

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2367

By: Townley of the House

and

Rader of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to the Corporation Commission; making
12 certain exemption; allowing Corporation Commissioners
13 to have certain discussions when quorum is present
14 provided no official action is taken; disallowing
15 certain discussions; providing list of allowable
16 matters for discussion; authorizing attendance,
17 discussion, and participation at certain events if
18 certain conditions are met; disallowing certain
19 discussions; defining term; requiring certain timely
20 documentation for certain matters; requiring public
21 vote to determine form and manner of documentation;
22 allowing for amendment to form and manner subject to
23 certain requirements; stating purpose of certain
24 documentation; requiring posting of documentation to
 website within certain time frame; requiring certain
documentation be posted within certain time prior to
consideration at a public meeting; requiring certain
notice for certain changes to or cancellation of
regularly scheduled meetings; requiring notice be
filed within certain time frame; requiring certain
training be implemented; providing for codification;
and providing an effective date.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 180.13 of Title 17, unless there
3 is created a duplication in numbering, reads as follows:

4 A. While the Oklahoma Corporation Commission is subject to the
5 Oklahoma Open Meeting Act, Corporation Commissioners are exempt from
6 and may discuss administrative, operational, and procedural matters
7 of the Corporation Commission between or among Commissioners, even
8 if a quorum is present, provided the discussions do not address
9 appropriation of Corporation Commission funds and no official action
10 is taken. Corporation Commissioners may not discuss pending
11 legislative matters before the Corporation Commission without
12 complying with the Oklahoma Open Meeting Act. The administrative,
13 operational, and procedural matters authorized under this subsection
14 are limited to the following:

15 1. Scheduling of agenda items to be set before the Corporation
16 Commission for an emergency, regular, or special meeting;

17 2. Prioritizing cases pending before the Corporation
18 Commission;

19 3. Identifying legislative changes, proposed or passed, and
20 their effects on the Corporation Commission;

21 4. Discussing public and media statements;

22 5. Discussing organizational structure;

23 6. Discussing internal processes;

24 7. Discussing staffing needs;

1 8. Receiving informational updates from Corporation Commission
2 staff on the business of the Corporation Commission, as long as such
3 updates do not pertain to pending legislative proceedings of the
4 Corporation Commission;

5 9. Conducting regular staff meetings where discussions of the
6 day-to-day management of the Corporation Commission occur, as long
7 as such updates do not pertain to pending legislative proceedings of
8 the Corporation Commission;

9 10. Interviewing potential employees for the position of
10 Director of Administration and Division Directors; and

11 11. Assessing performance reviews and duties of the Director of
12 Administration and Division Directors.

13 B. Corporation Commissioners may attend and participate in
14 conferences, training, educational, press, and social events, where
15 the topic of these events is the Corporation Commission, even if a
16 quorum is present, provided that no official action is taken and any
17 discussion of the business of the Corporation Commission is
18 incidental to the event.

19 C. Corporation Commissioners may not discuss any pending
20 legislative proceedings of the Corporation Commission without
21 complying with the Oklahoma Open Meeting Act.

22 D. Corporation Commissioners may attend and participate in
23 meetings and proceedings of the Legislature, even if a quorum is
24 present, provided that no official action is taken.

1 E. As used in this subsection, the term "event" means any
2 matters authorized in subsections A through D of this section.
3 After participating in any events authorized by this section, the
4 Corporation Commission shall be required to provide timely
5 documentation, in the form and manner as determined by a public vote
6 of the Corporation Commission, which may be amended subject to the
7 requirements of this section. This documentation is for the purpose
8 of providing public notice of the subject matter received by or
9 discussed between or among Commissioners, even if a quorum is
10 present, outside of a public meeting. Such documentation shall be
11 posted to the Corporation Commission's website within five (5)
12 business days following the event. However, should the Corporation
13 Commission wish to take potential action on the subject of a
14 disclosed event, such potential action item shall be documented at
15 least forty-eight (48) hours prior to the Corporation Commission
16 considering such item at a public meeting.

17 F. Should the Corporation Commission make any changes to the
18 date, time, or place, including cancellation of any regularly
19 scheduled meeting, the Corporation Commission shall provide notice
20 in writing to the Secretary of State as required by paragraph 8 of
21 subsection A of Section 311 of Title 25 of the Oklahoma Statutes;
22 provided that the Corporation Commission may file the required
23 notice not less than five (5) days prior to the implementation of
24 any such change or cancellation.

1 G. The Corporation Commission shall implement periodic training
2 on the Oklahoma Open Meeting Act for Commissioners and designated
3 staff.

4 SECTION 2. This act shall become effective November 1, 2024.

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6 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND NATURAL RESOURCES,
7 dated 02/29/2024 - DO PASS, As Amended and Coauthored.

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