

1 **SENATE FLOOR VERSION**

2 April 4, 2024

3 ENGROSSED HOUSE  
4 BILL NO. 2367

By: Townley of the House

and

Rader of the Senate

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8 An Act relating to the Corporation Commission; making  
9 certain exemption; allowing Corporation Commissioners  
10 to have certain discussions when quorum is present  
11 provided no official action is taken; disallowing  
12 certain discussions; providing list of allowable  
13 matters for discussion; authorizing attendance,  
14 discussion, and participation at certain events if  
15 certain conditions are met; disallowing certain  
16 discussions; defining term; requiring certain timely  
17 documentation for certain matters; requiring public  
18 vote to determine form and manner of documentation;  
19 allowing for amendment to form and manner subject to  
20 certain requirements; stating purpose of certain  
21 documentation; requiring posting of documentation to  
22 website within certain time frame; requiring certain  
23 documentation be posted within certain time prior to  
24 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:

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

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

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

14       2. Prioritizing cases pending before the Corporation  
15 Commission;

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

18       4. Discussing public and media statements;

19       5. Discussing organizational structure;

20       6. Discussing internal processes;

21       7. Discussing staffing needs;

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

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

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

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

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

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

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

23 E. As used in this subsection, the term "event" means any  
24 matters authorized in subsections A through D of this section.

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

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

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

4 H. The provisions of this section shall cease to have the force  
5 and effect of law on July 1, 2026.

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

7 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND TELECOMMUNICATIONS  
8 April 4, 2024 - DO PASS

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