1 ENGROSSED SENATE BILL NO. 1600 By: Hall of the Senate 2 and 3 Kerbs of the House 4 5 [driver licenses - certain retention of fees -6 emergency] 7 8 9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA: 47 O.S. 2021, Section 6-101, is 10 SECTION 1. AMENDATORY amended to read as follows: 11 12 Section 6-101. A. No person, except those hereinafter 13 expressly exempted in Sections 6-102 and 6-102.1 of this title, shall operate any motor vehicle upon a highway in this state unless 14 the person has a valid Oklahoma driver license for the class of 15 vehicle being operated under the provisions of this title. No 16 person shall be permitted to possess more than one valid license at 17 any time, except as provided in paragraph 4 of subsection F of this 18 section. 19 No person shall operate a Class A commercial motor 20 в. 1. vehicle unless the person is eighteen (18) years of age or older and 21 holds a valid Class A commercial license, except as provided in 22 paragraph 5 of this subsection and subsection F of this section. 23 Any person holding a valid Class A commercial license shall be 24

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permitted to operate motor vehicles in Classes A, B, C and D, except
 as provided for in paragraph 4 of this subsection.

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

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

4. No person under twenty-one (21) years of age shall be 16 licensed to operate any motor vehicle which is required to be 17 placarded for hazardous materials pursuant to 49 C.F.R., Part 172, 18 subpart F, except as provided in subsection F of this section; 19 provided, a person eighteen (18) years of age or older may be 20 licensed to operate a farm vehicle which is required to be placarded 21 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F, 22 except as provided in subsection F of this section. 23

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

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

9 grant to the licensee the privilege to operate a Class
10 B commercial motor vehicle for harvest purposes or a
11 Class D motor vehicle.

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

17 C. Any person issued a driver license pursuant to this section 18 may exercise the privilege thereby granted upon all streets and 19 highways in this state.

D. No person shall operate a motorcycle or motor-driven cycle without having a valid Class A, B, C or D license with a motorcycle endorsement. Except as otherwise provided by law, any new applicant for an original driver license shall be required to successfully complete a written examination, vision examination and driving

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1 examination for a motorcycle as prescribed by the Department of Public Safety, and a certified state-approved motorcycle basic rider 2 course approved by the Department if the applicant is seventeen (17) 3 years of age or younger to be eligible for a motorcycle endorsement 4 5 thereon. The written examination and driving examination for a motorcycle shall be waived by the Department of Public Safety upon 6 verification that the person has successfully completed a certified 7 Motorcycle Safety Foundation rider course approved by the 8 9 Department.

Except as otherwise provided by law, any person who lawfully 10 Ε. possesses a valid Oklahoma driver license which is eligible for 11 renewal shall be required to successfully complete a written 12 13 examination, vision examination and driving examination for a motorcycle as prescribed by the Department, and a certified state-14 approved motorcycle basic rider course approved by the Department if 15 the person is seventeen (17) years of age or younger to be eligible 16 17 for a motorcycle endorsement. The written examination and driving examination for a motorcycle shall be waived by the Department of 18 Public Safety upon verification that the person has successfully 19 completed a certified Motorcycle Safety Foundation rider course 20 approved by the Department. 21

F. 1. Any person eighteen (18) years of age or older may apply for a restricted Class A, B or C commercial learner permit. The Department, after the applicant has passed all parts of the

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1 examination for a Class D license and has successfully passed all 2 parts of the examination for a Class A, B or C commercial license other than the driving examination, may issue to the applicant a 3 commercial learner permit which shall entitle the person having 4 5 immediate lawful possession of the commercial learner permit and a valid Oklahoma driver license or provisional driver license pursuant 6 to Section 6-212 of this title to operate a Class A, B or C 7 commercial motor vehicle upon the public highways solely for the 8 9 purpose of behind-the-wheel training in accordance with rules 10 promulgated by the Department.

This commercial learner permit shall be issued for a period 11 2. 12 as provided in Section 6-115 of this title of one hundred eighty (180) days, which may be renewed one time for an additional one 13 hundred eighty (180) days; provided, such commercial learner permit 14 may be suspended, revoked, canceled, denied or disqualified at the 15 discretion of the Department for violation of the restrictions, for 16 failing to give the required or correct information on the 17 application or for violation of any traffic laws of this state 18 pertaining to the operation of a motor vehicle. Except as otherwise 19 provided, the lawful possessor of a commercial learner permit who 20 has been issued a commercial learner permit for a minimum of 21 fourteen (14) days may have the restriction requiring an 22 accompanying driver removed by satisfactorily completing a driver's 23 examination; provided, the removal of a restriction shall not 24

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authorize the operation of a Class A, B or C commercial motor
 vehicle if such operation is otherwise prohibited by law.

3. No person shall apply for and the Department shall not issue 3 an original Class A, B or C driver license until the person has been 4 5 issued a commercial learner permit and held the permit for at least fourteen (14) days. Any person who currently holds a Class B or C 6 license and who wishes to apply for another class of commercial 7 driver license shall be required to apply for a commercial learner 8 9 permit and to hold the permit for at least fourteen (14) days before applying for the Class A or B license, as applicable. Any person 10 who currently holds a Class A, B or C license and who wishes to add 11 an endorsement or remove a restriction for which a skills 12 13 examination is required shall be required to apply for a commercial learner permit and to hold the permit for at least fourteen (14) 14 days before applying for the endorsement. 15

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

23 5. After one renewal of a commercial learner permit, as24 provided in paragraph 2 of this subsection, a commercial permit

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1 shall not be renewed again. Any person who has held a commercial
2 learner permit for the initial issuance period and one renewal
3 period shall not be eligible for and the Department shall not issue
4 another renewal of the permit; provided, the person may reapply for
5 a new commercial learner permit, as provided for in this subsection.
6 G. 1. For purposes of this title:

"REAL ID Compliant Driver License" or "Identification 7 a. Card" means a driver license or identification card 8 9 issued by the State of Oklahoma that has been certified by the United States Department of Homeland 10 Security (USDHS) as compliant with the requirements of 11 the REAL ID Act of 2005, Public Law No. 109-13. 12 А REAL ID Compliant Driver License or Identification 13 Card and the process through which it is issued 14 incorporate a variety of security measures designed to 15 protect the integrity and trustworthiness of the 16 license or card. A REAL ID Compliant Driver License 17 or Identification Card will be clearly marked on the 18 face indicating that it is a compliant document, and 19 b. "REAL ID Noncompliant Driver License" or 20 "Identification Card" means a driver license or 21 identification card issued by the State of Oklahoma 22 that has not been certified by the United States 23 Department of Homeland Security (USDHS) as being 24

1 compliant with the requirements of the REAL ID Act. A REAL ID Noncompliant Driver License or Identification 2 Card will be clearly marked on the face indicating 3 that it is not compliant with the federal REAL ID Act 4 5 and is not acceptable for official federal purposes. The driver license or identification card will have a 6 unique design or color indicator that clearly 7 distinguishes it from a compliant license or card. 8 9 2. Original Driver License and Identification Card Issuance: Application for an original REAL ID Compliant or REAL 10 a. ID Noncompliant Driver License or Identification Card 11 12 shall be made to the Department of Public Safety. 13 b. Department of Public Safety employees shall perform all document recognition and other requirements needed 14 for approval of an original REAL ID Compliant or REAL 15 ID Noncompliant Driver License or Identification Card 16 application. 17 Upon approval of an original REAL ID Compliant or REAL 18 с. ID Noncompliant Driver License or Identification Card 19 application, the applicant may take the approved 20 application document to a motor license agent to 21 receive a temporary driver license or identification 22 card. 23

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1 d. The motor license agent shall process the approved 2 REAL ID Compliant or REAL ID Noncompliant Driver License or Identification Card application and upon 3 payment shall provide the applicant a temporary driver 4 5 license or identification card. A temporary driver license or identification card shall afford the holder 6 the privileges otherwise granted by the specific class 7 of driver license or identification card for the 8 9 period of time listed on the temporary driver license or identification card or the period of time prior to 10 the applicant receiving a REAL ID Compliant or REAL ID 11 Noncompliant Driver License or Identification Card, 12 13 whichever time period is shorter.

14 3. REAL ID Compliant Driver License and Identification Card15 Renewal and Replacement:

Application for renewal or replacement of a REAL ID 16 а. Compliant Driver License or Identification Card may be 17 made to the Department of Public Safety or to a motor 18 license agent; provided, such motor license agent is 19 authorized to process application for REAL ID 20 Compliant Driver Licenses and Identification Cards. 21 Α motor license agent may process the voluntary 22 downgrade of a REAL ID Compliant Commercial Driver 23 License to any lower class license upon request of the 24

licensee; provided, no additional endorsements or restrictions are placed on the license.

- b. Department of Public Safety employees or authorized motor license agents shall perform all document recognition and other requirements needed for approval of a renewal or replacement REAL ID Compliant Driver License or Identification Card application.
- 8 C. Upon approval of a renewal or replacement REAL ID 9 Compliant Driver License or Identification Card 10 application, the applicant may receive a temporary 11 driver license or identification card from the 12 Department of Public Safety or an authorized motor 13 license agent.
- d. A temporary driver license or identification card 14 acquired under the provisions of this paragraph shall 15 afford the holder the privileges otherwise granted by 16 the specific class of driver license or identification 17 card being renewed or replaced for the period of time 18 listed on the temporary driver license or 19 20 identification card or the period of time prior to the applicant receiving a REAL ID Compliant Driver License 21 or Identification Card, whichever time period is 22 shorter. 23
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e. For purposes of this title, an application for a REAL
ID Compliant Driver License or Identification Card by
an individual with a valid Oklahoma-issued driver
license or identification card shall be considered a
renewal of a REAL ID Compliant Driver License or
Identification Card.

7 4. REAL ID Noncompliant Driver License and Identification Card8 Renewal and Replacement:

- 9 a. Application for renewal or replacement of a REAL ID Noncompliant Driver License or Identification Card may 10 be made to the Department of Public Safety or to a 11 12 motor license agent. A motor license agent may 13 process the voluntary downgrade of a REAL ID Noncompliant Commercial Driver License to any lower 14 class license upon request of the licensee; provided, 15 no additional endorsements or restrictions are added 16 to the license. 17
- b. Department of Public Safety employees or motor license
 agents shall perform all document recognition and
 other requirements needed for approval of a renewal or
 replacement REAL ID Noncompliant Driver License or
 Identification Card application.

23 c. Upon approval of a renewal or replacement REAL ID 24 Noncompliant Driver License or Identification Card

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1 application, the applicant may receive a temporary driver license or identification card from the 2 Department of Public Safety or a motor license agent. 3 d. A temporary driver license or identification card 4 5 acquired under the provisions of this paragraph shall afford the holder the privileges otherwise granted by 6 the specific class of driver license or identification 7 card being renewed or replaced for the period of time 8 9 listed on the temporary driver license or identification card or the period of time prior to the 10 applicant receiving a REAL ID Noncompliant Driver 11 License or Identification Card, whichever time period 12 13 is shorter.

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

20	Class A	Commercial	Learner	Permit	\$25.00
21	Class A	Commercial	License		\$25.00
22	Class B	Commercial	Learner	Permit	\$15.00
23	Class B	Commercial	License		\$15.00
24	Class C	Commercial	Learner	Permit	\$15.00

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1Class C Commercial License\$15.002Class D License\$4.003Motorcycle Endorsement\$4.00

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

8 I. The fee charged for any failed examination shall be Four 9 Dollars (\$4.00) for any license classification. Notwithstanding the 10 provisions of Section 1104 of this title, all monies collected from 11 such examination fees pursuant to the provisions of this subsection 12 shall be deposited in the General Revenue Fund of this state.

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

18 | fee for the issuance of the license:

19	License Class	4-year	8-year
20	Class A Commercial Learner Permit	\$56.50	\$113.00
21	Class A Commercial License	\$56.50	\$113.00
22	Class B Commercial Learner Permit	\$56.50	\$113.00
23	Class B Commercial License	\$56.50	\$113.00
24	Class C Commercial Learner Permit	\$46.50	\$93.00

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1	Class C Commercial License	\$46.50	\$93.00
2	Class D License	\$38.50	\$77.00
3	K. In addition to any fee charged pu	irsuant to the	e provisions of
4	subsection H of this section, the fee cha	arged for the	issuance or
5	renewal of a REAL ID Compliant Driver Lic	cense shall be	e in accordance
6	with the following schedule; provided, the	nat any applic	cant who has a
7	CDL Learner Permit shall be charged only	the replaceme	ent fee for the
8	issuance of the license:		
9	License Class	4-year	8-year
10	REAL ID Compliant Class A		
11	Commercial Learner Permit	\$56.50	\$113.00
12	REAL ID Compliant Class A		
13	Commercial License	\$56.50	\$113.00
14	REAL ID Compliant Class B		
15	Commercial Learner Permit	\$56.50	\$113.00
16	REAL ID Compliant Class B		
17	Commercial License	\$56.50	\$113.00
18	REAL ID Compliant Class C		
19	Commercial Leaner <u>Learner</u> Permit	\$46.50	\$93.00
20	REAL ID Compliant Class C		
21	Commercial License	\$46.50	\$93.00
22	REAL ID Compliant Class D		
23	License	\$38.50	\$77.00

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

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

7 1. Five Dollars and fifty cents (\$5.50) of a 4-year license or
8 Eleven Dollars (\$11.00) of an 8-year license shall be deposited to
9 the Trauma Care Assistance Revolving Fund created in Section 110 2530.9 of Title 63 of the Oklahoma Statutes;

2. Six Dollars and seventy-five cents (\$6.75) of a 4-year license or Thirteen Dollars and fifty cents (\$13.50) of an 8-year license shall be deposited to the Department of Public Safety Computer Imaging System Revolving Fund to be used solely for the purpose of administration and maintenance of the computerized imaging system of the Department;

3. Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars (\$20.00) of an 8-year license shall be deposited to the Department of Public Safety Revolving Fund for all original or renewal issuances of licenses; and

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

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

O. Any person sixty-two (62) years of age or older during the
calendar year of issuance or renewal of a Class D license or
motorcycle endorsement shall be charged the following prorated fee:

6		4-year	8-year
7	Age 62	\$21.25	\$42.50
8	Age 63	\$17.50	\$35.00
9	Age 64	\$13.75	\$27.50
10	Age 65	-0-	

P. No person who has been honorably discharged from active 11 12 service in any branch of the Armed Forces of the United States or 13 Oklahoma National Guard and who has been certified by the United States Department of Veterans Affairs, its successor or the Armed 14 Forces of the United States to be a disabled veteran in receipt of 15 compensation at the one-hundred-percent rate for a permanent 16 17 disability sustained through military action or accident resulting from disease contracted while in such active service and registered 18 with the veterans registry created by the Oklahoma Department of 19 Veterans Affairs shall be charged a fee for the issuance, 20 replacement or renewal of an Oklahoma driver license; provided, that 21 if a veteran has been previously exempt from a fee pursuant to this 22 subsection, no registration with the veterans registry shall be 23 required. 24

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1 Q. In accordance with the provisions of subsection G of this 2 section, the Department of Public Safety and the Oklahoma Tax Commission are authorized to promulgate rules for the issuance and 3 renewal of driver licenses authorized pursuant to the provisions of 4 5 Sections 6-101 through 6-309 of this title; provided, that no such 6 rules applicable to the issuance or renewal of REAL ID Noncompliant Driver Licenses shall create more stringent standards than such 7 rules applicable as of January 1, 2017, unless directly related to a 8 9 specific change in statutory law concerning standards for REAL ID 10 Noncompliant Driver Licenses. Applications, upon forms approved by the Department of Public Safety, for such licenses shall be handled, 11 12 in accordance with the provisions of subsection G of this section, by the motor license agents; provided, the Department of Public 13 Safety is authorized to assume these duties in any county of this 14 state. Each motor license agent accepting applications for driver 15 licenses shall receive Six Dollars (\$6.00) for a 4-year REAL ID 16 17 Noncompliant Driver License or Twelve Dollars (\$12.00) for an 8-year REAL ID Noncompliant Driver License or Ten Dollars (\$10.00) for a 4-18 year REAL ID Compliant Driver License or Twenty Dollars (\$20.00) for 19 an 8-year REAL ID Compliant Driver License to be deducted from the 20 total collected for each license or renewal application accepted. 21 Beginning July 1, 2022, and ending on May 31, 2023, each motor 22 license agent or licensed operator accepting applications for driver 23 licenses for individuals over the age of sixty-five (65) years or 24

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1 for applications for drivers pursuant to subsection P of this section shall receive Six Dollars (\$6.00) for a 4-year driver 2 license or Twelve Dollars (\$12.00) for an 8-year driver license to 3 be deducted daily by the motor license agent or licensed operator 4 5 receipts. The amount retained pursuant to this subsection shall not 6 be retained by any state agency. The fees received by the motor license agent, authorized by this subsection, shall be used for 7 operating expenses. For purposes of this subsection, "licensed 8 9 operator" shall mean an individual who obtains a license from the 10 Service Oklahoma Operator Board to operate a designated Service Oklahoma location and offers third-party fulfillment of designated 11 12 services to be rendered by Service Oklahoma.

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

The next Five Hundred Thousand Dollars (\$500,000.00) of monies collected pursuant to this section shall be paid by the Tax Commission to the State Treasurer to be deposited each fiscal year under the provisions of this section to the credit of the Department of Public Safety Restricted Revolving Fund for the purpose of the

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Statewide Law Enforcement Communications System. All other monies
 collected in excess of Five Hundred Sixty Thousand Dollars
 (\$560,000.00) each fiscal year shall be apportioned as provided in
 Section 1104 of this title, except as otherwise provided in this
 section.

S. The Department of Public Safety shall retain the images
displayed on licenses and identification cards issued pursuant to
the provisions of Sections 6-101 through 6-309 of this title which
may be used only:

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

By the driver licensing agency of another state for its
 official purpose; and

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

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

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

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

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

U. Upon the effective date of this act Beginning May 24, 2021, 13 and ending on April 30, 2023, in addition to the amounts provided in 14 subsection Q of this section, a motor license agent shall receive 15 Five Dollars (\$5.00) for each processed application for a REAL ID 16 17 Compliant 4-year Driver License and Ten Dollars (\$10.00) for each processed application for a REAL ID Compliant 8-year Driver License. 18 Any additional amounts provided pursuant to this subsection shall 19 not be retained by the Department of Public Safety. 20

21 SECTION 2. It being immediately necessary for the preservation 22 of the public peace, health or safety, an emergency is hereby 23 declared to exist, by reason whereof this act shall take effect and 24 be in full force from and after its passage and approval.

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1	Passed the Senate the 9th day of March, 2022.
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3	Dussiding Officen of the Consta
4	Presiding Officer of the Senate
5	Passed the House of Representatives the day of,
6	2022.
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