

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1725

By: Pugh

AS INTRODUCED

An Act relating to the Occupational Licensing Review Act; amending 40 O.S. 2021, Section 800.1, which relates to the Occupational Licensing Advisory Commission; providing sunset date; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 40 O.S. 2021, Section 800.1, is amended to read as follows:

Section 800.1. There is hereby created the Occupational Licensing Advisory Commission.

The Commission shall consist of twelve (12) members to be appointed and serve as follows:

1. The Commissioner of Labor shall serve coterminous with his or her office;

2. Two members of the House of Representatives shall be appointed by the Majority Leader of the House of Representatives. Each member shall serve an initial term of three (3) years;

1 3. One member of the House of Representatives shall be
2 appointed by the Minority Leader of the House of Representatives,
3 who shall serve an initial term of two (2) years;

4 4. Two members of the Senate shall be appointed by the Majority
5 Leader of the Senate. Each member shall serve an initial term of
6 three (3) years;

7 5. One member of the Senate shall be appointed by the Minority
8 Leader of the Senate, who shall serve an initial term of two (2)
9 years;

10 6. The Chief Information Officer of the Office of Management
11 and Enterprise Services shall serve coterminous with his or her
12 position;

13 7. Three members shall be appointed by the Governor, who shall
14 represent an occupation or profession licensed in the state, and who
15 shall each serve an initial term of one year. One appointee shall
16 be a member of the medical community, which may include but is not
17 limited to a licensed physician, pharmacist or psychologist. One
18 appointee shall be a member of a trade profession, which may include
19 but is not limited to a licensed alarm or locksmith professional or
20 electrician. One appointee shall be a member of the business
21 community, which may include but is not limited to a licensed public
22 accountant or member of the real estate industry; and

23 8. One member shall be appointed by the Governor who shall
24 represent a not-for-profit organization that advocates for low-

1 income persons or disadvantaged persons and who shall serve an
2 initial term of one year.

3 The Commission shall be subject to the Oklahoma Open Meeting Act
4 and the Oklahoma Open Records Act.

5 During membership on the Commission, no appointed member shall
6 serve on any board, agency, committee or commission that regulates
7 or governs the occupation or profession such member is appointed to
8 represent.

9 Members shall serve staggered three-year terms, except for the
10 initial term of office. Upon the expiration of a member's term of
11 office, such member may be reappointed. No member shall serve more
12 than two consecutive full three-year terms. Any member vacancy
13 shall be filled in the same manner by the appointing authority for
14 the unexpired term. A member may be removed by either the
15 appointing authority or a majority of the Commission members for
16 failure to attend meetings or for cause.

17 The Commissioner of Labor, or his or her designee, shall chair
18 each meeting. The Department of Labor shall provide staff and
19 administrative support to the Commission.

20 Seven members shall constitute a quorum for purposes of
21 conducting the business of the Commission. Meetings shall be called
22 by the chair and may be held by electronic media or in any location
23 deemed appropriate by the chair.
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1 The purpose of the Commission is to conduct a review of each
2 occupational or professional licensing act in this state not less
3 than once every four (4) years and make recommendations to the
4 Legislature. The first meeting of the Commission shall be held
5 before September 30, 2018, to develop a four-year schedule showing
6 when each licensing act will be reviewed. Any new licensing act or
7 new category of license enacted by the Legislature for regulation by
8 an existing licensing board, agency or commission shall be added to
9 the four-year schedule and shall be initially reviewed within ninety
10 (90) days of enactment.

11 Annually the Commission shall hold at least one public meeting
12 to present its findings on any occupational or professional license
13 it has reviewed. At the public meeting, the Commission shall allow
14 public comments, make recommendations, and may vote whether to
15 recommend to the Legislature that such license be maintained,
16 modified, or repealed. The results of any public meeting held for
17 the purpose of making legislative recommendations shall be provided
18 in a written report to the Governor, President Pro Tempore of the
19 Senate, and the Speaker of the House of Representatives prior to the
20 legislative deadline set for requesting legislation for the upcoming
21 legislative session. The report shall be made available on the
22 Department of Labor's website for public inspection.

1 9. The provisions of this section shall cease to have the force
2 and effect of law and the Commission shall be dissolved by operation
3 of law on December 31, 2022.

4 SECTION 2. This act shall become effective July 1, 2022.

5 SECTION 3. It being immediately necessary for the preservation
6 of the public peace, health or safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

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