

1 exceeding Five Hundred Dollars (\$500.00) or by imprisonment in the
2 county jail for a period not exceeding one (1) year or by both such
3 fine and imprisonment.

4 B. Following a violation of this act, any person:

5 1. May bring a civil suit for declarative or injunctive relief,
6 or both; and

7 2. If successful, shall be entitled to reasonable attorney
8 fees.

9 C. If the public body successfully defends a civil suit and the
10 court finds that the suit was clearly frivolous, the public body
11 shall be entitled to reasonable attorney fees.

12 D. In addition to criminal and civil penalties provided in this
13 section, the Attorney General may determine after an investigation,
14 by the greater weight of the evidence, that a public body, agency,
15 or officer has violated the Open Meeting Act, and may, at any time
16 prior to filing an action pursuant to subsection A of this section,
17 enter into a consent order with a public body, agency, or officer,
18 or may issue a finding of violation to a public body, agency, or
19 officer.

20 E. 1. If the Attorney General enters into a consent order with
21 a public body, agency, or officer, the consent order may contain
22 admissions of fact and any of the following:

23 a. for first-time violations after the effective date of
24 this act, required completion of training approved by

1 the Attorney General concerning the requirements of
2 the Open Meeting Act,

3 b. for subsequent violations after the effective date of
4 this act, imposed civil penalties up to One Hundred
5 Fifty Dollars (\$150.00) for each violation, and

6 c. language that the public body will comply with the
7 Open Meeting Act.

8 2. The consent order shall bear the signature of the head of
9 the public body, agency, or any officer found to have violated the
10 Open Meeting Act, and of any other person required by the Attorney
11 General.

12 F. If the Attorney General issues a finding of violation to a
13 public body, agency, or officer, the finding may contain findings of
14 fact and conclusions of law and may require a public body, agency,
15 or officer to do any or all of the following:

16 1. Cease and desist from further violation of the Open Meeting
17 Act;

18 2. Comply with the provisions of the Open Meeting Act;

19 3. Complete training approved by the Attorney General
20 concerning the requirements of the Open Meeting Act; and

21 4. Pay a civil penalty in an amount not to exceed Three Hundred
22 Dollars (\$300.00) for each violation.

1 G. The Attorney General may require submission of proof that
2 the requirements of any consent order or finding of violation have
3 been satisfied.

4 H. 1. The Attorney General may apply to the district court to
5 enforce a consent order or finding of violation. Prior to applying
6 to the district court, the Attorney General shall make a demand to
7 the public body, agency, or officer to comply with the consent order
8 or finding of violation and afford reasonable opportunity for the
9 public body, agency, or officer to cure the violation.

10 2. An enforcement action under paragraph 1 of this subsection
11 may be filed in the district court of the county where the consent
12 order or finding of violation is issued or is effective. The
13 district court of any county shall have jurisdiction to enforce any
14 consent order or finding of violation.

15 3. If the district court finds the Attorney General did not
16 abuse the Attorney General's discretion in entering into the consent
17 order or issuing the finding of violation, the district court shall
18 enter an order that:

19 a. enjoins the public body, agency, or officer to comply
20 with the consent order or finding of violation,

21 b. imposes a civil penalty as provided for in this
22 section. The penalty shall be set by the court in an
23 amount not less than the amount recommended by the
24

1 Attorney General, nor more than Three Hundred Dollars
2 (\$300.00) for each violation,

3 c. requires the public body or agency to pay the Attorney
4 General's court costs and costs incurred in
5 investigating the violation, and

6 d. provides for any other remedy authorized by this
7 section that the court deems appropriate.

8 I. If a court finds in an enforcement action under subsection H
9 of this section, that any of the provisions of the Open Meeting Act
10 were violated, such court:

11 1. May require the public body or agency to pay the Attorney
12 General's reasonable attorney fees; and

13 2. Shall require the public body or agency to pay the Attorney
14 General's reasonable attorney fees, if the public body's or agency's
15 violation was not made in good faith and without a reasonable basis
16 in fact or law.

17 J. Any finding of violation issued by the Attorney General
18 under this section shall be served on the public body, agency, or
19 officer:

20 1. By certified mail, return receipt requested, to the last
21 known place of business, residence, or abode within or without this
22 state; or

23 2. In the manner provided under Section 2004 of Title 12 of the
24 Oklahoma Statutes.

1 K. The Attorney General shall maintain and make available for
2 public inspection, copying, and mechanical reproduction all consent
3 orders entered and all findings of violation issued pursuant to this
4 section.

5 L. For the purposes of this section, "district court" means:

6 1. For state agencies, boards, commissions, or members thereof,
7 the District Court of Oklahoma County; or

8 2. For county and municipal boards, commissions, or members
9 thereof, the district court in which the member or governing board
10 is primarily located.

11 SECTION 2. This act shall become effective January 1, 2027.

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13 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
14 OVERSIGHT, dated 02/24/2026 - DO PASS, As Coauthored.

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