

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1562

By: Treat

AS INTRODUCED

An Act relating to agency, board, and commission reports; amending 6 O.S. 2021, Section 212, which relates to commissioner's annual report; modifying delivery mode of report; amending 10 O.S. 2021, Section 601.1, which relates to the Oklahoma Commission on Children and Youth; requiring certain mode of delivery of monthly reports; amending 11 O.S. 2021, Section 50-105.4, which relates to duties of the Oklahoma Police Pension and Retirement Board; modifying delivery mode of report; amending 17 O.S. 2021, Section 802.3, as amended by Section 2, Chapter 27, O.S.L. 2022 (17 O.S. Supp. 2023, Section 802.3), which relates to the Oklahoma Low Carbon Energy Initiative Board; modifying delivery mode of required report; amending 20 O.S. 2021, Section 1656, which relates to reports from the Council on Judicial Complaints; requiring certain mode of report delivery; amending 22 O.S. 2021, Sections 1355.3, 1355.4, and 2002, which relate to powers and duties of the Oklahoma Indigent Defense System Board, Executive Director, and disclosure of evidence by the state; requiring certain mode of report delivery; amending 62 O.S. 2021, Sections 34.88, 71.1, and 690.19, which relate to the Education Reform Revolving Fund, the Cash Management and Investment Oversight Commission, and annual performance report; modifying certain mode of report delivery; amending 63 O.S. 2021, Section 5007, which relates to the Oklahoma Health Care Authority Board; modifying certain mode of report delivery; amending 68 O.S. 2021, Section 400.1, as amended by Section 3, Chapter 285, O.S.L. 2023 (68 O.S. Supp. 2023, Section 400.1), which relates to the Tobacco Products Tax Enforcement Unit; modifying certain mode of report delivery; amending 69 O.S. 2021, Section 4020.2, which relates

1 to the duties of the Oklahoma Route 66 Centennial
2 Commission members; modifying certain mode of report
3 delivery; amending 70 O.S. 2021, Section 3-117.3,
4 which relates to the School Finance Review
5 Commission; modifying certain mode of report
6 delivery; amending 74 O.S. 2021, Sections 471,
7 500.18, as last amended by Section 1, Chapter 325,
8 O.S.L. 2022, 669, 942, 1051, 3103, 3104, 5060.22,
9 5156, and Section 5, Chapter 229, O.S.L. 2022, as
10 amended by Section 1, Chapter 336, O.S.L. 2023 (74
11 O.S. Supp. 2023, Sections 500.18 and 9204), which
12 relate to the advisory committee of the National
13 Conference of Commissioners on Uniform State Laws,
14 mandatory provisions relating to state travel, powers
15 and duties of the Oklahoma Commission on the Status
16 of Women, duties of the Oklahoma State Pension
17 Commission, the Southern States Energy Compact,
18 reports published by state agencies, filing and
19 distribution of reports, reports of the Oklahoma
20 Science and Technology Research and Development
21 Board, partnership contracts, and the Oklahoma
22 Broadband Office; modifying certain mode of report
23 delivery; amending 82 O.S. 2021, Section 863.3, which
24 relates to the Joint Legislative Task Force on the
Grand River Dam Authority; modifying certain mode of
report delivery; amending 85A O.S. 2021, Sections 17
and 121, which relate to the Physician Advisory
Committee and the Advisory Council on Workers'
Compensation; modifying certain mode of report
delivery; updating statutory language; updating
statutory references; making language gender neutral;
and providing an effective date.

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

20 SECTION 1. AMENDATORY 6 O.S. 2021, Section 212, is
21 amended to read as follows:

22 Section 212. A. Commissioner's Report - Contents. The Bank
23 Commissioner shall report to the Governor annually. The report
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1 shall be a public document and shall include such matters as the
2 Commissioner deems advisable.

3 B. ~~Copies~~ Electronic copies furnished to Legislature and
4 Oklahoma ~~Publishing Clearing House~~ Publications Clearinghouse.

5 Copies of the annual reports not previously so submitted shall be
6 submitted electronically to the Legislature at the opening of each
7 regular session and to the Oklahoma ~~Publishing Clearing House~~
8 Publications Clearinghouse. A copy of the annual report shall also
9 be published on the ~~Oklahoma State~~ Banking Department's website.

10 SECTION 2. AMENDATORY 10 O.S. 2021, Section 601.1, is
11 amended to read as follows:

12 Section 601.1. A. There is hereby created the Oklahoma
13 Commission on Children and Youth which shall be composed of nineteen
14 (19) members. The membership shall include:

15 1. The Director of the Department of Human Services, the State
16 Commissioner of Health, the Commissioner of ~~the Department of~~ Mental
17 Health and Substance Abuse Services, the ~~State~~ Superintendent of
18 Public Instruction, the Administrator of the Oklahoma Health Care
19 Authority, the Director of the State Department of Rehabilitation
20 Services, and the Chair of the SJR 13 Oversight Committee;

21 2. The Executive Director of the Office of Juvenile Affairs;

22 3. Five members who shall be appointed by the Governor from a
23 list submitted by the governing board of each of the following
24 organizations:

- a. the Oklahoma Children's Agencies and Residential Enterprises,
- b. one statewide association of youth services,
- c. the Oklahoma Bar Association,
- d. the Oklahoma District Attorneys Association, and
- e. a statewide court-appointed ~~Special Advocate Association~~ special advocate association;

4. One member appointed by the Governor who shall represent one of the metropolitan juvenile bureaus;

5. One member representing business or industry, appointed by the Governor;

6. One member who is the parent of a child with special needs, appointed by the Speaker of the House of Representatives;

7. One member with a demonstrated interest in improving children's services who is not employed by a state agency or a private organization that receives state funds, appointed by the President Pro Tempore of the Senate;

8. One member who represents a community partnership board to be elected pursuant to the guidelines established by the Oklahoma Commission on Children and Youth; and

9. One member who shall be appointed by the Governor from a list of three names submitted by the Post Adjudication Review Board.

B. The appointed members shall have had active experience in services to children and youth and may serve four terms of two (2)

1 years each. Any appointed member serving on the Commission on ~~the~~
2 ~~effective date of this act~~ November 1, 2010, shall be entitled to
3 complete his or her term and shall be eligible to serve one
4 additional term of two (2) years. Any person who served on the
5 Commission prior to ~~the effective date of this act~~ November 1, 2010,
6 shall be eligible to serve one additional term of two (2) years.

7 C. The Oklahoma Commission on Children and Youth shall provide
8 a monthly report on commission member attendance to the appointing
9 authorities. Monthly reports shall be transmitted electronically to
10 the appointing authorities.

11 SECTION 3. AMENDATORY 11 O.S. 2021, Section 50-105.4, is
12 amended to read as follows:

13 Section 50-105.4. A. The Oklahoma Police Pension and
14 Retirement Board shall discharge ~~their~~ its duties with respect to
15 the System solely in the interest of the participants and
16 beneficiaries and:

17 1. For the exclusive purpose of:

18 a. providing benefits to participants and their
19 beneficiaries, and

20 b. defraying reasonable expenses of administering the
21 System;

22 2. With the care, skill, prudence, and diligence under the
23 circumstances then prevailing that a prudent person acting in a like
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1 capacity and familiar with such matters would use in the conduct of
2 an enterprise of a like character and with like aims;

3 3. By diversifying the investments of the System so as to
4 minimize the risk of large losses, unless under the circumstances it
5 is clearly prudent not to do so; and

6 4. In accordance with the laws, documents and instruments
7 governing the System.

8 B. The State Board may procure insurance indemnifying the
9 members of the State Board from personal loss or accountability from
10 liability resulting from a member's action or inaction as a member
11 of the State Board.

12 C. The State Board may establish an investment committee. The
13 investment committee shall be composed of not more than five (5)
14 members of the State Board appointed by the ~~chairman~~ chair of the
15 State Board. The committee shall make recommendations to the full
16 State Board on all matters related to the choice of custodians and
17 managers of the assets of the System, on the establishment of
18 investment and fund management guidelines, and in planning future
19 investment policy. The committee shall have no authority to act on
20 behalf of the State Board in any circumstances whatsoever. No
21 recommendation of the committee shall have effect as an action of
22 the State Board nor take effect without the approval of the State
23 Board as provided by law.

1 D. The State Board shall retain qualified investment managers
2 to provide for the investment of the monies of the System. The
3 investment managers shall be chosen by a solicitation of proposals
4 on a competitive bid basis pursuant to standards set by the State
5 Board unless the State Board deems it necessary and prudent to do
6 otherwise to fulfill its fiduciary responsibility. Subject to the
7 overall investment guidelines set by the State Board, the investment
8 managers shall have full discretion in the management of those
9 monies of the System allocated to the investment managers. The
10 State Board shall manage those monies not specifically allocated to
11 the investment managers. The monies of the System allocated to the
12 investment managers shall be actively managed by the investment
13 managers, which may include selling investments and realizing losses
14 if such action is considered advantageous to longer term return
15 maximization. Because of the total return objective, no distinction
16 shall be made for management and performance evaluation purposes
17 between realized and unrealized capital gains and losses.

18 E. Funds and revenues for investment by the investment managers
19 or the State Board shall be placed with a custodian selected by the
20 State Board. The custodian shall be a bank or trust company
21 offering pension fund master trustee and master custodial services
22 and any related custodial agreement or trust agreement is
23 incorporated herein by reference. The custodian shall be chosen by
24 a solicitation of proposals on a competitive basis pursuant to

standards set by the State Board. In compliance with the investment policy guidelines of the State Board, the custodian bank or trust company shall be contractually responsible for ensuring that all monies of the System are invested in income-producing investment vehicles at all times. If a custodian bank or trust company has not received direction from the investment managers of the System as to the investment of the monies of the System in specific investment vehicles, the custodian bank or trust company shall be contractually responsible to the State Board for investing the monies in appropriately collateralized short-term interest-bearing investment vehicles. Any assets of the System may be invested in a collective investment fund or in a group trust that satisfies the requirements of Rev. Rul. 81-100, as further amended by Rev. Rul. 2004-67, Rev. Rul. 2008-40, and Rev. Rul. 2011-1, and as subsequently amended by future guidance. Each such collective investment fund or group trust is adopted, with respect to any monies invested therein, as part of the System, its trust, and custodial account and each such declaration of trust or trust agreement and related adoption, participation, investment management, subtrust or other agreements, as amended from time to time, with respect to any monies invested therein, are incorporated by reference into the System, its trust agreement(s) or custodial agreement(s), upon approval by the State Board.

1 F. By November 1, 1988, and prior to August 1 of each year
2 thereafter, the State Board shall develop a written investment plan
3 for the System.

4 G. After July 1 and before November 1 of each year, the State
5 Board shall publish widely an annual report presented in simple and
6 easily understood language pursuant to uniform reporting standards
7 prescribed by the Oklahoma State Pension Commission for all state
8 retirement systems. The report shall be electronically submitted to
9 the Governor, the Speaker of the House of Representatives, the
10 President Pro Tempore of the Senate, the Oklahoma State Pension
11 Commission and the members of the System. The annual report shall
12 cover the operation of the System during the past fiscal year,
13 including income, disbursements, and the financial condition of the
14 System at the end of the fiscal year. The annual report shall also
15 contain a summary of the results of the most recent actuarial
16 valuation to include total assets, total liabilities, unfunded
17 liability or over funded status, contributions and any other
18 information deemed relevant by the State Board. The annual report
19 shall be written in such a manner as to permit a readily
20 understandable means for analyzing the financial condition and
21 performances of the System for the fiscal year.

22 H. The State Board shall adopt a cost of living adjustment
23 actuarial assumption in its annual actuarial valuation report.
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1 SECTION 4. AMENDATORY 17 O.S. 2021, Section 802.3, as
2 amended by Section 2, Chapter 27, O.S.L. 2022 (17 O.S. Supp. 2023,
3 Section 802.3), is amended to read as follows:

4 Section 802.3. A. The Oklahoma Low Carbon Energy Initiative
5 shall be administered and governed by the Oklahoma Low Carbon Energy
6 Initiative Board, made up of representatives of the contributing
7 institutions and entities of the Initiative which shall include but
8 not be limited to the University of Oklahoma, Oklahoma State
9 University, and the University of Tulsa. Additional contributing
10 members may be added at the discretion of the Board, if they
11 contribute to the purpose, objectives, and research coordinated by
12 the Initiative.

13 B. The Board shall consist of eleven (11) members as follows:

14 1. One member, who shall serve as the chair of the Board, shall
15 be the Secretary of Energy and Environment or a member otherwise
16 appointed by the Governor;

17 2. One member shall be the Vice President for Research from the
18 University of Oklahoma or a member otherwise appointed by the
19 President of the University of Oklahoma;

20 3. One member shall be the Vice President for Research from
21 Oklahoma State University or a member otherwise appointed by the
22 President of Oklahoma State University;

1 4. One member shall be the Vice President for Research from the
2 University of Tulsa or a member otherwise appointed by the President
3 of the University of Tulsa;

4 5. One member who shall represent the Oklahoma Department of
5 Commerce, appointed by the Director of the Department of Commerce;

6 6. One member who shall represent the Department of Labor,
7 appointed by the Commissioner of Labor;

8 7. One member who shall represent the Department of
9 Environmental Quality, appointed by the Executive Director of the
10 Department of Environmental Quality;

11 8. One member who shall represent the Corporation Commission,
12 appointed by the Chair of the Commission;

13 9. One member who shall represent the Department of
14 Transportation, appointed by the Director of the Department of
15 Transportation;

16 10. One member who shall represent the Oklahoma Water Resources
17 Board, appointed by the Executive Director of the Water Resources
18 Board; and

19 11. One member who shall represent the Oklahoma Center for the
20 Advancement of Science and Technology, appointed by the Executive
21 Director of the Center for the Advancement of Science and
22 Technology.

23 C. 1. The Board shall establish an Energy Industry Advisory
24 Council, appointed by the chair, for the purposes of providing
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1 industry expertise and knowledge, assisting the Board with annual
2 report requirements, providing general recommendations, and other
3 support as needed to advance the efforts of the Board.

4 2. Members appointed to the Council shall serve at the pleasure
5 of the chair of the Board.

6 D. Board members shall serve for a term of four (4) years,
7 which shall begin on January 1 of the first year of the appointment
8 and end on December 31 of the fourth year. There shall be no limit
9 to the number of consecutive terms served. If a vacancy should
10 occur during a member's term, the appointing authority for the
11 vacant position shall appoint a new member to fill the remainder of
12 the unexpired term. Board members shall serve without compensation
13 but may be eligible for necessary travel expenses pursuant to the
14 State Travel Reimbursement Act.

15 E. The Board shall be responsible for establishing procedures
16 for the Initiative and operations of the Board and the Advisory
17 Council. The rules may provide for protection from public
18 disclosure of trade secrets and proprietary information of any kind
19 including, but not limited to, data, processes and technology, as
20 the Board determines necessary.

21 F. The Board shall undertake activities and commission
22 programs, through the contributing institutions and entities, to
23 achieve the purpose and satisfy the objectives of the Initiative as
24 provided in the Oklahoma Energy Initiative Act. The Board shall

1 have authority to distribute funding for such activities and
2 programs. The Board may employ staff as it deems necessary.

3 G. The Board, in consultation with the Advisory Council and any
4 other party deemed necessary, shall prepare an annual, written
5 report to summarize the annual progress of the Initiative including
6 summaries of its programs and their progress and outcomes. The
7 report shall be made available to the public and shall be
8 distributed electronically to the Governor, the President Pro
9 Tempore of the Senate, and the Speaker of the House of
10 Representatives.

11 H. The provisions of the Oklahoma Central Purchasing Act shall
12 not apply to any project, activity or contract of the Initiative or
13 the Board.

14 I. No Board member or any person acting on behalf of the Board,
15 Advisory Council, or Initiative executing any contracts, commitments
16 or agreements issued by or on behalf of the Oklahoma Low Carbon
17 Energy Initiative shall be personally liable for the contracts,
18 commitments, or agreements or be subject to any personal liability
19 or accountability by reason thereof. No director or any person
20 acting on behalf of the Board or Initiative shall be personally
21 liable for damage or injury resulting from the performance of duties
22 hereunder.

23 SECTION 5. AMENDATORY 20 O.S. 2021, Section 1656, is
24 amended to read as follows:

1 Section 1656. A. The members of the Council on Judicial
2 Complaints shall qualify by taking the constitutional oath of
3 office.

4 B. The Council shall elect a chair and ~~vice-chair~~ vice chair.
5 The chair and ~~vice-chair~~ vice chair shall serve for terms of office
6 set by the Council, not to exceed their terms as members of the
7 Council.

8 C. The Council shall adopt rules pursuant to the Administrative
9 Procedures Act.

10 D. The Council shall provide to the President Pro Tempore of
11 the Senate and the Speaker of the House of Representatives quarterly
12 reports of the number of judicial complaints filed, dismissed, and
13 referred for further disciplinary action. The reports required
14 pursuant to the provisions of this subsection shall be
15 electronically submitted.

16 SECTION 6. AMENDATORY 22 O.S. 2021, Section 1355.3, is
17 amended to read as follows:

18 Section 1355.3. A. The Oklahoma Indigent Defense System Board
19 shall have the following powers and duties:

- 20 1. To appoint the Executive Director and to set the salary of
21 the Executive Director;
- 22 2. To adopt salary schedules for the System;
- 23 3. To establish policies for the System as provided by law;
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1 4. To require reports from the Executive Director as the Board
2 deems necessary;

3 5. To approve an annual budget for the System, prepared and
4 administered by the Executive Director;

5 6. To authorize the acceptance of monies, gifts, grants, or
6 services from any public or private source;

7 7. To review claims for expenditures of monies;

8 8. To authorize contracts with individuals, educational
9 institutions, or state or federal agencies;

10 9. To allocate and distribute funds or gifts received from
11 public or private sources for indigent defense; and

12 10. To consult with indigent defenders and defense lawyers who
13 represent indigents pursuant to contract or who agree to accept
14 indigent defense cases assigned by the System to discuss problems
15 and hear recommendations concerning necessary research, minimum
16 standards, educational needs, and other matters imperative to
17 conducting Oklahoma criminal defense in a professional manner.

18 B. The Board shall make an annual report to the Governor, the
19 President Pro Tempore of the Senate, the Speaker of the House of
20 Representatives, the Chief Justice of the ~~Oklahoma~~ Supreme Court,
21 and the Presiding Judge of the ~~Oklahoma~~ Court of Criminal Appeals
22 regarding the efforts of the Board to implement the purposes of the
23 Indigent Defense Act. The report shall be provided electronically
24 to the entities specified in this subsection.

1 C. If there is a vacancy or extended absence in the office of
2 Executive Director, the Board shall perform the duties or appoint an
3 interim director to perform such duties until a new Executive
4 Director is appointed.

5 SECTION 7. AMENDATORY 22 O.S. 2021, Section 1355.4, is
6 amended to read as follows:

7 Section 1355.4. A. The chief executive officer of the Oklahoma
8 Indigent Defense System shall be the Executive Director, who shall
9 be appointed by the Board and serve at the pleasure of the Board.
10 The Executive Director shall be an attorney who has practiced law
11 for at least four (4) years preceding the appointment and who is
12 licensed to practice law in this state or is eligible to become so
13 licensed within one (1) year of the appointment. The Executive
14 Director shall have experience in the representation of persons
15 accused or convicted of crimes.

16 B. The Executive Director shall perform administrative
17 functions which serve the Board.

18 C. The Executive Director shall have the following powers and
19 duties:

20 1. To prepare and administer an annual budget approved by the
21 Board and to process claims for the System;

22 2. To enter into contracts to provide counsel in cases in which
23 the defendant is indigent and unable to employ counsel, to enter
24 into contracts with individuals, educational institutions, or state
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1 or federal agencies for other purposes, and to approve or disapprove
2 the provisions of any such contract;

3 3. To review and approve or disapprove claims for expenditures
4 of monies;

5 4. To take such actions as shall strengthen the criminal
6 justice system in this state;

7 5. To promote the education and training of all attorneys
8 representing indigent criminal defendants including, subject to
9 available funding, nationally recognized defense seminars and
10 evidence-based practices regarding behavioral health and treatment
11 of defendants with substance abuse or mental health needs;

12 6. To maintain and improve effective representation for the
13 indigent criminal defendant;

14 7. To employ personnel as necessary to carry out the duties
15 imposed upon the System by law and to set the salaries of such
16 personnel, subject to the salary schedules adopted by the Board;

17 8. To solicit and maintain a current list of attorneys licensed
18 to practice law in this state who are willing to accept case
19 assignments from the System and who meet any other qualifications as
20 set by the Board;

21 9. To solicit and maintain a separate list of persons eligible
22 for appointment to capital cases, who meet the qualifications set by
23 the System;

1 10. To establish reasonable hourly rates of compensation for
2 attorneys appointed in accordance with the Indigent Defense Act,
3 subject to approval by the Board;

4 11. To establish maximum caseloads for attorneys employed by
5 the System, subject to approval by the Board;

6 12. To reduce caseloads through reassignment of cases to
7 private attorneys, as necessary;

8 13. To approve the sharing of office space, equipment, or
9 personnel among the separate indigent defense programs within the
10 System;

11 14. To prepare and submit to the Board an annual report for the
12 preceding fiscal year regarding the efforts of the System to
13 implement the purposes of the Indigent Defense Act, and to file that
14 report electronically with the Governor, the President Pro Tempore
15 of the Senate, the Speaker of the House of Representatives, the
16 Chief Justice of the ~~Oklahoma~~ Supreme Court, and the Presiding Judge
17 of the ~~Oklahoma~~ Court of Criminal Appeals;

18 15. To conduct regional or statewide conferences and training
19 seminars for the purpose of implementing the provisions of the
20 Indigent Defense Act;

21 16. To provide System personnel who serve in an advisory
22 capacity to the indigent defenders and defense attorneys who
23 represent indigents pursuant to contract or who agree to accept
24 cases assigned by the System to represent indigents of this state;

1 17. To gather and disseminate information to indigent
2 defenders, including, but not limited to, changes in the law;

3 18. To recommend additional legislation necessary to upgrade
4 the Oklahoma Indigent Defense System or to improve the justice
5 system; and

6 19. To operate a cost-effective system by:

- 7 a. implementing procedures to track System expenditures
8 to show costs by case and client and to track time and
9 expenses by attorney if the attorney is employed by
10 the System,
11 b. adopting written policies regarding when employees are
12 to be in travel status and making efforts to reduce
13 travel costs, and
14 c. reviewing assignment of indigency status to identify
15 clients who have available resources, and collecting
16 costs of representation when feasible.

17 D. 1. The Executive Director is hereby authorized to develop,
18 establish, and maintain lists of approved contractors who have
19 agreed to provide expert services to the System. The lists shall
20 include any expert who desires to furnish services to the System and
21 who has filed a schedule of fees for services with, and on a form
22 approved by, the Executive Director. Any deviation in excess of the
23 published schedule of fees shall require the prior written approval
24 of the Executive Director. Any attorney appointed or assigned cases

1 in accordance with the Indigent Defense Act may request expert
2 services from the list of experts maintained by the Executive
3 Director. The Executive Director or designee may, in ~~said~~ the
4 person's sole discretion, approve requests for expert services;
5 provided, however, that nothing contained in the Indigent Defense
6 Act shall be construed to render the Executive Director a member of
7 the defense team in any System client's case for strategic purposes.

8 2. Attorneys appointed or assigned cases in accordance with the
9 Indigent Defense Act may request investigative or other nonexpert
10 witness services from the Executive Director on a form provided by
11 the Executive Director. The Executive Director or designee may, in
12 ~~said~~ the person's sole discretion, approve requests for such
13 services at a reasonable hourly rate of compensation; provided,
14 however, that nothing contained in the Indigent Defense Act shall be
15 construed to render the Executive Director a member of the defense
16 team in any System client's case for strategic purposes.

17 3. Services obtained under this section may be obtained as sole
18 source contracts and are specifically exempt from the requirements
19 of soliciting no less than three quotations found in paragraph 7 of
20 subsection A of Section ~~85.45~~ 85.44D.1 of Title 74 of the Oklahoma
21 Statutes.

22 E. Each individual performing the services provided for in
23 subsection D of this section may, with the approval of the Executive
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1 Director, be reimbursed for necessary travel expenses up to the
2 amount permitted by the State Travel Reimbursement Act.

3 F. Requests for expenses not included in subsections D and E of
4 this section shall require preapproval by the Executive Director.

5 SECTION 8. AMENDATORY 22 O.S. 2021, Section 2002, is
6 amended to read as follows:

7 Section 2002. A. Disclosure of Evidence by the State.

8 1. Upon request of the defense, the state shall disclose the
9 following:

- 10 a. the names and addresses of witnesses which the state
11 intends to call at trial, together with their
12 relevant, written or recorded statement, if any, or if
13 none, significant summaries of any oral statement,
- 14 b. law enforcement reports made in connection with the
15 particular case,
- 16 c. any written or recorded statements and the substance
17 of any oral statements made by the accused or made by
18 a codefendant,
- 19 d. any reports or statements made by experts in
20 connection with the particular case, including results
21 of physical or mental examinations and of scientific
22 tests, experiments, or comparisons,
- 23 e. any books, papers, documents, photographs, tangible
24 objects, buildings or places which the prosecuting
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1 attorney intends to use in the hearing or trial or
2 which were obtained from or belong to the accused,
3 f. any record of prior criminal convictions of the
4 defendant, or of any codefendant, and
5 g. Oklahoma State Bureau of Investigation (OSBI) rap
6 sheet/records check on any witness listed by the state
7 or the defense as a witness who will testify at trial,
8 as well as any convictions of any witness revealed
9 through additional record checks if the defense has
10 furnished Social Security numbers or date of birth for
11 their witnesses, except OSBI rap sheet/record checks
12 shall not provide date of birth, Social Security
13 number, home phone number or address.

14 2. The state shall provide the defendant any evidence favorable
15 to the defendant if such evidence is material to either guilt or
16 punishment.

17 3. The prosecuting attorney's obligations under this standard
18 extend to:

- 19 a. material and information in the possession or control
20 of members of the prosecutor's staff,
21 b. any information in the possession of law enforcement
22 agencies that regularly report to the prosecutor of
23 which the prosecutor should reasonably know, and
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1 c. any information in the possession of law enforcement
2 agencies who have reported to the prosecutor with
3 reference to the particular case of which the
4 prosecutor should reasonably know.

5 4. a. If the state intends to introduce testimony of a
6 jailhouse informant, the state shall disclose at least
7 ten (10) days prior to trial:

8 (1) the complete criminal history of such informant,
9 including any dismissed charges,

10 (2) any deal, promise, inducement or benefit that the
11 state or law enforcement agency has made or may
12 make in the future to the jailhouse informant in
13 connection with the testimony of such informant,
14 (3) the specific statements or recordings made by the
15 suspect or defendant and the time, place and
16 manner of the disclosure to the jailhouse
17 informant,

18 (4) all other filed cases in which the state intended
19 to introduce the testimony of the jailhouse
20 informant in connection with a deal, promise,
21 inducement or benefit, the nature of the deal,
22 promise, inducement or benefit, and whether the
23 testimony was admitted in the case,
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1 (5) whether at any time the jailhouse informant
2 recanted the testimony or statement, and if so, a
3 transcript or copy of such recantation, if any,
4 and
5 (6) any other information relevant to the credibility
6 of the informant.

7 b. Each district attorney's office shall maintain a
8 central record that tracks each case in which the
9 state intended to introduce the testimony of the
10 jailhouse informant against a suspect or defendant in
11 connection with a deal, promise, inducement or
12 benefit, the nature of the deal, promise, inducement
13 or benefit and whether such testimony or statements
14 were admitted in the case. Such record shall be sent
15 to the District Attorneys Council which shall maintain
16 a statewide record of such information. Records
17 maintained pursuant to this paragraph shall only be
18 accessible to prosecutors and shall not be subject to
19 the Oklahoma Open Records Act. By September 15 of
20 each year, the District Attorneys Council shall
21 publish an annual report of aggregate, de-identified
22 data regarding the total number of cases tracked
23 pursuant to this section, and the number of cases
24 added during the previous fiscal year pursuant to this

1 section by each district attorney's office. A copy of
2 the report shall be distributed electronically to the
3 Governor, the President Pro Tempore of the Senate, the
4 Speaker of the House of Representatives and the chairs
5 of the Senate and House Judiciary Committees.

6 c. For purposes of this paragraph, "jailhouse informant"
7 means a person who provides, or who the prosecutor
8 intends to provide, testimony about admissions or
9 other relevant information made to him or her by the
10 suspect or defendant while both persons were detained
11 or incarcerated in a penal institution.

12 B. Disclosure of Evidence by the Defendant.

13 1. Upon request of the state, the defense shall be required to
14 disclose the following:

- 15 a. the names and addresses of witnesses which the defense
16 intends to call at trial, together with their
17 relevant, written or recorded statement, if any, or if
18 none, significant summaries of any oral statement,
19 b. the name and address of any witness, other than the
20 defendant, who will be called to show that the
21 defendant was not present at the time and place
22 specified in the information or indictment, together
23 with the witness' statement to that fact, or

1 c. the names and addresses of any witness the defendant
2 will call, other than himself or herself, for
3 testimony relating to any mental disease, mental
4 defect, or other condition bearing upon his or her
5 mental state at the time the offense was allegedly
6 committed, together with the witness' statement of
7 that fact, if the statement is redacted by the court
8 to preclude disclosure of privileged communication.

9 2. A statement filed under subparagraph a, b or c of paragraph
10 1 of subsection A or B of this section is not admissible in evidence
11 at trial. Information obtained as a result of a statement filed
12 under subsection A or B of this section is not admissible in
13 evidence at trial except to refute the testimony of a witness whose
14 identity subsection A of this section requires to be disclosed.

15 3. Upon the prosecuting attorney's request after the time set
16 by the court, the defendant shall allow him or her access at any
17 reasonable times and in any reasonable manner to inspect,
18 photograph, copy, or have reasonable tests made upon any book,
19 paper, document, photograph, or tangible object which is within the
20 defendant's possession or control and which:

21 a. the defendant intends to offer in evidence, except to
22 the extent that it contains any communication of the
23 defendant, or
24

1 b. is a report or statement as to a physical or mental
2 examination or scientific test or experiment made in
3 connection with the particular case prepared by and
4 relating to the anticipated testimony of a person whom
5 the defendant intends to call as a witness, provided
6 the report or statement is redacted by the court to
7 preclude disclosure of privileged communication.

8 C. Continuing Duty to Disclose.

9 If, prior to or during trial, a party discovers additional
10 evidence or material previously requested or ordered, which is
11 subject to discovery or inspection under the Oklahoma Criminal
12 Discovery Code, such party shall promptly notify the other party,
13 the attorney of the other party, or the court of the existence of
14 the additional evidence or material.

15 D. Time of Discovery.

16 Motions for discovery may be made at the time of the district
17 court arraignment or thereafter; provided, that requests for police
18 reports may be made subject to the provisions of Section 258 of this
19 title. However, a request pursuant to Section 258 of this title
20 shall be subject to the discretion of the district attorney. All
21 issues relating to discovery, except as otherwise provided, will be
22 completed at least ten (10) days prior to trial. The court may
23 specify the time, place and manner of making the discovery and may
24 prescribe such terms and conditions as are just.

1 E. Regulation of Discovery.

2 1. Protective and Modifying Orders. Upon motion of the state
3 or defendant, the court may at any time order that specified
4 disclosures be restricted, or make any other protective order. If
5 the court enters an order restricting specified disclosures, the
6 entire text of the material restricted shall be sealed and preserved
7 in the records of the court to be made available to the appellate
8 court in the event of an appeal.

9 2. Failure to Comply with a Request. If at any time during the
10 course of the proceedings it is brought to the attention of the
11 court that a party has failed to comply with this rule, the court
12 may order such party to permit the discovery or inspection, grant
13 continuance, or prohibit the party from introducing evidence not
14 disclosed, or it may enter such other order as it deems just under
15 the circumstances.

16 3. The discovery order shall not include discovery of legal
17 work product of either attorney which is deemed to include legal
18 research or those portions of records, correspondence, reports, or
19 memoranda which are only the opinions, theories, or conclusions of
20 the attorney or the attorney's legal staff.

21 F. Reasonable cost of copying, duplicating, videotaping,
22 developing or any other cost associated with this Code for items
23 requested shall be paid by the party so requesting; however, any
24 item which was obtained from the defendant by the state of which
25

1 copies are requested by the defendant shall be paid by the state.
2 Provided, if the court determines the defendant is indigent and
3 without funds to pay the cost of reproduction of the required items,
4 the cost shall be paid by the Oklahoma Indigent ~~Defender~~ Defense
5 System, unless otherwise provided by law.

6 SECTION 9. AMENDATORY 62 O.S. 2021, Section 34.88, is
7 amended to read as follows:

8 Section 34.88. A. The Office of Accountability shall
9 separately account for and report monthly revenues which it
10 determines accrued to the Education Reform Revolving Fund which were
11 attributable to the tax increases contained in Enrolled House Bill
12 No. 1017 of the 1st Extraordinary Session of the 42nd Oklahoma
13 Legislature.

14 B. Funds separately accounted for herein shall be used only to
15 fund the reforms provided for in Enrolled House Bill No. 1017 of the
16 1st Extraordinary Session of the 42nd Oklahoma Legislature and for
17 no other purpose. Any appropriation or expenditure of any of such
18 funds for any other purpose shall be null and void and of no effect.

19 C. The Office of Accountability shall track apportionment of
20 revenues which are deposited to the credit of the Education Reform
21 Revolving Fund of the State Treasury which are attributable to the
22 changes contained in Enrolled House Bill No. 1017 of the 1st
23 Extraordinary Session of the 42nd Oklahoma Legislature on a fiscal
24 year basis and shall provide an electronic accounting to the

1 Governor, Speaker of the House of Representatives and President Pro
2 Tempore of the Senate, within thirty (30) days after the end of the
3 fiscal year.

4 SECTION 10. AMENDATORY 62 O.S. 2021, Section 71.1, is
5 amended to read as follows:

6 Section 71.1. A. There is hereby created the Cash Management
7 and Investment Oversight Commission. The Commission shall consist
8 of five (5) members as follows:

9 1. The Director of the Office of Management and Enterprise
10 Services, or designee;

11 2. The Bank Commissioner, or designee;

12 3. The Administrator of the Oklahoma Department of Securities,
13 or designee;

14 4. One citizen member appointed by the Speaker of the House of
15 Representatives who shall have a demonstrated expertise in public or
16 private investment finance and who shall serve at the Speaker's
17 pleasure; and

18 5. One citizen member appointed by the President Pro Tempore of
19 the ~~State~~ Senate who shall be a certified public accountant or
20 public accountant with a demonstrated expertise in public or private
21 auditing procedures and who shall serve at the President Pro
22 Tempore's pleasure.

1 B. The appointed members shall have no direct or indirect
2 business relationship with the State Treasurer or the State
3 Treasurer's Office.

4 C. The Commission shall elect from its membership a chairperson
5 and ~~vice chairperson~~ vice chairperson. Such officers shall serve
6 one-year terms and may be reelected. There shall be an Executive
7 Review Committee of the Cash Management and Investment Oversight
8 Commission consisting of the Executive Director of the Office of
9 Management and Enterprise Services, the Bank Commissioner and the
10 Administrator of the Oklahoma Department of Securities or their
11 respective designees. The Executive Director of the Office of
12 Management and Enterprise Services shall call a meeting to organize
13 the Executive Review Committee. The Executive Review Committee
14 shall elect from its membership a chairperson who shall serve for a
15 period of one (1) year and who may be reelected. The Executive
16 Review Committee shall meet at such times as it deems necessary for
17 the performance of its duties.

18 D. The Commission shall hold regular meetings at least once
19 each quarter, and at such other times as it deems necessary for the
20 performance of its duties. The date, time and place of the meetings
21 shall be set by the Commission. The Office of Management and
22 Enterprise Services shall provide the administrative support
23 required by the Commission. The Commission shall be staffed by the
24 Office of Management and Enterprise Services who shall prepare all

1 materials and information needed by the Commission to perform its
2 duties and responsibilities. Meetings of the Commission and of the
3 Executive Review Committee of the Commission shall be subject to the
4 Oklahoma Open Meeting Act, and their records shall be public records
5 pursuant to the Oklahoma Open Records Act.

6 E. The Commission in conjunction with the State Auditor and
7 Inspector shall develop a standardized and uniform reporting system
8 which the State Treasurer shall use to make the reports required by
9 Section 89.7 of this title. The Commission shall prescribe such
10 forms in order to obtain an objective and accurate analysis of the
11 investment of state funds by the State Treasurer and to obtain an
12 accurate analysis of investment performance according to an
13 objective standard established by the Commission. The Commission
14 shall not be subject to the provisions of the Administrative
15 Procedures Act for purposes of developing the reporting system
16 required by this subsection. The Commission shall review the
17 reports prepared by the State Treasurer pursuant to Section 89.7 of
18 this title. The Commission shall review with the State Treasurer
19 investment strategies and practices and the development of internal
20 auditing procedures and practices. The Commission shall review the
21 reports submitted by the State Treasurer and shall identify any
22 event, transaction or trend which the Commission determines to
23 represent a violation or potential violation of law or public policy
24 regarding the investment of state funds. The Commission shall

1 specifically identify its concerns or objections and shall
2 communicate such concerns or objections in writing to the State
3 Treasurer.

4 F. The Commission staff shall submit a written report to each
5 member of the Commission for each month of the calendar year which
6 specifically identifies entities with whom or with which the State
7 Treasurer has transacted business related to investment of any state
8 funds during the applicable reporting period. Any person or entity
9 to whom or to which any form of compensation has been or will be
10 paid for services rendered to the State Treasurer's Office related
11 to the investment of state funds shall be identified in the report.
12 The report shall also be electronically submitted to the Executive
13 Director of the Office of Management and Enterprise Services, the
14 State Auditor and Inspector, the Speaker of the House of
15 Representatives, the President Pro Tempore of the Senate and the
16 Governor.

17 G. Members of the Commission shall serve without compensation,
18 except for travel, pursuant to the State Travel Reimbursement Act,
19 to be paid by the appointing authority.

20 H. The Commission may make written recommendations for changes
21 in legislation to the Legislature or in the policies or procedures
22 and practices of the State Treasurer to the State Treasurer.

23 I. The Commission shall determine the positions, including but
24 not limited to the investment officer, in the State Treasurer's

1 Office which shall require criminal background investigations by the
2 Oklahoma State Bureau of Investigation. The Bureau shall advise the
3 State Treasurer and the Cash Management and Investment Oversight
4 Commission in writing of the results of the investigation.

5 SECTION 11. AMENDATORY 62 O.S. 2021, Section 690.19, is
6 amended to read as follows:

7 Section 690.19. The Oklahoma Department of Commerce shall
8 produce an annual report by October 15 of each year ~~for~~ to be
9 electronically submitted to the Governor, the Speaker of the House
10 of Representatives and the President Pro Tempore of the Senate
11 regarding the performance of the zones. Information in the report
12 shall include but not be limited to the amount of tax credits
13 granted, jobs added, if known, and the impact on unemployment rates
14 within the zones. The information concerning the tax credits shall
15 be provided to the Department of Commerce by the Oklahoma Tax
16 Commission. The report shall include those zones in existence prior
17 to the passage of ~~this act~~ Oklahoma Enterprise Zone Act.

18 The county commissioners, municipal governing body or enterprise
19 district management authority of any enterprise zone, or enterprise
20 district shall submit to the Department of Commerce the name and
21 address of the individual in charge of supervising such enterprise
22 zones by July 1 of each year.

23 SECTION 12. AMENDATORY 63 O.S. 2021, Section 5007, is
24 amended to read as follows:

1 Section 5007. A. There is hereby created the Oklahoma Health
2 Care Authority Board which shall consist of the following nine (9)
3 members:

4 1. Five members appointed by the Governor;

5 2. Two members appointed by the Speaker of the House of
6 Representatives; and

7 3. Two members appointed by the President Pro Tempore of the
8 Senate.

9 B. Each member shall serve at the pleasure of his or her
10 appointing authority and may be removed or replaced without cause.

11 Any member of the Board shall be prohibited from voting on any issue
12 in which the member has a direct financial interest. The
13 Administrator of the Oklahoma Health Care Authority shall be an ex
14 officio member of the Board, but shall be entitled to vote only in
15 case of a tie vote.

16 C. The Board shall have the power and duty to:

17 1. Establish the policies of the Oklahoma Health Care
18 Authority;

19 2. Adopt and promulgate rules as necessary and appropriate to
20 carry out the duties and responsibilities of the Authority. The
21 Board shall be the rulemaking body for the Authority; and

22 3. Adopt, publish, and electronically submit by January 1 of
23 each year to the Governor, the President Pro Tempore of the Senate,
24 and the Speaker of the House of Representatives appropriate

1 administrative policies and the business plan for that year. All
2 actions governed by the administrative policies and annual business
3 plan shall be examined annually in an independent audit.

4 D. A majority of the members of the Board shall constitute a
5 quorum for the transaction of business and for taking any official
6 action. Official action of the Board must have a favorable vote by
7 a majority of the members present.

8 E. Members appointed pursuant to subsection A of this section
9 shall serve without compensation but shall be reimbursed for
10 expenses incurred in the performance of their duties in accordance
11 with the State Travel Reimbursement Act.

12 F. The Board and the Authority shall act in accordance with the
13 provisions of the Oklahoma Open Meeting Act, the Oklahoma Open
14 Records Act and the Administrative Procedures Act.

15 SECTION 13. AMENDATORY 68 O.S. 2021, Section 400.1, as
16 amended by Section 3, Chapter 285, O.S.L. 2023 (68 O.S. Supp. 2023,
17 Section 400.1), is amended to read as follows:

18 Section 400.1. A. For the purpose of enforcing the tobacco tax
19 laws of this state, the Oklahoma Tax Commission is authorized,
20 contingent upon the availability of funds, to establish and maintain
21 a unit to be known as the "Tobacco Products Tax Enforcement Unit".
22 The unit shall enforce the tobacco tax laws of this state and ensure
23 that all taxes are paid on tobacco products by:
24

1 1. Confirming that all entities selling tobacco products in
2 this state are properly licensed as provided in Section 400 et seq.
3 of ~~Title 68 of the Oklahoma Statutes~~ this title;

4 2. Verifying that all retailers are only purchasing tobacco
5 products from wholesalers licensed by the Tax Commission;

6 3. Providing a dedicated telephone line and email address for
7 licensed wholesalers, licensed retailers and the general public to
8 report suspected violations of tobacco tax laws; provided, no
9 entity, individual or those who report violations on behalf of a
10 licensed wholesaler or retailer shall be required to disclose their
11 identity;

12 4. Auditing licensed wholesalers and retailers to ensure all
13 tobacco product taxes are paid;

14 5. Issuing fines for violations as provided in Section 400 et
15 seq. of ~~Title 68 of the Oklahoma Statutes~~ this title;

16 6. Conducting wholesale and retail tobacco inspections to find
17 and confiscate untaxed tobacco products;

18 7. Establishing data-sharing programs with tax departments in
19 surrounding states related to tobacco product taxes;

20 8. Creating an industry advisory committee including licensed
21 wholesalers and retailers who may represent the entity related to
22 tobacco products tax enforcement concerns and suggestions. The
23 industry advisory committee shall be composed of five (5) members as
24 follows:

- a. two members who are licensed wholesalers to be appointed by the Governor,
- b. one member who is a licensed retailer to be appointed by the President Pro Tempore of the ~~Oklahoma~~ Senate,
- c. one member who is a licensed retailer to be appointed by the Speaker of the ~~Oklahoma~~ House of Representatives, and
- d. one member who is a licensed wholesaler to be appointed by the four members provided for in subparagraphs a through c of this paragraph.

The committee shall meet quarterly. The Oklahoma Tax Commission shall promulgate rules establishing minimum requirements as may be deemed necessary to carry out the purposes of the committee; and

9. Working with law enforcement and conducting investigations to stop illegal acquisition and shipment of tobacco products by persons not licensed to sell tobacco products in this state.

B. The Tax Commission shall ~~annually~~ electronically submit ~~a~~ an annual report to the Governor, President Pro Tempore of the Senate and Speaker of the House of Representatives listing the number of wholesale and retail tobacco inspections conducted, the amount of untaxed tobacco products confiscated, the number of tobacco products tax audits conducted, the amount of taxes assessed and the amount of taxes collected as the result of audits and confiscations, the number of suspected violations reported and the actions taken in

1 response, and the number of fines issued and the amount of fines
2 collected.

3 SECTION 14. AMENDATORY 69 O.S. 2021, Section 4020.2, is
4 amended to read as follows:

5 Section 4020.2. A. The Oklahoma Route 66 Centennial Commission
6 shall be composed of twenty-one (21) members. Appointed members
7 shall reflect the interests, history and importance of the
8 communities along Route 66 in Oklahoma. The members are appointed
9 as follows:

10 1. Two members shall be appointed by the Speaker of the House
11 of Representatives;

12 2. Two members shall be appointed by the President of the
13 Senate;

14 3. Three members of the public shall be appointed by the
15 Governor; and

16 4. Fourteen ex officio members shall be appointed as follows:

- 17 a. the Governor or his or her designee,
- 18 b. the Lieutenant Governor, who shall serve as
19 chairperson, or his or her designee,
- 20 c. the Executive Director of the ~~Oklahoma~~ Department of
21 Transportation or his or her designee,
- 22 d. the Executive Director of the Oklahoma Historical
23 Society or his or her designee,
- 24

- e. the Executive Director of the Oklahoma Department of Commerce or his or her designee,
- f. the Executive Director of the Oklahoma Tourism and Recreation Department or his or her designee,
- g. the Executive Director of the Oklahoma Arts Council or his or her designee,
- h. the ~~President~~ Executive Director of the Route 66 Alliance or his or her designee,
- i. the President of the Oklahoma Route 66 Association or his or her designee,
- j. the Executive Director of Preservation Oklahoma, Inc., or his or her designee,
- k. the Executive Director of the Oklahoma Museums Association or his or her designee,
- l. the Executive Director of Oklahoma Humanities or his or her designee,
- m. the Executive Director of the Oklahoma Municipal League or his or her designee, and
- n. the ~~President~~ Chairman of the ~~Oklahoma~~ State Chamber of ~~Commerce~~ or his or her designee.

An ex officio member of the Commission vacates the person's position on the Commission if the person ceases to hold the position that qualifies the person for service on the Commission.

1 B. The Commission shall meet at least quarterly at the times
2 and places in this state that the Commission designates. A majority
3 of the members of the Commission constitutes a quorum for
4 transacting Commission business. Subject to appropriation, the
5 Oklahoma Historical Society shall provide administrative and other
6 support to the Commission.

7 C. The Commission shall:

8 1. Plan and sponsor official Route 66 Centennial events,
9 programs and activities appropriate to commemorate the Route 66
10 Centennial;

11 2. Encourage the development of programs designed to involve
12 all citizens in activities that commemorate the Route 66 Centennial
13 events; and

14 3. Make available to the public, to the best of the
15 Commission's ability, information on Route 66 Centennial events
16 happening throughout ~~the State of Oklahoma~~ this state.

17 D. The Commission may accept monetary gifts, grants or
18 appropriations from any public or private source to be held in a
19 nonappropriated revolving fund authorized for the Oklahoma
20 Historical Society and expended solely for the use of the Commission
21 in performing the Commission's powers and duties under ~~this act~~ the
22 Oklahoma Route 66 Centennial Commission Act. The Commission may
23 also accept in-kind gifts.
24
25

1 E. Each member of the Commission shall serve without
2 compensation or reimbursement for travel related to Commission
3 duties, aside from the compensation he or she might otherwise
4 receive as authorized by law.

5 F. The Commission shall be dissolved on June 30, 2027, and any
6 assets remaining in the Commission's trust fund shall be deposited
7 into the state's General Revenue Fund. A final report on the
8 activities of the Oklahoma Route 66 Centennial Commission shall be
9 electronically delivered to the Governor no later than June 30,
10 2027.

11 SECTION 15. AMENDATORY 70 O.S. 2021, Section 3-117.3, is
12 amended to read as follows:

13 Section 3-117.3. A. The School Finance Review Commission shall
14 conduct a review of all matters related to school finance, including
15 but not limited to teacher compensation, benefits and administration
16 costs.

17 B. The Commission shall electronically submit a report of its
18 findings to the Governor, the President Pro Tempore of the Senate
19 and the Speaker of the House of Representatives no later than
20 December 31, 2023, and every subsequent four (4) years by December
21 31.

22 SECTION 16. AMENDATORY 74 O.S. 2021, Section 471, is
23 amended to read as follows:
24
25

1 Section 471. There is hereby established an advisory committee
2 to the Legislature of Oklahoma and to the Governor of Oklahoma.
3 Such committee shall be composed of four ~~(4)~~ members of the Oklahoma
4 Bar Association to be appointed by the Governor with the advice of
5 the President of the Oklahoma Bar Association and two ~~(2)~~ members,
6 at least one of whom is a member of the House of Representatives, to
7 be appointed by the Speaker of the House of Representatives and two
8 ~~(2)~~ members, at least one of whom is a member of the Senate, to be
9 appointed by the President Pro Tempore of the Senate. Each member
10 shall serve for four (4) years or until his or her death,
11 resignation, or failure or refusal, certified by the remaining
12 members, to perform his or her duties, renders his or her place
13 vacant, whereupon the vacancy shall be filled in the same manner as
14 the original appointment. In the event a legislative member fails
15 to retain his or her seat in his or her respective house prior to
16 the expiration of his or her term on the committee, his or her place
17 on the committee shall be rendered vacant. The members of such
18 committee, hereafter called commissioners, shall be the official
19 commissioners of the State of Oklahoma to the National Conference of
20 Commissioners on Uniform State Laws. They shall attend the annual
21 meetings of such national conference. They shall report annually to
22 the Legislature and to the Governor concerning the work of ~~said~~ such
23 conference and all other matters relating to their duties. They
24 shall advise the Legislature and its committees concerning proposals

1 for uniform and model state laws, the effect which such proposals
2 would have on the law of this state, and such other matters as may
3 be pertinent to desirable uniformity in legislation between this
4 state and other states. Reporting, as required by this section,
5 shall be submitted to the appropriate entities by electronic
6 submittals.

7 SECTION 17. AMENDATORY 74 O.S. 2021, Section 500.18, as
8 last amended by Section 1, Chapter 325, O.S.L. 2022 (74 O.S. Supp.
9 2023, Section 500.18), is amended to read as follows:

10 Section 500.18. A. Except for members of the Legislature, the
11 Governor and the Lieutenant Governor, provisions of Sections 500.1
12 through 500.18 of this title shall be mandatory for all officials
13 and employees of all departments, boards, commissions and
14 institutions of the state, regardless of the provisions of any other
15 act of the Legislature, except as provided by this section. The
16 enactment of any measure in the future providing for travel
17 reimbursement of state officers and employees on the basis of
18 "actual and necessary" expenses or in any other manner inconsistent
19 with Sections 500.1 through 500.18 of this title shall be deemed to
20 provide for reimbursement in accordance with Sections 500.1 through
21 500.18 of this title unless a contrary intent is explicitly
22 expressed in this section. Sections 500.1 through 500.18 of this
23 title shall not apply, however, to travel reimbursements made by
24

1 political subdivisions of this state, except as otherwise provided
2 by law.

3 B. The agencies listed below are authorized certain exceptions
4 and/or exemptions to the provisions of Sections 500.1 through 500.18
5 of this title to the extent specified:

6 1. Oklahoma Department of Agriculture, Food, and Forestry:

7 a. The actual and reasonable expenses of travel and
8 subsistence in pursuing and developing markets for
9 Oklahoma agricultural products incurred by the
10 Commissioner, Deputy Commissioner and such employees
11 designated by the State Board of Agriculture within
12 the marketing development programs of the Oklahoma
13 Department of Agriculture, Food, and Forestry shall be
14 reimbursed to the employee incurring such expenses.
15 Reimbursement of such expenses shall be in accordance
16 with rules adopted by the Board. Expenses claimed
17 shall, prior to reimbursement, be reviewed by the
18 Board at a regular meeting and individually approved
19 or disapproved.

20 b. The actual and necessary expenses of out-of-state
21 travel and subsistence incurred by employees of the
22 Forestry Division authorized to evaluate and acquire
23 federal excess property or surplus property in other
24

1 states for use in its fire protection program shall be
2 reimbursed to the employee incurring such expenses.

3 2. Department of Public Safety:

4 When traveling with the Governor or at the Governor's request,
5 personnel assigned by the Commissioner for executive security and
6 pilots on executive assignment shall be allowed their actual and
7 necessary traveling expenses, upon claims approved by the
8 Commissioner.

9 3. Department of Corrections:

10 The Department of Corrections shall be exempt from limitations
11 of reimbursement for rented automobiles, as set forth in Section
12 500.5 of this title, when the rental is by a ~~Correctional Officer~~
13 correctional officer or ~~Transportation Officer~~ transportation
14 officer for the limited purpose of transporting inmates.
15 Reimbursement for the expense shall be on the basis of actual cost.

16 4. Oklahoma Tourism and Recreation Department:

17 The Oklahoma Tourism and Recreation Commission and Department
18 staff who promote in-state and out-of-state business for Oklahoma's
19 state-operated or state-owned parks, lodges, and golf courses and
20 the tourism and recreation industry may be reimbursed for the actual
21 and necessary expense of travel, subsistence and entertainment for
22 this purpose. The Executive Director of the Oklahoma Tourism and
23 Recreation Department may reimburse the ~~Publisher~~ publisher of
24 Oklahoma Today magazine and its staff for expenses for meals and

1 other entertainment in order to gain advertising and promotion for
2 Oklahoma Today magazine.

3 5. Oklahoma Department of Commerce:

4 a. The actual and necessary expenses incurred by the
5 Director and other employees of the Department
6 authorized by the Director for the purpose of business
7 recruitment shall be reimbursed. Reimbursement of
8 expenses shall be in accordance with rules adopted by
9 the Director of the Oklahoma Department of Commerce.
10 Expenses claimed shall, prior to reimbursement, be
11 reviewed by the Director and individually approved or
12 disapproved.

13 b. The Department, at the discretion of the Director, may
14 charter aircraft for the purposes of carrying out its
15 duties and responsibilities related to business
16 recruitment and performing the duties of the Director.
17 The cost of such charter shall be exempt from the
18 provisions of Section 500.6 of this title. Claims
19 filed with the Office of Management and Enterprise
20 Services shall bear the following certification:
21 The best interests of the citizens of Oklahoma were
22 better served in that conventional ground
23 transportation was not practical or feasible for this
24 trip, aircraft from the Department of Public Safety

1 were not available for this trip, and no other claim
2 has been or will be filed as a payment for the cost of
3 transportation in connection with this trip.

4 c. The Oklahoma Department of Commerce may reimburse the
5 Oklahoma Film and Music Office staff for the actual
6 and necessary expenses for meals and other
7 entertainment in order to promote the film and music
8 industries in this state. Reimbursement of all actual
9 and necessary expenses shall be in accordance with
10 rules adopted by the Oklahoma Department of Commerce.

11 6. Office of Management and Enterprise Services:

12 The actual and necessary expenses of travel and subsistence
13 incurred by the Executive Director, any state employee approved by
14 his or her appointing authority, or state officials, for travel
15 outside the state in performance of duties related to bond financing
16 shall be reimbursed to the employee or state official incurring such
17 expenses. Reimbursement for lodging expenses shall be supported by
18 three telephone bids from hotels within a reasonable distance of the
19 activity for which the travel was approved.

20 7. Oklahoma Futures:

21 The actual and necessary expenses incurred by the members of
22 Oklahoma Futures in the performance of their duties shall be
23 reimbursed to the members incurring such expenses. Reimbursement of
24

1 all actual and necessary expenses shall be in accordance with rules
2 adopted by Oklahoma Futures.

3 8. Oklahoma Development Finance Authority:

4 The actual and necessary expenses incurred by the members and
5 employees of the Oklahoma Development Finance Authority in the
6 performance of their duties shall be reimbursed to the person
7 incurring such expenses. Reimbursement of all actual and necessary
8 expenses shall be in accordance with the bylaws of the Authority.

9 9. Oklahoma Center for the Advancement of Science and
10 Technology:

11 The actual and necessary expenses incurred by the members and
12 employees of the Oklahoma Center for the Advancement of Science and
13 Technology in the performance of their duties shall be reimbursed to
14 the person incurring such expenses. Reimbursement of all actual and
15 necessary expenses shall be in accordance with the bylaws of the
16 Center.

17 10. Center for International Trade Development:

18 The actual and necessary expenses of travel, lodging and
19 subsistence incurred by the Director and authorized employees of the
20 Center for International Trade Development for performance of their
21 duties for the purpose of business recruitment and assistance shall
22 be reimbursed to the person incurring such expenses. Reimbursement
23 of such expenses shall be in accordance with the rules adopted by
24 the Director of the Center for International Trade Development.

1 Expenses claimed shall be reviewed and individually approved or
2 disapproved, prior to reimbursement, first by the Director, and
3 finally by either the Vice President, Business and Finance of
4 Oklahoma State University or the President of Oklahoma State
5 University.

6 11. Oklahoma State Bureau of Investigation:

7 The actual and necessary expenses incurred by the Director and
8 other employees of the Bureau authorized by the Director as a result
9 of conducting investigations shall be reimbursed to each such
10 employee incurring the expenses. Reimbursement of the expenses
11 shall be in accordance with rules adopted by the Director of the
12 Oklahoma State Bureau of Investigation. Prior to reimbursement,
13 expenses claimed shall be reviewed by the Director and individually
14 approved or disapproved.

15 12. Department of Human Services:

16 The actual and necessary expenses of travel, lodging and
17 subsistence incurred by employees of the ~~Legal Division~~ legal
18 division in the performance of their duties for the purpose of
19 representing the Department of Human Services or any of its
20 officials, employees, institutions or hospitals at any proceeding
21 including depositions, held before any court, administrative body or
22 representative thereof, shall be reimbursed to the employee
23 incurring such expenses. Expenses claimed shall be approved by the
24

1 General Counsel and the Director of Human Services prior to
2 reimbursement.

3 13. Oklahoma Health Care Authority:

4 The actual and necessary expenses of travel, lodging and
5 subsistence incurred by employees of the ~~Legal Division~~ legal
6 division in the performance of their duties for the purpose of
7 representing the Authority or any of its officials or employees, at
8 any proceeding including depositions, held before any court,
9 administrative body or representative thereof, shall be reimbursed
10 to the employee incurring such expenses. Expenses claimed shall be
11 approved by the Administrator prior to reimbursement.

12 14. Oklahoma State Bureau of Narcotics and Dangerous Drugs
13 Control:

14 The actual and necessary expenses incurred by the Director and
15 other employees of the Bureau authorized by the Director as a result
16 of conducting investigations shall be reimbursed to each employee
17 incurring the expenses. Reimbursement of the expenses shall be in
18 accordance with rules adopted by the Director of the Oklahoma State
19 Bureau of Narcotics and Dangerous Drugs Control. Prior to
20 reimbursement, expenses claimed shall be reviewed by the Director
21 and individually approved or disapproved.

22 15. University Hospitals:

23 The actual and necessary expenses of travel, lodging and
24 subsistence incurred by employees of the ~~Legal Office~~ legal office
25

1 in the performance of their duties for the purpose of representing
2 the University Hospitals or any of its officials, employees,
3 institutions or hospitals at any proceeding including depositions,
4 held before any court, administrative body or representative
5 thereof, shall be reimbursed to the employee incurring such
6 expenses. Expenses shall be approved by the Chief Executive Officer
7 of the University Hospitals or by the University Hospitals
8 Authority.

9 16. Oklahoma Historical Society:

10 The actual and necessary expenses of travel, subsistence and
11 entertainment incurred by the Executive Director, Deputy Director
12 and any employees designated by the Executive Committee of the
13 Oklahoma Historical Society Board of Directors in pursuing and
14 developing programs and projects for the preservation and marketing
15 of Oklahoma history shall be reimbursed to the person incurring the
16 expenses. Reimbursement of expenses shall be in accordance with
17 rules adopted by the Oklahoma Historical Society Board of Directors.
18 Prior to reimbursement, expenses claimed shall be reviewed by the
19 Executive Committee at a regularly scheduled meeting and each claim
20 shall be individually approved or disapproved.

21 17. The ~~Oklahoma~~ Department of Mines:

22 The actual and necessary expenses of travel, lodging and
23 subsistence incurred by employees of the Department in the
24 performance of their duties for the purpose of representing the
25

1 Department or any of its officials or employees, at any proceeding,
2 hearing or meeting with federal agencies, boards, commissions,
3 congressional representatives, congressional committees or staff,
4 shall be reimbursed to the employee incurring such expenses.
5 Expenses claimed shall be approved by the ~~Executive~~ Director prior
6 to reimbursement.

7 18. The Office of Attorney General:

8 The actual and necessary expenses of travel, lodging and
9 subsistence incurred by its employees in the performance of their
10 duties for the purpose of representing the state, the Legislature,
11 any state board, agency or commission, or any employee or official
12 of the state entitled to representation, at any proceeding including
13 depositions, held before any court, administrative body or any
14 representative thereof, and the actual and necessary expenses
15 incurred by employees as a result of conducting investigations shall
16 be reimbursed to the employee incurring the expenses. The expenses
17 shall be approved by the Attorney General prior to reimbursement.

18 19. District Attorneys Council:

19 The actual and necessary expenses of travel, lodging and
20 subsistence incurred by each district attorney and other employees
21 of the district attorney authorized by the district attorney in the
22 performance of their duties for any district other than the district
23 for which they are employed for the purpose of representing the
24 state, any county, or any employee or official of the state entitled

1 to representation at any proceeding including depositions held
2 before any court, administrative body or any representative of a
3 court or administrative body, and the actual and necessary expenses
4 incurred as a result of conducting investigations shall be
5 reimbursed to each employee incurring the expenses. Reimbursement
6 of the expenses shall be in accordance with rules adopted by the
7 District Attorneys Council. Prior to reimbursement, expenses
8 claimed shall be reviewed by the Council and individually approved
9 or disapproved.

10 20. The Oklahoma Department of Securities:

11 The actual and necessary expenses of travel, lodging and
12 subsistence incurred by the Administrator and other employees of the
13 Department of Securities in the performance of their duties for the
14 purpose of representing the Department of Securities, at any
15 proceeding including depositions, held before any court,
16 administrative body or any representative thereof, conducting on-
17 site examinations, or conducting investigations, shall be reimbursed
18 to each employee incurring the expenses. The expenses shall be
19 approved by the Administrator of the Department of Securities prior
20 to reimbursement.

21 21. Corporation Commission:

22 The actual and necessary travel expenses incurred by the staff
23 of the Public Utility Division as a result of conducting audits
24 and/or reviews of utility service providers shall be reimbursed to
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1 each employee incurring the expense. Reimbursement of the expenses
2 shall be as set forth in procedures established by the appointing
3 authority.

4 22. The Department of Human Services:

5 Employees of the Department of Human Services may be reimbursed
6 for their actual and necessary expenses of travel, lodging and meals
7 and incidentals incurred in the performance of their duties for the
8 purpose of escorting and transporting children or adults in the care
9 or custody of the Department, subject to approval by the Department:

- 10 a. for out-of-state visitation, care, treatment and
11 placement of a child welfare client,
- 12 b. for out-of-state treatment for or placement of an
13 adult protective services client,
- 14 c. for out-of-state treatment for or placement of a
15 resident of a state resource center,
- 16 d. for out-of-state treatment for or placement of an
17 individual with a developmental disability who is
18 living in the community in community residential
19 services, or
- 20 e. for meals and incidental expenses necessary for the
21 care of children or adults in the care or custody of
22 the Department.

23 Expenses claimed shall be approved by the appropriate ~~Division~~
24 ~~Director~~ division director or ~~Deputy~~ deputy prior to reimbursement.

1 23. The Banking Department:

2 The actual and necessary expenses of travel and lodging incurred
3 by the Bank Commissioner and other employees of the Banking
4 Department in the performance of their duties for the Banking
5 Department shall be paid or reimbursed by the Banking Department to
6 each employee incurring the expenses. The expenses shall be
7 approved by the Banking Commissioner prior to payment or
8 reimbursement.

9 24. ~~Oklahoma~~ Office of Homeland Security:

10 The actual and necessary expenses of travel, lodging, and
11 subsistence incurred by the Oklahoma Homeland Security Director, as
12 a result of the duties and responsibilities of the Director, shall
13 be paid or reimbursed by the ~~Oklahoma~~ Office of Homeland Security.

14 25. The Grand River Dam Authority:

15 The actual and necessary expenses of travel and lodging incurred
16 by the Board of Directors and other employees of the district in the
17 performance of their duties for the Grand River Dam Authority shall
18 be paid or reimbursed by the district to each Director or employee
19 incurring the expenses. The expenses shall be approved by the
20 ~~General Manager~~ President of the Grand River Dam Authority prior to
21 payment or reimbursement.

22 26. The Native American Cultural and Educational Authority:

23 The actual and necessary expenses incurred by the Directors and
24 employees of the Native American Cultural and Educational Authority
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1 in performances of duties. The expenses shall be approved by the
2 Director prior to payment or reimbursement.

3 27. Oklahoma Department of Career and Technology Education:

4 The actual and necessary expenses incurred by the Director and
5 other employees of the Department, authorized by the Director, for
6 the purpose of business recruitment, training, and the provision of
7 technical assistance shall be reimbursed. Reimbursement of expenses
8 shall be in accordance with rules adopted by the State Board of
9 Career and Technology Education. Expenses claimed, prior to the
10 reimbursement, will be reviewed by the Board and individually
11 approved or disapproved.

12 28. ~~Oklahoma~~ Military Department of the State of Oklahoma:

13 The actual and necessary travel expenses incurred by the
14 Director, other employees of the Department and persons performing
15 substantial and necessary services to the state in support of the
16 Oklahoma National Guard shall be reimbursed to the individual
17 incurring such expenses. The expenses claimed shall be approved by
18 the Director or Chief Financial Officer prior to reimbursement.

19 C. The agencies listed in subsection B of this section shall be
20 required to report annually the actual expenses excepted or exempted
21 from Sections 500.1 through 500.18 of this title to the Governor,
22 the President Pro Tempore of the Senate, and the Speaker of the
23 House of Representatives. The report shall be submitted,
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1 electronically, no later than the first day of September following
2 the end of each fiscal year.

3 SECTION 18. AMENDATORY 74 O.S. 2021, Section 669, is
4 amended to read as follows:

5 Section 669. The Oklahoma Commission on the Status of Women
6 shall have the power and the duty to:

7 1. Advise on equity issues relating to gender bias, state
8 agencies and employees, communities, organizations and businesses of
9 this state which desire the services of the Commission;

10 2. Monitor legislation as to whether the legislation is
11 discriminatory toward one gender or whether the gender of an
12 individual would have an effect on the enforcement of the
13 legislation;

14 3. Act as a resource and a clearinghouse for research on issues
15 related to women and gender bias;

16 4. Conduct meetings and seminars within the state as
17 appropriate to support the goals and duties of the Commission; and

18 5. Report to the Governor, the President Pro Tempore of the
19 Senate and the Speaker of the House of Representatives of its
20 activities. The report recommendations may include recommendations
21 concerning needed legislation or regulatory changes relating to
22 equity and gender bias. The report shall be delivered
23 electronically.
24

SECTION 19. AMENDATORY 74 O.S. 2021, Section 942, is

amended to read as follows:

Section 942. A. The Oklahoma State Pension Commission shall:

1. Publish, on a quarterly basis, a performance report analyzing the performance of the Oklahoma Firefighters Pension and Retirement System, the Oklahoma Police Pension and Retirement System, the Uniform Retirement System for Justices and Judges, the Oklahoma Law Enforcement Retirement System, the Teachers' Retirement System of Oklahoma, the Oklahoma Public Employees Retirement System and the retirement plan adopted by the Oklahoma Wildlife Conservation Commission on an individual and consolidated basis. The Commission shall establish a format for use by each of the state retirement systems in submitting the information requested by the Commission for the report. The report shall contain:

- a. combined and individual rates of return of the investment managers by category of investment, over periods of time,
- b. the data obtained pursuant to subparagraph a of this paragraph compared with similar data for a larger population of investment managers by asset class as well as by style of management, and
- c. any other information that the Commission may include;

2. Publish widely an annual report in simple and easily understood language containing:

- 1 a. on an individual and consolidated basis, a report of
2 the changes in the investment policy statements
3 adopted by each retirement system in the prior year,
4 b. an analysis of the performance of the securities
5 lending program and short-term investment fund of the
6 custodian employed by each governing body of the
7 retirement systems specified in paragraph 1 of this
8 subsection with regard to short-term investment funds,
9 if any, containing retirement system monies,
10 c. recommendations on administrative and legislative
11 changes which are necessary to improve the performance
12 of the retirement systems in accordance with current
13 standards for large public fund portfolio management,
14 d. a summary of the results of the most recent actuarial
15 valuation to include total assets, total liabilities,
16 unfunded liability or over funded status,
17 contributions and any other information deemed
18 relevant by the Commission. The results shall be
19 determined using the standards prescribed by the
20 ~~Government~~ Governmental Accounting Standards Board or
21 any successor entity, and
22 e. a listing by category of the expenses of the
23 Commission;
24

1 3. Make recommendations to the Governor, the Speaker of the
2 House of Representatives and the President Pro Tempore of the ~~State~~
3 Senate, based upon the advice of pension consultants, for updating
4 or standardizing retirement system benefit designs; and

5 4. Make recommendations to the Governor, the Speaker of the
6 House of Representatives and the President Pro Tempore of the ~~State~~
7 Senate regarding the methods for the adequate financing of benefits
8 authorized or required by law for performance of service upon behalf
9 of employers participating in any of the retirement systems
10 administered by the entities identified in paragraph 1 of this
11 subsection, including, but not limited to, recommendations regarding
12 the use of dedicated tax or other revenue sources or the
13 modification of such tax or other revenue sources to provide
14 additional funding to retirement systems the actuarial condition of
15 which would benefit from such sources.

16 B. The Commission shall electronically distribute its reports
17 and recommendations to the Governor, the President Pro Tempore of
18 the Senate, the Speaker of the House of Representatives and the
19 ~~chairman~~ chair and ~~vice-chairman~~ vice chair of the Joint Committee
20 on Fiscal Operations. The Commission shall make the reports widely
21 available to the members of the Legislature, members of the
22 retirement systems and the general public.

23 C. The Commission shall hire one or more pension fund
24 management consultants to assist the Commission in accomplishing its

objectives specified in subsection A of this section. Consultants shall be chosen by a solicitation of proposals on a competitive bid basis pursuant to standards set by the Commission. A consultant:

1. Shall be experienced in providing unbiased third-party consulting services;

2. Shall have in its client base individual clients that are comparable in size to the combined total assets of the retirement systems specified in paragraph 1 of subsection A of this section; and

3. Shall not be under contract with any of the individual governing bodies of the various state retirement systems.

D. For purposes of this subsection, pension fund management consultants hired by the Commission are hereby considered fiduciaries of the state retirement systems.

1. A fiduciary with respect to the state retirement systems shall not cause or advise a retirement system to engage in a transaction if the fiduciary knows or should know that such transaction constitutes a direct or indirect:

- a. sale or exchange, or leasing of any property from a retirement system to a party in interest for less than adequate consideration or from a party in interest to a retirement system for more than adequate consideration,

- b. lending of money or other extension of credit from a retirement system to a party in interest without the receipt of adequate security and a reasonable rate of interest, or from a party in interest to a retirement system with provision of excessive security or an unreasonably high rate of interest,
- c. furnishing of goods, services or facilities from a retirement system to a party in interest for less than adequate consideration, or from a party in interest to a retirement system for more than adequate consideration, or
- d. transfer to, or use by or for the benefit of, a party in interest of any assets of a retirement system for less than adequate consideration.

2. A fiduciary with respect to the state retirement systems shall not:

- a. deal with the assets of a retirement system in the fiduciary's own interest or for the fiduciary's own account,
- b. in the fiduciary's individual or any other capacity act in any transaction involving a retirement system on behalf of a party whose interests are adverse to the interests of a retirement system or the interests of its participants or beneficiaries, or

1 c. receive any consideration for the fiduciary's own
2 personal account from any party dealing with a
3 retirement system in connection with a transaction
4 involving the assets of a retirement system.

5 SECTION 20. AMENDATORY 74 O.S. 2021, Section 1051, is
6 amended to read as follows:

7 Section 1051. The Southern States Energy Compact is hereby
8 entered into by this state with any and all other states legally
9 joining therein in accordance with its terms, in the form
10 substantially as follows:

11 ARTICLE I. POLICY AND PURPOSE

12 The party states recognize that the proper employment and
13 conservation of energy and employment of energy-related facilities,
14 materials, and products, within the context of a responsible regard
15 for the environment, can assist substantially in the
16 industrialization of the South and the development of a balanced
17 economy for the region. They also recognize that optimum benefit
18 from and acquisition of energy resources and facilities require
19 systematic encouragement, guidance, and assistance from the party
20 states on a cooperative basis. It is the policy of the party states
21 to undertake such cooperation on a continuing basis; it is the
22 purpose of this Compact to provide the instruments and framework for
23 such a cooperative effort to improve the economy of the South and
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1 contribute to the individual and community well-being of the
2 region's people.

3 ARTICLE II. THE BOARD

4 ~~(a)~~ A. There is hereby created an agency of the party states to
5 be known as the "Southern States Energy Board", hereinafter called
6 the Board. The Board shall be composed of three (3) members from
7 each party state, one of whom shall be appointed or designated in
8 each state to represent the Governor, the State Senate and the State
9 House of Representatives, respectively. Each member shall be
10 designated or appointed in accordance with the law of the state
11 which he represents and serving and subject to removal in accordance
12 with such law. Any member of the Board may provide for the
13 discharge of his duties and the performance of his functions
14 thereon, either for the duration of his membership or for any lesser
15 period of time, by a deputy or assistant, if the laws of his state
16 make specific provision therefor. The federal government may be
17 represented without vote if provision is made by federal law for
18 such representation.

19 ~~(b)~~ B. Each party state shall each be entitled to one vote on
20 the Board to be determined by majority vote of each member or
21 member's representative from the party state present and voting on
22 any question. No action of the Board shall be binding unless taken
23 at a meeting at which a majority of all party states are represented
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1 and unless a majority of the total number of votes on the Board are
2 cast in favor thereof.

3 ~~(c)~~ C. The Board shall have a seal.

4 ~~(d)~~ D. The Board shall elect annually, from among its members,
5 a chairman, a vice-chairman, and a treasurer. The Board shall
6 appoint an Executive Director who shall serve at its pleasure and
7 who shall also act as Secretary, and who, together with the
8 treasurer, shall be bonded in such amounts as the Board may require.

9 ~~(e)~~ E. The Executive Director, with the approval of the Board,
10 shall appoint and remove or discharge such personnel as may be
11 necessary for the performance of the Board's functions irrespective
12 of the civil service, personnel or other merit system laws of any of
13 the party states.

14 ~~(f)~~ F. The Board may establish and maintain, independently or
15 in conjunction with any one or more of the party states, a suitable
16 retirement system for its full-time employees. Employees of the
17 Board shall be eligible for social security coverage in respect of
18 old age and survivors insurance provided that the Board takes such
19 steps as may be necessary pursuant to federal law to participate in
20 such program of insurance as a governmental agency or unit. The
21 Board may establish and maintain or participate in such additional
22 programs of employee benefits as may be appropriate.

23 ~~(g)~~ G. The Board may borrow, accept, or contract for the
24 services of personnel from any state or the United States or any

1 subdivision or agency thereof, from any interstate agency, or from
2 any institution, person, firm or corporation.

3 ~~(h)~~ H. The Board may accept for any of its purposes and
4 functions under this Compact any and all donations, and grants of
5 money, equipment, supplies, materials, and services, conditional or
6 otherwise, from any state or the United States or any subdivision or
7 agency thereof, or interstate agency, or from any institution,
8 person, firm or corporation, and may receive, utilize and dispose of
9 the same.

10 ~~(i)~~ I. The Board may establish and maintain such facilities as
11 may be necessary for the transacting of its business. The Board may
12 acquire, hold, and convey real and personal property and any
13 interest therein.

14 ~~(j)~~ J. The Board shall adopt bylaws, rules and regulations for
15 the conduct of its business, and shall have the power to amend and
16 rescind these bylaws, rules, and regulations. The Board shall
17 publish its bylaws, rules, and regulations in convenient form and
18 shall file a copy thereof, and shall also file a copy of any
19 amendment thereto, with the appropriate agency or officer in each of
20 the party states.

21 ~~(k)~~ K. The Board annually shall make, to the governor of each
22 party state, a report covering the activities of the Board for the
23 preceding year, and embodying such recommendations as may have been
24 adopted by the Board, which report shall be transmitted to the

1 Legislature of said state. The Board may issue such additional
2 reports as it may deem desirable. Reports required by this
3 subsection shall be transmitted electronically to the receiving
4 entity.

5 ARTICLE III. FINANCES

6 ~~(a)~~ A. The Board shall submit to the executive head or
7 designated officer or officers of each party state a budget of its
8 estimated expenditures for such period as may be required by the
9 laws of that jurisdiction for presentation to the Legislature
10 thereof.

11 ~~(b)~~ B. Each of the Board's budgets of estimated expenditures
12 shall contain specific recommendations of the amount or amounts to
13 be appropriated by each of the party states. One-half (1/2) of the
14 total amount of each budget of estimated expenditures shall be
15 apportioned among the party states in equal shares; one-quarter
16 (1/4) of each such budget shall be apportioned among the party
17 states in accordance with the ratio of their populations to the
18 total population of the entire group of party states based on the
19 last Decennial Federal Census; and one-quarter (1/4) of each such
20 budget shall be apportioned among the party states on the basis of
21 the relative average per capita income of the inhabitants in each of
22 the party states based on the latest computations published by the
23 federal census-taking agency. Subject to appropriation by their
24 respective Legislatures, the Board shall be provided with such funds

1 by each of the party states as are necessary to provide the means of
2 establishing and maintaining facilities, a staff of personnel, and
3 such activities as may be necessary to fulfill the powers and duties
4 imposed upon and entrusted to the Board.

5 ~~(e)~~ C. The Board may meet any of its obligations in whole or in
6 part with funds available to it under subsection H of Article II ~~(h)~~
7 of this Compact, provided that the Board takes specific action
8 setting aside such funds prior to the incurring of any obligation to
9 be met in whole or in part in this manner. Except where the Board
10 makes use of funds available to it under subsection H of Article II
11 ~~(h)~~ hereof, the Board shall not incur any obligation prior to the
12 allotment of funds by the party jurisdictions adequate to meet the
13 same.

14 ~~(d)~~ D. The Board shall keep accurate accounts of all receipts
15 and disbursements. The receipts and disbursements of the Board
16 shall be subject to the audit and accounting procedures established
17 under its bylaws. However, all receipts and disbursements of funds
18 handled by the Board shall be audited yearly by a qualified public
19 accountant and the report of the audit shall be included in and
20 become a part of the annual report of the Board.

21 ~~(e)~~ E. The accounts of the Board shall be open at any
22 reasonable time for inspection.

23 ARTICLE IV. ADVISORY COMMITTEES

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1 The Board may establish such advisory and technical committees
2 as it may deem necessary, membership on which to include but not be
3 limited to private citizens, expert and lay personnel,
4 representatives of industry, labor, commerce, agriculture, civic
5 associations, medicine, education, voluntary health agencies, and
6 officials of local, state and federal government, and may cooperate
7 with and use the services of any such committees and the
8 organizations which they represent in furthering any of its
9 activities under this Compact.

10 ARTICLE V. POWERS

11 The Board shall have power to:

12 ~~(a)~~ A. Ascertain and analyze on a continuing basis the position
13 of the South with respect to energy, energy-related industries and
14 environmental concerns.

15 ~~(b)~~ B. Encourage the development, conservation and responsible
16 use of energy and energy-related facilities, installations, and
17 products as part of a balanced economy and healthy environment.

18 ~~(c)~~ C. Collect, correlate, and disseminate information relating
19 to civilian uses of energy and energy-related materials and
20 products.

21 ~~(d)~~ D. Conduct, or cooperate in conducting, programs of
22 training for state and local personnel engaged in any aspect of:
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1 ~~(1)~~ 1. Energy, environment, and application of energy,
2 environmental, and related concerns to industry, medicine, or
3 education or the promotion or regulation thereof.

4 ~~(2)~~ 2. The formulation or administration of measures designed
5 to promote safety in any matter related to the development, use or
6 disposal of energy and energy-related materials, products,
7 installations, or wastes.

8 ~~(e)~~ E. Organize and conduct, or assist and cooperate in
9 organizing and conducting, demonstrations of energy product,
10 material, or equipment use and disposal and of proper techniques or
11 processes for the application of energy resources to the civilian
12 economy or general welfare.

13 ~~(f)~~ F. Undertake such nonregulatory functions with respect to
14 sources of radiation as may promote the economic development and
15 general welfare of the region.

16 ~~(g)~~ G. Study industrial, health, safety, and other standards,
17 laws, codes, rules, regulations, and administrative practices in or
18 related to energy and environmental fields.

19 ~~(h)~~ H. Recommend such changes in, or amendments or additions
20 to, the laws, codes, rules, regulations, administrative procedures
21 and practices or ordinances of the party states in any of the fields
22 of its interest and competence as in its judgment may be
23 appropriate. Any such recommendation shall be made through the
24 appropriate state agency with due consideration of the desirability

1 of uniformity but shall also give appropriate weight to any special
2 circumstance which may justify variations to meet local conditions.

3 ~~(i)~~ I. Prepare, publish and distribute, with or without charge,
4 such reports, bulletins, newsletters or other material as it deems
5 appropriate.

6 ~~(j)~~ J. Cooperate with the United States Department of Energy or
7 any agency successor thereto, any other officer or agency of the
8 United States, and any other governmental unit or agency or officer
9 thereof, and with any private persons or agencies in any of the
10 fields of its interests.

11 ~~(k)~~ K. Act as licensee of the United States Government or any
12 party state with respect to the conduct of any research activity
13 requiring such license and operate such research facility or
14 undertake any program pursuant thereto.

15 ~~(l)~~ L. Ascertain from time to time such methods, practices,
16 circumstances, and conditions as may bring about the prevention and
17 control of energy and environmental incidents in the area comprising
18 the party states, to coordinate the environmental and other energy-
19 related incident prevention and control plans and the work relating
20 thereto of the appropriate agencies of the party states and to
21 facilitate the rendering of aid by the party states to each other in
22 coping with energy and environmental incidents. The Board may
23 formulate and, in accordance with need from time to time, revise a
24 regional plan or regional plans for coping with energy and

1 environmental incidents within the territory of the party states as
2 a whole or within any subregion or subregions of the geographic area
3 covered by this Compact.

4 ARTICLE VI. SUPPLEMENTARY AGREEMENTS

5 ~~(a)~~ A. To the extent that the Board has not undertaken an
6 activity or project which would be within its power under the
7 provisions of Article V of this Compact, any two or more of the
8 party states, acting by their duly constituted administrative
9 officials, may enter into supplementary agreements for the
10 undertaking and continuance of such an activity or project. Any
11 such agreement shall specify its purpose or purposes; its duration
12 and the procedure for termination thereof or withdrawal therefrom;
13 the method of financing and allocating the costs of the activity or
14 project; and such other matters as may be necessary or appropriate.
15 No such supplementary agreement entered into pursuant to this
16 article shall become effective prior to its submission to and
17 approval by the Board. The Board shall give such approval unless it
18 finds that the supplementary agreement or the activity or project
19 contemplated thereby is inconsistent with the provisions of this
20 Compact or a program or activity conducted by or participated in by
21 the Board.

22 ~~(b)~~ B. Unless all of the party states participate in a
23 supplementary agreement, any cost or costs thereof shall be borne
24 separately by the states party thereto. However, the Board may

1 administer or otherwise assist in the operation of any supplementary
2 agreement.

3 ~~(e)~~ C. No party to a supplementary agreement entered into
4 pursuant to this article shall be relieved thereby of any obligation
5 or duty assumed by said party state under or pursuant to this
6 Compact, except that timely and proper performance of such
7 obligation or duty by means of the supplementary agreement may be
8 offered as performance pursuant to the Compact.

9 ARTICLE VII. OTHER LAWS AND RELATIONSHIPS

10 Nothing in this Compact shall be construed to:

11 ~~(a)~~ A. Permit or require any person or other entity to avoid or
12 refuse compliance with any law, rule, regulation, order or ordinance
13 of a party state or subdivision thereof now or hereafter made,
14 enacted or in force.

15 ~~(b)~~ B. Limit, diminish, or otherwise impair jurisdiction
16 exercised by the United States Department of Energy, any agency
17 successor thereto, or any other federal department, agency or
18 officer pursuant to and in conformity with any valid and operative
19 act of Congress.

20 ~~(e)~~ C. Alter the relations between the respective internal
21 responsibilities of the government of a party state and its
22 subdivisions.

23 ~~(d)~~ D. Permit or authorize the Board to exercise any regulatory
24 authority or to own or operate any nuclear reactor for the
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1 generation of electric energy; nor shall the Board own or operate
2 any facility or installation for industrial or commercial purposes.

3 ARTICLE VIII. ELIGIBLE PARTIES, ENTRY

4 INTO FORCE AND WITHDRAWAL

5 ~~(a)~~ A. Any or all of the states of Alabama, Arkansas, Delaware,
6 Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi,
7 Missouri, North Carolina, Oklahoma, South Carolina, Tennessee,
8 Texas, Virginia, West Virginia, the Commonwealth of Puerto Rico, and
9 the United States Virgin Islands shall be eligible to become party
10 to this Compact.

11 ~~(b)~~ B. As to any eligible party state, this Compact shall
12 become effective when its Legislature shall have enacted the same
13 into law; provided that it shall not become initially effective
14 until enacted into law by seven states.

15 ~~(c)~~ C. Any party state may withdraw from this Compact by
16 enacting a statute repealing the same, but no such withdrawal shall
17 become effective until the Governor of the withdrawing state shall
18 have sent formal notice in writing to the Governor of each other
19 party state informing said Governors of the action of the
20 Legislature in repealing the Compact and declaring an intention to
21 withdraw.

22 ARTICLE IX. SEVERABILITY AND CONSTRUCTION

23 The provisions of this Compact and of any supplementary
24 agreement entered into hereunder shall be severable and if any
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1 phrase, clause, sentence or provision of this Compact or such
2 supplementary agreement is declared to be contrary to the
3 constitution of any participating state or of the United States or
4 the applicability thereof to any government, agency, person, or
5 circumstance is held invalid, the validity of the remainder of this
6 Compact or such supplementary agreement and the applicability
7 thereof to any government, agency, person or circumstance shall not
8 be affected thereby. If this Compact or any supplementary agreement
9 entered into hereunder shall be held contrary to the constitution of
10 any state participating therein, the Compact or such supplementary
11 agreement shall remain in full force and effect as to the remaining
12 states and in full force and effect as to the state affected as to
13 all severable matters. The provisions of this Compact and of any
14 supplementary agreement entered into pursuant hereto shall be
15 liberally construed to effectuate the purpose thereof.

16 SECTION 21. AMENDATORY 74 O.S. 2021, Section 3103, is
17 amended to read as follows:

18 Section 3103. That all state agencies, departments, boards,
19 commissions and institutions are instructed to make every effort to
20 use the most inexpensive and brief means of publication of this
21 material, electronically submitted when possible.

22 SECTION 22. AMENDATORY 74 O.S. 2021, Section 3104, is
23 amended to read as follows:

1 Section 3104. Every agency, board, department, commission, or
2 institution of this state shall electronically submit its annual,
3 semiannual, or biennial reports as required by the provisions of
4 Section 3-114 of Title 65 of the Oklahoma Statutes. The
5 Publications Clearinghouse shall notify the members of the
6 Legislature of the submission of ~~said~~ such reports.

7 SECTION 23. AMENDATORY 74 O.S. 2021, Section 5060.22, is
8 amended to read as follows:

9 Section 5060.22. A. The Oklahoma Science and Technology
10 Research and Development Board is authorized and instructed to make
11 an annual report no later than November 1 to the Governor, the
12 President Pro Tempore of the Senate, and the Speaker of the House of
13 Representatives that shall describe the accomplishments, the
14 expenditures, and the activities of the prior fiscal year. The
15 report shall be transmitted electronically to the specified entities
16 required to receive the annual report. The report shall include
17 elements the Board identifies as hampering the state's economic
18 progress and recommendations for changes. The report shall include
19 an independent audit in accordance with auditing standards generally
20 accepted in the United States and the standards applicable to
21 financial audits contained in Government Auditing Standards, latest
22 revised edition, issued by the Comptroller General of the United
23 States, which shall examine, among other things, actions governed by
24 the administrative policies adopted by the Board on behalf of the

1 Oklahoma Center for the Advancement of Science and Technology. The
2 annual report shall specifically account for the ways in which the
3 need, mission and programs of the Center have been carried out,
4 including but not limited to a review of the results of the
5 operations and transactions according to objective measures set
6 forth in the business plan. The report shall recommend specific
7 changes in the activities of the Center which are necessary to
8 better carry out the need and mission described in the Oklahoma
9 ~~Center for the Advancement of Science and Technology~~ Science and
10 Technology Research and Development Act. The Board shall distribute
11 its annual report by such means that will make it widely available
12 to those innovative enterprises of special importance to the
13 Oklahoma economy.

14 B. The Board shall annually review and prepare a report showing
15 how and at what level other states fund technology-based economic
16 development programs. The Board shall recommend an appropriate
17 funding level for Oklahoma which will make these programs nationally
18 competitive with those of other states. The Board's findings and
19 recommendations shall be included in the annual report to be
20 submitted to the Governor and the Legislature.

21 C. The Center shall adopt a threshold funding level for each of
22 the programs provided for by law. The threshold amount shall
23 provide for funding that is great enough to have a significant
24 impact and carry out the intent of the Legislature. If the funding
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1 for these programs falls below the threshold, then no funding shall
2 be provided by the Center to the program funded below threshold
3 level.

4 D. The Board, on behalf of the Center, shall fund areas of
5 research and development that the Board selects as most likely to
6 stimulate information technology, biotechnology, genetics,
7 meteorology and climate studies, and emerging or developing
8 technology and related jobs; foster patents; result in new patents,
9 copyrights, trademarks, and licenses of value; pursue world-class
10 research teams that support the state's primary economic development
11 thrusts or focus areas; and stimulate private and public investments
12 with the intent to encourage economic development in Oklahoma.

13 SECTION 24. AMENDATORY 74 O.S. 2021, Section 5156, is
14 amended to read as follows:

15 Section 5156. A. Partnership contracts shall be signed by both
16 the Director of the Office of Management and Enterprise Services
17 (OMES) and the authorized representative of the responsible state
18 agency for which the public service at issue in the contract
19 relates.

20 B. The Director of OMES is authorized to receive and deposit
21 any money received under the contract. Any such contract shall be
22 sufficient to effect its purpose notwithstanding any provision of
23 law to the contrary, including other laws governing the sale, lease
24

1 or other disposition of property or interests therein, service
2 contracts or financial transactions by or for the state.

3 C. The Office of Public-Private Partnerships shall provide a
4 report to the Speaker of the House of Representatives and the
5 President Pro Tempore of the Senate explaining the value of the
6 contract to the state and describing the procurement process by
7 which the contract was reached. Reports required in this subsection
8 shall be transmitted electronically.

9 SECTION 25. AMENDATORY Section 5, Chapter 229, O.S.L.
10 2022, as amended by Section 1, Chapter 336, O.S.L. 2023 (74 O.S.
11 Supp. 2023, Section 9204), is amended to read as follows:

12 Section 9204. A. There is hereby created until June 30, 2028,
13 the Oklahoma Broadband Office, to serve as the state's sole
14 administrator of the functions, powers, and duties assigned to the
15 Office in the Oklahoma Broadband Expansion Act or under law.
16 Effective June 30, 2028, the Office shall terminate and all
17 personnel positions shall be abolished. The Office shall utilize
18 the year prior to the termination date for the purpose of ceasing
19 the Office's affairs.

20 B. The Office shall receive administrative assistance from the
21 Office of Management and Enterprise Services (OMES), which shall
22 provide, through existing OMES resources, administrative assistance
23 upon request in writing or electronic correspondence from the
24 Office's Executive Director. OMES shall provide assistance in the

1 manner requested within thirty (30) days of determination by the
2 Agency that the request is able to be fulfilled. If for any reason
3 the request cannot be fulfilled within thirty (30) days, the Office
4 and OMES shall enter into a written agreement expressing an agreed
5 upon timeline for fulfilling the needs of the Office. In the event
6 that the request cannot be fulfilled, OMES shall respond in writing
7 within ten (10) days of the request providing the reasoning for
8 denial. If the request cannot be fulfilled utilizing existing
9 resources, OMES may charge the Office for the actual cost to fulfill
10 the request.

11 C. The Office shall be governed by the Broadband Governing
12 Board, created pursuant to Section 9202 of this title.

13 D. The Office shall be advised by the Broadband Expansion
14 Council, created pursuant to Section 9203 of this title.

15 E. The Office shall have an Executive Director who shall
16 oversee the operations of the Office including, but not limited to:

17 1. ~~Overseeing the~~ The creation, maintenance, and completion of
18 the Statewide Broadband Plan;

19 2. Communicating the state's progress in achieving the goals
20 and implementation of the Statewide Broadband Plan;

21 3. The creation, housing, and updating of a statewide broadband
22 services map;

23 4. ~~Overseeing of grant~~ Grant applications and awards for
24 connectivity and affordability projects;

1 5. Making recommendations to the Board regarding procedural and
2 administrative rules for the Office; and

3 6. Employment and management of Office staff subject to the
4 limitations and requirements of the Oklahoma Broadband Expansion Act
5 and subject to the limitations and requirements of the Broadband
6 Governing Board.

7 F. The Executive Director shall regularly report to the Council
8 and the Board and shall electronically submit an annual report to
9 the Office of the Speaker of the House of Representatives and the
10 Office of the President Pro Tempore of the Senate.

11 G. The Office may hire legal counsel as it is deemed necessary
12 by the hiring entity. The Office shall be subject to the provisions
13 of Section 20i of this title.

14 SECTION 26. AMENDATORY 82 O.S. 2021, Section 863.3, is
15 amended to read as follows:

16 Section 863.3. A. There is hereby created the Joint
17 Legislative Task Force on the Grand River Dam Authority for the
18 purpose of studying the functions, activities, policies, procedures
19 and expenditures performed by the district and any related issues
20 the task force deems appropriate. Members of the task force shall
21 be appointed in January of each year following a state general
22 election by the President Pro Tempore of the Senate and the Speaker
23 of the House of Representatives. Membership shall be made up of
24 five members of the Senate and five members of the House of

1 Representatives whose legislative districts include a portion of the
2 Grand River Dam Authority district to be appointed by the President
3 Pro Tempore of the Senate and the Speaker of the House of
4 Representatives, respectively. The President Pro Tempore and
5 Speaker shall each designate one of their members to be ~~co-chairs~~ co-
6 chairs of the task force. The task force shall be required to meet
7 at least once biennially during the first session of each new
8 legislature. Additional meetings may be called as the ~~co-chairs~~ co-
9 chairs determine necessary. Meetings of the task force shall be
10 called by the ~~co-chairs~~ co-chairs. A majority of the appointed
11 members shall constitute a quorum for any meeting of the task force.
12 Staffing assistance shall be provided by the staff of the Senate and
13 House of Representatives.

14 B. The members of the task force created herein shall continue
15 to serve until new members are appointed pursuant to the provisions
16 of subsection A of this section. The task force is authorized to
17 adopt any recommendations or issue any report it deems necessary.
18 Any recommendations or reports shall be approved by a majority of
19 the appointed members. Copies of any recommendations or reports
20 issued by the task force shall be electronically distributed to the
21 Governor, the President Pro Tempore of the Senate, the Speaker of
22 the House of Representatives, the members of the Grand River Dam
23 Authority Board of Directors and the Chief Executive Officer of the
24 Grand River Dam Authority.

1 C. The Grand River Dam Authority shall annually provide a copy
2 of the district's most recent annual report to the members of the
3 task force in addition to any information requested pursuant to the
4 provisions of this section.

5 D. Members serving on the task force shall not be entitled to
6 travel reimbursement.

7 SECTION 27. AMENDATORY 85A O.S. 2021, Section 17, is
8 amended to read as follows:

9 Section 17. A. There is hereby created a Physician Advisory
10 Committee comprised of nine (9) members to be appointed as follows:

11 1. The Governor shall appoint three members, one of whom shall
12 be licensed in this state as a doctor of medicine and surgery, one
13 of whom shall be engaged in the practice of family medicine in a
14 rural community of the state, and one of whom shall be an
15 osteopathic physician;

16 2. The President Pro Tempore of the Senate shall appoint three
17 members, one of whom shall be licensed in this state as a doctor of
18 medicine and orthopedic surgery, one of whom shall be licensed in
19 this state either as a doctor of medicine or a doctor of osteopathy
20 and a neurosurgeon, and one of whom shall be licensed in this state
21 as a podiatric physician; and

22 3. The Speaker of the House of Representatives shall appoint
23 three members, one of whom shall be licensed in this state as an
24 osteopathic physician, one of whom shall be licensed in this state

1 either as a doctor of medicine or a doctor of osteopathy and shall
2 be engaged in the practice of occupational medicine, and one of whom
3 shall be licensed in this state as a chiropractic physician.

4 Any member serving on ~~the effective date of this section~~
5 February 1, 2014, shall serve the remainder of his or her term.

6 Thereafter, each position will be filled by the appointing official
7 for a term of three (3) years. Members shall be subject to
8 reappointment, with any new appointee to serve out the remainder of
9 the unexpired term of the Committee member so replaced.

10 B. The Committee shall:

11 1. Assist and advise the Oklahoma Workers' Compensation
12 Commission regarding utilization review as it relates to the medical
13 practice and treatment of work-related injuries. Such utilization
14 review shall include a review of reasonable and necessary medical
15 treatment; abusive practices; needless treatments, testing, or
16 procedures; or a pattern of billing in excess of or in violation of
17 the Schedule of Medical Fees. The Physician Advisory Committee
18 shall review and make findings and recommendations to the Commission
19 with respect to charges of inappropriate or unnecessary treatment or
20 procedures, abusive practices, or excessive billing disclosed
21 through utilization review;

22 2. Assist the Commission in reviewing medical practices of
23 health care providers, including evaluations of permanent disability
24 provided by health care providers. The Committee shall review and

1 make findings and recommendations to the Commission with respect to
2 charges of abusive practices by health care providers providing
3 medical services or evaluations of permanent partial disability
4 through the workers' compensation system;

5 3. After public hearing, review and make recommendations for
6 acceptable deviations from the American Medical Association's
7 "Guides to the Evaluation of Permanent Impairment";

8 4. After public hearing, adopt Physician Advisory Committee
9 Guidelines (PACG) and protocols for only medical treatment not
10 addressed by the latest edition of the Official Disability
11 Guidelines;

12 5. After public hearing, adopt Physician Advisory Committee
13 Guidelines for the prescription and dispensing of any controlled
14 substance included in Schedule II of the Uniform Controlled
15 Dangerous Substances Act if not addressed by the current edition of
16 the Official Disability Guidelines;

17 6. Review utilization on cases or of providers when requested
18 by any employer, injured employee or insurer. The Committee may
19 issue a public or private censure to any provider for utilization
20 which is excessive or inadequate, or recommend the Commission order
21 treatment within the treatment guidelines;

22 7. Provide general recommendations to the Commission on the
23 issues of injury causation and apportionment;
24

1 8. Conduct educational seminars for the Commission, employers,
2 employees, and other interested parties;

3 9. Assist the Commission in accessing medical information from
4 scientific literature; and

5 10. Report, by electronic submission, its progress annually to
6 the Governor, the President Pro Tempore of the Senate, and the
7 Speaker of the House of Representatives.

8 C. The Commission shall recognize the latest edition of the
9 Official Disability Guidelines as the primary standard of reference,
10 at the time of treatment, in determining the frequency and extent of
11 services presumed to be medically necessary and appropriate for
12 compensable injuries under ~~this act~~ the Administrative Workers'
13 Compensation Act, or in resolving such matters in the event a
14 dispute arises.

15 D. Members of the Physician Advisory Committee shall receive no
16 compensation for serving on the Committee but shall be reimbursed by
17 the Commission for their necessary travel expenses incurred in the
18 performance of their duties in accordance with the State Travel
19 Reimbursement Act.

20 E. Meetings of the Physician Advisory Committee shall be called
21 by the Commission but held at least quarterly. The presence of a
22 majority of the members shall constitute a quorum. No action shall
23 be taken by the Physician Advisory Committee without the affirmative
24 vote of at least a majority of the members.

1 F. The Commission shall provide office supplies and personnel
2 of the Commission to assist the Committee in the performance of its
3 duties.

4 G. Upon written request, the Insurance Commissioner, CompSource
5 Oklahoma, and every approved self-insured employer in Oklahoma shall
6 provide the Committee with data necessary to the performance of its
7 duties.

8 H. Any health care provider acting in good faith and within the
9 scope of the provider's duties as a member of the Physician Advisory
10 Committee shall be immune from civil liability for making any report
11 or other information available to the judges of the Commission or to
12 the Commission or for assisting in the origination, investigation,
13 or preparation of the report or other information so provided.

14 SECTION 28. AMENDATORY 85A O.S. 2021, Section 121, is
15 amended to read as follows:

16 Section 121. A. There is hereby created an Advisory Council on
17 Workers' Compensation.

18 B. The voting membership of the Advisory Council shall consist
19 of nine (9) members. Any member serving on ~~the effective date of~~
20 ~~this section~~ February 1, 2014, shall serve the remainder of his or
21 her term. The chair of the Oklahoma Workers' Compensation
22 Commission shall be an ex officio nonvoting member.

23 1. The Governor shall appoint three members representing
24 employers in this state, one of whom shall be from a list of
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1 nominees provided by the predominant statewide broad-based business
2 organization.

3 2. The Speaker of the House of Representatives shall appoint
4 three members representing employees in this state, one of whom
5 shall be from a list of nominees provided by the most representative
6 labor organization in the state.

7 3. The President Pro Tempore of the Senate shall appoint three
8 members, two who are attorneys representing the legal profession in
9 this state, one of whom shall be an attorney who practices primarily
10 in the area of defense of workers' compensation claims, and one of
11 whom shall be an attorney who primarily represents claimants, and a
12 medical doctor or doctor of osteopathy actively engaged in the
13 treatment of injured workers.

14 C. The term of office for appointees shall be as follows:

15 1. The term of office for three positions, one each appointed
16 by the Governor, the President Pro Tempore of the Senate and the
17 Speaker of the House of Representatives shall expire on January 1,
18 2015;

19 2. The term of office for three positions, one each appointed
20 by the Governor, the President Pro Tempore of the Senate and the
21 Speaker of the House of Representatives shall expire on January 1,
22 2016; and

23 3. The term of office for three positions, one each appointed
24 by the Governor, the President Pro Tempore of the Senate and the
25

1 Speaker of the House of Representatives shall expire on January 1,
2 2017.

3 D. Thereafter, successors in office shall be appointed for a
4 three-year term. Members shall be eligible to succeed themselves in
5 office.

6 E. Any person appointed to fill a vacancy shall be appointed
7 for the unexpired portion of the term.

8 F. The chair and the ~~vice-chair~~ vice chair of the Advisory
9 Council shall be appointed by the Governor.

10 G. Members shall receive their traveling and other necessary
11 expenses incurred in the performance of their duties as provided in
12 the State Travel Reimbursement Act.

13 H. Meetings of the Advisory Council shall be quarterly or as
14 called by the chair or upon petition by a majority of the voting
15 members. The presence of five voting members constitutes a quorum.
16 No action shall be taken by the Advisory Council without the
17 affirmative vote of at least five members.

18 I. The Commission shall provide office supplies and personnel
19 of the Commission to carry out any of the duties that have been
20 entrusted to the Advisory Council.

21 J. The Advisory Council shall analyze and review the workers'
22 compensation system, the reports of the Commission, and trends in
23 the field of workers' compensation. The Advisory Council may
24 recommend improvements and proper responses to developing trends.

1 The Advisory Council shall report its findings annually to the
2 Governor, the Chief Justice of the Supreme Court, the President Pro
3 Tempore of the Senate, and the Speaker of the House of
4 Representatives. Recommendations and reports, as required by this
5 subsection, shall be submitted to the required receiving entities
6 electronically.

7 K. In addition to other duties required by this section, the
8 Advisory Council shall consult with the Commission regarding
9 oversight of independent medical examiners as provided in Section 45
10 of this title.

11 SECTION 29. This act shall become effective November 1, 2024.

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