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February 22, 2022

By: Daniels

An Act relating to the Administrative Procedures Act; requiring a court or an administrative hearing officer to provide de novo interpretation of statute, rule, or other document; establishing guidelines for court interpretation of statute, rule, or other document in certain actions; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 318.1 of Title 75, unless there is created a duplication in numbering, reads as follows:

In the interpretation of a state statute, administrative rule, or other subregulatory document, a court of this state or an officer hearing an administrative action shall not defer to the interpretation of a state agency and shall interpret the meaning and effect de novo. In an action brought by or against a state agency, after applying all customary tools of interpretation, the court or hearing officer shall exercise any remaining doubt in favor of a reasonable interpretation which limits agency power and maximizes individual liberty.

SECTION 2. This act shall become effective November 1, 2022.

COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
February 22, 2022 - DO PASS