and  
5 needs assessment. Any felony offender scoring in the low risk/need  
6 levels on the risk and needs assessment may be sentenced to a  
7 suspended sentence with minimal, if any, conditions of the sentence  
8 to be paid by the offender. If the risk and needs assessment has  
9 been conducted, the evaluation report shall accompany the judgment  
10 and sentence, provided the risk and needs assessment indicates the  
11 offender is in need of this level of supervision and treatment.

12 SECTION 19. REPEALER 22 O.S. 2011, Section 988.18, as  
13 amended by Section 1, Chapter 85, O.S.L. 2018 (22 O.S. Supp. 2018,  
14 Section 988.18), is hereby repealed.

15 SECTION 20. AMENDATORY Section 3, Chapter 366, O.S.L.  
16 2016, as last amended by Section 13, Chapter 304, O.S.L. 2018 (37A  
17 O.S. Supp. 2018, Section 1-103), is amended to read as follows:

18 Section 1-103. As used in the Oklahoma Alcoholic Beverage  
19 Control Act:

20 1. "ABLE Commission" or "Commission" means the Alcoholic  
21 Beverage Laws Enforcement Commission;

22 2. "Alcohol" means and includes hydrated oxide of ethyl, ethyl  
23 alcohol, ethanol or spirits of wine, from whatever source or by  
24 whatever process produced. It does not include wood alcohol or

1 alcohol which has been denatured or produced as denatured in  
2 accordance with Acts of Congress and regulations promulgated  
3 thereunder;

4 3. "Alcoholic beverage" means alcohol, spirits, beer and wine  
5 as those terms are defined herein and also includes every liquid or  
6 solid, patented or not, containing alcohol, spirits, wine or beer  
7 and capable of being consumed as a beverage by human beings;

8 4. "Applicant" means any individual, legal or commercial  
9 business entity, or any individual involved in any legal or  
10 commercial business entity allowed to hold any license issued in  
11 accordance with the Oklahoma Alcoholic Beverage Control Act;

12 5. "Beer" means any beverage of alcohol by volume and obtained  
13 by the alcoholic fermentation of an infusion or decoction of barley,  
14 or other grain, malt or similar products. "Beer" may or may not  
15 contain hops or other vegetable products. "Beer" includes, among  
16 other things, beer, ale, stout, lager beer, porter and other malt or  
17 brewed liquors, but does not include sake, known as Japanese rice  
18 wine;

19 6. "Beer keg" means any manufacturer-sealed, single container  
20 that contains not less than four (4) gallons of beer;

21 7. "Beer distributor" means and includes any person licensed to  
22 distribute beer for retail sale in the state, but does not include a  
23 holder of a small brewer self-distribution license or brewpub self-  
24 distribution license. The term "distributor", as used in ~~this act~~

1 the Oklahoma Alcoholic Beverage Control Act, shall be construed to  
2 refer to a beer distributor;

3 8. "Bottle club" means any establishment in a county which has  
4 not authorized the retail sale of alcoholic beverages by the  
5 individual drink, which is required to be licensed to keep, mix and  
6 serve alcoholic beverages belonging to club members on club  
7 premises;

8 9. "Brand" means any word, name, group of letters, symbol or  
9 combination thereof, that is adopted and used by a licensed  
10 manufacturer to identify a specific beer and to distinguish that  
11 product from another beer;

12 10. "Brand extension" means:

13 a. ~~after the effective date of this act~~ October 1, 2018,  
14 any brand of beer or cider introduced by a  
15 manufacturer in this state which either:

16 (1) incorporates all or a substantial part of the  
17 unique features of a preexisting brand of the  
18 same licensed manufacturer, or

19 (2) relies to a significant extent on the goodwill  
20 associated with the preexisting brand, or

21 b. any brand of beer that a manufacturer, the majority of  
22 whose total volume of all brands of beer distributed  
23 in this state by such manufacturer on January 1, 2016,  
24 was distributed as low-point beer, desires to sell,

1 introduces, begins selling or theretofore has sold and  
2 desires to continue selling a strong beer in this  
3 state which either:

4 (1) incorporates or incorporated all or a substantial  
5 part of the unique features of a preexisting low-  
6 point beer brand of the same licensed  
7 manufacturer, or

8 (2) relies or relied to a significant extent on the  
9 goodwill associated with a preexisting low-point  
10 beer brand;

11 11. "Brewer" means and includes any person who manufactures for  
12 human consumption by the use of raw materials or other ingredients  
13 any beer upon which a license fee and a tax are imposed by any law  
14 of this state;

15 12. "Brewpub" means a licensed establishment operated on the  
16 premises of, or on premises located contiguous to, a small brewer,  
17 that prepares and serves food and beverages, including alcoholic  
18 beverages, for on-premises consumption;

19 13. "Cider" means any alcoholic beverage obtained by the  
20 alcoholic fermentation of fruit juice, including but not limited to  
21 flavored, sparkling or carbonated cider. For the purposes of the  
22 distribution of this product, cider may be distributed by either  
23 wine and spirits wholesalers or beer distributors;

1        14. "Convenience store" means any person primarily engaged in  
2        retailing a limited range of general household items and groceries,  
3        with extended hours of operation, whether or not engaged in retail  
4        sales of automotive fuels in combination with such sales;

5        15. "Convicted" and "conviction" mean and include a finding of  
6        guilt resulting from a plea of guilty or nolo contendere, the  
7        decision of a court or magistrate or the verdict of a jury,  
8        irrespective of the pronouncement of judgment or the suspension  
9        thereof;

10       16. "Director" means the Director of the ABLE Commission;

11       17. "Distiller" means any person who produces spirits from any  
12       source or substance, or any person who brews or makes mash, wort or  
13       wash, fit for distillation or for the production of spirits (except  
14       a person making or using such material in the authorized production  
15       of wine or beer, or the production of vinegar by fermentation), or  
16       any person who by any process separates alcoholic spirits from any  
17       fermented substance, or any person who, making or keeping mash, wort  
18       or wash, has also in his or her possession or use a still;

19       18. "Distributor agreement" means the written agreement between  
20       the distributor and manufacturer as set forth in Section 3-108 of  
21       this title;

22       19. "Drug store" means a person primarily engaged in retailing  
23       prescription and nonprescription drugs and medicines;

1       20. "Dual-strength beer" means a brand of beer that,  
2 immediately prior to April 15, 2017, was being sold and distributed  
3 in this state:

4           a. as a low-point beer pursuant to the Low-Point Beer  
5 Distribution Act in effect immediately prior to ~~the~~  
6 ~~effective date of this act~~ October 1, 2018, and

7           b. as strong beer pursuant to the Alcoholic Beverage  
8 Control Act in effect immediately prior to ~~the~~  
9 ~~effective date of this act~~ October 1, 2018,

10 and continues to be sold and distributed as such on October 1, 2018.  
11 Dual-strength beer does not include a brand of beer that arose as a  
12 result of a brand extension as defined in this section;

13       21. "Fair market value" means the value in the subject  
14 territory covered by the written agreement with the distributor or  
15 wholesaler that would be determined in an arm's length transaction  
16 entered into without duress or threat of termination of the  
17 distributor's or wholesaler's rights and shall include all elements  
18 of value, including goodwill and going-concern value;

19       22. "Good cause" means:

20           a. failure by the distributor to comply with the material  
21 and reasonable provisions of a written agreement or  
22 understanding with the manufacturer, or  
23           b. failure by the distributor to comply with the duty of  
24 good faith;



1       23. "Good faith" means the duty of each party to any  
2 distributor agreement and all officers, employees or agents thereof  
3 to act with honesty in fact and within reasonable standards of fair  
4 dealing in the trade;

5       24. "Grocery store" means a person primarily engaged in  
6 retailing a general line of food, such as canned or frozen foods,  
7 fresh fruits and vegetables, and fresh and prepared meats, fish and  
8 poultry;

9       25. "Hotel" or "motel" means an establishment which is licensed  
10 to sell alcoholic beverages by the individual drink and which  
11 contains guestroom accommodations with respect to which the  
12 predominant relationship existing between the occupants thereof and  
13 the owner or operator of the establishment is that of innkeeper and  
14 guest. For purposes of this section, the existence of other legal  
15 relationships as between some occupants and the owner or operator  
16 thereof shall be immaterial;

17       26. "Legal newspaper" means a newspaper meeting the requisites  
18 of a newspaper for publication of legal notices as prescribed in  
19 Sections 101 through 114 of Title 25 of the Oklahoma Statutes;

20       27. "Licensee" means any person holding a license under the  
21 Oklahoma Alcoholic Beverage Control Act, and any agent, servant or  
22 employee of such licensee while in the performance of any act or  
23 duty in connection with the licensed business or on the licensed  
24 premises;

1       28. "Low-point beer" shall mean any beverages containing more  
2 than one-half of one percent (1/2 of 1%) alcohol by volume, and not  
3 more than three and two-tenths percent (3.2%) alcohol by weight,  
4 including but not limited to, beer or cereal malt beverages obtained  
5 by the alcoholic fermentation of an infusion by barley or other  
6 grain, malt or similar products;

7       29. "Manufacturer" means a brewer, distiller, winemaker,  
8 rectifier or bottler of any alcoholic beverage and its subsidiaries,  
9 affiliates and parent companies;

10       30. "Manufacturer's agent" means a salaried or commissioned  
11 salesperson who is the agent authorized to act on behalf of the  
12 manufacturer or nonresident seller in the state;

13       31. "Meals" means foods commonly ordered at lunch or dinner and  
14 at least part of which is cooked on the licensed premises and  
15 requires the use of dining implements for consumption. Provided,  
16 that the service of only food such as appetizers, sandwiches, salads  
17 or desserts shall not be considered "meals";

18       32. "Mini-bar" means a closed container, either refrigerated in  
19 whole or in part, or nonrefrigerated, and access to the interior of  
20 which is:

- 21           a. restricted by means of a locking device which requires
- 22               the use of a key, magnetic card or similar device, or
- 23           b. controlled at all times by the licensee;

1        33. "Mixed beverage cooler" means any beverage, by whatever  
2 name designated, consisting of an alcoholic beverage and fruit or  
3 vegetable juice, fruit or vegetable flavorings, dairy products or  
4 carbonated water containing more than one-half of one percent ( $1/2$   
5 of 1%) of alcohol measured by volume but not more than seven percent  
6 (7%) alcohol by volume at sixty (60) degrees Fahrenheit and which is  
7 packaged in a container not larger than three hundred seventy-five  
8 (375) milliliters. Such term shall include but not be limited to  
9 the beverage popularly known as a "wine cooler";

10       34. "Mixed beverages" means one or more servings of a beverage  
11 composed in whole or part of an alcoholic beverage in a sealed or  
12 unsealed container of any legal size for consumption on the premises  
13 where served or sold by the holder of a mixed beverage, beer and  
14 wine, caterer, public event, charitable event or special event  
15 license;

16       35. "Motion picture theater" means an establishment which is  
17 licensed by Section 2-110 of this title to sell alcoholic beverages  
18 by the individual drink and where motion pictures are exhibited, and  
19 to which the general public is admitted;

20       36. "Nonresident seller" means any person licensed pursuant to  
21 Section 2-135 of this title;

22       37. "Retail salesperson" means a salesperson soliciting orders  
23 from and calling upon retail alcoholic beverage stores with regard  
24 to his or her product;

1        38. "Occupation" as used in connection with "occupation tax"  
2 means the sites occupied as the places of business of the  
3 manufacturers, wholesalers, beer distributors, retailers, mixed  
4 beverage licensees, on-premises beer and wine licensees, bottle  
5 clubs, caterers, public event and special event licensees;

6        39. "Original package" means any container of alcoholic  
7 beverage filled and stamped or sealed by the manufacturer;

8        40. "Package store" means any sole proprietor or partnership  
9 that qualifies to sell wine, beer and/or spirits for off-premise  
10 consumption and that is not a grocery store, convenience store or  
11 drug store, or other retail outlet that is not permitted to sell  
12 wine or beer for off-premise consumption;

13       41. "Patron" means any person, customer or visitor who is not  
14 employed by a licensee or who is not a licensee;

15       42. "Person" means an individual, any type of partnership,  
16 corporation, association, limited liability company or any  
17 individual involved in the legal structure of any such business  
18 entity;

19       43. "Premises" means the grounds and all buildings and  
20 appurtenances pertaining to the grounds including any adjacent  
21 premises if under the direct or indirect control of the licensee and  
22 the rooms and equipment under the control of the licensee and used  
23 in connection with or in furtherance of the business covered by a  
24 license. Provided that the ABLE Commission shall have the authority

1 to designate areas to be excluded from the licensed premises solely  
2 for the purpose of:

3           a.     allowing the presence and consumption of alcoholic  
4                   beverages by private parties which are closed to the  
5                   general public, or

6           b.     allowing the services of a caterer serving alcoholic  
7                   beverages provided by a private party.

8 This exception shall in no way limit the licensee's concurrent  
9 responsibility for any violations of the Oklahoma Alcoholic Beverage  
10 Control Act occurring on the licensed premises;

11       44.    "Private event" means a social gathering or event attended  
12 by invited guests who share a common cause, membership, business or  
13 task and have a prior established relationship. For purposes of  
14 this definition, advertisement for general public attendance or  
15 sales of tickets to the general public shall not constitute a  
16 private event;

17       45.    "Public event" means any event that can be attended by the  
18 general public;

19       46.    "Rectifier" means any person who rectifies, purifies or  
20 refines spirits or wines by any process (other than by original and  
21 continuous distillation, or original and continuous processing, from  
22 mash, wort, wash or other substance, through continuous closed  
23 vessels and pipes, until the production thereof is complete), and  
24 any person who, without rectifying, purifying or refining spirits,

1 shall by mixing (except for immediate consumption on the premises  
2 where mixed) such spirits, wine or other liquor with any material,  
3 manufactures any spurious, imitation or compound liquors for sale,  
4 under the name of whiskey, brandy, rum, gin, wine, spirits, cordials  
5 or any other name;

6 47. "Regulation" or "rule" means a formal rule of general  
7 application promulgated by the ABLE Commission as herein required;

8 48. "Restaurant" means an establishment that is licensed to  
9 sell alcoholic beverages by the individual drink for on-premises  
10 consumption and where food is prepared and sold for immediate  
11 consumption on the premises;

12 49. "Retail container for spirits and wines" means an original  
13 package of any capacity approved by the United States Bureau of  
14 Alcohol, Tobacco and Firearms;

15 50. "Retailer" means a package store, grocery store,  
16 convenience store or drug store licensed to sell alcoholic beverages  
17 for off-premise consumption pursuant to a Retail Spirits License,  
18 Retail Wine License or Retail Beer License;

19 51. "Sale" means any transfer, exchange or barter in any manner  
20 or by any means whatsoever, and includes and means all sales made by  
21 any person, whether as principal, proprietor or as an agent, servant  
22 or employee. The term "sale" is also declared to be and include the  
23 use or consumption in this state of any alcoholic beverage obtained  
24 within or imported from without this state, upon which the excise

1 tax levied by the Oklahoma Alcoholic Beverage Control Act has not  
2 been paid or exempted;

3 52. "Short-order food" means food other than full meals  
4 including but not limited to sandwiches, soups and salads. Provided  
5 that popcorn, chips and other similar snack food shall not be  
6 considered "short-order food";

7 53. "Small brewer" means a brewer who manufactures ~~less than~~  
8 ~~twenty-five thousand (25,000)~~ sixty-five thousand (65,000) barrels  
9 of beer annually pursuant to a validly issued Small Brewer License  
10 hereunder;

11 54. "Small farm wine" means a wine that is produced by a small  
12 farm winery with seventy-five percent (75%) or more Oklahoma-grown  
13 grapes, berries, other fruits, honey or vegetables;

14 55. "Small farm winery" means a wine-making establishment that  
15 does not annually produce for sale more than fifteen thousand  
16 (15,000) gallons of wine as reported on the United States Department  
17 of the Treasury, Alcohol and Tobacco Tax and Trade Bureau, Report of  
18 Wine Premises Operations (TTB Form 5120.17);

19 56. "Sparkling wine" means champagne or any artificially  
20 carbonated wine;

21 57. "Special event" means an entertainment, recreation or  
22 marketing event that occurs at a single location on an irregular  
23 basis and at which alcoholic beverages are sold;

1        58. "Spirits" means any beverage other than wine or beer, which  
2 contains more than one-half of one percent (1/2 of 1%) alcohol  
3 measured by volume, and obtained by distillation, whether or not  
4 mixed with other substances in solution and includes those products  
5 known as whiskey, brandy, rum, gin, vodka, liqueurs, cordials and  
6 fortified wines and similar compounds, but shall not include any  
7 alcohol liquid completely denatured in accordance with the Acts of  
8 Congress and regulations pursuant thereto;

9        59. "Strong beer" means beer which, prior to ~~the effective date~~  
10 ~~of this act~~ October 1, 2018, was distributed pursuant to the  
11 Oklahoma Alcoholic Beverage Control Act, Section 501 et seq. of  
12 Title 37 of the Oklahoma Statutes;

13        60. "Successor manufacturer" means a primary source of supply,  
14 a brewer, a cider manufacturer or an importer that acquires rights  
15 to a beer or cider brand from a predecessor manufacturer;

16        61. "Tax Commission" means the Oklahoma Tax Commission;

17        62. "Territory" means a geographic region with a specified  
18 boundary;

19        63. "Wine and spirits wholesaler" or "wine and spirits  
20 distributor" means and includes any sole proprietorship or  
21 partnership licensed to distribute wine and spirits in the state.  
22 The term "wholesaler", as used in ~~this act~~ the Oklahoma Alcoholic  
23 Beverage Control Act, shall be construed to refer to a wine and  
24 spirits wholesaler; and



1        64. "Wine" means and includes any beverage containing more than  
2 one-half of one percent (1/2 of 1%) alcohol by volume and not more  
3 than twenty-four percent (24%) alcohol by volume at sixty (60)  
4 degrees Fahrenheit obtained by the fermentation of the natural  
5 contents of fruits, vegetables, honey, milk or other products  
6 containing sugar, whether or not other ingredients are added, and  
7 includes vermouth and sake, known as Japanese rice wine.

8        Words in the plural include the singular, and vice versa, and  
9 words imparting the masculine gender include the feminine, as well  
10 as persons and licensees as defined in this section.

11        SECTION 21.        REPEALER        Section 3, Chapter 366, O.S.L.  
12 2016, as last amended by Section 1, Chapter 206, O.S.L. 2018 (37A  
13 O.S. Supp. 2018, Section 1-103), is hereby repealed.

14        SECTION 22.        AMENDATORY        47 O.S. 2011, Section 151, as  
15 last amended by Section 1, Chapter 97, O.S.L. 2018 (47 O.S. Supp.  
16 2018, Section 151), is amended to read as follows:

17        Section 151. A. A state agency that owns or leases vehicles  
18 shall affix the words "State of Oklahoma" and the name of the  
19 department or institution that owns or leases the vehicle in  
20 conspicuous letters.

21        B. 1. In lieu of the provisions of subsection A of this  
22 section, Department of Public Safety vehicles used regularly as  
23 patrol units shall be distinctively painted black ~~and~~ or white and  
24 shall bear the wording "Oklahoma Highway Patrol" on each side of the

1 vehicle in letters of such size as to be easily distinguishable, it  
2 being the purpose and intention of the Legislature that said patrol  
3 units shall be marked in the future in the same manner as those now  
4 in use.

5 2. The Commissioner of Public Safety may designate colors and  
6 markings, in lieu of those authorized by the provisions of this  
7 section, for patrol units used for patrol purposes and for selective  
8 traffic law enforcement.

9 C. Oklahoma State Bureau of Narcotics and Dangerous Drugs  
10 Control vehicles for use in undercover investigations and Oklahoma  
11 State Bureau of Investigation vehicles shall not be subject to the  
12 provisions of this section.

13 D. Department of Corrections vehicles designated for use by  
14 probation and parole operations and other administrative operations,  
15 as approved by the Director of the Department of Corrections, shall  
16 not be subject to the provisions of this section.

17 E. Vehicles utilized by CLEET-certified officers or state  
18 employees primarily employed in investigative activities may be  
19 exempt from the provisions of this section subject to the approval  
20 of the State Fleet Manager.

21 F. Oklahoma Military Department vehicles designated for use by  
22 the Adjutant General or Assistant Adjutant General in performance of  
23 his or her duties and Oklahoma Military Department vehicles  
24 designated for use in the State Transition and Reintegration System

1 (STARS) program for tracking youth, as approved by the Adjutant  
2 General, shall not be subject to the provisions of this section.

3 G. Office of Juvenile Affairs vehicles designated for use of  
4 the Office by the Executive Director of the Office of Juvenile  
5 Affairs shall not be subject to the provisions of this section.

6 SECTION 23. REPEALER 47 O.S. 2011, Section 151, as last  
7 amended by Section 1, Chapter 102, O.S.L. 2018 (47 O.S. Supp. 2018,  
8 Section 151), is hereby repealed.

9 SECTION 24. AMENDATORY 47 O.S. 2011, Section 1135.3, as  
10 last amended by Section 1, Chapter 226, O.S.L. 2018 (47 O.S. Supp.  
11 2018, Section 1135.3), is amended to read as follows:

12 Section 1135.3. A. The Oklahoma Tax Commission is hereby  
13 authorized to design and issue appropriate official special license  
14 plates to persons wishing to demonstrate support, interest, or  
15 membership to or for an organization, occupation, cause or other  
16 subject as provided by this section.

17 Special license plates shall not be transferred to any other  
18 person but shall be removed from the vehicle upon transfer of  
19 ownership and retained. The special license plate may then be used  
20 on another vehicle but only after such other vehicle has been  
21 registered for the current year.

22 Special license plates shall be renewed each year by the Tax  
23 Commission or a motor license agent, unless authorized by the Tax  
24 Commission to be renewed for a period greater than one (1) year.

1 The Tax Commission shall ~~annually~~ notify by mail all persons issued  
2 special license plates. The notice shall contain all necessary  
3 information and shall contain instructions for the renewal procedure  
4 upon presentation to a motor license agent or the Tax Commission.  
5 The license plates shall be issued on a staggered system.

6 The Tax Commission is hereby directed to develop and implement a  
7 system whereby motor license agents are permitted to accept  
8 applications for special license plates authorized under this  
9 section. The motor license agent shall confirm the applicant's  
10 eligibility, if applicable, collect and deposit any amount  
11 specifically authorized by law, accept and process the necessary  
12 information directly into such system and generate a receipt  
13 accordingly. For performance of these duties, motor license agents  
14 shall retain the fee provided in Section 1141.1 of this title for  
15 registration of a motor vehicle. The motor license agent fees for  
16 acceptance of applications and renewals shall be paid out of the  
17 Oklahoma Tax Commission Reimbursement Fund.

18 If fewer than one hundred of any type of special license plates  
19 authorized prior to January 1, 2004, are issued prior to January 1,  
20 2006, the Tax Commission shall discontinue issuance and renewal of  
21 that type of special license plate. Any such authorized special  
22 license plate registrant shall be allowed to display the license  
23 plate upon the designated vehicle until the registration expiration  
24

1 date. After such time the expired special license plate shall be  
2 removed from the vehicle.

3 Except as otherwise provided in ~~this section~~ law, for special  
4 license plates authorized on or after July 1, 2004, no special  
5 license plates shall be developed or issued by the Tax Commission  
6 until the Commission receives one hundred (100) prepaid applications  
7 therefor. The prepaid applications must be received by the Tax  
8 Commission within one hundred eighty (180) days of the effective  
9 date of the authorization or the authority to issue shall be null  
10 and void. In the event one hundred (100) prepaid applications are  
11 not received by the Tax Commission within such prescribed time  
12 period any payment so received shall be refunded accordingly.

13 B. The special license plates provided by this section are as  
14 follows:

15 1. Round and Square Dance License Plate - such plates shall be  
16 designed and issued to any person wishing to demonstrate support for  
17 round and square dancing;

18 2. National Association for the Advancement of Colored People  
19 License Plate - such plates shall be designed, subject to the  
20 criteria to be presented to the Tax Commission by the NAACP, and  
21 issued to any person wishing to demonstrate support for the NAACP;

22 3. National Rifle Association License Plate - such plates shall  
23 be designed, subject to the criteria to be presented to the Tax  
24 Commission by the National Rifle Association, and issued to any

1 person wishing to demonstrate support for the National Rifle  
2 Association;

3 4. Masonic Fraternity License Plate - such plates shall be  
4 designed and issued to any resident of this state who is a member of  
5 a Masonic Fraternity of Oklahoma. Such persons may apply for a  
6 Masonic Fraternity license plate for each vehicle with a rated  
7 carrying capacity of one (1) ton or less upon proof of a Masonic  
8 Fraternity membership or upon the presentment of an application for  
9 a Masonic Fraternity license plate authorized and approved by the  
10 Grand Lodge of Oklahoma. The license plates shall be designed in  
11 consultation with the Masonic Fraternities of Oklahoma and shall  
12 contain the Masonic emblem;

13 5. Shriner's Hospitals for Burned and Crippled Children License  
14 Plate - such plates shall be designed to demonstrate support for  
15 Shriner's Hospitals for Burned and Crippled Children and shall be  
16 issued to any resident of this state who is a member of a Shriner's  
17 Temple in Oklahoma. The license plate shall be designed in  
18 consultation with the Shriner's Temples in Oklahoma and shall  
19 contain the Shriner's emblem;

20 6. Balloonists License Plate - such plates shall be designed  
21 and issued to any person wishing to demonstrate support for hot air  
22 ballooning in this state;

23 7. Order of the Eastern Star License Plate - such plates shall  
24 be designed and issued to any resident of this state who is a member

1 of an Order of the Eastern Star. Such persons may apply for an  
2 Order of the Eastern Star license plate for each vehicle with a  
3 rated carrying capacity of one (1) ton or less upon proof of an  
4 Order of the Eastern Star membership or upon the presentment of an  
5 application for an Order of the Eastern Star license plate  
6 authorized and approved by the organization. The license plate  
7 shall be designed in consultation with the Order of the Eastern Star  
8 and shall contain the Order of the Eastern Star emblem;

9 8. Knights of Columbus License Plate - such plates shall be  
10 designed and issued to any resident of this state who is a member of  
11 the Knights of Columbus. Such persons may apply for a Knights of  
12 Columbus license plate for each vehicle with a rated carrying  
13 capacity of one (1) ton or less upon proof of a Knights of Columbus  
14 membership or upon the presentment of an application for a Knights  
15 of Columbus license plate authorized and approved by the  
16 organization. The license plate shall be designed in consultation  
17 with the Knights of Columbus and shall contain the Knights of  
18 Columbus emblem;

19 9. Jaycees License Plate - such plates shall be designed and  
20 issued to members of the Jaycees. Persons applying for such license  
21 plate must show proof of membership in the Jaycees. The license  
22 plates shall be designed in consultation with the Jaycees;

23 10. Kiwanis International License Plate - such plates shall be  
24 designed and issued to members of Kiwanis International. Persons

1 applying for such license plate must show proof of membership in  
2 Kiwanis International. The license plates shall be designed in  
3 consultation with Kiwanis International;

4 11. Certified Public Accountants License Plate - such plates  
5 shall be designed and issued to any resident of this state who is a  
6 Certified Public Accountant. Such persons may apply for a Certified  
7 Public Accountant license plate for each vehicle with a rated  
8 carrying capacity of one (1) ton or less upon proof of status as a  
9 Certified Public Accountant. The license plates shall be designed  
10 in consultation with the Oklahoma Society of Certified Public  
11 Accountants;

12 12. Civil Emergency Management License Plate - such plates  
13 shall be designed and issued to persons wishing to demonstrate  
14 support for the state civil emergency management system. Persons  
15 applying for such license plate must show proof of official  
16 affiliation by presenting a nonexpired proof of employment,  
17 affiliation or retirement in the form of an identification card or  
18 letter on official letterhead from a municipal, county or state  
19 emergency management department head;

20 13. Civilian Conservation Corps License Plate - such plates  
21 shall be designed, subject to criteria to be presented to the Tax  
22 Commission, by the Civilian Conservation Corps Association, and  
23 issued to any person wishing to demonstrate support of the Civilian  
24 Conservation Corps;



1        14. Rotarian License Plate - such plates shall be designed and  
2 issued to any resident of this state who is a member of a Rotarian  
3 Club of Oklahoma. Such persons may apply for a Rotarian license  
4 plate for each vehicle with a rated carrying capacity of one (1) ton  
5 or less upon proof of a Rotarian Club membership or upon the  
6 presentment of an application for a Rotarian license plate  
7 authorized and approved by a Rotarian Club of Oklahoma. The license  
8 plates shall be designed in consultation with the five Rotarian  
9 District Governors and shall contain the Rotarian emblem;

10       15. Benevolent Protective Order of Elks License Plate - such  
11 plates shall be designed, subject to criteria to be presented to the  
12 Tax Commission, by the Benevolent Protective Order of Elks, and  
13 issued to any resident of this state who is a member of the  
14 Benevolent Protective Order of Elks;

15       16. Humane Society License Plate - such plates shall be  
16 designed and issued to any person wishing to demonstrate support for  
17 the Humane Society of the United States. The plates shall be issued  
18 to any person in any combination of numbers and letters from one to  
19 a maximum of seven, as for personalized license plates. The plate  
20 shall contain the official Humane Society logo;

21       17. Oklahoma Mustang Club License Plate - such plates shall be  
22 designed, subject to criteria to be presented to the Tax Commission,  
23 by the Oklahoma Mustang Club, and issued to any resident of this  
24 state who is a member of the Oklahoma Mustang Club. Such persons

1 may apply for an Oklahoma Mustang Club license plate upon  
2 presentment of proof of membership in the Oklahoma Mustang Club.  
3 The plates shall be issued to any person in any combination of  
4 numbers and letters from one to a maximum of seven, as for  
5 personalized license plates;

6 18. American Business Clubs (AMBUCS) License Plate - such  
7 plates shall be designed and issued to members of American Business  
8 Clubs. Persons applying for such license plate must show proof of  
9 membership in AMBUCS. The license plates shall be designed in  
10 consultation with American Business Clubs;

11 19. West Point 200th Anniversary License Plate - such plates  
12 shall be designed and issued to any person wishing to commemorate  
13 the Two Hundredth Anniversary of the founding of the United States  
14 Military Academy at West Point, New York. The license plates shall  
15 be designed in consultation with the West Point Society of Central  
16 Oklahoma;

17 20. Oklahoma Aquarium License Plate - such plates shall be  
18 designed and issued to persons wishing to demonstrate support for  
19 the Oklahoma Aquarium. The license plates shall be designed in  
20 consultation with the Oklahoma Aquarium;

21 21. The Pride of Broken Arrow License Plate - such plates shall  
22 be designed and issued to any person wishing to demonstrate support  
23 for The Pride of Broken Arrow marching band. The plates shall be  
24 designed in consultation with the Broken Arrow Public School System;

1        22. Fellowship of Christian Athletes License Plate - such  
2 plates shall be designed in consultation with the Fellowship of  
3 Christian Athletes and issued to members and supporters of the  
4 Fellowship of Christian Athletes;

5        23. Parrothead Club License Plate - such plates shall be  
6 designed and issued to members and supporters of the Parrothead  
7 Club. The license plate shall be issued to any person in any  
8 combination of numbers and letters from one to a maximum of seven as  
9 for personalized license plates;

10       24. Oklahoma Bicycling Coalition License Plate - such plates  
11 shall be designed and issued to any person who is a member of the  
12 Oklahoma Bicycling Coalition. The license plates shall be designed  
13 in consultation with the Oklahoma Bicycling Coalition;

14       25. Electric Lineman License Plate - such plates shall be  
15 designed and issued to persons wishing to demonstrate support for  
16 Oklahoma's electric linemen. The license plates shall be designed  
17 in consultation with the Oklahoma Electric Superintendent's  
18 Association;

19       26. Alpha Kappa Alpha License Plate - such plates shall be  
20 designed and issued to any person who is a member of Alpha Kappa  
21 Alpha Sorority. The license plates shall be designed in  
22 consultation with the Oklahoma Chapter of Alpha Kappa Alpha  
23 Sorority;

1        27. The National Pan-Hellenic Council Incorporated License  
2 Plate - such plates shall be designed and issued to any person  
3 wishing to demonstrate support to any of the nine sororities and  
4 fraternities recognized by the National Pan-Hellenic Council  
5 Incorporated. The license plates shall be designed in consultation  
6 with the Oklahoma Chapter of the National Pan-Hellenic Council  
7 Incorporated;

8        28. Organ, Eye and Tissue License Plate - such plates shall be  
9 designed and issued to persons wishing to demonstrate support and  
10 increase awareness for organ, eye and tissue donation. The license  
11 plates shall be designed in consultation with the State Department  
12 of Health;

13        29. Central Oklahoma Habitat for Humanity License Plate - such  
14 plates shall be designed and issued to persons wishing to  
15 demonstrate support and increase awareness for Habitat for Humanity.  
16 The license plate shall be designed in consultation with Central  
17 Oklahoma Habitat for Humanity;

18        30. Family Career and Community Leaders of America Incorporated  
19 License Plate - such plates shall be designed and issued to persons  
20 wishing to demonstrate support for Family Career and Community  
21 Leaders of America Incorporated. The license plates shall be  
22 designed in consultation with Family Career and Community Leaders of  
23 America Incorporated;

1        31. Delta Sigma Theta License Plate - such plates shall be  
2 designed and issued to any person who is a member of Delta Sigma  
3 Theta Sorority. The license plates shall be designed in  
4 consultation with the Oklahoma Chapter of Delta Sigma Theta Sorority  
5 Incorporated;

6        32. Omega Psi Phi License Plate - such plates shall be designed  
7 and issued to any person who is a member of Omega Psi Phi  
8 Fraternity. The license plates shall be designed in consultation  
9 with the Oklahoma Chapter of Omega Psi Phi Fraternity Incorporated;

10       33. Alpha Phi Alpha License Plate - such plates shall be  
11 designed and issued to any person who is a member of Alpha Phi Alpha  
12 Fraternity. The license plates shall be designed in consultation  
13 with the Oklahoma Chapter of Alpha Phi Alpha Fraternity  
14 Incorporated;

15       34. 50th Anniversary of the Interstate System of Highways  
16 License Plate - such plates shall be designed and issued to persons  
17 wishing to commemorate the 50th Anniversary of the Interstate System  
18 of Highways. The license plates shall be designed in consultation  
19 with the American Association of State Highway and Transportation  
20 Officials;

21       35. Kappa Alpha Psi License Plate - such plates shall be  
22 designed and issued to any person who is a member of Kappa Alpha Psi  
23 Fraternity. The license plates shall be designed in consultation  
24

1 with the Oklahoma Chapter of Kappa Alpha Psi Fraternity  
2 Incorporated;

3 36. Sigma Gamma Rho License Plate - such plates shall be  
4 designed and issued to any person who is a member of Sigma Gamma Rho  
5 Sorority. The license plates shall be designed in consultation with  
6 the Oklahoma Chapter of Sigma Gamma Rho Sorority Incorporated.  
7 Subject to the provisions of subsection A of this section, the Sigma  
8 Gamma Rho License Plate is hereby reauthorized effective November 1,  
9 2013;

10 37. Multiple Sclerosis License Plate - such plates shall be  
11 designed and issued to persons wishing to demonstrate support for  
12 and increase awareness of multiple sclerosis. The license plates  
13 shall be designed in consultation with the Oklahoma Chapter of the  
14 National Multiple Sclerosis Society;

15 38. Frederick Douglass High School License Plate - such plates  
16 shall be designed and issued to any person wishing to demonstrate  
17 support for Frederick Douglass High School located in Oklahoma City.  
18 The plates shall be designed in consultation with representatives of  
19 Frederick Douglass High School National Alumni Association;

20 39. United States Air Force Academy License Plate - such plates  
21 shall be designed and issued to any person wishing to demonstrate  
22 support for the United States Air Force Academy;  
23  
24

1        40. In God We Trust License Plate - such plates shall be  
2 designed to include the motto, "In God We Trust", and shall be  
3 issued to any person wishing to demonstrate support for the motto;

4        41. National Weather Center License Plate - such plates shall  
5 be designed and issued to any person wishing to demonstrate support  
6 for the National Weather Center in Norman. The plates shall be  
7 designed in consultation with representatives of the National  
8 Weather Center Directors;

9        42. Make-A-Wish Foundation License Plate - such plates shall be  
10 designed and issued to persons wishing to demonstrate support for  
11 the Make-A-Wish Foundation. The license plates shall be designed in  
12 consultation with the Oklahoma Chapter of the National Make-A-Wish  
13 Foundation;

14       43. South Central Section PGA Foundation License Plate - such  
15 plates shall be designed and issued to persons wishing to  
16 demonstrate support for the South Central Section PGA Foundation.  
17 The license plates shall be designed in consultation with the South  
18 Central Section PGA Foundation;

19       44. Putnam City High School License Plate - such plates shall  
20 be designed and issued to any person wishing to demonstrate support  
21 for Putnam City High School. The plates shall be designed in  
22 consultation with representatives of Putnam City High School Alumni  
23 Association, Inc.;

1        45. Autism Awareness License Plate - such plates shall be  
2 designed and issued to any person wishing to increase awareness of  
3 autism. The license plate shall be designed in consultation with  
4 the Oklahoma Autism Network;

5        46. Oklahoma Blood Institute License Plate - such plates shall  
6 be designed and issued to any person wishing to demonstrate support  
7 for the Oklahoma Blood Institute. The license plates shall be  
8 designed in consultation with the Oklahoma Blood Institute;

9        47. Zeta Phi Beta and Phi Beta Sigma License Plate - such  
10 plates shall be designed and issued to any person who is a member of  
11 Zeta Phi Beta Sorority or Phi Beta Sigma Fraternity. The license  
12 plates shall be designed in consultation with the Oklahoma chapters  
13 of Zeta Phi Beta Sorority Incorporated and Phi Beta Sigma Fraternity  
14 Incorporated;

15        48. Star Spencer High School License Plate - such plates shall  
16 be designed and issued to any person wishing to demonstrate support  
17 for Star Spencer High School located in Oklahoma City. The plates  
18 shall be designed in consultation with representatives of the Star  
19 Spencer High School Alumni Association. Subject to the provisions  
20 of subsection A of this section, the Star Spencer High School  
21 License Plate is hereby reauthorized effective November 1, 2015;

22        49. Northeast High School License Plate - such plates shall be  
23 designed and issued to any person wishing to demonstrate support for  
24 Northeast High School located in Oklahoma City. The plates shall be



1 designed in consultation with representatives of the Northeast High  
2 School Alumni Association;

3 50. Oklahoma City Central High School License Plate - such  
4 plates shall be designed and issued to any person wishing to  
5 demonstrate support for the Oklahoma City Central High School Alumni  
6 Association. The plates shall be designed in consultation with  
7 representatives of the Oklahoma City Central High School Alumni  
8 Association;

9 51. Historic Greenwood District License Plate - such plates  
10 shall be issued to persons wishing to demonstrate support for music  
11 festivals held in the Historic Greenwood District in Tulsa,  
12 Oklahoma. The license plates shall be designed in consultation with  
13 the Greenwood Cultural Center;

14 52. Oklahoma Rifle Association License Plate - such plates  
15 shall be designed and issued to any person wishing to demonstrate  
16 support for the Oklahoma Rifle Association. The plates shall be  
17 designed in consultation with representatives of the Oklahoma Rifle  
18 Association;

19 53. Oklahoma City Thunder License Plate - such plates shall be  
20 designed and issued to any person wishing to demonstrate support for  
21 the Oklahoma City Thunder. The license plate shall be designed in  
22 consultation with the Oklahoma City Thunder organization;

23 54. Ovarian Cancer Awareness License Plate - such plates shall  
24 be designed and issued to any person wishing to increase awareness

1 of ovarian cancer. The license plate shall be designed in  
2 consultation with the HOPE in Oklahoma organization;

3 55. BMW Car Club of America License Plate - such plates shall  
4 be designed and issued to any person wishing to demonstrate support  
5 for the BMW Car Club of America. The plates shall be issued to any  
6 person in any combination of numbers and letters from one to a  
7 maximum of seven, as for personalized license plates. The license  
8 plate shall be designed in consultation with the Sunbelt Chapter of  
9 the BMW Car Club of America. Subject to the provisions of  
10 subsection A of this section, the BMW Car Club of America License  
11 Plate is hereby reauthorized effective November 1, 2013;

12 56. Don't Tread On Me License Plate - such plates shall be  
13 designed to include the yellow background and rattlesnake emblem  
14 above the motto "DON'T TREAD ON ME" as found on the historic Gadsden  
15 flag, and shall be issued to any person wishing to demonstrate  
16 support for the freedom and liberty of the Republic;

17 57. Oklahomans for the Arts License Plate - such plates shall  
18 be designed and issued to any person wishing to demonstrate support  
19 for arts, culture and creative industries as well as arts education.  
20 The plates shall be designed in consultation with Oklahomans for the  
21 Arts;

22 58. Oklahoma City Barons License Plate - such plates shall be  
23 designed and issued to any person wishing to demonstrate support for  
24 the Oklahoma City Barons. The license plate shall be designed in

1 consultation with the Oklahoma City Barons organization. The  
2 license plates shall be issued to any person in any combination of  
3 numbers and letters from one to a maximum of six;

4 59. Oklahoma City Redhawks License Plate - such plates shall be  
5 designed and issued to any person wishing to demonstrate support for  
6 the Oklahoma City Redhawks. The license plate shall be designed in  
7 consultation with the Oklahoma City Redhawks organization;

8 60. Tulsa Shock License Plate - such plates shall be designed  
9 and issued to any person wishing to demonstrate support for the  
10 Tulsa Shock. The license plate shall be designed in consultation  
11 with the Tulsa Shock organization;

12 61. Tulsa Oilers License Plate - such plates shall be designed  
13 and issued to any person wishing to demonstrate support for the  
14 Tulsa Oilers. The license plate shall be designed in consultation  
15 with the Tulsa Oilers organization;

16 62. Tulsa Drillers License Plate - such plates shall be  
17 designed and issued to any person wishing to demonstrate support for  
18 the Tulsa Drillers. The license plate shall be designed in  
19 consultation with the Tulsa Drillers organization;

20 63. Millwood School District License Plate - such plates shall  
21 be designed and issued to any person wishing to demonstrate support  
22 for the Millwood School District. The license plate shall be  
23 designed in consultation with representatives of the Millwood School  
24 District;

1        64. Booker T. Washington High School License Plate - such  
2 plates shall be issued to persons wishing to demonstrate support for  
3 Booker T. Washington High School and shall be designed in  
4 consultation with the Booker T. Washington High School National  
5 Alumni Association;

6        65. Oklahoma Current State Flag License Plate - such plates  
7 shall be designed to include the current Oklahoma state flag and  
8 issued to any person wishing to demonstrate support for the current  
9 Oklahoma state flag. The plates shall be designed in consultation  
10 with the Friends of the Oklahoma History Center;

11       66. Oklahoma Original State Flag License Plate - such plates  
12 shall be designed to include the original Oklahoma state flag and  
13 issued to any person wishing to demonstrate support for the original  
14 Oklahoma state flag. The plates shall be designed in consultation  
15 with the Friends of the Oklahoma History Center. The plates shall  
16 be issued to any person in any combination of numbers and letters  
17 from one to a maximum of seven, as for personalized plates. Subject  
18 to the provisions of subsection A of this section, the Oklahoma  
19 Original State Flag license plate is hereby reauthorized effective  
20 November 1, 2015;

21       67. Tulsa 66ers License Plate - such plates shall be designed  
22 and issued to any person wishing to demonstrate support for the  
23 Tulsa 66ers. The plates shall be designed in consultation with the  
24 Tulsa 66ers Organization;

1        68. Frederick Bombers License Plate - such plates shall be  
2 issued to persons wishing to demonstrate support for the Frederick  
3 School District and shall be designed in consultation with  
4 representatives of the Frederick School District;

5        69. 911 Dispatcher License Plate - such plates shall be issued  
6 to persons wishing to demonstrate support for 911 dispatchers.  
7 Persons applying for such license plate must show proof of current  
8 employment as a 911 dispatcher or sign an attestation that they are  
9 a currently employed or retired 911 dispatcher;

10       70. Oklahoma Fosters License Plate - such plates shall be  
11 issued to persons wishing to demonstrate support for the Oklahoma  
12 Fosters Initiative and shall be designed in consultation with the  
13 Oklahoma Fosters Initiative;

14       71. Red Dirt Jeeps - such plates shall be designed and issued  
15 to any person wishing to demonstrate support for Red Dirt Jeeps and  
16 such plates shall be designed in consultation with Red Dirt Jeeps,  
17 L.L.C.;

18       72. Special Forces Association - such plates shall be designed  
19 and issued to any person wishing to demonstrate support for the  
20 Special Forces Association and such plates shall be designed in  
21 consultation with the Special Forces Association;

22       73. Sons of the American Revolution License Plate - such plates  
23 shall be issued to persons wishing to demonstrate support for the  
24 Sons of the American Revolution for a vehicle or motorcycle in any

1 combination of numbers and letters from one to a maximum of seven,  
2 as for personalized plates. Such plates shall be designed in  
3 consultation with the Oklahoma Society of the Sons of the American  
4 Revolution. The license plate for a motorcycle may be of similar  
5 design as space permits or a new design in order to meet the space  
6 requirements of a motorcycle license plate;

7 74. Daughters of the American Revolution License Plate - such  
8 plates shall be issued to persons wishing to demonstrate support for  
9 the Daughters of the American Revolution for a vehicle or motorcycle  
10 in any combination of numbers and letters from one to a maximum of  
11 seven, as for personalized plates. Such plates shall be designed in  
12 consultation with the Oklahoma Society of the Daughters of the  
13 American Revolution. The license plate for a motorcycle may be of  
14 similar design as space permits or a new design in order to meet the  
15 space requirements of a motorcycle license plate;

16 75. Air Medal License Plate - such plates shall be designed and  
17 issued to Air Medal recipients. An individual requesting the plate  
18 is required, at the time of application, to show proof he or she is  
19 a recipient of the Air Medal or sign an attestation stating that he  
20 or she is a medal recipient. The plates shall be designed to  
21 include the Air Medal emblem and shall include the words "Air Medal"  
22 on the plate;

23 76. Oklahoma Institute for Child Advocacy Plate - such plates  
24 shall be designed and issued to any person wishing to demonstrate

1 support for the Oklahoma Institute for Child Advocacy. The plates  
2 shall be issued to any person in any combination of numbers and  
3 letters from one to a maximum of seven, as for personalized license  
4 plates. The plates shall contain the official Oklahoma Institute  
5 for Child Advocacy logo;

6 77. The Pride of Oklahoma Marching Band License Plate - such  
7 plates shall be designed and issued to any person wishing to  
8 demonstrate support for the Pride of Oklahoma marching band. The  
9 plates shall be designed in consultation with the University of  
10 Oklahoma;

11 78. The Spirit of Oklahoma State Marching Band License Plate -  
12 such plates shall be designed and issued to any person wishing to  
13 demonstrate support for the Spirit of Oklahoma State marching band.  
14 The plates shall be designed in consultation with Oklahoma State  
15 University; ~~and~~

16 79. Pittsburg State University License Plate - such plates  
17 shall be designed and issued to any person wishing to demonstrate  
18 support for Pittsburg State University. The plates shall be  
19 designed in consultation with Pittsburg State University; and

20 80. Southeast Spartans Plate - such plates shall be designed  
21 and issued to any person wishing to demonstrate support for  
22 Southeast Spartans High School and such plates shall be designed in  
23 consultation with the Southeast High School Alumni Association.  
24

1 C. The fee for such plates shall be Fifteen Dollars (\$15.00)  
2 per year of renewal and shall be in addition to all other  
3 registration fees provided by the Oklahoma Vehicle License and  
4 Registration Act. Unless otherwise provided in this section, the  
5 fee shall be apportioned as follows: Eight Dollars (\$8.00) per year  
6 of renewal of the special license plate fee shall be deposited in  
7 the Oklahoma Tax Commission Reimbursement Fund to be used for the  
8 administration of the Oklahoma Vehicle License and Registration Act  
9 and the remaining Seven Dollars (\$7.00) per year of renewal of the  
10 special license plate fee shall be apportioned as provided in  
11 Section 1104 of this title.

12 SECTION 25. REPEALER 47 O.S. 2011, Section 1135.3, as  
13 last amended by Section 1, Chapter 293, O.S.L. 2018 (47 O.S. Supp.  
14 2018, Section 1135.3), is hereby repealed.

15 SECTION 26. AMENDATORY 47 O.S. 2011, Section 1135.5, as  
16 last amended by Section 2, Chapter 293, O.S.L. 2018 (47 O.S. Supp.  
17 2018, Section 1135.5), is amended to read as follows:

18 Section 1135.5. A. The Oklahoma Tax Commission is hereby  
19 authorized to design and issue appropriate official special license  
20 plates to persons wishing to demonstrate support and provide  
21 financial assistance as provided by this section.

22 Special license plates shall not be transferred to any other  
23 person but shall be removed from the vehicle upon transfer of  
24 ownership and retained. The special license plate may then be used



1 on another vehicle but only after such other vehicle has been  
2 registered for the current year with a motor license agent.

3 Special license plates shall be renewed each year by the Tax  
4 Commission or a motor license agent, unless authorized by the Tax  
5 Commission to be renewed for a period greater than one (1) year.

6 The Tax Commission shall notify by mail all persons issued special  
7 license plates. The notice shall contain all necessary information  
8 and shall contain instructions for the renewal procedure upon  
9 presentation to a motor license agent or the Tax Commission. The  
10 license plates shall be issued on a staggered system.

11 The Tax Commission is hereby directed to develop and implement a  
12 system whereby motor license agents are permitted to accept  
13 applications for special license plates authorized under this  
14 section. The motor license agent shall confirm the applicant's  
15 eligibility, if applicable, collect and deposit any amount  
16 specifically authorized by law, accept and process the necessary  
17 information directly into such system and generate a receipt  
18 accordingly. For performance of these duties, motor license agents  
19 shall retain the fee provided in Section 1141.1 of this title for  
20 registration of a motor vehicle. The motor license agent fees for  
21 acceptance of applications and renewals shall be paid out of the  
22 Oklahoma Tax Commission Reimbursement Fund.

23 If fewer than one hundred of any type of special license plates  
24 authorized prior to January 1, 2004, are issued prior to January 1,

1 2006, the Tax Commission shall discontinue issuance and renewal of  
2 that type of special license plate. Any such authorized special  
3 license plate registrant shall be allowed to display the license  
4 plate upon the designated vehicle until the registration expiration  
5 date. After such time the expired special license plate shall be  
6 removed from the vehicle.

7 For special license plates authorized on or after July 1, 2004,  
8 no special license plates shall be developed or issued by the Tax  
9 Commission until the Commission receives one hundred prepaid  
10 applications therefor. The prepaid applications must be received by  
11 the Tax Commission within one hundred eighty (180) days of the  
12 effective date of the authorization or the authority to issue shall  
13 be null and void. In the event one hundred prepaid applications are  
14 not received by the Tax Commission within such prescribed time  
15 period any payment so received shall be refunded accordingly.

16 B. The special license plates provided by this section are as  
17 follows:

18 1. University or College Supporter License Plate - such plates  
19 shall be designed and issued to any person wishing to demonstrate  
20 support to any state-supported or private university or college. As  
21 provided in this section, an amount of the fee collected shall be  
22 apportioned as provided in Section 1104.1 of this title;

23 2. Environmental Awareness License Plate - such plates shall be  
24 designed, subject to the criteria to be presented to the Tax

1 Commission by the Department of Environmental Quality in  
2 consultation with the Oklahoma Arts Council, and issued to any  
3 person wishing to demonstrate support to implement the statewide  
4 general public environmental education program created pursuant to  
5 the provisions of the Oklahoma Environmental Quality Code. Such  
6 plates shall be designed and issued to any person in any combination  
7 of numbers and letters from one to a maximum of seven, as for  
8 personalized license plates. A dealer's license plate issued  
9 pursuant to Section 1116.1 or 1128 of this title may be designated  
10 an Environmental Awareness License Plate upon payment of the fee  
11 imposed by this section and any other registration fees required by  
12 the Oklahoma Vehicle License and Registration Act. As provided in  
13 this section, an amount of the fee collected shall be apportioned  
14 pursuant to Section 1104.2 of this title;

15 3. Firefighter License Plate - such plates shall be designed  
16 for any career or retired firefighter, volunteer or paid.  
17 Firefighters may apply for firefighter plates for up to four  
18 vehicles with a rated capacity of one (1) ton or less or for a  
19 motorcycle upon proof of a fire department membership by either an  
20 identification card or letter from the chief of the fire department.  
21 Retirees who are eligible for such plates shall provide proof of  
22 eligibility upon initial application, but shall not be required to  
23 provide proof of eligibility annually. The surviving spouse of any  
24 deceased firefighter, if the spouse has not since remarried, may

1 apply for a firefighter license plate for one vehicle with a rated  
2 carrying capacity of one (1) ton or less or for a motorcycle upon  
3 proof that the deceased firefighter was a member of a fire  
4 department by either an identification card or letter from the chief  
5 of the fire department. The license plate shall be designed in  
6 consultation with the Oklahoma Firefighters Association.

7 As provided in this section, an amount of the fee collected  
8 shall be deposited to the Oklahoma State Firemen's Museum Building &  
9 Memorial Fund for support of the Oklahoma Firefighters Museum and  
10 the Oklahoma Fallen and Living Firefighters Memorial;

11 4. Wildlife Conservation License Plate - such plates shall be  
12 designed, subject to the criteria to be presented to the Tax  
13 Commission by the Oklahoma Department of Wildlife Conservation in  
14 consultation with the Oklahoma Arts Council, and issued to any  
15 person wishing to demonstrate support for wildlife conservation in  
16 this state through the Wildlife Diversity Fund, provided for in  
17 Section 3-310 of Title 29 of the Oklahoma Statutes. Such plates may  
18 be designed and issued to any person as for personalized license  
19 plates.

20 As provided in this section, an amount of the fee collected  
21 shall be apportioned pursuant to subsection D of Section 3-310 of  
22 Title 29 of the Oklahoma Statutes;

23 5. Child Abuse Prevention License Plate - such plates shall be  
24 designed, subject to the criteria to be presented to the Tax

1 Commission by the Office of Child Abuse Prevention in the State  
2 Department of Health and the Oklahoma Committee to Prevent Child  
3 Abuse, and issued to any person wishing to demonstrate support for  
4 the prevention of child abuse.

5 As provided in this section, an amount of the fee collected  
6 shall be deposited in the Child Abuse Prevention Fund;

7 6. United States Olympic Committee Supporter License Plate -  
8 such plates shall be designed and issued to any person wishing to  
9 demonstrate support for the United States Olympic Committee. The  
10 plates shall be issued to any person in any combination of numbers  
11 and letters from one to a maximum of seven, as for personalized  
12 license plates. The plate shall contain the official United States  
13 Olympic Committee logo. The Tax Commission shall be authorized, if  
14 necessary, to enter into a licensing agreement with the United  
15 States Olympic Committee for any licensing fees which may be  
16 required in order to use the United States Olympic Committee logo or  
17 design. The licensing agreement shall provide for a payment of not  
18 more than Twenty-five Dollars (\$25.00) for each license plate  
19 issued;

20 7. Oklahoma History License Plate - such plates shall be  
21 designed and issued to any person wishing to demonstrate interest in  
22 Oklahoma history. As provided in this section, an amount of the fee  
23 collected shall be deposited to the Oklahoma Historical Society  
24 Revolving Fund to be used for educational purposes;

1       8. Historic Route 66 License Plate - such:

2           a. vehicle plates shall be designed to honor historic  
3           Route 66, also known as the "Mother Road". As  
4           provided in this section, an amount of the fee  
5           collected for each vehicle license plate shall be  
6           apportioned to the Oklahoma Historical Society  
7           Revolving Fund to be distributed to the Route 66  
8           Museum located in Clinton, Oklahoma, and

9           b. motorcycle plates shall be designed in consultation  
10          with the Oklahoma Route 66 Association, Inc. The  
11          Oklahoma Tax Commission shall be authorized to enter  
12          into a licensing agreement with the Oklahoma Route 66  
13          Association, Inc., for any licensing fees which may be  
14          required in order to use the Oklahoma Route 66  
15          Association, Inc., logo or design. The licensing  
16          agreement shall provide for a payment to the Oklahoma  
17          Route 66 Association, Inc., of not more than Twenty  
18          Dollars (\$20.00) for each motorcycle license plate  
19          issued;

20        9. Heart of the Heartland License Plate - such plates shall be  
21        designed and issued to any person wishing to honor the victims of  
22        the terrorist bombing attack on the Alfred P. Murrah Federal  
23        Building in downtown Oklahoma City on April 19, 1995. As provided  
24        in this section, an amount of the fee collected shall be deposited

1 in the Heart of the Heartland Scholarship Fund, as established in  
2 Section 2282 of Title 70 of the Oklahoma Statutes;

3 10. Emergency Medical Technician License Plate - such plates  
4 shall be designed and issued to any person who is an emergency  
5 medical technician. Such persons may apply for an emergency medical  
6 technician license plate for each vehicle with a rated carrying  
7 capacity of one (1) ton or less upon proof of an emergency medical  
8 technician's license. The license plate shall be designed in  
9 consultation with the state association of emergency medical  
10 technicians. As provided in this section, an amount of the fee  
11 collected shall be apportioned to the Emergency Medical Personnel  
12 Death Benefit Revolving Fund created in Section 1-2505.2 of Title 63  
13 of the Oklahoma Statutes;

14 11. Fight Breast Cancer License Plate - such plates shall be  
15 designed to demonstrate support for the prevention and treatment of  
16 breast cancer in this state. As provided in this section, an amount  
17 of the fee collected shall be apportioned to the Breast Cancer Act  
18 Revolving Fund;

19 12. Crime Victims Awareness License Plate - such plates shall  
20 be designed and issued to any person wishing to demonstrate  
21 awareness of and support for victims of crimes. The license plates  
22 shall be designed in consultation with the Oklahoma Crime Victims  
23 Centre. As provided in this section, an amount of the fee collected  
24 shall be apportioned to the Attorney General's Revolving Fund for

1 the Office of the Attorney General, which is hereby directed to use  
2 such funds to contract with a statewide nonprofit organization to  
3 provide services to crime victims;

4 13. Oklahoma Safe Kids Association License Plate - such plates  
5 shall be designed and issued to any person wishing to demonstrate  
6 support and awareness of the Oklahoma Safe Kids Association. The  
7 license plate shall be designed in consultation with the Oklahoma  
8 Safe Kids Association. As provided in this section, an amount of  
9 the fee collected shall be deposited in the Children's Hospital -  
10 Oklahoma Safe Kids Association Revolving Fund to be distributed to  
11 the Oklahoma Safe Kids Association program;

12 14. Four-H Club License Plate - such plates shall be designed,  
13 subject to criteria to be presented to the Tax Commission by the  
14 Four-H Foundation, and issued to any person wishing to demonstrate  
15 support of the Four-H Club. Such plates may be designed and issued  
16 to any person as for personalized license plates. As provided in  
17 this section, an amount of the fee collected shall be apportioned to  
18 the OSU Extension Service License Plate Revolving Fund created in  
19 Section 1104.4 of this title;

20 15. Agricultural Awareness License Plate - such plates shall be  
21 designed, subject to criteria to be presented to the Tax Commission,  
22 by the Oklahoma Department of Agriculture, Food, and Forestry in  
23 consultation with the Oklahoma Arts Council, and issued to any  
24 person wishing to demonstrate support of the Department's Ag in the



1 Classroom Education Program. As provided in this section, an amount  
2 of the fee collected shall be apportioned as provided in Section  
3 1104.3 of this title;

4 16. Oklahoma Statehood Centennial License Plate - such plates  
5 shall be designed and issued to any person wishing to commemorate  
6 the centennial of Oklahoma's admission to statehood in 1907. The  
7 license plates shall be designed in consultation with the Oklahoma  
8 Capitol Complex and Centennial Commemoration Commission. As  
9 provided in this section, an amount of the fee collected shall be  
10 deposited in the Oklahoma Capitol Complex and Centennial  
11 Commemoration Commission Revolving Fund created in Section 98.5 of  
12 Title 73 of the Oklahoma Statutes;

13 17. Support Education License Plate - such plates shall be  
14 designed, subject to criteria to be presented to the Tax Commission  
15 by the State Department of Education in consultation with the  
16 Oklahoma Arts Council, and issued to any person wishing to  
17 demonstrate support for education in this state. All motor license  
18 agents shall display a sample of the Support Education License plate  
19 in the area of the business accessed by the public. Twenty-three  
20 Dollars (\$23.00) of the fee collected shall be apportioned as  
21 follows:

22 a. five percent (5%) shall be deposited to the Education  
23 Reform Revolving Fund,  
24

- 1           b.    five percent (5%) shall be deposited to the Higher  
2               Education Revolving Fund,  
3           c.    five percent (5%) shall be deposited to the State  
4               Career Technology Fund, and  
5           d.    eighty-five percent (85%) of the fee shall be  
6               deposited to the Teachers' Retirement Benefit Fund as  
7               set forth in Section 17-108 of Title 70 of the  
8               Oklahoma Statutes.

9           However, when the Teachers' Retirement Benefit Fund attains a  
10          seventy percent (70%) funded ratio based on an annual actuarial  
11          valuation as required by law, the amount of the fee shall be  
12          apportioned equally pursuant to subparagraphs a, b and c of this  
13          paragraph;

14          18.   Retired Oklahoma Highway Patrol Officers License Plate -  
15          such plates shall be designed and issued to any retired officer of  
16          the Oklahoma Highway Patrol. The license plate shall have the  
17          legend "Oklahoma" and shall contain, in the center of the plate, the  
18          Highway Patrol Officers patch using the same colors and pattern as  
19          used in the patch. Centered on the bottom of the license plate  
20          shall be the word "Retired". The letters "TRP" shall be used in  
21          combination with three numbers on either side of the insignia or  
22          emblem. The color of the letters and numbers shall be brown.  
23          Retirees who are eligible for such plates shall provide proof of  
24          eligibility upon initial application, but shall not be required to

1 provide proof of eligibility annually. The surviving spouse of any  
2 deceased retired officer of the Oklahoma Highway Patrol, if the  
3 spouse has not since remarried, or if remarried, the remarriage is  
4 terminated by death, divorce, or annulment, may apply for a Retired  
5 Oklahoma Highway Patrol Officers license plate. As provided in this  
6 section, an amount of the fee collected shall be deposited into the  
7 Law Enforcement Retirement Fund;

8 19. Boy Scouts of America Supporter License Plate - such plates  
9 shall be designed and issued to any person wishing to demonstrate  
10 support for the Boy Scouts of America. The plates shall be issued  
11 to any person in any combination of numbers and letters from one to  
12 a maximum of seven, as for personalized license plates. The plate  
13 shall contain the official Boy Scouts of America logo. The Tax  
14 Commission shall be authorized, if necessary, to enter into a  
15 licensing agreement with the Boy Scouts of America for any licensing  
16 fees which may be required in order to use the Boy Scouts of America  
17 logo or design. The licensing agreement shall provide for a payment  
18 to the Boy Scouts of America of not more than Twenty Dollars  
19 (\$20.00) for each license plate issued;

20 20. Urban Forestry and Beautification License Plate - such  
21 plates shall be designed, subject to criteria to be presented to the  
22 Tax Commission, by the Oklahoma Department of Agriculture, Food, and  
23 Forestry in consultation with nonprofit organizations in this state  
24 that develop and operate programs to encourage urban forestry and

1 beautification, and issued to any person wishing to demonstrate  
2 support of such programs. As provided in this section, an amount of  
3 the fee collected shall be apportioned as provided in Section 1104.5  
4 of this title;

5 21. Oklahoma State Parks Supporter License Plate - such plates  
6 shall be designed, subject to criteria to be presented to the Tax  
7 Commission by the Oklahoma Tourism and Recreation Department, and  
8 issued to any person wishing to demonstrate support for the Oklahoma  
9 state parks system. Twenty-three Dollars (\$23.00) of the fee  
10 collected shall be deposited in the Oklahoma Tourism and Recreation  
11 Department Revolving Fund. Such money shall be designated for and  
12 may only be expended for the support of Oklahoma state parks;

13 22. Adoption Creates Families License Plate - such plates shall  
14 be issued to any person wishing to demonstrate support of pregnant  
15 women who are committed to placing their children for adoption and  
16 wishing to provide assistance to guardians, adoptive parents and  
17 other created families to assist in the adoption and placement of  
18 children in permanent, safe homes. The license plates shall be  
19 designed and final terminology delivered in consultation with the  
20 Oklahoma Adoption Coalition and the Department of Human Services.  
21 Twenty-five Dollars (\$25.00) of the fee collected shall be deposited  
22 in a revolving fund established in the State Treasury for and to be  
23 used by the Department of Human Services for the implementation of  
24

1 the Investing in Stronger Oklahoma Families Act specifically for  
2 created families;

3 23. Choose Life License Plate - such plates shall be designed,  
4 subject to criteria presented to the Tax Commission, by Choose Life,  
5 Inc., and issued to any person who wishes to demonstrate support of  
6 organizations that encourage adoption as a positive choice for women  
7 with unplanned pregnancies. As provided in this section, an amount  
8 of the fee collected shall be deposited in the Choose Life  
9 Assistance Program Revolving Fund established in Section 1104.6 of  
10 this title;

11 24. Future Farmers of America License Plate - such plates shall  
12 be designed and issued to persons wishing to demonstrate support for  
13 the Oklahoma FFA (formerly known as Future Farmers of America). The  
14 license plates shall be designed in consultation with the Oklahoma  
15 FFA Foundation Board of Directors. As provided in this section, an  
16 amount of the fee collected shall be apportioned as provided in  
17 Section 1104.7 of this title;

18 25. Lions Club License Plate - such plates shall be designed  
19 and issued to persons wishing to demonstrate support for the Lions  
20 Club of Oklahoma. The plates shall be issued to any person in any  
21 combination of numbers and letters from one to a maximum of seven,  
22 as for personalized license plates. The license plates shall be  
23 designed in consultation with the Oklahoma Lions Service Foundation  
24 and shall contain the official logo of the International Association

1 of Lions Clubs. The Tax Commission shall be authorized to enter  
2 into a licensing agreement with the Oklahoma Lions Service  
3 Foundation. The licensing agreement shall provide for a payment to  
4 the Oklahoma Lions Service Foundation of not more than Ten Dollars  
5 (\$10.00) for each license plate issued;

6 26. Color Oklahoma License Plate - such plates shall be  
7 designed, subject to criteria to be presented to the Tax Commission  
8 by the Oklahoma Native Plant Society, and issued to any person  
9 wishing to demonstrate support for preserving and planting  
10 wildflowers and native plants in Oklahoma and to promote Oklahoma's  
11 wildflower heritage through education. As provided in this section,  
12 an amount of the fee collected shall be apportioned as provided in  
13 Section 1104.8 of this title;

14 27. Girl Scouts of the United States of America Supporter  
15 License Plate - such plates shall be designed and issued to any  
16 person wishing to demonstrate support for the Girl Scouts of the  
17 United States of America. The plates shall be issued to any person  
18 in any combination of numbers and letters from one to a maximum of  
19 seven, as for personalized license plates. The plate shall contain  
20 the official Girl Scouts of the United States of America logo. The  
21 Tax Commission shall be authorized, if necessary, to enter into a  
22 licensing agreement with the Girl Scouts of the United States of  
23 America for any licensing fees which may be required in order to use  
24 the Girl Scouts of the United States of America logo or design. The

1 licensing agreement shall provide for a payment to the Girl Scouts  
2 of Magic Empire Council, acting on behalf of all Oklahoma Girl Scout  
3 councils, of not more than Twenty Dollars (\$20.00) for each license  
4 plate issued;

5 28. Oklahoma City Memorial Marathon License Plate - such plates  
6 shall be designed and issued to any person wishing to demonstrate  
7 support for the Oklahoma City Memorial Marathon. The plate shall be  
8 designed in consultation with the Oklahoma City Memorial Marathon.  
9 The Tax Commission shall be authorized to enter into a licensing  
10 agreement with the Oklahoma City Memorial Marathon for any licensing  
11 fees which may be required in order to use the Oklahoma City  
12 Memorial Marathon logo or design. The licensing agreement shall  
13 provide for a payment to the Oklahoma City Memorial Marathon of not  
14 more than Twenty Dollars (\$20.00) for each license plate issued;

15 29. Oklahoma Scenic Rivers License Plate - such plates shall be  
16 designed to demonstrate support for the Oklahoma Scenic Rivers. The  
17 plates shall be designed in consultation with the Oklahoma Scenic  
18 Rivers Commission. Twenty-five Dollars (\$25.00) of the fee shall be  
19 apportioned to the Oklahoma Scenic Rivers Commission;

20 30. Fight Cancer License Plate - such plates shall be designed  
21 to demonstrate support for the Oklahoma Central Cancer Registry.  
22 The plate shall contain the American Cancer Society logo. The  
23 American Cancer Society logo shall be used in accordance with the  
24 American Cancer Society's branding guidelines and shall only be

1 utilized to support the Oklahoma Central Cancer Registry. Twenty  
2 Dollars (\$20.00) of the fee shall be apportioned to the Oklahoma  
3 Central Cancer Registry Revolving Fund;

4 31. Animal Friendly License Plate - such plates shall be  
5 designed and issued to any person wishing to demonstrate support for  
6 controlling the overpopulation of dogs and cats through educational  
7 and sterilization efforts. The plates shall be designed in  
8 consultation with the Veterinary Medical Association. Twenty  
9 Dollars (\$20.00) of the fee collected shall be designated by the  
10 purchaser of the plate to be deposited in the Oklahoma Pet  
11 Overpopulation Fund created in Section 2368.13 of Title 68 of the  
12 Oklahoma Statutes or the Animal Friendly Revolving Fund created in  
13 Section 1104.10 of this title;

14 32. Patriot License Plate - such plates shall be designed in  
15 consultation with the Military Department of Oklahoma and issued to  
16 any person wishing to demonstrate support for Oklahoma residents who  
17 are members of the Oklahoma National Guard and deployed on active  
18 duty. The plates shall be issued to any person in any combination  
19 of numbers and letters from one to a maximum of seven, as for  
20 personalized license plates. As provided in this section, a portion  
21 of the fee collected shall be deposited in the Patriot License Plate  
22 Revolving Fund created in Section 1104.11 of this title;

23 33. Global War on Terrorism License Plate - such plate shall be  
24 designed in consultation with the Military Department of Oklahoma



1 and issued to any person wishing to demonstrate support for Oklahoma  
2 residents who are members of the Armed Forces of the United States  
3 or Oklahoma National Guard that have served in the Global War on  
4 Terrorism. The plate shall be issued to any person in any  
5 combination of numbers and letters from one to a maximum of six. As  
6 provided in this section, a portion of the fee collected shall be  
7 deposited in the 45th Infantry Division Museum Fund created in  
8 Section 235.1 of Title 44 of the Oklahoma Statutes;

9 34. Boys and Girls Clubs of America Supporter License Plate -  
10 such plates shall be designed and issued to any person wishing to  
11 demonstrate support for the Boys and Girls Clubs of America. The  
12 plates shall be issued to any person in any combination of numbers  
13 and letters from one to a maximum of seven, as for personalized  
14 license plates. The plate shall contain the official Boys and Girls  
15 Clubs of America logo. The Tax Commission, if necessary, may enter  
16 into a licensing agreement with the Boys and Girls Clubs of America  
17 for any licensing fees which may be required in order to use the  
18 Boys and Girls Clubs of America logo or design. The licensing  
19 agreement shall provide for a payment to the Boys and Girls Clubs of  
20 America of not more than Twenty Dollars (\$20.00) for each license  
21 plate issued;

22 35. Oklahoma Quarter Horse License Plate - such plates shall be  
23 designed and issued to any person wishing to demonstrate support for  
24 the American Quarter Horse in Oklahoma. The plate shall be designed

1 in consultation with the Oklahoma Quarter Horse Association. As  
2 provided in this section, a portion of the fee collected shall be  
3 deposited in the Oklahoma Quarter Horse Revolving Fund created in  
4 Section 1104.12 of this title;

5 36. Oklahoma Association for the Deaf License Plate - such  
6 plates shall be designed in consultation with the Oklahoma  
7 Association for the Deaf and issued to any person wishing to  
8 demonstrate support for Oklahoma residents who are deaf. The plates  
9 shall be issued to any person in any combination of numbers and  
10 letters from one to a maximum of seven, as for personalized license  
11 plates. As provided in this section, a portion of the fee collected  
12 shall be deposited in the Oklahoma Association for the Deaf License  
13 Plate Revolving Fund created in Section 1104.15 of this title;

14 37. Oklahoma City Zoo License Plate - such plates shall be  
15 issued to any person wishing to demonstrate support for the Oklahoma  
16 City Zoo. The license plates shall be designed in consultation with  
17 the Oklahoma Zoological Society, Inc. As provided in this section,  
18 an amount of the fee collected shall be deposited in the Oklahoma  
19 Zoological Society Revolving Fund created in Section 1104.13 of this  
20 title;

21 38. March of Dimes License Plate - such plates shall be issued  
22 to persons wishing to demonstrate support for the March of Dimes  
23 mission to improve the health of babies by preventing birth defects,  
24 premature birth and infant mortality. The license plates shall be

1 designed in consultation with the Oklahoma Chapter March of Dimes.  
2 As provided in this section, an amount of the fee collected shall be  
3 deposited in the Oklahoma Prevent Birth Defects, Premature Birth and  
4 Infant Mortality Fund established in Section 1104.14 of this title;

5 39. Support Our Troops Supporter License Plate - such plates  
6 shall be designed and issued to any person wishing to demonstrate  
7 support for Support Our Troops Incorporated. The plates shall be  
8 issued to any person in any combination of numbers and letters from  
9 one to a maximum of six. The plate shall contain the official  
10 Support Our Troops Incorporated logo which includes the mark  
11 "Support Our Troops" across the bottom of the plate. The Tax  
12 Commission, if necessary, may enter into a licensing agreement with  
13 Support Our Troops Incorporated for any licensing fees which may be  
14 required in order to use the Support Our Troops Incorporated logo or  
15 design. The licensing agreement shall provide for a payment to  
16 Support Our Troops Incorporated of Twenty-five Dollars (\$25.00) for  
17 each license plate issued;

18 40. Folds of Honor Supporter License Plate - such plates shall  
19 be authorized to be designed and issued to any person wishing to  
20 demonstrate support for Oklahoma City Chapter of Folds of Honor  
21 Incorporated, a nonprofit charitable organization exempt from  
22 taxation pursuant to the provisions of the Internal Revenue Code, 26  
23 U.S.C., Section 501(c)(3), providing ~~academic and vocational~~  
24 ~~training~~ educational scholarships to ~~dependents~~ spouses and children

1 of ~~military servicemen and servicewomen who were either killed or~~  
2 ~~wounded in action due to military service in the war in Iraq or~~  
3 ~~Afghanistan~~ America's fallen and disabled military service members.  
4 The plates shall be issued to any person in any combination of  
5 numbers and letters from one to a maximum of six. The plate shall  
6 be designed in consultation with the Oklahoma City Chapter of Folds  
7 of Honor Incorporated and shall contain the official Folds of Honor  
8 Incorporated logo which includes the mark "Folds of Honor" across  
9 the bottom of the plate. The Tax Commission, if necessary, may  
10 enter into a licensing agreement with Folds of Honor Incorporated  
11 for any licensing fees which may be required in order to use the  
12 Folds of Honor Incorporated logo or design. The licensing agreement  
13 shall provide for a payment to Folds of Honor Incorporated of  
14 Twenty-five Dollars (\$25.00) for each license plate issued. Subject  
15 to the provisions of subsection A of this section, the Folds of  
16 Honor Supporter License Plate is hereby reauthorized effective  
17 November 1, 2018;

18 41. Downed Bikers Association License Plate - such plates shall  
19 be designed and issued to any person wishing to demonstrate support  
20 for the Downed Bikers Association, a nonprofit charitable  
21 organization exempt from taxation pursuant to the provisions of the  
22 Internal Revenue Code, 26 U.S.C., Section 501(c)(3), which provides  
23 emotional and financial support for downed bikers. The license  
24 plate shall be designed in consultation with the Central Oklahoma

1 Chapter of the Downed Bikers Association and shall contain any  
2 official logo or design of the organization. The Tax Commission, if  
3 necessary, may enter into a licensing agreement with the Downed  
4 Bikers Association for any licensing fees which may be required in  
5 order to use the organization's logo or design. The licensing  
6 agreement shall provide for a payment to the Downed Bikers  
7 Association of not more than Twenty Dollars (\$20.00) for each  
8 license plate;

9 42. Armed Forces Veterans Motorcycle License Plate - such  
10 plates shall be designed for use on a motorcycle in consultation  
11 with A Brotherhood Aiming Toward Education of Oklahoma, Inc.  
12 (ABATE), and issued to any honorably discharged former member of the  
13 United States Armed Forces wishing to demonstrate support for the  
14 45th Infantry Division Museum. Persons applying for such license  
15 plate must show proof of past military service. As provided in this  
16 section, a portion of the fee collected shall be deposited in the  
17 45th Infantry Division Museum Fund created in Section 235.1 of Title  
18 44 of the Oklahoma Statutes;

19 43. Buffalo Soldier License Plate - such plates shall be issued  
20 to any person wishing to honor and celebrate the history and  
21 contribution of the Buffalo Soldiers. The license plates shall be  
22 designed in consultation with the Lawton-Fort Sill Chapter of the  
23 Buffalo Soldiers 9th and 10th (Horse) Cavalry Association. As  
24 provided in this section, an amount of the fee collected shall be

1 deposited in the Buffalo Soldier License Plate Revolving Fund  
2 created in Section 1104.16 of this title;

3       44. Prevent Blindness Oklahoma License Plate - such plates  
4 shall be issued to any person wishing to provide financial support  
5 for vision screening of school age children in this state. The  
6 license plates shall be designed in consultation with Prevent  
7 Blindness Oklahoma. As provided in this section, an amount of the  
8 fee collected shall be deposited in the Prevent Blindness Oklahoma  
9 License Plate Revolving Fund created in Section 1104.17 of this  
10 title;

11       45. Oklahoma State Capitol Restoration License Plate - such  
12 plates shall be designed and issued to any person wishing to  
13 demonstrate support for restoration of the Oklahoma State Capitol  
14 building. The license plates shall be designed in consultation with  
15 the Friends of the Capitol corporation, created pursuant to Section  
16 15.4 of Title 73 of the Oklahoma Statutes and the State Capitol  
17 Preservation Commission created pursuant to Section 4102 of Title 74  
18 of the Oklahoma Statutes. As provided in this section, an amount of  
19 the fee collected shall be deposited in the Oklahoma Friends of the  
20 Capitol License Plate Revolving Fund established in Section 1104.18  
21 of this title;

22       46. Eastern Red Cedar Tree License Plate - such plates shall be  
23 designed, subject to criteria to be presented to the Tax Commission  
24 and issued to any person wishing to demonstrate support for the

1 removal of Eastern Red Cedar trees from lands in the state and to  
2 develop marketable uses for the harvested trees. The license plate  
3 shall be designed in consultation with the Eastern Red Cedar  
4 Registry Board. Twenty-three Dollars (\$23.00) of the fee collected  
5 shall be deposited in the Eastern Red Cedar Revolving Fund created  
6 in Section 18-407 of Title 2 of the Oklahoma Statutes. The money  
7 shall be designated for and may only be expended for the purposes as  
8 set forth in the Eastern Red Cedar Registry Board Act;

9 47. Pancreatic Cancer Research License Plate - such plates  
10 shall be issued to any person wishing to provide financial support  
11 for the University of Oklahoma Foundation, Pancreatic Cancer  
12 Research Fund. The plates shall be issued to any person in any  
13 combination of numbers and letters from one to a maximum of six.  
14 The license plates shall be designed in consultation with the  
15 University of Oklahoma Foundation, Pancreatic Cancer Research Fund.  
16 As provided in this section, an amount of the fee collected shall be  
17 deposited in the Pancreatic Cancer Research License Plate Revolving  
18 Fund created in Section 1104.19 of this title;

19 48. Alzheimer's Research License Plate - such plates shall be  
20 issued to any person wishing to provide financial support for the  
21 Oklahoma Chapter of the Alzheimer's Association. The license plates  
22 shall be designed in consultation with the Oklahoma Chapter of the  
23 Alzheimer's Association. As provided in this section, an amount of  
24 the fee collected shall be deposited in the Alzheimer's Research

1 License Plate Revolving Fund created in Section 1104.20 of this  
2 title;

3 49. Hospice and Palliative Care License Plate - such plates  
4 shall be issued to any person wishing to provide financial support  
5 for the Oklahoma Hospice and Palliative Care Association. The  
6 license plates shall be designed in consultation with the Oklahoma  
7 Hospice and Palliative Care Association. As provided in this  
8 section, an amount of the fee collected shall be deposited in the  
9 Hospice and Palliative Care License Plate Revolving Fund created in  
10 Section 1104.21 of this title;

11 50. Juvenile Diabetes Research License Plate - such plates  
12 shall be issued to any person wishing to provide financial support  
13 for the Oklahoma Chapters of the Juvenile Diabetes Research  
14 Foundation. The license plates shall be designed in consultation  
15 with the Oklahoma Chapters of the Juvenile Diabetes Research  
16 Foundation. As provided in this section, an amount of the fee  
17 collected shall be deposited in the Juvenile Diabetes Research  
18 License Plate Revolving Fund created in Section 1104.22 of this  
19 title;

20 51. Deer Creek Schools Foundation License Plate - such plates  
21 shall be issued to any person wishing to provide financial support  
22 for the Deer Creek Schools Foundation. The license plates shall be  
23 designed in consultation with the Deer Creek Schools Foundation.  
24 The plates shall be issued to any person in any combination of



1 numbers and letters from one to a maximum of seven, as for  
2 personalized license plates. As provided in this section, an amount  
3 of the fee collected shall be deposited in the Deer Creek Schools  
4 Foundation License Plate Revolving Fund created in Section 1104.23  
5 of this title;

6 52. Lupus Awareness and Education License Plate - such plates  
7 shall be issued to any person wishing to provide financial support  
8 for the Lupus Foundation of Oklahoma. The license plates shall be  
9 designed in consultation with the Lupus Foundation of Oklahoma. As  
10 provided in this section, an amount of the fee collected shall be  
11 deposited in the Oklahoma Lupus License Plate Revolving Fund created  
12 in Section 1104.24 of this title. Subject to the provisions of  
13 subsection A of this section, the Lupus Awareness and Education  
14 License Plate is hereby reauthorized effective November 1, ~~2015~~  
15 2018;

16 53. Chiefs of Police License Plate - such plates shall be  
17 issued to any person wishing to provide financial support for the  
18 Oklahoma Association of Chiefs of Police for a vehicle or motorcycle  
19 in any combination of numbers and letters from one to a maximum of  
20 seven, as for personalized plates. The license plates shall be  
21 designed in consultation with the Oklahoma Association of Chiefs of  
22 Police. The license plate for a motorcycle may be of similar design  
23 as space permits or a new design in order to meet the space  
24 requirements of a motorcycle license plate. The Tax Commission

1 shall be authorized to enter into a licensing agreement with the  
2 Oklahoma Association of Chiefs of Police for any licensing fees  
3 which may be required in order to use the association's logo or  
4 design. The licensing agreement shall provide for a payment to the  
5 Oklahoma Association of Chiefs of Police of not more than Twenty  
6 Dollars (\$20.00) for each license plate issued. Subject to the  
7 provisions of subsection A of this section, the Chiefs of Police  
8 License Plate is hereby reauthorized effective November 1, 2015;

9 54. Crossings Christian School License Plate - such plates  
10 shall be designed and issued to any person wishing to demonstrate  
11 support for Crossings Christian School located in Oklahoma City.  
12 The license plates shall be designed in consultation with the  
13 administration of Crossings Christian School. The Tax Commission  
14 shall be authorized to enter into a licensing agreement with  
15 Crossings Christian School for any licensing fees which may be  
16 required in order to use the school's logo or design. The licensing  
17 agreement shall provide for a payment to the Crossings Christian  
18 School of not more than Twenty Dollars (\$20.00) for each license  
19 plate issued;

20 55. Hilldale Education Foundation License Plate - such plates  
21 shall be designed and issued to any person wishing to demonstrate  
22 support for the Hilldale Education Foundation. The license plates  
23 shall be designed in consultation with the administration of the  
24 Hilldale Education Foundation. The Tax Commission shall be

1 authorized to enter into a licensing agreement with the Hilldale  
2 Education Foundation for any licensing fees which may be required in  
3 order to use the foundation's logo or design. The licensing  
4 agreement shall provide for a payment to the Hilldale Education  
5 Foundation of not more than Twenty Dollars (\$20.00) for each license  
6 plate issued;

7 56. Oklahoma Nurses License Plate - such plates shall be issued  
8 to any person licensed pursuant to the Oklahoma Nursing Practice Act  
9 and providing such documentation of current licensure as may be  
10 required by the Oklahoma Tax Commission. The license plates shall  
11 be designed in consultation with the Oklahoma Nurses Association.  
12 As provided in this section, an amount of the fee collected shall be  
13 deposited in the Oklahoma Nurses License Plate Revolving Fund  
14 created in Section 1104.26 of this title;

15 57. Oklahoma Sports Hall of Fame License Plate - such plates  
16 shall be issued to any person wishing to demonstrate support for the  
17 Oklahoma Sports Hall of Fame. The license plates shall be designed  
18 in consultation with the administration of the Oklahoma Sports Hall  
19 of Fame. The Oklahoma Tax Commission shall be authorized to enter  
20 into a licensing agreement with the Oklahoma Sports Hall of Fame for  
21 any licensing fees which may be required in order to use the Hall of  
22 Fame's logo or design. The licensing agreement shall provide for a  
23 payment to the Oklahoma Sports Hall of Fame of not more than Twenty  
24 Dollars (\$20.00) for each license plate issued;

1        58. Childhood Cancer Awareness License Plate - such plates  
2 shall be issued to any person wishing to demonstrate support for the  
3 Oklahoma Children's Cancer Association. The license plates shall be  
4 designed in consultation with the administration of the Oklahoma  
5 Children's Cancer Association. The Oklahoma Tax Commission shall be  
6 authorized to enter into a licensing agreement with the Oklahoma  
7 Children's Cancer Association for any licensing fees which may be  
8 required in order to use the Oklahoma Children's Cancer  
9 Association's logo or design. The licensing agreement shall provide  
10 for a payment to the Oklahoma Children's Cancer Association of not  
11 more than Twenty Dollars (\$20.00) for each license plate issued;

12        59. Oklahoma Educational Television Authority License Plate -  
13 such plates shall be designed and issued to any person wishing to  
14 demonstrate support for the Oklahoma Educational Television  
15 Authority and such plates shall be designed in consultation with the  
16 Authority. As provided in this section, an amount of the fee  
17 collected shall be deposited in the Educational Television Authority  
18 Revolving Fund created in Section 156 of Title 62 of the Oklahoma  
19 Statutes;

20        60. Remembering Fallen Heroes License Plate - such plates shall  
21 be designed and issued to any person wishing to demonstrate support  
22 for Concerns of Police Survivors, Inc. Such plates shall be  
23 designed in consultation with the Oklahoma chapter of Concerns of  
24 Police Survivors, Inc. As provided in this section, an amount of

1 the fee collected shall be deposited in the Oklahoma Concerns of  
2 Police Survivors License Plate Revolving Fund created in Section  
3 1104.27 of this title;

4 61. Disabled American Veterans License Plate - such plates  
5 shall be designed in consultation with the Disabled American  
6 Veterans Department of Oklahoma and issued to any member of the  
7 organization wishing to demonstrate support. The Tax Commission  
8 shall be authorized to enter into a licensing agreement with the  
9 Disabled American Veterans Department of Oklahoma for any licensing  
10 fees which may be required in order to use the organization's logo  
11 or design. The licensing agreement shall provide for a payment to  
12 the Disabled American Veterans Department of Oklahoma of not more  
13 than Twenty Dollars (\$20.00) for each license plate issued. The  
14 plates shall incorporate a numbering system agreed upon by the  
15 Disabled American Veterans Department of Oklahoma and the Tax  
16 Commission;

17 62. Owasso Rams Supporter License Plate - such plates shall be  
18 designed and issued to any person wishing to demonstrate support for  
19 the Owasso Rams, and shall be designed in consultation with  
20 representatives of Owasso Schools. The plates shall be issued to  
21 any person in any combination of numbers and letters from one to a  
22 maximum of seven, as for personalized license plates. As provided  
23 in this section, an amount of the fee collected shall be deposited  
24

1 in the Education Reform Revolving Fund created in Section 34.89 of  
2 Title 62 of the Oklahoma Statutes;

3 63. Collinsville Cardinals Supporter License Plate - such  
4 plates shall be designed and issued to any person wishing to  
5 demonstrate support for the Collinsville Cardinals, and shall be  
6 designed in consultation with representatives of Collinsville  
7 Schools. The plates shall be issued to any person in any  
8 combination of numbers and letters from one to a maximum of seven,  
9 as for personalized license plates. As provided in this section, an  
10 amount of the fee collected shall be deposited in the Education  
11 Reform Revolving Fund created in Section 34.89 of Title 62 of the  
12 Oklahoma Statutes;

13 64. Sperry Pirates Supporter License Plate - such plates shall  
14 be designed and issued to any person wishing to demonstrate support  
15 for the Sperry Pirates, and shall be designed in consultation with  
16 representatives of Sperry Schools. The plates shall be issued to  
17 any person in any combination of numbers and letters from one to a  
18 maximum of seven, as for personalized license plates. As provided  
19 in this section, an amount of the fee collected shall be deposited  
20 in the Education Reform Revolving Fund created in Section 34.89 of  
21 Title 62 of the Oklahoma Statutes;

22 65. Skiatook Bulldogs Supporter License Plate - such plates  
23 shall be designed and issued to any person wishing to demonstrate  
24 support for the Skiatook Bulldogs, and shall be designed in

1 consultation with representatives of Skiatook Schools. The plates  
2 shall be issued to any person in any combination of numbers and  
3 letters from one to a maximum of seven, as for personalized license  
4 plates. As provided in this section, an amount of the fee collected  
5 shall be deposited in the Education Reform Revolving Fund created in  
6 Section 34.89 of Title 62 of the Oklahoma Statutes;

7       66. Rejoice Christian Eagles Supporter License Plate - such  
8 plates shall be designed and issued to any person wishing to  
9 demonstrate support for the Rejoice Christian Eagles, and shall be  
10 designed in consultation with representatives of Rejoice Christian  
11 Schools. 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 Education  
15 Reform Revolving Fund created in Section 34.89 of Title 62 of the  
16 Oklahoma Statutes;

17       67. East Central Cardinals Supporter License Plate - such  
18 plates shall be designed and issued to any person wishing to  
19 demonstrate support for the East Central Cardinals, and shall be  
20 designed in consultation with representatives of East Central  
21 Schools. The plates shall be issued to any person in any  
22 combination of numbers and letters from one to a maximum of seven,  
23 as for personalized license plates. As provided in this section, an  
24 amount of the fee collected shall be deposited in the Education

1 Reform Revolving Fund created in Section 34.89 of Title 62 of the  
2 Oklahoma Statutes;

3 68. Southeast Spartans Supporter License Plate - such plates  
4 shall be designed and issued to any person wishing to demonstrate  
5 support for the Southeast Spartans, and shall be designed in  
6 consultation with the Southeast High School Alumni Association. The  
7 plates shall be issued to any person in any combination of numbers  
8 and letters from one to a maximum of seven, as for personalized  
9 license plates. As provided in this section, an amount of the fee  
10 collected shall be deposited in the Education Reform Revolving Fund  
11 created in Section 34.89 of Title 62 of the Oklahoma Statutes;

12 69. Sooner State ABATE License Plate - such plates shall be  
13 issued to any person wishing to provide financial support for Sooner  
14 State ABATE. The license plates shall be designed in consultation  
15 with Sooner State ABATE. The plates shall be issued to any person  
16 in any combination of numbers and letters from one to a maximum of  
17 seven, as for personalized plates. The license plate for a  
18 motorcycle may be of similar design as space permits or a new design  
19 in order to meet the space requirements of a motorcycle license  
20 plate. The Tax Commission shall be authorized to enter into a  
21 licensing agreement with Sooner State ABATE for any licensing fees,  
22 which may be required in order to use the association's logo or  
23 design. The licensing agreement shall provide for a payment to  
24



1 Sooner State ABATE of not more than Twenty Dollars (\$20.00) for each  
2 license plate issued;

3 70. Oklahoma License to Educate License Plate - such plates  
4 shall be designed and issued to any person wishing to demonstrate  
5 support for Oklahoma educators. Such plates shall be designed in  
6 consultation with the State Department of Education. As provided in  
7 this section, an amount of the fee collected shall be deposited in  
8 the Oklahoma Teacher Recruitment Revolving Fund created in Section  
9 6-132 of Title 70 of the Oklahoma Statutes;

10 ~~70.~~ 71. Piedmont Education Foundation License Plate - such  
11 plates shall be designed and issued to any person wishing to  
12 demonstrate support for the Piedmont Public Schools Education  
13 Foundation. Such plates shall be designed in consultation with the  
14 Foundation. As provided in this section, an amount of the fee  
15 collected shall be deposited in the Piedmont Public Schools  
16 Education Foundation License Plate Revolving Fund created in Section  
17 1104.28 of this title;

18 ~~71.~~ 72. The Pride of Oklahoma License Plate - such plates shall  
19 be designed and issued to any person wishing to demonstrate support  
20 for the University of Oklahoma Marching Band and shall be designed  
21 in consultation with the University of Oklahoma Marching Band. The  
22 Oklahoma Tax Commission shall be authorized to enter into a  
23 licensing agreement with the University of Oklahoma or the  
24 University of Oklahoma Marching Band for any licensing fees which

1 may be required in order to use the applicable logo or design. The  
2 licensing agreement shall provide for a payment to the Pride of  
3 Oklahoma Fund at the University of Oklahoma Foundation, Inc. of not  
4 more than Twenty Dollars (\$20.00) for each license plate issued;

5 ~~72.~~ 73. Jenks Trojans License Plate - such plates shall be  
6 designed and issued to any person wishing to demonstrate support for  
7 the Jenks School District. The license plates shall be designed in  
8 consultation with the administration of the Jenks School District.  
9 The Tax Commission shall be authorized to enter into a licensing  
10 agreement with the Jenks School District for any licensing fees  
11 which may be required in order to use the school district's logo or  
12 design. The licensing agreement shall provide for a payment to the  
13 Jenks School District of not more than Twenty Dollars (\$20.00) for  
14 each license plate issued;

15 ~~73.~~ 74. Bixby Spartans License Plate - such plates shall be  
16 designed and issued to any person wishing to demonstrate support for  
17 the Bixby School District. The license plates shall be designed in  
18 consultation with the administration of the Bixby School District.  
19 The Tax Commission shall be authorized to enter into a licensing  
20 agreement with the Bixby School District for any licensing fees  
21 which may be required in order to use the school district's logo or  
22 design. The licensing agreement shall provide for a payment to the  
23 Bixby School District of not more than Twenty Dollars (\$20.00) for  
24 each license plate issued;

1       ~~74.~~ 75. Oklahoma Aeronautics Commission License Plate - such  
2 plates shall be designed and issued to any person wishing to  
3 demonstrate support for the Oklahoma aviation industry and to  
4 promote awareness of aviation and aerospace. Such plates shall be  
5 designed in consultation with the Oklahoma Aeronautics Commission  
6 and shall be issued to any person in any combination of numbers and  
7 letters from one to a maximum of seven, as for personalized plates.  
8 Twenty-four Dollars (\$24.00) of the fee collected shall be deposited  
9 in the Oklahoma Aeronautics Commission Revolving Fund, for  
10 expenditure as provided in Section 91 of Title 3 of the Oklahoma  
11 Statutes;

12       ~~75.~~ 76. Ducks Unlimited License Plate - such plates shall be  
13 designed and issued to any person wishing to demonstrate support for  
14 Ducks Unlimited. Such plates shall be designed in consultation with  
15 Ducks Unlimited. The Oklahoma Tax Commission shall be authorized to  
16 enter into a licensing agreement with Ducks Unlimited for any  
17 licensing fee which may be required in order to use the Ducks  
18 Unlimited logo or design. The licensing agreement shall provide for  
19 a payment to Ducks Unlimited of not more than Twenty Dollars  
20 (\$20.00) for each license plate issued;

21       ~~76.~~ 77. Prisoner of War and Missing in Action License Plate -  
22 such plates shall be issued to any person wishing to increase  
23 awareness of those who are currently prisoners of war or missing in  
24 action and provide financial support for current veterans. The

1 license plates shall be designed in consultation with Rolling  
2 Thunder Oklahoma. As provided in this section, an amount of the fee  
3 collected shall be deposited in the Prisoner of War and Missing in  
4 Action License Plate Revolving Fund created in Section 1104.29 of  
5 this title;

6 ~~77.~~ 78. Woodward Boomers License Plate - such plates shall be  
7 designed and issued to any person wishing to demonstrate support for  
8 the Woodward School District. The license plates shall be designed  
9 in consultation with the administration of the Woodward School  
10 District. The Tax Commission shall be authorized to enter into a  
11 licensing agreement with the Woodward School District for any  
12 licensing fees which may be required in order to use the school  
13 district's logo or design. The licensing agreement shall provide  
14 for a payment to the Woodward School District of not more than  
15 Twenty Dollars (\$20.00) for each license plate issued;

16 ~~78.~~ 79. Clinton Public School Foundation License Plate - such  
17 plates shall be designed and issued to any person wishing to  
18 demonstrate support for the Clinton Public School Foundation. The  
19 license plates shall be designed in consultation with the Clinton  
20 Public School Foundation. The Tax Commission shall be authorized to  
21 enter into a licensing agreement with the Clinton Public School  
22 Foundation for any licensing fees which may be required in order to  
23 use the school foundation's logo or design. The licensing agreement  
24 shall provide for a payment to the Clinton Public School Foundation

1 of not more than Twenty Dollars (\$20.00) for each license plate  
2 issued; ~~and~~

3 ~~79.~~ 80. Navajo School Foundation License Plate - such plates  
4 shall be issued to any person wishing to demonstrate support for the  
5 Navajo School Foundation. The license plates shall be designed in  
6 consultation with the administration of the Navajo School  
7 Foundation. The Oklahoma Tax Commission shall be authorized to  
8 enter into a licensing agreement with the Navajo School Foundation  
9 for any licensing fees which may be required in order to use the  
10 Foundation's logo or design. The licensing agreement shall provide  
11 for a payment to the Navajo School Foundation of not more than  
12 Twenty Dollars (\$20.00) for each license plate issued;

13 ~~80.~~ 81. Oklahoma Music Hall of Fame Inc. License Plate - such  
14 plates shall be designed in consultation with the Oklahoma Music  
15 Hall of Fame Inc. and issued to any member of the organization  
16 wishing to demonstrate support. The Tax Commission shall be  
17 authorized to enter into a licensing agreement with the Oklahoma  
18 Music Hall of Fame Inc. 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 Oklahoma Music Hall of  
21 Fame Inc. of not more than Twenty Dollars (\$20.00) for each license  
22 plate issued. The plates shall incorporate a numbering system  
23 agreed upon by the Oklahoma Music Hall of Fame Inc. and the Tax  
24 Commission;

1       ~~81.~~ 82. Techlahoma Foundation License Plate - such plates shall  
2 be issued to any person wishing to provide financial support for the  
3 Techlahoma Foundation. The license plate shall be designed in  
4 consultation with the Techlahoma Foundation. The plate shall be  
5 issued to any person in any combination of numbers and letters from  
6 one to a maximum of seven, as for personalized plates. The Tax  
7 Commission shall be authorized to enter into a licensing agreement  
8 with the Techlahoma Foundation for any licensing fees, which may be  
9 required in order to use the association's logo or design. The  
10 licensing agreement shall provide for a payment to the Techlahoma  
11 Foundation of not more than Twenty Dollars (\$20.00) for each license  
12 plate issued;

13       ~~82.~~ 83. Bethany Public Schools Foundation License Plate - such  
14 plates shall be issued to any person wishing to demonstrate support  
15 for the Bethany Public Schools Foundation. The license plates shall  
16 be designed in consultation with the administration of the Bethany  
17 Public Schools Foundation. The Oklahoma Tax Commission shall be  
18 authorized to enter into a licensing agreement with the Bethany  
19 Public Schools Foundation for any licensing fees which may be  
20 required in order to use the Foundation's logo or design. The  
21 licensing agreement shall provide for a payment to the Bethany  
22 Public Schools Foundation of not more than Twenty Dollars (\$20.00)  
23 for each license plate issued; and  
24

1       ~~83.~~ 84. Cystic Fibrosis Foundation License Plate - such plates  
2 shall be issued to any person wishing to demonstrate support for the  
3 Cystic Fibrosis Foundation. The license plates shall be designed in  
4 consultation with the administration of the Cystic Fibrosis  
5 Foundation. The Oklahoma Tax Commission shall be authorized to  
6 enter into a licensing agreement with the Cystic Fibrosis Foundation  
7 for any licensing fees which may be required in order to use the  
8 Foundation's logo or design. The licensing agreement shall provide  
9 for a payment to the Cystic Fibrosis Foundation of not more than  
10 Twenty Dollars (\$20.00) for each license plate issued;

11       85. Down Syndrome Association of Central Oklahoma License Plate  
12 - such plates shall be designed and issued to any person wishing to  
13 demonstrate support for the Down Syndrome Association of Central  
14 Oklahoma. Such plates shall be designed in consultation with the  
15 Association. As provided in this section, an amount of the fee  
16 collected shall be deposited in the Down Syndrome Association of  
17 Central Oklahoma License Plate Revolving Fund created in Section  
18 1104.30 of this title;

19       86. Elk City Education Foundation License Plate - such plates  
20 shall be designed and issued to any person wishing to demonstrate  
21 support for the Elk City Education Foundation. Such plates shall be  
22 designed in consultation with the Foundation. As provided in this  
23 section, an amount of the fee collected shall be deposited in the  
24

1 Elk City Education Foundation License Plate Revolving Fund created  
2 in Section 1104.31 of this title;

3 87. A Brotherhood Aiming Toward Education of Oklahoma (ABATE)  
4 License Plate - such plates shall be designed and issued to any  
5 person wishing to provide financial support for ABATE of Oklahoma.  
6 Such plates shall be designed in consultation with ABATE of  
7 Oklahoma. The plates shall be issued to any person in any  
8 combination of numbers and letters from one to a maximum of seven,  
9 as for personalized plates. The license plate for a motorcycle may  
10 be of similar design as space permits or a new design in order to  
11 meet the space requirements of a motorcycle license plate. The  
12 Oklahoma Tax Commission shall be authorized to enter into a  
13 licensing agreement with ABATE of Oklahoma for any licensing fees  
14 which may be required in order to use ABATE of Oklahoma logo or  
15 design. The licensing agreement shall provide for a payment to  
16 ABATE of Oklahoma of not more than Twenty Dollars (\$20.00) for each  
17 license plate issued;

18 88. Downed Bikers Association License Plate - such plates shall  
19 be designed for a vehicle or motorcycle in any combination of  
20 numbers and letters from one to a maximum of seven, as for  
21 personalized plates, and issued to any person wishing to demonstrate  
22 support for the Downed Bikers Association, a nonprofit charitable  
23 organization exempt from taxation pursuant to the provisions of the  
24 Internal Revenue Code, 26 U.S.C., Section 501(c)(3), which provides



1 emotional and financial support for downed bikers. The license  
2 plate shall be designed in consultation with the Central Oklahoma  
3 Chapter of the Downed Bikers Association and shall contain any  
4 official logo or design of the organization. The license plate for  
5 a motorcycle may be of similar design as space permits or a new  
6 design in order to meet the space requirements of a motorcycle  
7 license plate. The Tax Commission, if necessary, may enter into a  
8 licensing agreement with the Downed Bikers Association for any  
9 licensing fees which may be required in order to use the  
10 organization's logo or design. The licensing agreement shall  
11 provide for a payment to the Downed Bikers Association of not more  
12 than Twenty Dollars (\$20.00) for each license plate;

13 89. Eagle Scout License Plate - Such plates shall be designed  
14 to demonstrate support for Eagle Scouts and shall include the Eagle  
15 Scout logo. Plates may be issued to any person who can show proof  
16 of having obtained the rank of Eagle Scout. The Oklahoma Tax  
17 Commission shall be authorized to enter into a licensing agreement  
18 with the various Oklahoma local councils for any licensing fees  
19 which may be required in order to use the applicable logo or design.  
20 The licensing agreement shall provide for a payment of not more than  
21 Twenty Dollars (\$20.00) for each license plate issued to the  
22 specific Oklahoma local area Council designated by the applicant;

23 90. Extraordinary Educators License Plate - such plates shall  
24 be designed and issued to any person wishing to provide financial

1 support for common education in Oklahoma. Such plates shall be  
2 designed in consultation with the State Department of Education.  
3 The plates shall be issued to any person in any combination of  
4 numbers and letters from one to a maximum of seven, as for  
5 personalized plates. As provided in this section, an amount of the  
6 fee collected shall be deposited in the Extraordinary Educators  
7 License Plate Revolving Fund created in Section 1104.32 of this  
8 title; and

9 91. Former Oklahoma Legislator License Plate - such plates  
10 shall be designed and issued to any person who previously served as  
11 a member of the Oklahoma House of Representatives or Oklahoma State  
12 Senate. The license plates shall be designed in consultation with  
13 the Oklahoma Historical Society. As provided in this section, an  
14 amount of the fee collected shall be deposited in the Oklahoma  
15 Historical Society Capital Improvement and Operations Revolving Fund  
16 created in Section 1.10a of Title 53 of the Oklahoma Statutes. The  
17 Tax Commission shall create and maintain a list of former members of  
18 the Oklahoma House of Representatives and Oklahoma State Senate  
19 eligible to be issued such plates; provided, that no former member  
20 of the Oklahoma House of Representatives and Oklahoma State Senate  
21 shall be eligible to possess more than two of such plates at any one  
22 time. The Tax Commission shall confer as needed with the Chief  
23 Clerk of the Oklahoma House of Representatives and the Secretary of  
24

1 the Oklahoma State Senate to confirm that such list is complete and  
2 accurate.

3 C. The fee for such plates shall be Thirty-five Dollars  
4 (\$35.00) per year of renewal and shall be in addition to all other  
5 registration fees provided by the Oklahoma Vehicle License and  
6 Registration Act. The fee shall be apportioned as follows:

7 1. Twenty Dollars (\$20.00) per year of renewal or any other  
8 amount as provided in this title of the fee shall be apportioned as  
9 provided or deposited in a fund as specified within the paragraph  
10 authorizing the special license plate;

11 2. Eight Dollars (\$8.00) per year of renewal of the fee shall  
12 be deposited in the Oklahoma Tax Commission Reimbursement Fund to be  
13 used for the administration of the Oklahoma Vehicle License and  
14 Registration Act; and

15 3. Any remaining amounts of the fee shall be apportioned as  
16 provided in Section 1104 of this title.

17 SECTION 27. REPEALER 47 O.S. 2011, Section 1135.5, as  
18 last amended by Section 1, Chapter 181, O.S.L. 2018 (47 O.S. Supp.  
19 2018, Section 1135.5), is hereby repealed.

20 SECTION 28. REPEALER 47 O.S. 2011, Section 1135.5, as  
21 last amended by Section 2, Chapter 226, O.S.L. 2018 (47 O.S. Supp.  
22 2018, Section 1135.5), is hereby repealed.

1       SECTION 29.       REPEALER       47 O.S. 2011, Section 1135.5, as  
2 last amended by Section 15, Chapter 304, O.S.L. 2018 (47 O.S. Supp.  
3 2018, Section 1135.5), is hereby repealed.

4       SECTION 30.       AMENDATORY       59 O.S. 2011, Section 161.11, as  
5 amended by Section 6, Chapter 94, O.S.L. 2018 (59 O.S. Supp. 2018,  
6 Section 161.11), is amended to read as follows:

7       Section 161.11. A. 1. Beginning January 1, 2005:

- 8           a.   a person holding an original license and who is  
9               actively engaged in the practice of chiropractic in  
10              this state shall pay to the Board of Chiropractic  
11              Examiners, on or before July 1 of each year, a renewal  
12              license fee of ~~Two Hundred Twenty-five Dollars~~  
13              ~~(\$225.00)~~ Two Hundred Seventy-five Dollars (\$275.00),  
14           b.   an inactive nonresident holding an original license to  
15               practice chiropractic in Oklahoma and who has filed a  
16               statement with the Board that the licensee is not  
17               actively engaged in the practice of chiropractic in  
18               this state and shall not engage in the practice of  
19               chiropractic in this state during the succeeding year,  
20               shall pay to the Board, on or before July 1 of each  
21               year, a renewal license fee of One Hundred Seventy-  
22               five Dollars (\$175.00),  
23           c.   an inactive resident holding an original license to  
24               practice chiropractic in Oklahoma, and who has filed,

1 or on whose behalf has been filed, a statement with  
2 the Board that because of illness, infirmity, active  
3 military service or other circumstances as approved by  
4 the Board, the licensee is unable to actively engage  
5 in the practice of chiropractic during the succeeding  
6 year, shall pay to the Board a renewal license fee of  
7 One Hundred Dollars (\$100.00), and

8 d. a person holding an original license, but who is  
9 sixty-five (65) years of age or older and who has  
10 filed a statement with the Board that the licensee is  
11 not actively engaged in the practice of chiropractic  
12 in this state and shall not engage in the practice of  
13 chiropractic in this state during the succeeding year,  
14 shall pay to the Board a renewal licensee fee of Fifty  
15 Dollars (\$50.00).

16 2. In addition, each licensee shall present to the Board  
17 satisfactory evidence that during the preceding twelve (12) months  
18 the licensee attended sixteen (16) hours of continuing education  
19 that meets the requirements of Section 161.10a of this title,  
20 provided that inactive resident licensees may, at the discretion of  
21 the Board, be exempt from this requirement.

22 3. Every chiropractic physician who is actively engaged in the  
23 practice of chiropractic in this state shall submit to the Board  
24 documentary evidence that the chiropractor has malpractice insurance

1 and maintains such insurance twelve (12) months of each year when  
2 practicing in this state. Any licensee who is not actively engaged  
3 in practice in this state, shall be exempt from providing proof of  
4 malpractice insurance.

5 B. Subject to the laws of this state applicable to professional  
6 licenses and rules promulgated pursuant to the Oklahoma Chiropractic  
7 Practice Act, the Board shall, upon determination that a licensee  
8 has complied with the requirements of this section and the duly  
9 promulgated rules of the Board, issue a renewal license to said  
10 licensee.

11 C. The failure of a licensee to properly renew a license or  
12 certificate shall be evidence of noncompliance with the Oklahoma  
13 Chiropractic Practice Act.

14 1. The license shall automatically be placed in a lapsed status  
15 for failure to renew and shall be considered lapsed and not in good  
16 standing for purposes of the practice of chiropractic.

17 2. If within sixty (60) calendar days after July 1, the  
18 licensee cures any renewal requirement deficiency, pays the renewal  
19 fee and pays a reinstatement fee set by the Board, the license may  
20 be reactivated.

21 3. If a license is not reactivated under this subsection within  
22 sixty (60) calendar days after July 1, the license shall  
23 automatically be suspended for failure to renew.  
24

1        4. The practice of chiropractic is prohibited unless the  
2 license is active and in good standing with the Board.

3        D. When an original license or renewal license, or both, have  
4 been suspended under the provisions of this section, the license or  
5 licenses may be reinstated upon:

6            1. Payment of a reinstatement fee in an amount fixed by the  
7 Board not to exceed Four Hundred Dollars (\$400.00);

8            2. Payment of the renewal license fee for the calendar year in  
9 which the original license is reinstated; and

10           3. Presentation to the Board of satisfactory evidence of  
11 compliance with the continuing education requirement of this section  
12 for the calendar year in which the original license is reinstated.

13        E. The Board, by rule, may establish guidelines for the  
14 disposition of disciplinary cases involving specific types of  
15 violations. The guidelines may include, but are not limited to:

16            1. Minimum and maximum administrative fines;

17            2. Periods of suspension, probation or supervision;

18            3. Terms and conditions of probation; and

19            4. Terms and conditions for the reinstatement of an original  
20 license or renewal license, or both.

21        F. The license of a chiropractic physician who is not compliant  
22 with Oklahoma income tax law pursuant to Section 238.1 of Title 68  
23 of the Oklahoma Statutes shall not be renewed. Such license shall  
24 be automatically suspended at the date of renewal and shall remain

1 suspended until the Board receives notice from the Oklahoma Tax  
2 Commission that the licensee has come into compliance with Oklahoma  
3 income tax law. A physician whose license is suspended under this  
4 subsection shall pay a reinstatement fee in an amount fixed by the  
5 Board but not to exceed Four Hundred Dollars (\$400.00).

6 SECTION 31. REPEALER 59 O.S. 2011, Section 161.11, as  
7 amended by Section 1, Chapter 57, O.S.L. 2018 (59 O.S. Supp. 2018,  
8 Section 161.11), is hereby repealed.

9 SECTION 32. AMENDATORY Section 3, Chapter 277, O.S.L.  
10 2015, as amended by Section 2, Chapter 24, O.S.L. 2018 (63 O.S.  
11 Supp. 2018, Section 1-293), is amended to read as follows:

12 Section 1-293. A. A licensed practitioner may prescribe  
13 epinephrine auto-injectors in the name of an authorized entity or an  
14 authorized individual for use in accordance with this section, and  
15 pharmacists and physicians may dispense epinephrine auto-injectors  
16 pursuant to a prescription issued in the name of an authorized  
17 entity or an authorized individual; provided, however, such  
18 prescriptions shall only be filled by pharmacists licensed in this  
19 state by the State Board of Pharmacy.

20 B. An authorized entity or an authorized individual may acquire  
21 and stock a supply of epinephrine auto-injectors pursuant to a  
22 prescription issued in accordance with this section. Such  
23 epinephrine auto-injectors shall be stored in a location readily  
24 accessible in an emergency and in accordance with the epinephrine



1 auto-injector's instructions for use and any additional requirements  
2 that may be established by the Board of Pharmacy. An authorized  
3 entity shall designate employees or agents who have completed the  
4 training required by ~~this act~~ Section 1-292 et seq. of this title to  
5 be responsible for the storage, maintenance, and general oversight  
6 of epinephrine auto-injectors acquired by the authorized entity.

7 C. An employee or agent of an authorized entity, an authorized  
8 individual, or other individual, who has completed the training  
9 required by ~~this act~~ Section 1-292 et seq. of this title may, on the  
10 premises of or in connection with the authorized entity or  
11 authorized individual, use epinephrine auto-injectors prescribed  
12 pursuant to ~~this act~~ Section 1-292 et seq. of this title to:

13 1. Provide an epinephrine auto-injector to any individual who  
14 the employee, agent or individual believes in good faith is  
15 experiencing anaphylaxis for immediate self-administration,  
16 regardless of whether the individual has a prescription for an  
17 epinephrine auto-injector or has previously been diagnosed with an  
18 allergy; and

19 2. Administer an epinephrine auto-injector to any individual  
20 who the employee, agent or individual believes in good faith is  
21 experiencing anaphylaxis, regardless of whether the individual has a  
22 prescription for an epinephrine auto-injector or has previously been  
23 diagnosed with an allergy.

1 D. An employee, agent or individual described in subsection C  
2 of this section must complete an anaphylaxis training program prior  
3 to providing or administering an epinephrine auto-injector pursuant  
4 to ~~this act~~ Section 1-292 et seq. of this title. Such training  
5 shall be conducted by a nationally recognized organization  
6 experienced in training laypersons in emergency health treatment or  
7 other entity or an individual approved by the Board of Pharmacy.  
8 The entity conducting training shall issue a certificate, ~~on a form~~  
9 ~~developed and approved by the Board,~~ to each person who successfully  
10 completes the anaphylaxis training program. Training may be  
11 conducted online or in person and, at a minimum, shall cover:

12 1. Techniques on how to recognize symptoms of severe allergic  
13 reactions, including anaphylaxis;

14 2. Standards and procedures for the storage and administration  
15 of an epinephrine auto-injector; and

16 3. Emergency follow-up procedures.

17 E. An authorized entity or authorized individual that possesses  
18 and makes available epinephrine auto-injectors and employees,  
19 agents, authorized individuals, and other trained individuals; an  
20 individual who uses an epinephrine auto-injector made available  
21 pursuant to the provisions of ~~this act~~ Section 1-292 et seq. of this  
22 title; a licensed practitioner that prescribes epinephrine auto-  
23 injectors to an authorized entity or authorized individual; and an  
24 individual or entity that conducts the training described in

1 subsection D of this section shall not be liable for any injuries or  
2 related damages that result from the administration of, self-  
3 administration of or failure to administer an epinephrine auto-  
4 injector in accordance with this section that may constitute  
5 ordinary negligence.

6 1. This immunity shall not apply to acts or omissions  
7 constituting gross, willful or wanton negligence. The  
8 administration of an epinephrine auto-injector in accordance with  
9 ~~this act~~ Section 1-292 et seq. of this title is not the practice of  
10 medicine. The immunity from liability provided under this  
11 subsection is in addition to and not in lieu of that provided under  
12 the Good Samaritan Act.

13 2. An entity located in this state shall not be liable for any  
14 injuries or related damages that result from the provision or  
15 administration of an epinephrine auto-injector by its employees or  
16 agents outside of this state if the entity or its employee or agent  
17 would not have been liable for such injuries or related damages had  
18 the provision or administration occurred within this state.

19 F. The Board of Pharmacy, the State Board of Medical Licensure  
20 and Supervision, and the State Board of Osteopathic Examiners shall  
21 promulgate any rules necessary to implement the provisions of ~~this~~  
22 ~~act~~ Section 1-292 et seq. of this title.

SECTION 33. REPEALER Section 3, Chapter 277, O.S.L.

2015, as amended by Section 12, Chapter 106, O.S.L. 2018 (63 O.S. Supp. 2018, Section 1-293), is hereby repealed.

SECTION 34. AMENDATORY 63 O.S. 2011, Section 2-101, as

last amended by Section 3, Chapter 175, O.S.L. 2018 (63 O.S. Supp. 2018, Section 2-101), is amended to read as follows:

Section 2-101. As used in the Uniform Controlled Dangerous Substances Act:

1. "Administer" means the direct application of a controlled dangerous substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient, animal or research subject by:

a. a practitioner (or, in the presence of the practitioner, by the authorized agent of the practitioner), or

b. the patient or research subject at the direction and in the presence of the practitioner;

2. "Agent" means a peace officer appointed by and who acts on behalf of the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control or an authorized person who acts on behalf of or at the direction of a person who manufactures, distributes, dispenses, prescribes, administers or uses for scientific purposes controlled dangerous substances but does not include a common or contract carrier, public warehouser or employee thereof, or a person

1 required to register under the Uniform Controlled Dangerous  
2 Substances Act;

3 3. "Board" means the Advisory Board to the Director of the  
4 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control;

5 4. "Bureau" means the Oklahoma State Bureau of Narcotics and  
6 Dangerous Drugs Control;

7 5. "Coca leaves" includes cocaine and any compound,  
8 manufacture, salt, derivative, mixture or preparation of coca  
9 leaves, except derivatives of coca leaves which do not contain  
10 cocaine or ecgonine;

11 6. "Commissioner" or "Director" means the Director of the  
12 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control;

13 7. "Control" means to add, remove or change the placement of a  
14 drug, substance or immediate precursor under the Uniform Controlled  
15 Dangerous Substances Act;

16 8. "Controlled dangerous substance" means a drug, substance or  
17 immediate precursor in Schedules I through V of the Uniform  
18 Controlled Dangerous Substances Act or any drug, substance or  
19 immediate precursor listed either temporarily or permanently as a  
20 federally controlled substance. Any conflict between state and  
21 federal law with regard to the particular schedule in which a  
22 substance is listed shall be resolved in favor of state law;

23 9. "Counterfeit substance" means a controlled substance which,  
24 or the container or labeling of which without authorization, bears

1 the trademark, trade name or other identifying marks, imprint,  
2 number or device or any likeness thereof of a manufacturer,  
3 distributor or dispenser other than the person who in fact  
4 manufactured, distributed or dispensed the substance;

5 10. "Deliver" or "delivery" means the actual, constructive or  
6 attempted transfer from one person to another of a controlled  
7 dangerous substance or drug paraphernalia, whether or not there is  
8 an agency relationship;

9 11. "Dispense" means to deliver a controlled dangerous  
10 substance to an ultimate user or human research subject by or  
11 pursuant to the lawful order of a practitioner, including the  
12 prescribing, administering, packaging, labeling or compounding  
13 necessary to prepare the substance for such distribution.

14 "Dispenser" is a practitioner who delivers a controlled dangerous  
15 substance to an ultimate user or human research subject;

16 12. "Distribute" means to deliver other than by administering  
17 or dispensing a controlled dangerous substance;

18 13. "Distributor" means a commercial entity engaged in the  
19 distribution or reverse distribution of narcotics and dangerous  
20 drugs and who complies with all regulations promulgated by the  
21 federal Drug Enforcement Administration and the Oklahoma State  
22 Bureau of Narcotics and Dangerous Drugs Control;

23 14. "Drug" means articles:  
24

- 1           a.    recognized in the official United States  
2                Pharmacopoeia, official Homeopathic Pharmacopoeia of  
3                the United States, or official National Formulary, or  
4                any supplement to any of them,  
5           b.    intended for use in the diagnosis, cure, mitigation,  
6                treatment or prevention of disease in man or other  
7                animals,  
8           c.    other than food, intended to affect the structure or  
9                any function of the body of man or other animals, and  
10          d.    intended for use as a component of any article  
11                specified in this paragraph;

12 provided, however, the term "drug" does not include devices or their  
13 components, parts or accessories;

14        15.    "Drug-dependent person" means a person who is using a  
15        controlled dangerous substance and who is in a state of psychic or  
16        physical dependence, or both, arising from administration of that  
17        controlled dangerous substance on a continuous basis. Drug  
18        dependence is characterized by behavioral and other responses which  
19        include a strong compulsion to take the substance on a continuous  
20        basis in order to experience its psychic effects, or to avoid the  
21        discomfort of its absence;

22        16.    "Home care agency" means any sole proprietorship,  
23        partnership, association, corporation, or other organization which  
24        administers, offers, or provides home care services, for a fee or

1 pursuant to a contract for such services, to clients in their place  
2 of residence;

3 17. "Home care services" means skilled or personal care  
4 services provided to clients in their place of residence for a fee;

5 18. "Hospice" means a centrally administered, nonprofit or  
6 profit, medically directed, nurse-coordinated program which provides  
7 a continuum of home and inpatient care for the terminally ill  
8 patient and the patient's family. Such term shall also include a  
9 centrally administered, nonprofit or profit, medically directed,  
10 nurse-coordinated program if such program is licensed pursuant to  
11 the provisions of ~~this act~~ the Uniform Controlled Dangerous  
12 Substances Act. A hospice program offers palliative and supportive  
13 care to meet the special needs arising out of the physical,  
14 emotional and spiritual stresses which are experienced during the  
15 final stages of illness and during dying and bereavement. This care  
16 is available twenty-four (24) hours a day, seven (7) days a week,  
17 and is provided on the basis of need, regardless of ability to pay.  
18 "Class A" Hospice refers to Medicare certified hospices. "Class B"  
19 refers to all other providers of hospice services;

20 19. "Imitation controlled substance" means a substance that is  
21 not a controlled dangerous substance, which by dosage unit  
22 appearance, color, shape, size, markings or by representations made,  
23 would lead a reasonable person to believe that the substance is a  
24 controlled dangerous substance. In the event the appearance of the



1 dosage unit is not reasonably sufficient to establish that the  
2 substance is an "imitation controlled substance", the court or  
3 authority concerned should consider, in addition to all other  
4 factors, the following factors as related to "representations made"  
5 in determining whether the substance is an "imitation controlled  
6 substance":

- 7           a. statements made by an owner or by any other person in  
8           control of the substance concerning the nature of the  
9           substance, or its use or effect,
- 10          b. statements made to the recipient that the substance  
11          may be resold for inordinate profit,
- 12          c. whether the substance is packaged in a manner normally  
13          used for illicit controlled substances,
- 14          d. evasive tactics or actions utilized by the owner or  
15          person in control of the substance to avoid detection  
16          by law enforcement authorities,
- 17          e. prior convictions, if any, of an owner, or any other  
18          person in control of the object, under state or  
19          federal law related to controlled substances or fraud,  
20          and
- 21          f. the proximity of the substances to controlled  
22          dangerous substances;

23          20. "Immediate precursor" means a substance which the Director  
24 has found to be and by regulation designates as being the principal

1 compound commonly used or produced primarily for use, and which is  
2 an immediate chemical intermediary used, or likely to be used, in  
3 the manufacture of a controlled dangerous substance, the control of  
4 which is necessary to prevent, curtail or limit such manufacture;

5 21. "Laboratory" means a laboratory approved by the Director as  
6 proper to be entrusted with the custody of controlled dangerous  
7 substances and the use of controlled dangerous substances for  
8 scientific and medical purposes and for purposes of instruction;

9 22. "Manufacture" means the production, preparation,  
10 propagation, compounding or processing of a controlled dangerous  
11 substance, either directly or indirectly by extraction from  
12 substances of natural or synthetic origin, or independently by means  
13 of chemical synthesis or by a combination of extraction and chemical  
14 synthesis. "Manufacturer" includes any person who packages,  
15 repackages or labels any container of any controlled dangerous  
16 substance, except practitioners who dispense or compound  
17 prescription orders for delivery to the ultimate consumer;

18 23. "Marijuana" means all parts of the plant *Cannabis sativa*  
19 L., whether growing or not; the seeds thereof; the resin extracted  
20 from any part of such plant; and every compound, manufacture, salt,  
21 derivative, mixture or preparation of such plant, its seeds or  
22 resin, but shall not include:

- 23 a. the mature stalks of such plant or fiber produced from  
24 such stalks,

- b. oil or cake made from the seeds of such plant,  
including cannabidiol derived from the seeds of the  
marijuana plant,
- c. any other compound, manufacture, salt, derivative,  
mixture or preparation of such mature stalks (except  
the resin extracted therefrom), including cannabidiol  
derived from mature stalks, fiber, oil or cake,
- d. the sterilized seed of such plant which is incapable  
of germination,
- e. for any person participating in a clinical trial to  
administer cannabidiol for the treatment of severe  
forms of epilepsy pursuant to Section 2-802 of this  
title, a drug or substance approved by the federal  
Food and Drug Administration for use by those  
participants,
- f. for any person or the parents, legal guardians or  
caretakers of the person who have received a written  
certification from a physician licensed in this state  
that the person has been diagnosed by a physician as  
having Lennox-Gastaut Syndrome, Dravet Syndrome, also  
known as Severe Myoclonic Epilepsy of Infancy, or any  
other severe form of epilepsy that is not adequately  
treated by traditional medical therapies, spasticity  
due to multiple sclerosis or due to paraplegia,

1           intractable nausea and vomiting, appetite stimulation  
2           with chronic wasting diseases, the substance  
3           cannabidiol, a nonpsychoactive cannabinoid, found in  
4           the plant Cannabis sativa L. or any other preparation  
5           thereof, that has a tetrahydrocannabinol concentration  
6           of not more than three-tenths of one percent (0.3%)  
7           and that is delivered to the patient in the form of a  
8           liquid,

9           g. any federal Food and Drug Administration-approved  
10          cannabidiol drug or substance, or

11          h. industrial hemp, from the plant Cannabis sativa L. and  
12          any part of such plant, whether growing or not, with a  
13          delta-9 tetrahydrocannabinol concentration of not more  
14          than three-tenths of one percent (0.3%) on a dry  
15          weight basis which shall ~~not only~~ be grown anywhere in  
16          ~~the State of Oklahoma but~~ pursuant to the Oklahoma  
17          Industrial Hemp Agricultural Pilot Program and may be  
18          shipped to Oklahoma pursuant to the provisions of  
19          subparagraph e or f of this paragraph;

20          24. "Medical purpose" means an intention to utilize a  
21          controlled dangerous substance for physical or mental treatment, for  
22          diagnosis, or for the prevention of a disease condition not in  
23          violation of any state or federal law and not for the purpose of  
24          satisfying physiological or psychological dependence or other abuse;

1        25. "Mid-level practitioner" means an advanced practice nurse  
2 as defined and within parameters specified in Section 567.3a of  
3 Title 59 of the Oklahoma Statutes, or a certified animal euthanasia  
4 technician as defined in Section 698.2 of Title 59 of the Oklahoma  
5 Statutes, or an animal control officer registered by the Oklahoma  
6 State Bureau of Narcotics and Dangerous Drugs Control under  
7 subsection B of Section 2-301 of this title within the parameters of  
8 such officer's duty under Sections 501 through 508 of Title 4 of the  
9 Oklahoma Statutes;

10       26. "Narcotic drug" means any of the following, whether  
11 produced directly or indirectly by extraction from substances of  
12 vegetable origin, or independently by means of chemical synthesis,  
13 or by a combination of extraction and chemical synthesis:

- 14           a. opium, coca leaves and opiates,
- 15           b. a compound, manufacture, salt, derivative or  
16              preparation of opium, coca leaves or opiates,
- 17           c. cocaine, its salts, optical and geometric isomers, and  
18              salts of isomers,
- 19           d. ecgonine, its derivatives, their salts, isomers and  
20              salts of isomers, and
- 21           e. a substance, and any compound, manufacture, salt,  
22              derivative or preparation thereof, which is chemically  
23              identical with any of the substances referred to in  
24              subparagraphs a through d of this paragraph, except

1           that the words "narcotic drug" as used in Section 2-  
2           101 et seq. of this title shall not include  
3           decocainized coca leaves or extracts of coca leaves,  
4           which extracts do not contain cocaine or ecgonine;

5       27. "Opiate" means any substance having an addiction-forming or  
6       addiction-sustaining liability similar to morphine or being capable  
7       of conversion into a drug having such addiction-forming or  
8       addiction-sustaining liability. It does not include, unless  
9       specifically designated as controlled under the Uniform Controlled  
10      Dangerous Substances Act, the dextrorotatory isomer of 3-methoxy-n-  
11      methyl-morphinan and its salts (dextromethorphan). It does include  
12      its racemic and levorotatory forms;

13      28. "Opium poppy" means the plant of the species *Papaver*  
14      *somniferum* L., except the seeds thereof;

15      29. "Peace officer" means a police officer, sheriff, deputy  
16      sheriff, district attorney's investigator, investigator from the  
17      Office of the Attorney General, or any other person elected or  
18      appointed by law to enforce any of the criminal laws of this state  
19      or of the United States;

20      30. "Person" means an individual, corporation, government or  
21      governmental subdivision or agency, business trust, estate, trust,  
22      partnership or association, or any other legal entity;

23      31. "Poppy straw" means all parts, except the seeds, of the  
24      opium poppy, after mowing;

1       32. "Practitioner" means:

- 2           a.     (1)    a medical doctor or osteopathic physician,  
3                       (2)    a dentist,  
4                       (3)    a podiatrist,  
5                       (4)    an optometrist,  
6                       (5)    a veterinarian,  
7                       (6)    a physician assistant under the supervision of a  
8                               licensed medical doctor or osteopathic physician,  
9                       (7)    a scientific investigator, or  
10                      (8)    any other person,  
11                      licensed, registered or otherwise permitted to  
12                      prescribe, distribute, dispense, conduct research with  
13                      respect to, use for scientific purposes or administer  
14                      a controlled dangerous substance in the course of  
15                      professional practice or research in this state, or  
16           b.     a pharmacy, hospital, laboratory or other institution  
17                      licensed, registered or otherwise permitted to  
18                      distribute, dispense, conduct research with respect  
19                      to, use for scientific purposes or administer a  
20                      controlled dangerous substance in the course of  
21                      professional practice or research in this state;

22       33. "Production" includes the manufacture, planting,  
23   cultivation, growing or harvesting of a controlled dangerous  
24   substance;

1        34. "State" means the State of Oklahoma or any other state of  
2 the United States;

3        35. "Ultimate user" means a person who lawfully possesses a  
4 controlled dangerous substance for the person's own use or for the  
5 use of a member of the person's household or for administration to  
6 an animal owned by the person or by a member of the person's  
7 household;

8        36. "Drug paraphernalia" means all equipment, products and  
9 materials of any kind which are used, intended for use, or fashioned  
10 specifically for use in planting, propagating, cultivating, growing,  
11 harvesting, manufacturing, compounding, converting, producing,  
12 processing, preparing, testing, analyzing, packaging, repackaging,  
13 storing, containing, concealing, injecting, ingesting, inhaling or  
14 otherwise introducing into the human body, a controlled dangerous  
15 substance in violation of the Uniform Controlled Dangerous  
16 Substances Act including, but not limited to:

- 17            a. kits used, intended for use, or fashioned specifically  
18                for use in planting, propagating, cultivating, growing  
19                or harvesting of any species of plant which is a  
20                controlled dangerous substance or from which a  
21                controlled dangerous substance can be derived,  
22            b. kits used, intended for use, or fashioned specifically  
23                for use in manufacturing, compounding, converting,  
24



- 1           producing, processing or preparing controlled  
2           dangerous substances,
- 3       c.    isomerization devices used, intended for use, or  
4           fashioned specifically for use in increasing the  
5           potency of any species of plant which is a controlled  
6           dangerous substance,
- 7       d.    testing equipment used, intended for use, or fashioned  
8           specifically for use in identifying, or in analyzing  
9           the strength, effectiveness or purity of controlled  
10          dangerous substances,
- 11       e.    scales and balances used, intended for use, or  
12           fashioned specifically for use in weighing or  
13           measuring controlled dangerous substances,
- 14       f.    diluent and adulterants, such as quinine  
15           hydrochloride, mannitol, mannite, dextrose and  
16           lactose, used, intended for use, or fashioned  
17           specifically for use in cutting controlled dangerous  
18           substances,
- 19       g.    separation gins and sifters used, intended for use, or  
20           fashioned specifically for use in removing twigs and  
21           seeds from, or in otherwise cleaning or refining,  
22           marijuana,
- 23  
24

- h. blenders, bowls, containers, spoons and mixing devices used, intended for use, or fashioned specifically for use in compounding controlled dangerous substances,
- i. capsules, balloons, envelopes and other containers used, intended for use, or fashioned specifically for use in packaging small quantities of controlled dangerous substances,
- j. containers and other objects used, intended for use, or fashioned specifically for use in parenterally injecting controlled dangerous substances into the human body,
- k. hypodermic syringes, needles and other objects used, intended for use, or fashioned specifically for use in parenterally injecting controlled dangerous substances into the human body,
- l. objects used, intended for use, or fashioned specifically for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish or hashish oil into the human body, such as:
  - (1) metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls,
  - (2) water pipes,
  - (3) carburetion tubes and devices,

- (4) smoking and carburetion masks,
  - (5) roach clips, meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand,
  - (6) miniature cocaine spoons and cocaine vials,
  - (7) chamber pipes,
  - (8) carburetor pipes,
  - (9) electric pipes,
  - (10) air-driven pipes,
  - (11) chillums,
  - (12) bongs, or
  - (13) ice pipes or chillers,
- m. all hidden or novelty pipes, and
- n. any pipe that has a tobacco bowl or chamber of less than one-half (1/2) inch in diameter in which there is any detectable residue of any controlled dangerous substance as defined in this section or any other substances not legal for possession or use;
- provided, however, the term "drug paraphernalia" shall not include separation gins intended for use in preparing tea or spice, clamps used for constructing electrical equipment, water pipes designed for ornamentation in which no detectable amount of an illegal substance is found or pipes designed and used solely for smoking tobacco,

1 traditional pipes of an American Indian tribal religious ceremony,  
2 or antique pipes that are thirty (30) years of age or older;

3 37. a. "Synthetic controlled substance" means a substance:

4 (1) the chemical structure of which is substantially  
5 similar to the chemical structure of a controlled  
6 dangerous substance in Schedule I or II,

7 (2) which has a stimulant, depressant, or  
8 hallucinogenic effect on the central nervous  
9 system that is substantially similar to or  
10 greater than the stimulant, depressant or  
11 hallucinogenic effect on the central nervous  
12 system of a controlled dangerous substance in  
13 Schedule I or II, or

14 (3) with respect to a particular person, which such  
15 person represents or intends to have a stimulant,  
16 depressant, or hallucinogenic effect on the  
17 central nervous system that is substantially  
18 similar to or greater than the stimulant,  
19 depressant, or hallucinogenic effect on the  
20 central nervous system of a controlled dangerous  
21 substance in Schedule I or II.

22 b. The designation of gamma butyrolactone or any other  
23 chemical as a precursor, pursuant to Section 2-322 of  
24 this title, does not preclude a finding pursuant to

1           subparagraph a of this paragraph that the chemical is  
2           a synthetic controlled substance.

3           c.    "Synthetic controlled substance" does not include:

4               (1)   a controlled dangerous substance,

5               (2)   any substance for which there is an approved new  
6               drug application,

7               (3)   with respect to a particular person any  
8               substance, if an exemption is in effect for  
9               investigational use, for that person under the  
10              provisions of Section 505 of the Federal Food,  
11              Drug and Cosmetic Act, Title 21 of the United  
12              States Code, Section 355, to the extent conduct  
13              with respect to such substance is pursuant to  
14              such exemption, or

15              (4)   any substance to the extent not intended for  
16              human consumption before such an exemption takes  
17              effect with respect to that substance.

18           d.   Prima facie evidence that a substance containing  
19           salvia divinorum has been enhanced, concentrated or  
20           chemically or physically altered shall give rise to a  
21           rebuttable presumption that the substance is a  
22           synthetic controlled substance;  
23  
24

1        38. "Tetrahydrocannabinols" means all substances that have been  
2 chemically synthesized to emulate the tetrahydrocannabinols of  
3 marijuana;

4        39. "Isomer" means the optical isomer, except as used in  
5 subsections C and F of Section 2-204 of this title and paragraph 4  
6 of subsection A of Section 2-206 of this title. As used in  
7 subsections C and F of Section 2-204 of this title, "isomer" means  
8 the optical, positional or geometric isomer. As used in paragraph 4  
9 of subsection A of Section 2-206 of this title, the term "isomer"  
10 means the optical or geometric isomer;

11       40. "Hazardous materials" means materials, whether solid,  
12 liquid or gas, which are toxic to human, animal, aquatic or plant  
13 life, and the disposal of which materials is controlled by state or  
14 federal guidelines;

15       41. "Anhydrous ammonia" means any substance that exhibits  
16 cryogenic evaporative behavior and tests positive for ammonia;

17       42. "Acute pain" means pain, whether resulting from disease,  
18 accidental or intentional trauma or other cause, that the  
19 practitioner reasonably expects to last only a short period of time.  
20 "Acute pain" does not include chronic pain, pain being treated as  
21 part of cancer care, hospice or other end-of-life care, or pain  
22 being treated as part of palliative care;

23       43. "Chronic pain" means pain that persists beyond the usual  
24 course of an acute disease or healing of an injury. "Chronic pain"

1 may or may not be associated with an acute or chronic pathologic  
2 process that causes continuous or intermittent pain over months or  
3 years;

4 44. "Initial prescription" means a prescription issued to a  
5 patient who:

- 6 a. has never previously been issued a prescription for  
7 the drug or its pharmaceutical equivalent in the past  
8 year, or
- 9 b. requires a prescription for the drug or its  
10 pharmaceutical equivalent due to a surgical procedure  
11 or new acute event and has previously had a  
12 prescription for the drug or its pharmaceutical  
13 equivalent within the past year.

14 When determining whether a patient was previously issued a  
15 prescription for a drug or its pharmaceutical equivalent, the  
16 practitioner shall consult with the patient and review the medical  
17 record and prescription monitoring information of the patient;

18 45. "Patient-provider agreement" means a written contract or  
19 agreement that is executed between a practitioner and a patient,  
20 prior to the commencement of treatment for chronic pain using a  
21 Schedule II controlled substance or any opioid drug which is a  
22 prescription drug, as a means to:

- a. explain the possible risk of development of physical or psychological dependence in the patient and prevent the possible development of addiction,
- b. document the understanding of both the practitioner and the patient regarding the pain-management plan of the patient,
- c. establish the rights of the patient in association with treatment and the obligations of the patient in relation to the responsible use, discontinuation of use, and storage of Schedule II controlled dangerous substances, including any restrictions on the refill of prescriptions or the acceptance of Schedule II prescriptions from practitioners,
- d. identify the specific medications and other modes of treatment, including physical therapy or exercise, relaxation or psychological counseling, that are included as a part of the pain-management plan,
- e. specify the measures the practitioner may employ to monitor the compliance of the patient including, but not limited to, random specimen screens and pill counts, and
- f. delineate the process for terminating the agreement, including the consequences if the practitioner has reason to believe that the patient is not complying



1 with the terms of the agreement. Compliance with the  
2 "consent items" shall constitute a valid, informal  
3 consent for opioid therapy. The provider shall be  
4 held harmless from civil litigation for failure to  
5 treat pain if the event occurs because of nonadherence  
6 by the patient with any of the provisions of the  
7 patient-provider agreement;

8 46. "Serious illness" means a medical illness or physical  
9 injury or condition that substantially affects quality of life for  
10 more than a short period of time. "Serious illness" includes, but  
11 is not limited to, Alzheimer's disease or related dementias, lung  
12 disease, cancer, heart failure, renal failure, liver failure or  
13 chronic, unremitting or intractable pain such as neuropathic pain;  
14 and

15 47. "Surgical procedure" means a procedure that is performed  
16 for the purpose of structurally altering the human body by incision  
17 or destruction of tissues as part of the practice of medicine. This  
18 term includes the diagnostic or therapeutic treatment of conditions  
19 or disease processes by use of instruments such as lasers,  
20 ultrasound, ionizing, radiation, scalpels, probes or needles that  
21 cause localized alteration or transportation of live human tissue by  
22 cutting, burning, vaporizing, freezing, suturing, probing or  
23 manipulating by closed reduction for major dislocations or  
24

fractures, or otherwise altering by any mechanical, thermal, light-based, electromagnetic or chemical means.

SECTION 35. REPEALER 63 O.S. 2011, Section 2-101, as last amended by Section 11, Chapter 64, O.S.L. 2018 (63 O.S. Supp. 2018, Section 2-101), is hereby repealed.

SECTION 36. AMENDATORY 63 O.S. 2011, Section 2-302, as amended by Section 1, Chapter 251, O.S.L. 2018 (63 O.S. Supp. 2018, Section 2-302), is amended to read as follows:

Section 2-302. A. Every person who manufactures, distributes, dispenses, prescribes, administers or uses for scientific purposes any controlled dangerous substance within or into this state, or who proposes to engage in the manufacture, distribution, dispensing, prescribing, administering or use for scientific purposes of any controlled dangerous substance within or into this state shall obtain a registration issued by the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, in accordance with rules promulgated by the Director. Persons registered by the Director under Section 2-101 et seq. of this title to manufacture, distribute, dispense, or conduct research with controlled dangerous substances may possess, manufacture, distribute, dispense, or conduct research with those substances to the extent authorized by their registration and in conformity with the other provisions of ~~this article~~ the Uniform Controlled Dangerous Substances Act. Every wholesaler, manufacturer or distributor of any drug product

1 containing pseudoephedrine or phenylpropanolamine, or their salts,  
2 isomers, or salts of isomers shall obtain a registration issued by  
3 the Director of the Oklahoma State Bureau of Narcotics and Dangerous  
4 Drugs Control in accordance with rules promulgated by the Director  
5 and as provided for in Section 2-332 of this title.

6 B. Out-of-state pharmaceutical suppliers who provide controlled  
7 dangerous substances to individuals within this state shall obtain a  
8 registration issued by the Director of the Oklahoma State Bureau of  
9 Narcotics and Dangerous Drugs Control, in accordance with rules  
10 promulgated by the Director. This provision shall also apply to  
11 wholesale distributors who distribute controlled dangerous  
12 substances to pharmacies or other entities registered within this  
13 state in accordance with rules promulgated by the Director.

14 C. Every person who owns in whole or in part a public or  
15 private medical facility for which a majority of patients are issued  
16 on a reoccurring monthly basis a prescription for opioids,  
17 benzodiazepines, barbiturates or carisoprodol, but not including  
18 Suboxone or buprenorphine, shall obtain a registration issued by the  
19 Director of the Oklahoma State Bureau of Narcotics and Dangerous  
20 Drugs Control.

21 D. Beginning January 1, 2019, every manufacturer and  
22 distributor required to register under the provisions of this  
23 section shall provide all data required pursuant to federal law,  
24 federal rules and regulations and 21 U.S.C., Section 827(d)(1) on a

1 quarterly basis to the Oklahoma State Bureau of Narcotics and  
2 Dangerous Drugs Control in accordance with rules promulgated by the  
3 Director.

4 ~~D.~~ E. The information maintained and provided pursuant to  
5 subsection ~~E~~ D of this section shall be confidential and not open to  
6 the public. Access to the information shall, at the discretion of  
7 the Director, be limited to:

8 1. Peace officers certified pursuant to the provisions of  
9 Section 3311 of Title 70 of the Oklahoma Statutes who are employed  
10 as investigative agents of the Oklahoma State Bureau of Narcotics  
11 and Dangerous Drugs Control or the Office of the Attorney General;

12 2. The United States Drug Enforcement Administration Diversion  
13 Group Supervisor; and

14 3. A multicounty grand jury properly convened pursuant to the  
15 provisions of the Multicounty Grand Jury Act.

16 ~~E.~~ F. Manufacturers, distributors, home care agencies,  
17 hospices, home care services, medical facility owners referred to in  
18 subsection C of this section and scientific researchers shall obtain  
19 a registration annually. Other practitioners shall obtain a  
20 registration for a period to be determined by the Director that will  
21 be for a period not less than one (1) year nor more than three (3)  
22 years.

23 ~~F.~~ G. Every trainer or handler of a canine controlled dangerous  
24 substances detector who, in the ordinary course of such trainer's or

1 handler's profession, desires to possess any controlled dangerous  
2 substance, annually, shall obtain a registration issued by the  
3 Director for a fee of Seventy Dollars (\$70.00). Such persons shall  
4 be subject to all applicable provisions of Section 2-101 et seq. of  
5 this title and such applicable rules promulgated by the Director for  
6 those individuals identified in subparagraph a of paragraph 32 of  
7 Section 2-101 of this title. Persons registered by the Director  
8 pursuant to this subsection may possess controlled dangerous  
9 substances to the extent authorized by their registration and in  
10 conformity with the other provisions of ~~this article~~ the Uniform  
11 Controlled Dangerous Substances Act.

12 ~~G.~~ H. The following persons shall not be required to register  
13 and may lawfully possess controlled dangerous substances under the  
14 provisions of Section 2-101 et seq. of this title:

15 1. An agent, or an employee thereof, of any registered  
16 manufacturer, distributor, dispenser or user for scientific purposes  
17 of any controlled dangerous substance, if such agent is acting in  
18 the usual course of such agent's or employee's business or  
19 employment;

20 2. Any person lawfully acting under the direction of a person  
21 authorized to administer controlled dangerous substances under  
22 Section 2-312 of this title;

23 3. A common or contract carrier or warehouseman, or an employee  
24 thereof, whose possession of any controlled dangerous substance is

1 in the usual course of such carrier's or warehouser's business or  
2 employment;

3 4. An ultimate user or a person in possession of any controlled  
4 dangerous substance pursuant to a lawful order of a practitioner;

5 5. An individual pharmacist acting in the usual course of such  
6 pharmacist's employment with a pharmacy registered pursuant to the  
7 provisions of Section 2-101 et seq. of this title;

8 6. A nursing home licensed by this state;

9 7. Any Department of Mental Health and Substance Abuse Services  
10 employee or any person whose facility contracts with the Department  
11 of Mental Health and Substance Abuse Services whose possession of  
12 any dangerous drug, as defined in Section 353.1 of Title 59 of the  
13 Oklahoma Statutes, is for the purpose of delivery of a mental health  
14 consumer's medicine to the consumer's home or residence; ~~and~~

15 8. Registered nurses and licensed practical nurses; and

16 9. An assisted living facility licensed by the State of  
17 Oklahoma.

18 ~~H.~~ I. The Director may, by rule, waive the requirement for  
19 registration or fee for registration of certain manufacturers,  
20 distributors, dispensers, prescribers, administrators, or users for  
21 scientific purposes if the Director finds it consistent with the  
22 public health and safety.

23 ~~F.~~ J. A separate registration shall be required at each  
24 principal place of business or professional practice where the

1 applicant manufactures, distributes, dispenses, prescribes,  
2 administers, or uses for scientific purposes controlled dangerous  
3 substances.

4 ~~J.~~ K. The Director is authorized to inspect the establishment  
5 of a registrant or applicant for registration in accordance with  
6 rules promulgated by the Director.

7 ~~K.~~ L. No person engaged in a profession or occupation for which  
8 a license to engage in such activity is provided by law shall be  
9 registered under ~~this act~~ the Uniform Controlled Dangerous  
10 Substances Act unless such person holds a valid license of such  
11 person's profession or occupation.

12 ~~L.~~ M. Registrations shall be issued on the first day of  
13 November of each year. Registrations may be issued at other times,  
14 however, upon certification of the professional licensing board.

15 ~~M.~~ N. The licensing boards of all professions and occupations  
16 to which the use of controlled dangerous substances is incidental  
17 shall furnish a current list to the Director, not later than the  
18 first day of October of each year, of the persons holding valid  
19 licenses. All such persons except persons exempt from registration  
20 requirements under subsection ~~G~~ H of this section shall be subject  
21 to the registration requirements of Section 2-101 et seq. of this  
22 title.

23 ~~N.~~ O. The licensing board of any professional defined as a mid-  
24 level practitioner shall notify and furnish to the Director, not

1 later than the first day of October of each year that such  
2 professional holds a valid license, a current listing of individuals  
3 licensed and registered with their respective boards to prescribe,  
4 order, select, obtain and administer controlled dangerous  
5 substances. The licensing board shall immediately notify the  
6 Director of any action subsequently taken against any such  
7 individual.

8     ~~Q.~~ P. Beginning November 1, 2010, each registrant that  
9 prescribes, administers or dispenses methadone shall be required to  
10 check the prescription profile of the patient on the central  
11 repository of the Oklahoma State Bureau of Narcotics and Dangerous  
12 Drugs Control.

13     SECTION 37.       REPEALER       63 O.S. 2011, Section 2-302, as  
14 amended by Section 1, Chapter 250, O.S.L. 2018 (63 O.S. Supp. 2018,  
15 Section 2-302), is hereby repealed.

16     SECTION 38.       AMENDATORY       63 O.S. 2011, Section 2-309D, as  
17 last amended by Section 4, Chapter 175, O.S.L. 2018 (63 O.S. Supp.  
18 2018, Section 2-309D), is amended to read as follows:

19     Section 2-309D. A. The information collected at the central  
20 repository pursuant to the Anti-Drug Diversion Act shall be  
21 confidential and shall not be open to the public. Access to the  
22 information shall be limited to:

23     1. Peace officers certified pursuant to Section 3311 of Title  
24 70 of the Oklahoma Statutes who are employed as investigative agents



1 of the Oklahoma State Bureau of Narcotics and Dangerous Drugs  
2 Control;

3 2. The United States Drug Enforcement Administration Diversion  
4 Group Supervisor;

5 3. The executive director or chief investigator, as designated  
6 by each board, of the following state boards:

- 7 a. Board of Podiatric Medical Examiners,
- 8 b. Board of Dentistry,
- 9 c. State Board of Pharmacy,
- 10 d. State Board of Medical Licensure and Supervision,
- 11 e. State Board of Osteopathic Examiners,
- 12 f. State Board of Veterinary Medical Examiners,
- 13 g. Oklahoma Health Care Authority,
- 14 h. Department of Mental Health and Substance Abuse  
15 Services,
- 16 i. Board of Examiners in Optometry,
- 17 j. Board of Nursing,
- 18 k. Office of the Chief Medical Examiner, and
- 19 l. State Board of Health;

20 4. A multicounty grand jury properly convened pursuant to the  
21 Multicounty Grand Jury Act;

22 5. Medical practitioners employed by the United States  
23 Department of Veterans Affairs, the United States Military, or other  
24 federal agencies treating patients in this state; and

1        6. At the discretion of the Director of the Oklahoma State  
2 Bureau of Narcotics and Dangerous Drugs Control, medical  
3 practitioners and their staff, including those employed by the  
4 federal government in this state.

5        B. This section shall not prevent access, at the discretion of  
6 the Director of the Oklahoma State Bureau of Narcotics and Dangerous  
7 Drugs Control, to investigative information by peace officers and  
8 investigative agents of federal, state, tribal, county or municipal  
9 law enforcement agencies, district attorneys and the Attorney  
10 General in furtherance of criminal, civil or administrative  
11 investigations or prosecutions within their respective  
12 jurisdictions, designated legal, communications, and analytical  
13 employees of the Bureau, and to registrants in furtherance of  
14 efforts to guard against the diversion of controlled dangerous  
15 substances.

16        C. This section shall not prevent the disclosure, at the  
17 discretion of the Director of the Oklahoma State Bureau of Narcotics  
18 and Dangerous Drugs Control, of statistical information gathered  
19 from the central repository to the general public which shall be  
20 limited to types and quantities of controlled substances dispensed  
21 and the county where dispensed.

22        D. This section shall not prevent the disclosure, at the  
23 discretion of the Director of the Oklahoma State Bureau of Narcotics  
24 and Dangerous Drugs Control, of prescription-monitoring-program

1 information to prescription-monitoring programs of other states  
2 provided a reciprocal data-sharing agreement is in place.

3 E. The Department of Mental Health and Substance Abuse Services  
4 and the State Department of Health may utilize the information in  
5 the central repository for statistical, research, substance abuse  
6 prevention, or educational purposes, provided that consumer  
7 confidentiality is not compromised.

8 F. Any unauthorized disclosure of any information collected at  
9 the central repository provided by the Anti-Drug Diversion Act shall  
10 be a misdemeanor. Violation of the provisions of this section shall  
11 be deemed willful neglect of duty and shall be grounds for removal  
12 from office.

13 G. 1. Registrants shall have access to the central repository  
14 for the purposes of patient treatment and for determination in  
15 prescribing or screening new patients. The patient's history may be  
16 disclosed to the patient for the purposes of treatment of  
17 information at the discretion of the physician.

18 2. a. Prior to prescribing or authorizing for refill, if one  
19 hundred eighty (180) days have elapsed prior to the  
20 previous access and check, of opiates, synthetic  
21 opiates, semisynthetic opiates, benzodiazepine or  
22 carisoprodol to a patient of record, registrants or  
23 members of their medical or administrative staff shall  
24 be required until October 31, 2020, to access the

1 information in the central repository to assess  
2 medical necessity and the possibility that the patient  
3 may be unlawfully obtaining prescription drugs in  
4 violation of the Uniform Controlled Dangerous  
5 Substances Act. The duty to access and check shall  
6 not alter or otherwise amend appropriate medical  
7 standards of care. The registrant or medical provider  
8 shall note in the patient file that the central  
9 repository has been checked and may maintain a copy of  
10 the information.

11 b. The requirements set forth in subparagraph a of this  
12 paragraph shall not apply:

13 (1) to medical practitioners who prescribe the  
14 controlled substances set forth in subparagraph a  
15 of this paragraph for hospice or end-of-life  
16 care, or

17 (2) for a prescription of a controlled substance set  
18 forth in subparagraph a of this paragraph that is  
19 issued by a practitioner for a patient residing  
20 in a nursing facility as defined by Section 1-  
21 1902 of this title, provided that the  
22 prescription is issued to a resident of such  
23 facility.  
24

1        3. Registrants shall not be liable to any person for any claim  
2 of damages as a result of accessing or failing to access the  
3 information in the central repository and no lawsuit may be  
4 predicated thereon.

5        4. The failure of a registrant to access and check the central  
6 repository as required under state or federal law or regulation  
7 shall be grounds for the licensing board of the registrant to take  
8 disciplinary action against the registrant.

9        H. The State Board of Podiatric Examiners, the State Board of  
10 Dentistry, the State Board of Medical Licensure and Supervision, the  
11 State Board of Examiners in Optometry, the State Board of Nursing,  
12 the State Board of Osteopathic Examiners and the State Board of  
13 Veterinary Medical Examiners shall have the sole responsibility for  
14 enforcement of the provisions of subsection G of this section.  
15 Nothing in this section shall be construed so as to permit the  
16 Director of the State Bureau of Narcotics and Dangerous Drugs  
17 Control to assess administrative fines provided for in Section 2-304  
18 of this title.

19        I. The Director of the Oklahoma State Bureau of Narcotics and  
20 Dangerous Drugs Control, or a designee thereof, shall provide a  
21 monthly list to the Directors of the State Board of Podiatric  
22 Examiners, the State Board of Dentistry, the State Board of Medical  
23 Licensure and Supervision, the State Board of Examiners in  
24 Optometry, the State Board of Nursing, the State Board of

1 Osteopathic Examiners and the State Board of Veterinary Medical  
2 Examiners of the top twenty prescribers of controlled dangerous  
3 substances within their respective areas of jurisdiction. Upon  
4 discovering that a registrant is prescribing outside the limitations  
5 of his or her licensure or outside of drug registration rules or  
6 applicable state laws, the respective licensing board shall be  
7 notified by the Bureau in writing. Such notifications may be  
8 considered complaints for the purpose of investigations or other  
9 actions by the respective licensing board. Licensing boards shall  
10 have exclusive jurisdiction to take action against a licensee for a  
11 violation of subsection G of this section.

12 J. Information regarding fatal and nonfatal overdoses, other  
13 than statistical information as required by Section 2-106 of this  
14 title, shall be completely confidential. Access to this information  
15 shall be strictly limited to the Director of the Oklahoma State  
16 Bureau of Narcotics and Dangerous Drugs Control or designee, the  
17 Chief Medical Examiner, state agencies and boards provided in  
18 subsection A of this section, and the registrant that enters the  
19 information. Registrants shall not be liable to any person for a  
20 claim of damages for information reported pursuant to the provisions  
21 of Section 2-105 of this title.

22 K. The Director of the Oklahoma State Bureau of Narcotics and  
23 Dangerous Drugs Control shall provide adequate means and procedures  
24

1 allowing access to central repository information for registrants  
2 lacking direct computer access.

3 L. Upon completion of an investigation in which it is  
4 determined that a death was caused by an overdose, either  
5 intentionally or unintentionally, of a controlled dangerous  
6 substance, the medical examiner shall be required to report the  
7 decedent's name and date of birth to the Oklahoma State Bureau of  
8 Narcotics and Dangerous Drugs Control. The Oklahoma State Bureau of  
9 Narcotics and Dangerous Drugs Control shall be required to maintain  
10 a database containing the classification of medical practitioners  
11 who prescribed or authorized controlled dangerous substances  
12 pursuant to this subsection.

13 M. The Oklahoma State Bureau of Narcotics and Dangerous Drugs  
14 is authorized to provide unsolicited notification to the licensing  
15 board of a pharmacist or practitioner if a patient has received one  
16 or more prescriptions for controlled substances in quantities or  
17 with a frequency inconsistent with generally recognized standards of  
18 safe practice or if a practitioner or prescriber has exhibited  
19 prescriptive behavior consistent with generally recognized standards  
20 indicating potentially problematic prescribing patterns. An  
21 unsolicited notification to the licensing board of the practitioner  
22 pursuant to this section:

23 1. Is confidential;  
24

1        2. May not disclose information that is confidential pursuant  
2 to this section; and

3        3. May be in a summary form sufficient to provide notice of the  
4 basis for the unsolicited notification.

5        SECTION 39.        REPEALER        63 O.S. 2011, Section 2-309D, as  
6 last amended by Section 1, Chapter 32, O.S.L. 2018 (63 O.S. Supp.  
7 2018, Section 2-309D), is hereby repealed.

8        SECTION 40.        AMENDATORY        63 O.S. 2011, Section 2-415, as  
9 last amended by Section 2, Chapter 130, O.S.L. 2018 (63 O.S. Supp.  
10 2018, Section 2-415), is amended to read as follows:

11        Section 2-415. A. The provisions of the Trafficking in Illegal  
12 Drugs Act shall apply to persons convicted of violations with  
13 respect to the following substances:

- 14        1. Marihuana;
- 15        2. Cocaine or coca leaves;
- 16        3. Heroin;
- 17        4. Amphetamine or methamphetamine;
- 18        5. Lysergic acid diethylamide (LSD);
- 19        6. Phencyclidine (PCP);
- 20        7. Cocaine base, commonly known as "crack" or "rock";
- 21        8. 3,4-Methylenedioxy methamphetamine, commonly known as  
22 "ecstasy" or MDMA;
- 23        9. Morphine;
- 24        10. Oxycodone;



1 11. Hydrocodone; ~~or~~

2 12. Benzodiazepine; or

3 13. Fentanyl and its analogs and derivatives.

4 B. Except as otherwise authorized by the Uniform Controlled  
5 Dangerous Substances Act, it shall be unlawful for any person to:

6 1. Knowingly distribute, manufacture, bring into this state or  
7 possess a controlled substance specified in subsection A of this  
8 section in the quantities specified in subsection C of this section;

9 2. Possess any controlled substance with the intent to  
10 manufacture a controlled substance specified in subsection A of this  
11 section in quantities specified in subsection C of this section; or

12 3. Use or solicit the use of services of a person less than  
13 eighteen (18) years of age to distribute or manufacture a controlled  
14 dangerous substance specified in subsection A of this section in  
15 quantities specified in subsection C of this section.

16 Violation of this section shall be known as "trafficking in  
17 illegal drugs". Separate types of controlled substances described  
18 in subsection A of this section when possessed at the same time in  
19 violation of any provision of this section shall constitute a  
20 separate offense for each substance.

21 Any person who commits the conduct described in paragraph 1, 2  
22 or 3 of this subsection and represents the quantity of the  
23 controlled substance to be an amount described in subsection C of  
24 this section shall be punished under the provisions appropriate for

1 the amount of controlled substance represented, regardless of the  
2 actual amount.

3 C. In the case of a violation of the provisions of subsection B  
4 of this section, involving:

5 1. Marihuana:

- 6 a. twenty-five (25) pounds or more of a mixture or  
7 substance containing a detectable amount of marihuana  
8 shall be punishable by a fine of not less than Twenty-  
9 five Thousand Dollars (\$25,000.00) and not more than  
10 One Hundred Thousand Dollars (\$100,000.00), or  
11 b. one thousand (1,000) pounds or more of a mixture or  
12 substance containing a detectable amount of marihuana  
13 shall be deemed aggravated trafficking punishable by a  
14 fine of not less than One Hundred Thousand Dollars  
15 (\$100,000.00) and not more than Five Hundred Thousand  
16 Dollars (\$500,000.00);

17 2. Cocaine, coca leaves or cocaine base:

- 18 a. twenty-eight (28) grams or more of a mixture or  
19 substance containing a detectable amount of cocaine,  
20 coca leaves or cocaine base shall be punishable by a  
21 fine of not less than Twenty-five Thousand Dollars  
22 (\$25,000.00) and not more than One Hundred Thousand  
23 Dollars (\$100,000.00),  
24

1           b.    three hundred (300) grams or more of a mixture or  
2                substance containing a detectable amount of cocaine,  
3                coca leaves or cocaine base shall be punishable by a  
4                fine of not less than One Hundred Thousand Dollars  
5                (\$100,000.00) and not more than Five Hundred Thousand  
6                Dollars (\$500,000.00), or

7           c.    four hundred fifty (450) grams or more of a mixture or  
8                substance containing a detectable amount of cocaine,  
9                coca leaves or cocaine base shall be deemed aggravated  
10              trafficking punishable by a fine of not less than One  
11              Hundred Thousand Dollars (\$100,000.00) and not more  
12              than Five Hundred Thousand Dollars (\$500,000.00);

13       3.   Heroin:

14           a.    ten (10) grams or more of a mixture or substance  
15                containing a detectable amount of heroin shall be  
16                punishable by a fine of not less than Twenty-five  
17                Thousand Dollars (\$25,000.00) and not more than Fifty  
18                Thousand Dollars (\$50,000.00), or

19           b.    twenty-eight (28) grams or more of a mixture or  
20                substance containing a detectable amount of heroin  
21                shall be punishable by a fine of not less than Fifty  
22                Thousand Dollars (\$50,000.00) and not more than Five  
23                Hundred Thousand Dollars (\$500,000.00);

24       4.   Amphetamine or methamphetamine:

1           a.    twenty (20) grams or more of a mixture or substance  
2                   containing a detectable amount of amphetamine or  
3                   methamphetamine shall be punishable by a fine of not  
4                   less than Twenty-five Thousand Dollars (\$25,000.00)  
5                   and not more than Two Hundred Thousand Dollars  
6                   (\$200,000.00),

7           b.    two hundred (200) grams or more of a mixture or  
8                   substance containing a detectable amount of  
9                   amphetamine or methamphetamine shall be punishable by  
10                  a fine of not less than Fifty Thousand Dollars  
11                  (\$50,000.00) and not more than Five Hundred Thousand  
12                  Dollars (\$500,000.00), or

13          c.    four hundred fifty (450) grams or more of a mixture or  
14                  substance containing a detectable amount of  
15                  amphetamine or methamphetamine shall be deemed  
16                  aggravated trafficking punishable by a fine of not  
17                  less than Fifty Thousand Dollars (\$50,000.00) and not  
18                  more than Five Hundred Thousand Dollars (\$500,000.00);

19    5.   Lysergic acid diethylamide (LSD):

20          a.    one (1) gram or more of a mixture or substance  
21                  containing a detectable amount of lysergic acid  
22                  diethylamide (LSD) shall be punishable by a fine of  
23                  not less than Fifty Thousand Dollars (\$50,000.00) and  
24

1 not more than One Hundred Thousand Dollars

2 (\$100,000.00), or

- 3 b. ten (10) grams or more of a mixture or substance  
4 containing a detectable amount of lysergic acid  
5 diethylamide (LSD) shall be punishable by a fine of  
6 not less than One Hundred Thousand Dollars  
7 (\$100,000.00) and not more than Two Hundred Fifty  
8 Thousand Dollars (\$250,000.00);

9 6. Phencyclidine (PCP):

- 10 a. twenty (20) grams or more of a substance containing a  
11 mixture or substance containing a detectable amount of  
12 phencyclidine (PCP) shall be punishable by a fine of  
13 not less than Twenty Thousand Dollars (\$20,000.00) and  
14 not more than Fifty Thousand Dollars (\$50,000.00), or  
15 b. one hundred fifty (150) grams or more of a substance  
16 containing a mixture or substance containing a  
17 detectable amount of phencyclidine (PCP) shall be  
18 punishable by a fine of not less than Fifty Thousand  
19 Dollars (\$50,000.00) and not more than Two Hundred  
20 Fifty Thousand Dollars (\$250,000.00);

21 7. Methylenedioxy methamphetamine:

- 22 a. thirty (30) tablets or ten (10) grams of a mixture or  
23 substance containing a detectable amount of 3,4-  
24 Methylenedioxy methamphetamine shall be trafficking

1 punishable by a term of imprisonment in the custody of  
2 the Department of Corrections not to exceed twenty  
3 (20) years and by a fine of not less than Twenty-five  
4 Thousand Dollars (\$25,000.00) and not more than One  
5 Hundred Thousand Dollars (\$100,000.00), or

6 b. one hundred (100) tablets or thirty (30) grams of a  
7 mixture or substance containing a detectable amount of  
8 3,4-Methylenedioxy methamphetamine shall be aggravated  
9 trafficking punishable by a term of imprisonment in  
10 the custody of the Department of Corrections of not  
11 less than two (2) years nor more than life by a fine  
12 of not less than One Hundred Thousand Dollars  
13 (\$100,000.00) and not more than Five Hundred Thousand  
14 Dollars (\$500,000.00);

15 8. Morphine: One thousand (1,000) grams or more of a mixture  
16 containing a detectable amount of morphine shall be trafficking  
17 punishable by a term of imprisonment in the custody of the  
18 Department of Corrections not to exceed twenty (20) years and by a  
19 fine of not less than One Hundred Thousand Dollars (\$100,000.00) and  
20 not more than Five Hundred Thousand Dollars (\$500,000.00);

21 9. Oxycodone: Four hundred (400) grams or more of a mixture  
22 containing a detectable amount of oxycodone shall be trafficking  
23 punishable by a term of imprisonment in the custody of the  
24 Department of Corrections not to exceed twenty (20) years and by a

fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00);

10. Hydrocodone: Three thousand seven hundred and fifty (3,750) grams or more of a mixture containing a detectable amount of hydrocodone shall be trafficking punishable by a term of imprisonment in the custody of the Department of Corrections not to exceed twenty (20) years and by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00); ~~and~~

11. Benzodiazepine: Five hundred (500) grams or more of a mixture containing a detectable amount of benzodiazepine shall be trafficking punishable by a term of imprisonment not to exceed twenty (20) years and by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00); and

12. Fentanyl and its analogs and derivatives: One (1) gram or more of a mixture containing fentanyl or carfentanil, or any fentanyl analogs or derivatives shall be punishable by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00).

D. Any person who violates the provisions of this section with respect to a marihuana, cocaine, coca leaves, cocaine base, heroin, amphetamine or methamphetamine in a quantity specified in paragraphs 1, 2, 3 and 4 of subsection C of this section shall, in addition to

1 any fines specified by this section, be punishable by a term of  
2 imprisonment as follows:

3 1. For trafficking, a first violation of this section, a term  
4 of imprisonment in the custody of the Department of Corrections not  
5 to exceed twenty (20) years;

6 2. For trafficking, a second violation of this section, a term  
7 of imprisonment in the Department of Corrections of not less than  
8 four (4) years nor more than life, for which the person shall serve  
9 fifty percent (50%) of the sentence before being eligible for parole  
10 consideration;

11 3. For trafficking, a third or subsequent violation of this  
12 section, a term of imprisonment in the custody of the Department of  
13 Corrections of not less than twenty (20) years nor more than life,  
14 of which the person shall serve fifty percent (50%) of the sentence  
15 before being eligible for parole consideration.

16 Persons convicted of trafficking shall not be eligible for  
17 earned credits or any other type of credits which have the effect of  
18 reducing the length of sentence to less than fifty percent (50%) of  
19 the sentence imposed; and

20 If the person is convicted of aggravated trafficking as provided  
21 in subparagraph b of paragraph 1 of subsection C of this section,  
22 subparagraph c of paragraph 2 of subsection C of this section or  
23 subparagraph c of paragraph 4 of subsection C of this section, a  
24 sentence of imprisonment in the custody of the Department of



1 Corrections as provided in paragraphs 1, 2 and 3 of subsection D of  
2 this section, of which the person shall serve eighty-five percent  
3 (85%) of such sentence before being eligible for parole  
4 consideration.

5 ~~F.~~ E. The penalties specified in subsections C and D of this  
6 section are subject to the enhancements enumerated in subsections E  
7 and F of Section 2-401 of this title.

8 ~~G.~~ F. Any person convicted of any offense described in this  
9 section shall, in addition to any fine imposed, pay a special  
10 assessment trauma-care fee of One Hundred Dollars (\$100.00) to be  
11 deposited into the Trauma Care Assistance Revolving Fund created in  
12 Section 1-2530.9 of this title and the assessment pursuant to  
13 Section 2-503.2 of this title.

14 SECTION 41. REPEALER 63 O.S. 2011, Section 2-415, as  
15 last amended by Section 1, Chapter 7, O.S.L. 2018 (63 O.S. Supp.  
16 2018, Section 2-415), is hereby repealed.

17 SECTION 42. AMENDATORY 68 O.S. 2011, Section 3904, as  
18 last amended by Section 1, Chapter 191, O.S.L. 2018 (68 O.S. Supp.  
19 2018, Section 3904), is amended to read as follows:

20 Section 3904. A. An establishment which meets the  
21 qualifications specified in the Small Employer Quality Jobs  
22 Incentive Act may receive quarterly incentive payments for a seven-  
23 year period from the Oklahoma Tax Commission pursuant to the  
24 provisions of the Small Employer Quality Jobs Incentive Act in an

1 amount equal to the net benefit rate multiplied by the actual gross  
2 taxable payroll of new direct jobs as verified by the Tax  
3 Commission.

4 B. In order to receive incentive payments, an establishment  
5 shall apply to the Oklahoma Department of Commerce. The application  
6 shall be on a form prescribed by the Department and shall contain  
7 such information as may be required by the Department to determine  
8 if the applicant is qualified. The establishment may apply for an  
9 effective date for a project, which shall not be more than twelve  
10 (12) months from the date the application is submitted to the  
11 Department.

12 C. Before approving an application for incentive payments, the  
13 Department must first determine that the applicant meets the  
14 following requirements:

15 1. Be engaged in a basic industry;

16 2. Has no more than five hundred full-time employees in this  
17 state on the date of application nor an average of more than five  
18 hundred full-time employees in this state during the four calendar  
19 quarters immediately preceding the date of application;

20 3. Has a projected minimum employment, as determined by the  
21 Department, of new direct jobs within twelve (12) months of the date  
22 of application, or after July 1, 2011, within twenty-four (24)  
23 months of the date of application, as follows:

24

- 1           a.    if the establishment is located in a municipality with  
2               a population less than three thousand five hundred  
3               (3,500) persons, as determined by the Department of  
4               Commerce based on the most recent U.S. Department of  
5               Commerce data, or if the establishment is located in  
6               an unincorporated area and the largest municipality  
7               within twenty (20) miles of the establishment is such  
8               a municipality, new direct jobs equal to the greater  
9               of five (5) jobs or five percent (5%) of the company's  
10              full-time employment at the date of application,  
11           b.    if the establishment is located in a municipality with  
12               a population of three thousand five hundred (3,500)  
13               persons or more but less than seven thousand (7,000)  
14               persons, as determined by the Department of Commerce  
15               based on the most recent U.S. Department of Commerce  
16               data, or if the establishment is located in an  
17               unincorporated area and the largest municipality  
18               within twenty (20) miles of the establishment is such  
19               a municipality, new direct jobs equal to the greater  
20               of ten (10) jobs or seven and one-half percent (7.5%)  
21               of the company's full-time employment at the date of  
22               the application, and  
23           c.    if the establishment is located in a municipality with  
24               a population of seven thousand (7,000) persons or

1 more, as determined by the Department of Commerce  
2 based on the most recent U.S. Department of Commerce  
3 data, or if the establishment is located in an  
4 unincorporated area and the largest municipality  
5 within twenty (20) miles of the establishment is such  
6 a municipality, new direct jobs equal to the greater  
7 of fifteen (15) jobs or ten percent (10%) of the  
8 company's full-time employment at the date of  
9 application.

10 Provided, for an establishment engaged in software publishing as  
11 defined or classified in the NAICS Manual under Industry Group No.  
12 5112, data processing, hosting and related services as defined or  
13 classified in the NAICS Manual under Industry Group No. 5182,  
14 computer systems design and related services as defined or  
15 classified in the NAICS Manual under Industry Group No. 5415,  
16 scientific research and development services as defined or  
17 classified in the NAICS Manual under Industry Group No. 5417,  
18 medical and diagnostic laboratories as defined or classified in the  
19 NAICS Manual under Industry Group No. 6215 or testing laboratories  
20 as defined or classified in the NAICS Manual under U.S. Industry No.  
21 541380, the projected minimum employment requirements of this  
22 paragraph must be achieved within thirty-six (36) months of the date  
23 of application;  
24

1       4. Has or will have within twelve (12) months of the date of  
2 application, or after July 1, 2011, within twenty-four (24) months  
3 of the date of application, as determined by the Department, sales  
4 of at least seventy-five percent (75%) of its total sales to out-of-  
5 state customers or buyers, to in-state customers or buyers if the  
6 product or service is resold by the purchaser to an out-of-state  
7 customer or buyer for ultimate use, or to the federal government,  
8 except that:

9           a. those establishments in the NAICS Manual under the  
10           U.S. Industry No. 541710 or 541380 are excused from  
11           the seventy-five percent (75%) out-of-state sales  
12           requirement,

13          b. warehouses that serve as distribution centers for  
14           retail or wholesale businesses shall be required to  
15           distribute forty percent (40%) of inventory to out-of-  
16           state locations, and

17          c. adjustment and collection services activities defined  
18           or classified in the NAICS Manual under U.S. Industry  
19           No. 561440 shall be required to have seventy-five  
20           percent (75%) of loans to be serviced made by out-of-  
21           state debtors;

22       5. Will pay the individuals it employs in new direct jobs an  
23 average annualized wage which equals or exceeds:  
24

- 1           a.    one hundred twenty-five percent (125%) of the average  
2                county wage of small employers located in that county  
3                as that percentage is determined by the Department of  
4                Commerce based on the most recent wage and employment  
5                data from the Oklahoma Employment Security Commission  
6                for the county in which the new direct jobs are  
7                located. For purposes of this subparagraph, health  
8                care premiums paid by the applicant for individuals in  
9                new direct jobs shall be included in the annualized  
10              wage, or
- 11           b.   one hundred ten percent (110%) of the average county  
12                wage of small employers located in that county as that  
13                percentage is determined by the Department of Commerce  
14                based upon the most recent wage and employment data  
15                from the Oklahoma Employment Security Commission for  
16                the county in which the new direct jobs are located.  
17                For purposes of this subparagraph, health care  
18                premiums paid by the applicant for individuals in new  
19                direct jobs shall not be included in the annualized  
20              wage, or
- 21           c.   one hundred percent (100%) of the average county wage,  
22                excluding health care premiums paid by the applicant  
23                for individuals in new direct jobs if the county in  
24                which the new jobs are located has:

- 1           (1) according to the most recent annual determination  
2           by the Oklahoma Employment Security Commission, a  
3           county unemployment rate more than ten percent  
4           (10%) higher than the state unemployment rate,  
5           and  
6           (2) according to the most recent United States Census  
7           Bureau Data, a county personal poverty rate above  
8           fifteen percent (15%);

9       6. Has a basic health benefit plan which, as determined by the  
10     Department, meets the elements established under divisions (1)  
11     through (7) of subparagraph b of paragraph 1 of subsection A of  
12     Section 3603 of this title and which will be offered to individuals  
13     within twelve (12) months of employment in a new direct job;

14       7. Has not received incentive payments under the Oklahoma  
15     Quality Jobs Program Act, the Saving Quality Jobs Act, or the Former  
16     Military Facility Development Act; and

17       8. Is not qualified for approval of an application for  
18     incentive payments under the Oklahoma Quality Jobs Program Act, the  
19     Saving Quality Jobs Act, or the Former Military Facility Development  
20     Act.

21       D. The Oklahoma Department of Commerce shall determine if an  
22     applicant is qualified to receive the incentive payment. Upon  
23     qualifying the applicant, the Department shall notify the Tax  
24     Commission and shall provide it with a copy of the application, and

1 approval which shall provide the number of persons employed by the  
2 applicant upon the date of approval and the maximum total incentives  
3 which may be paid to the applicant during the seven-year period.  
4 The Tax Commission may require the qualified establishment to submit  
5 additional information as may be necessary to administer the  
6 provisions of the Small Employer Quality Jobs Incentive Act. The  
7 approved establishment shall report to the Tax Commission quarterly  
8 to show its continued eligibility for incentive payments, as  
9 provided in Section 3905 of this title. Establishments may be  
10 audited by the Tax Commission to verify such eligibility. Once the  
11 establishment is approved, an agreement shall be deemed to exist  
12 between the establishment and the State of Oklahoma, requiring  
13 incentive payments to be made for a seven-year period as long as the  
14 establishment retains its eligibility and within the limitations of  
15 the Small Employer Quality Jobs Incentive Act which existed at the  
16 time of such approval. Any establishment which has been approved  
17 for incentive payments prior to July 1, 2002, shall continue to  
18 receive such payments pursuant to the laws as they existed prior to  
19 July 1, 2002, for any period of time of the original five-year  
20 period for such payments remaining after July 1, 2002.

21 E. For any contract executed by an establishment on or after  
22 August 2, 2018, five percent (5%) of the quarterly incentive payment  
23 amount shall be transferred by the Oklahoma Tax Commission to the  
24 Oklahoma Quick Action Closing Fund.



1       SECTION 43.       REPEALER       68 O.S. 2011, Section 3904, as last  
2 amended by Section 3, Chapter 144, O.S.L. 2018 (68 O.S. Supp. 2018,  
3 Section 3904), is hereby repealed.

4       SECTION 44.       AMENDATORY       70 O.S. 2011, Section 11-103.6,  
5 as last amended by Section 1, Chapter 241, O.S.L. 2018 (70 O.S.  
6 Supp. 2018, Section 11-103.6), is amended to read as follows:

7       Section 11-103.6. A. 1. The State Board of Education shall  
8 adopt subject matter standards for instruction of students in the  
9 public schools of this state that are necessary to ensure there is  
10 attainment of desired levels of competencies in a variety of areas  
11 to include language, mathematics, science, social studies and  
12 communication.

13       2. School districts shall develop and implement curriculum,  
14 courses and instruction in order to ensure that students meet the  
15 skills and competencies as set forth in this section and in the  
16 subject matter standards adopted by the State Board of Education.

17       3. All students shall gain literacy at the elementary and  
18 secondary levels. Students shall develop skills in reading,  
19 writing, speaking, computing and critical thinking. For purposes of  
20 this section, critical thinking means a manner of analytical  
21 thinking which is logical and uses linear factual analysis to reach  
22 a conclusion. They also shall learn about cultures and environments  
23 - their own and those of others with whom they share the earth.  
24 Students, therefore, shall study social studies, literature,

1 languages, the arts, mathematics and science. Such curricula shall  
2 provide for the teaching of a hands-on career exploration program in  
3 cooperation with technology center schools.

4 4. The subject matter standards shall be designed to teach the  
5 competencies for which students shall be tested as provided in  
6 Section 1210.508 of this title, and shall be designed to prepare all  
7 students for active citizenship, employment and/or successful  
8 completion of postsecondary education without the need for remedial  
9 coursework at the postsecondary level.

10 5. The subject matter standards shall be designed with rigor as  
11 defined in paragraph 3 of subsection F of this section.

12 6. The subject matter standards for English Language Arts shall  
13 give Classic Literature and nonfiction literature equal  
14 consideration to other literature. In addition, emphasis shall be  
15 given to the study of complete works of literature.

16 7. At a minimum, the subject matter standards for mathematics  
17 shall require mastery of the standard algorithms in mathematics,  
18 which is the most logical, efficient way of solving a problem that  
19 consistently works, and for students to attain fluency in Euclidian  
20 geometry.

21 8. The subject matter standards for history, social studies and  
22 United States Government shall include the content of the United  
23 States naturalization test, with an emphasis on the specific content  
24 of the test and the ideas and concepts it references. The United

1 States naturalization test shall be made available in physical and  
2 electronic online formats as an optional assessment tool for  
3 teachers.

4 9. The subject matter standards for United States Government  
5 shall include an emphasis on civics. For the purposes of this  
6 section, "civics" means the study of the rights and duties of  
7 Oklahoma and United States citizens and of how those governments  
8 work.

9 B. Subject to the provisions of subsection C of this section,  
10 in order to graduate from a public high school accredited by the  
11 State Board of Education with a standard diploma, students shall  
12 complete the following college preparatory/work ready curriculum  
13 units or sets of competencies at the secondary level:

14 1. Four units or sets of competencies of English to include  
15 Grammar, Composition, Literature, or any English course approved for  
16 college admission requirements;

17 2. Three units or sets of competencies of mathematics, limited  
18 to Algebra I, Algebra II, Geometry, Trigonometry, Math Analysis,  
19 Calculus, Advanced Placement Statistics, or any mathematics course  
20 with content and/or rigor above Algebra I and approved for college  
21 admission requirements;

22 3. Three units or sets of competencies of laboratory science  
23 approved for college admission requirements, including one unit or  
24 set of competencies of life science, meeting the standards for

1 Biology I; one unit or set of competencies of physical science,  
2 meeting the standards for Physical Science, Chemistry or Physics;  
3 and one unit or set of competencies from the domains of physical  
4 science, life science or earth and space science such that the  
5 content and rigor is above Biology I or Physical Science;

6 4. Three units or sets of competencies of history and  
7 citizenship skills, including one unit of American History, 1/2 unit  
8 of Oklahoma History, 1/2 unit of United States Government and one  
9 unit from the subjects of History, Government, Geography, Economics,  
10 Civics, or non-Western culture and approved for college admission  
11 requirements;

12 5. Two units or sets of competencies of the same foreign or  
13 non-English language or two units of computer technology approved  
14 for college admission requirements, whether taught at a high school  
15 or a technology center school, including computer programming,  
16 hardware, and business computer applications, such as word  
17 processing, databases, spreadsheets, and graphics, excluding  
18 keyboarding or typing courses;

19 6. One additional unit or set of competencies selected from  
20 paragraphs 1 through 5 of this subsection or career and technology  
21 education courses, concurrently enrolled courses, Advanced Placement  
22 courses or International Baccalaureate courses approved for college  
23 admission requirements; and  
24

1        7. One unit or set of competencies of fine arts, such as music,  
2 art, or drama, or one unit or set of competencies of speech.

3        C. In lieu of the requirements of subsection B of this section  
4 which requires a college preparatory/work ready curriculum, a  
5 student may enroll in the core curriculum as provided in subsection  
6 D of this section upon written approval of the parent or legal  
7 guardian of the student. For students under the age of eighteen  
8 (18) school districts shall require a parent or legal guardian of  
9 the student to meet with a designee of the school prior to  
10 enrollment in the core curriculum. The State Department of  
11 Education shall develop and distribute to school districts a form  
12 suitable for this purpose, which shall include information on the  
13 benefits to students of completing the college preparatory/work  
14 ready curriculum as provided for in subsection B of this section.

15        D. For those students subject to the requirements of subsection  
16 C of this section, in order to graduate from a public high school  
17 accredited by the State Board of Education with a standard diploma,  
18 students shall complete the following core curriculum units or sets  
19 of competencies at the secondary level:

20        1. Language Arts - 4 units or sets of competencies, to consist  
21 of 1 unit or set of competencies of grammar and composition, and 3  
22 units or sets of competencies which may include, but are not limited  
23 to, the following courses:

24            a. American Literature,

- b. English Literature,
- c. World Literature,
- d. Advanced English Courses, or
- e. other English courses with content and/or rigor equal to or above grammar and composition;

2. Mathematics - 3 units or sets of competencies, to consist of 1 unit or set of competencies of Algebra I or Algebra I taught in a contextual methodology, and 2 units or sets of competencies which may include, but are not limited to, the following courses:

- a. Algebra II,
- b. Geometry or Geometry taught in a contextual methodology,
- c. Trigonometry,
- d. Math Analysis or Precalculus,
- e. Calculus,
- f. Statistics and/or Probability,
- g. Computer Science or acceptance and successful completion of one (1) year of a full-time, three-hour career and technology program leading to an industry credential/certificate or college credit. The State Board of Career and Technology Education shall promulgate rules to define the provisions of this act related to the accepted industry-valued credentials which are industry-endorsed or industry-aligned. The

list of accepted industry-valued credentials shall be reviewed annually and updated at least every three (3) years by the Board,

h. (1) contextual mathematics courses which enhance technology preparation, or

(2) a science, technology, engineering and math (STEM) block course meeting the requirements for course competencies listed in paragraph 2 of subsection B of this section, whether taught at a:

(a) comprehensive high school, or

(b) technology center school when taken in the tenth, eleventh or twelfth grade, taught by a certified teacher, and approved by the State Board of Education and the independent district board of education,

i. mathematics courses taught at a technology center school by a teacher certified in the secondary subject area when taken in the tenth, eleventh or twelfth grade upon approval of the State Board of Education and the independent district board of education, or

j. any other mathematics course with content and/or rigor equal to or above Algebra I;

1        3. Science - 3 units or sets of competencies, to consist of 1  
2 unit or set of competencies of Biology I or Biology I taught in a  
3 contextual methodology, and 2 units or sets of competencies in the  
4 areas of life, physical, or earth science or technology which may  
5 include, but are not limited to, the following courses:

- 6            a. Chemistry I,
- 7            b. Physics,
- 8            c. Biology II,
- 9            d. Chemistry II,
- 10           e. Physical Science,
- 11           f. Earth Science,
- 12           g. Botany,
- 13           h. Zoology,
- 14           i. Physiology,
- 15           j. Astronomy,
- 16           k. Applied Biology/Chemistry,
- 17           l. Applied Physics,
- 18           m. Principles of Technology,
- 19           n. qualified agricultural education courses,
- 20           o. (1) contextual science courses which enhance  
21                   technology preparation, or  
22                   (2) a science, technology, engineering and math  
23                   (STEM) block course meeting the requirements for  
24                   course competencies listed in paragraph 3 of



subsection B of this section, whether taught at

a:

(a) comprehensive high school, or

(b) technology center school when taken in the tenth, eleventh or twelfth grade, taught by a certified teacher, and approved by the State Board of Education and the independent district board of education,

p. science courses taught at a technology center school by a teacher certified in the secondary subject area when taken in the tenth, eleventh or twelfth grade upon approval of the State Board of Education and the independent district board of education, or

q. other science courses with content and/or rigor equal to or above Biology I;

4. Social Studies - 3 units or sets of competencies, to consist of 1 unit or set of competencies of United States History, 1/2 to 1 unit or set of competencies of United States Government, 1/2 unit or set of competencies of Oklahoma History, and 1/2 to 1 unit or set of competencies which may include, but are not limited to, the following courses:

a. World History,

b. Geography,

c. Economics,

1           d.    Anthropology, or

2           e.    other social studies courses with content and/or rigor  
3                equal to or above United States History, United States  
4                Government, and Oklahoma History;

5           5.    Arts - 1 unit or set of competencies which may include, but  
6   is not limited to, courses in Visual Arts and General Music; and

7           6.    Computer Education or World Language - 1 unit or set of  
8   competencies of computer technology, whether taught at a high school  
9   or a technology center school, including computer programming,  
10   hardware and business computer applications, such as word  
11   processing, databases, spreadsheets and graphics, excluding  
12   keyboarding or typing courses, or 1 unit or set of competencies of  
13   foreign or non-English language.

14        E.   1.   In addition to the curriculum requirements of either  
15   subsection B or D of this section, in order to graduate from a  
16   public high school accredited by the State Board of Education  
17   students shall complete the requirements for a personal financial  
18   literacy passport as set forth in the Passport to Financial Literacy  
19   Act and any additional course requirements or recommended elective  
20   courses as may be established by the State Board of Education and  
21   the district school board. School districts shall strongly  
22   encourage students to complete two units or sets of competencies of  
23   foreign languages and two units or sets of competencies of physical  
24   and health education.

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  
6 offer sufficient courses to allow a student to meet the graduation  
7 requirements during the secondary grade years of the student.

8        F. For purposes of this section:

9        1. "Contextual methodology" means academic content and skills  
10 taught by utilizing real-world problems and projects in a way that  
11 helps students understand the application of that knowledge;

12        2. "Qualified agricultural education courses" means courses  
13 that have been determined by the State Board of Education to offer  
14 the sets of competencies for one or more science content areas and  
15 which correspond to academic science courses. Qualified  
16 agricultural education courses shall include, but are not limited  
17 to, Horticulture, Plant and Soil Science, Natural Resources and  
18 Environmental Science, and Animal Science. The courses shall be  
19 taught by teachers certified in agricultural education and comply  
20 with all rules of the Oklahoma Department of Career and Technology  
21 Education;

22        3. "Rigor" means a level of difficulty that is thorough,  
23 exhaustive and accurate and is appropriate for the grade level;  
24

1        4. "Sets of competencies" means instruction in those skills and  
2 competencies that are specified in the subject matter standards  
3 adopted by the State Board of Education and other skills and  
4 competencies adopted by the Board, without regard to specified  
5 instructional time; and

6        5. "Unit" means a Carnegie Unit as defined by the North Central  
7 Association's Commission on Schools.

8        G. 1. The State Board of Education shall adopt a plan to  
9 ensure that rigor is maintained in the content, teaching  
10 methodology, level of expectations for student achievement, and  
11 application of learning in all the courses taught to meet the  
12 graduation requirements as specified in this section.

13        2. The State Board of Education shall allow as much flexibility  
14 at the district level as is possible without diminishing the rigor  
15 or undermining the intent of providing these courses. To accomplish  
16 this purpose, the State Department of Education shall work with  
17 school districts in reviewing and approving courses taught by  
18 districts that are not specifically listed in subsections B and D of  
19 this section. Options may include, but shall not be limited to,  
20 courses taken by concurrent enrollment, advanced placement, or  
21 correspondence, or courses bearing different titles.

22        3. The State Board of Education shall approve an advanced  
23 placement computer science course to meet the requirements of course  
24 competencies listed in paragraph 2 of subsection B of this section

1 if the course is taken in a student's senior year and the student is  
2 concurrently enrolled in or has successfully completed Algebra II.

3 4. Technology center school districts may offer programs  
4 designed in cooperation with institutions of higher education which  
5 have an emphasis on a focused field of career study upon approval of  
6 the State Board of Education and the independent district board of  
7 education. Students in the tenth grade may be allowed to attend  
8 these programs for up to one-half (1/2) of a school day and credit  
9 for the units or sets of competencies required in paragraphs 2, 3  
10 and 6 of subsection B or D of this section shall be given if the  
11 courses are taught by a teacher certified in the secondary subject  
12 area; provided, credit for units or sets of competencies pursuant to  
13 subsection B of this section shall be approved for college admission  
14 requirements.

15 5. If a student enrolls in a concurrent course, the school  
16 district shall not be responsible for any costs incurred for that  
17 course, unless the school district does not offer enough course  
18 selection during the student's secondary grade years to allow the  
19 student to receive the courses needed to meet the graduation  
20 requirements of this section. If the school district does not offer  
21 the necessary course selection during the student's secondary grade  
22 years, it shall be responsible for the cost of resident tuition at  
23 an institution in The Oklahoma State System of Higher Education,  
24

1 fees, and books for the concurrent enrollment course, and providing  
2 for transportation to and from the institution to the school site.

3 It is the intent of the Legislature that for students enrolled  
4 in a concurrent enrollment course which is paid for by the school  
5 district pursuant to this paragraph, the institution charge only the  
6 supplementary and special service fees that are directly related to  
7 the concurrent enrollment course and enrollment procedures for that  
8 student. It is further the intent of the Legislature that fees for  
9 student activities and student service facilities, including the  
10 student health care and cultural and recreational service fees, not  
11 be charged to such students.

12 6. Credit for the units or sets of competencies required in  
13 subsection B or D of this section shall be given when such units or  
14 sets of competencies are taken prior to ninth grade if the teachers  
15 are certified or authorized to teach the subjects for high school  
16 credit and the required rigor is maintained.

17 7. The three units or sets of competencies in mathematics  
18 required in subsection B or D of this section shall be completed in  
19 the ninth through twelfth grades. If a student completes any  
20 required courses or sets of competencies in mathematics prior to  
21 ninth grade, the student may take any other mathematics courses or  
22 sets of competencies to fulfill the requirement to complete three  
23 units or sets of competencies in grades nine through twelve after  
24

1 the student has satisfied the requirements of subsection B or D of  
2 this section.

3 8. All units or sets of competencies required for graduation  
4 may be taken in any sequence recommended by the school district.

5 H. As a condition of receiving accreditation from the State  
6 Board of Education, all students in grades nine through twelve shall  
7 enroll in a minimum of six periods, or the equivalent in block  
8 scheduling or other scheduling structure that allows for instruction  
9 in sets of competencies, of rigorous academic and/or rigorous  
10 vocational courses each day, which may include arts, vocal and  
11 instrumental music, speech classes, and physical education classes.

12 I. 1. Academic and vocational-technical courses designed to  
13 offer sets of competencies integrated or embedded within the course  
14 that provide for the teaching and learning of the appropriate skills  
15 and knowledge in the subject matter standards, as adopted by the  
16 State Board of Education, may upon approval of the Board, in  
17 consultation with the Oklahoma Department of Career and Technology  
18 Education if the courses are offered at a technology center school  
19 district, be counted for academic credit and toward meeting the  
20 graduation requirements of this section.

21 2. Internet-based courses offered by a technology center school  
22 that are taught by a certified teacher and provide for the teaching  
23 and learning of the appropriate skills and knowledge in the subject  
24 matter standards may, upon approval of the State Board of Education

1 and the independent district board of education, be counted for  
2 academic credit and toward meeting the graduation requirements of  
3 this section.

4 3. Internet-based courses or vocational-technical courses  
5 utilizing integrated or embedded skills for which no subject matter  
6 standards have been adopted by the State Board of Education may be  
7 approved by the Board, in consultation with the Oklahoma Department  
8 of Career and Technology Education if the courses are offered at a  
9 technology center school district, if such courses incorporate  
10 standards of nationally recognized professional organizations and  
11 are taught by certified teachers.

12 4. Courses offered by a supplemental education organization  
13 that is accredited by a national accrediting body and that are  
14 taught by a certified teacher and provide for the teaching and  
15 learning of the appropriate skills and knowledge in the subject  
16 matter standards may, upon approval of the State Board of Education  
17 and the school district board of education, be counted for academic  
18 credit and toward meeting the graduation requirements of this  
19 section.

20 J. The State Board of Education shall provide an option for  
21 high school graduation based upon attainment of the desired levels  
22 of competencies as required in tests pursuant to the provisions of  
23 Section 1210.508 of this title. Such option shall be in lieu of the  
24 amount of course credits earned.



1 K. The State Board of Education shall prescribe, adopt and  
2 approve a promotion system based on the attainment by students of  
3 specified levels of competencies in each area of the core  
4 curriculum.

5 L. Children who have individualized education programs pursuant  
6 to the Individuals with Disabilities Education Act (IDEA), and who  
7 satisfy the graduation requirements through the individualized  
8 education program for that student shall be awarded a standard  
9 diploma.

10 M. Students who enter the ninth grade in or prior to the 2007-  
11 08 school year who are enrolled in an alternative education program  
12 and meet the requirements of their plans leading to high school  
13 graduation developed pursuant to Section 1210.568 of this title  
14 shall be awarded a standard diploma.

15 N. Any student who completes the curriculum requirements of the  
16 International Baccalaureate Diploma Program shall be awarded a  
17 standard diploma.

18 O. Any student who successfully completes an advanced  
19 mathematics or science course offered pursuant to Section 1210.404  
20 of this title shall be granted academic credit toward meeting the  
21 graduation requirements pursuant to paragraph 2 or 3, as  
22 appropriate, of subsection B or D of this section.

23 P. For purposes of this section, the courses approved for  
24 college admission requirements shall be courses which are approved

1 by the Oklahoma State Regents for Higher Education for admission to  
2 an institution within The Oklahoma State System of Higher Education.

3 Q. Students who have been denied a standard diploma by the  
4 school district in which the student is or was enrolled for failing  
5 to meet the requirements of this section may re-enroll in the school  
6 district that denied the student a standard diploma following the  
7 denial of a standard diploma. The student shall be provided  
8 remediation or intervention and the opportunity to complete the  
9 curriculum units or sets of competencies required by this section to  
10 obtain a standard diploma. Students who re-enroll in the school  
11 district to meet the graduation requirements of this section shall  
12 be exempt from the hourly instructional requirements of Section 1-  
13 111 of this title and the six-period enrollment requirements of this  
14 section.

15 R. The State Department of Education shall collect and report  
16 data by school site and district on the number of students who  
17 enroll in the core curriculum as provided in subsection D of this  
18 section.

19 SECTION 45. REPEALER 70 O.S. 2011, Section 11-103.6, as  
20 last amended by Section 1, Chapter 67, O.S.L. 2018 (70 O.S. Supp.  
21 2018, Section 11-103.6), is hereby repealed.

22 SECTION 46. REPEALER 70 O.S. 2011, Section 17-105, as  
23 last amended by Section 19, Chapter 304, O.S.L. 2018 (70 O.S. Supp.  
24 2018, Section 17-105), is hereby repealed.

1       SECTION 47.       AMENDATORY       74 O.S. 2011, Section 913.4, as  
2 last amended by Section 4, Chapter 44, O.S.L. 2018 (74 O.S. Supp.  
3 2018, Section 913.4), is amended to read as follows:

4       Section 913.4. A. 1. Except as otherwise provided in this  
5 subsection, an elected official may elect to participate in the  
6 System and if he or she elects to do so shall have the option of  
7 participating at any one of the computation factors set forth in  
8 paragraph 3 or 4 of this subsection and will receive retirement  
9 benefits in accordance with the computation factor chosen. The  
10 election on participation in the System must be in writing, must  
11 specify the computation factor chosen, and must be filed with the  
12 System within ninety (90) days after the elected official takes  
13 office. The election to participate and the election of a  
14 computation factor shall be irrevocable. Reelection to the same  
15 office will not permit new elections. Failure of an elected  
16 official to file such election form within the ninety-day period  
17 shall be deemed an irrevocable election to participate in the System  
18 at the maximum computation factor.

19       2. Contributions and benefits will be based upon the elected  
20 official's annual compensation as defined in Section 902 of this  
21 title. Employer and elected official contributions shall be  
22 remitted at least monthly, or as the Board may otherwise provide, to  
23 the System for deposit in the Oklahoma Public Employees Retirement  
24

Fund. Effective July 1, 1994, and thereafter, the participating employer shall contribute as provided in Section 920 of this title.

3. Except as provided in paragraph 4 of this subsection, effective July 1, 1994, the computation factor selected and the corresponding elected official contribution rate shall be as follows:

Elected official Contribution Rate	Computation Factor	Alternate Formula
4.5%	1.9%	\$12.50
6%	2.5%	\$20.00
7.5%	3.0%	\$25.00
8.5%	3.4%	\$27.50
9%	3.6%	\$30.00
10%	4.0%	\$40.00

4. Elected officials who are first elected or appointed to an elected office on or after November 1, 2010, shall elect a computation factor of either 1.9% or 4%. The elected official contribution rate for the 1.9% computation factor is currently 4.5% and the contribution rate for the 4% computation factor is currently 10%. All other computation factors and contribution rates set forth in paragraph 3 of this subsection shall not be available to any person first elected or appointed to an elected office on or after November 1, 2010.

1        5. The contribution rate for elected officials who are first  
2 elected or appointed to an elected office on or after November 1,  
3 2011, shall be in the amount specified in paragraph (a) of  
4 subsection (1) of Section 919.1 of this title. The amount of the  
5 retirement benefit for elected officials who are first elected or  
6 appointed to an elected office on or after November 1, 2011, shall  
7 be based on the provisions of paragraph (1) of subsection A of  
8 Section 915 of this title.

9        6. The computation factors and corresponding elected official  
10 contribution rates provided for in paragraphs 3 and 4 of this  
11 subsection shall be based on the entire compensation as an elected  
12 official subject to the definition and maximum compensation levels  
13 as set forth in paragraph (9) of Section 902 of this title.

14        7. Elected officials who are first elected or appointed on or  
15 after November 1, 2011, shall also be eligible to make the election  
16 of an alternate multiplier and contribution rate pursuant to  
17 paragraph 2 of subsection A of Section 915 of this title.

18        8. A statewide elected official or legislator whose first  
19 service as an elected official occurs on or after November 1, 2015,  
20 shall become a participant in the defined contribution system  
21 created by Sections ~~±~~ 935.1 through ~~±~~ 935.11 of this ~~act~~ title and  
22 such elected official shall not accrue any service credit in the  
23 defined benefit plan of the Oklahoma Public Employees Retirement  
24 System created pursuant to Section 901 et seq. of this title.

1        9. Notwithstanding the provisions of paragraph 8 of this  
2 subsection, a statewide elected official or legislator who is first  
3 elected or appointed on or after November 1, 2018, and who has  
4 participating service in the defined benefit plan prior to November  
5 1, 2015, shall be a member of the defined benefit plan.

6        B. The normal retirement date for an elected official shall be  
7 the first day of the month coinciding with or following the  
8 official's sixtieth birthday or the first day of the month  
9 coinciding with or following the date at which the sum of the  
10 elected official's age and number of years of credited service total  
11 eighty (80). The normal retirement date for an elected official  
12 first elected or appointed to an elected office on or after November  
13 1, 2011, shall be the first day of the month coinciding with or  
14 following the official's sixty-fifth birthday or the date upon which  
15 the elected or appointed official attains the age of sixty-two (62)  
16 and who has at least ten (10) years of elected or appointed service.  
17 Any elected official first elected or appointed to an elected office  
18 before November 1, 2011, who has a minimum of ten (10) years'  
19 participating service may retire under the early retirement  
20 provisions of this act, including those electing a vested benefit  
21 and shall receive an adjustment of annual benefits in accordance  
22 with the following percentage schedule:

23		Percentage of Normal
24	Age	Retirement Benefits

1	60	100%
2	59	94%
3	58	88%
4	57	82%
5	56	76%
6	55	70%

7 Any elected official first elected or appointed to an elected  
8 office on or after November 1, 2011, who has a minimum of ten (10)  
9 years' ~~participating~~ elected or appointed service may retire under  
10 the early retirement provisions of this act, including those  
11 electing a vested benefit and shall receive an adjustment of annual  
12 benefits in accordance with the following percentage schedule:

13		Percentage of Normal
14	Age	Retirement Benefits
15	62	100%
16	61	93.33%
17	60	86.67%

18 C. 1. Any elected official shall receive annual benefits  
19 computed based upon the computation factor selected multiplied by  
20 the member's highest annual compensation received as an elected  
21 official prior to retirement or termination of employment multiplied  
22 by the number of years of credited service. No elected official  
23 shall retire using such highest annual compensation unless the  
24

1 | elected official has made the required election and has paid the  
2 | required contributions on such salary.

3 |       2. The retirement benefit may be computed pursuant to the  
4 | provisions of paragraph (1) of subsection A of Section 915 of this  
5 | title if the benefit would be higher. Elected officials who have a  
6 | vested benefit prior to July 1, 1980, may elect to receive annual  
7 | benefits based on the alternate formula provided above. Such annual  
8 | benefits shall be paid in equal monthly installments.

9 |       3. Elected officials who become members of the Oklahoma Public  
10 | Employees Retirement System on or after August 22, 2008, will  
11 | receive retirement benefits in accordance with the computation  
12 | factor selected pursuant to subsection A of this section multiplied  
13 | by the member's highest annual compensation received as an elected  
14 | official and only for those years of credited service the member  
15 | served as an elected official. If such elected official has  
16 | participating service as a nonelected member, then such nonelected  
17 | service shall be computed separately pursuant to the provisions of  
18 | paragraph (1) of subsection A of Section 915 of this title with the  
19 | final benefit result added to the final benefit result for elected  
20 | service. In no event shall the elected official be entitled to  
21 | apply the computation factor selected pursuant to subsection A of  
22 | this section or the compensation received as an elected official to  
23 | the computation of nonelected service.



1        4. Elected officials who are first elected or appointed to an  
2 elected office on or after August 22, 2008, may not receive a  
3 maximum benefit greater than their single highest annual  
4 compensation received as a member of the Oklahoma Public Employees  
5 Retirement System.

6        D. Any elected official making an election to participate at a  
7 computation factor less than the maximum and later selecting a  
8 higher computation factor shall contribute to the System a sum equal  
9 to the amount which the elected official would have contributed if  
10 the elected official had made such election at the time the elected  
11 official first became eligible, plus interest as determined by the  
12 Board, in order to receive the additional benefits for all service  
13 as an elected official; otherwise, the additional benefits shall be  
14 applicable only to service for which the elected official pays the  
15 appropriate percent of contributions to the System.

16        E. The surviving spouse of a deceased elected official who was  
17 first elected or appointed to an elected office before November 1,  
18 2011, and who has at least six (6) years of participating service  
19 and the surviving spouse of a deceased elected official who was  
20 first elected or appointed to an elected office on or after November  
21 1, 2011, and who has at least eight (8) years of participating  
22 service shall be entitled to receive survivor benefits in the amount  
23 herein prescribed, if married to the decedent continuously for a  
24 period of at least three (3) years immediately preceding the elected

1 official's death. Provided the elected official had met the service  
2 requirements, survivor benefits shall be payable when the deceased  
3 member would have met the requirements for normal or early  
4 retirement. The amount of the benefits the surviving spouse may  
5 receive shall be fifty percent (50%) of the amount of benefits the  
6 deceased elected official was receiving or will be eligible to  
7 receive. Elected officials may elect a retirement option as  
8 provided in Section 918 of this title in lieu of the survivors  
9 benefit provided above.

10 F. Any elected official who served in the Armed Forces of the  
11 United States, as defined in paragraph (23) of Section 902 of this  
12 title, prior to membership in the Oklahoma Public Employees  
13 Retirement System shall be granted credited service of not to exceed  
14 five (5) years for those periods of active military service during  
15 which the elected official was a war veteran.

16 G. Anyone appointed or elected to an elected position after  
17 July 1, 1990, shall not be eligible to receive benefits as provided  
18 in this section until such person has participated as an elected  
19 official for six (6) years. Anyone appointed or elected to an  
20 elected position on or after November 1, 2011, shall not be eligible  
21 to receive benefits as provided in this section until such person  
22 has participated as an elected official for eight (8) years.

23 H. Elected officials who terminate participation in the System  
24 and who have a minimum of six (6) years of participating service

1 shall be entitled to elect a vested benefit and shall be entitled to  
2 the retirement options as provided in Section 918 of this title in  
3 lieu of the survivors benefit provided in subsection E of this  
4 section. Elected officials, first elected or appointed to an  
5 elected office on or after November 1, 2011, who terminate  
6 participation in the System and who have a minimum of eight (8)  
7 years of participating service shall be entitled to elect a vested  
8 benefit and shall be entitled to retirement options as provided in  
9 Section 918 of this title in lieu of the survivors benefits provided  
10 in subsection E of this section.

11 I. In determining the number of years of credited service, a  
12 fractional year of six (6) months or more shall be considered as one  
13 (1) year, and less than six (6) months or more shall be disregarded.  
14 For members who joined the System on or after November 1, 2011, the  
15 number of years of credited service shall be based on actual years  
16 and months of credited service without rounding up or down.

17 SECTION 48. REPEALER 74 O.S. 2011, Section 913.4, as  
18 last amended by Section 2, Chapter 21, O.S.L. 2018 (74 O.S. Supp.  
19 2018, Section 913.4), is hereby repealed.

20 SECTION 49. It being immediately necessary for the preservation  
21 of the public peace, health or safety, an emergency is hereby  
22 declared to exist, by reason whereof this act shall take effect and  
23 be in full force from and after its passage and approval.

24

1 Passed the Senate the 19th day of March, 2019.

2  
3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2019.

7  
8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives