

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 3842

By: Gann

6 AS INTRODUCED

7 An Act relating to state government; enacting the
8 Legislative Transparency, Accountability, and Open
9 Meetings Act of 2026; requiring Legislature and
10 certain legislative entities to be subject to the
11 Oklahoma Open Meeting Act; prescribing procedures for
12 meeting notices; imposing requirements related to
13 observation and recording; prescribing procedures
14 related to receipt of things of value from lobbyists;
15 requiring Lobbyist Impact Statement; prescribing
16 content of statement; providing for penalties for
17 failure to file statement; imposing requirements
18 related to certain nondisclosure agreements;
19 prescribing requirements for disclosure; prohibiting
certain effects of nondisclosure agreements;
prescribing penalties; prohibiting requirements
imposed by certain governmental entities; providing
for penalties; providing for nullification of
statutes, rules, policies or legislative order;
amending 25 O.S. 2021, Section 304, as last amended
by Section 2, Chapter 369, O.S.L. 2025 (25 O.S. Supp.
2025, Section 304), which relates to the Oklahoma
Open Meeting Act; modifying definitions; providing
for codification; providing for noncodification;
providing an effective date; and declaring an
emergency.

21
22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

23 SECTION 1. NEW LAW A new section of law not to be

24 codified in the Oklahoma Statutes reads as follows:

1 This act shall be known and may be cited as the "Legislative
2 Transparency, Accountability, and Open Meetings Act of 2026".

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 470.1 of Title 74, unless there
5 is created a duplication in numbering, reads as follows:

6 Applicability of the Open Meeting Act to the Legislature

7 1. The Oklahoma House of Representatives, the Oklahoma State
8 Senate, all standing and special committees, joint committees,
9 conference committees, task forces, working groups, interim studies,
10 and any body created by either chamber for the purpose of conducting
11 public business shall be subject to the Oklahoma Open Meeting Act,
12 Section 301 et seq. of Title 25 of the Oklahoma Statutes.

13 2. All meetings described in paragraph 1 of this section shall:

14 a. provide advance public notice as required by Section
15 311 of Title 25 of the Oklahoma Statutes,

16 b. maintain agendas stating all items of business to be
17 conducted,

18 c. permit public observation and recording of the
19 meeting, and

20 d. maintain minutes or audio/video records which shall be
21 posted online within seven (7) days.

22 3. No vote of any legislative body shall be taken in any
23 setting not compliant with the Oklahoma Open Meeting Act except for

1 constitutionally authorized caucus meetings in which no official
2 action or procedural vote is taken.

3 4. Any action taken in violation of this section shall be
4 invalid and without force of law.

5 SECTION 3. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 470.2 of Title 74, unless there
7 is created a duplication in numbering, reads as follows:

8 Lobbyist Compensation or Financial Influence Disclosure

9 1. Any member of the Legislature who, within the preceding
10 twelve (12) months, has received:

11 a. campaign contributions,

12 b. gifts, meals, travel, or anything of value reportable
13 under Ethics Commission rules, or

14 c. any financial transfer, benefit, or in-kind support,

15 from a registered lobbyist or lobbyist principal that materially
16 relates to a bill or resolution authored, coauthored, sponsored, or
17 advocated by the member shall file a Lobbyist Impact Statement
18 (LIS).

19 2. A Lobbyist Impact Statement shall:

20 a. be filed with the Chief Clerk of the Oklahoma House of
21 Representatives or the Secretary of the Senate within
22 five (5) days of bill filing or assumption of
23 authorship,

- b. identify each lobbyist or principal involved, the nature and amount of the benefit received, and the connection to the bill,
 - c. be posted publicly on the Legislature's website with the bill text.
3. Failure to file a required LIS shall constitute:
 - a. an ethics violation,
 - b. grounds for removal from committee assignments until remedied, and
 - c. a misdemeanor punishable by a fine of One Thousand Dollars (\$1,000.00).

SECTION 4. NEW LAW A new section of law to be codified
the Oklahoma Statutes as Section 470.3 of Title 74, unless there
created a duplication in numbering, reads as follows:

Mandatory Disclosure of Nondisclosure Agreements

A. Disclosure Requirement

1. Any legislator who signs a nondisclosure agreement,

confidentiality agreement, or similar document:

a. whether or not authorized by statute,

- b. whether pursuant to Section 5090.1 of Title 74 of the Oklahoma Statutes, or any other law,
- c. whether required by an executive agency, political subdivision, contractor, lobbyist, or private party,

1 shall file an NDA Disclosure Statement within five (5) business
2 days.

3 2. The disclosure shall identify:

4 a. the entity requesting the nondisclosure agreement,
5 b. the statutory or contractual basis asserted for the
6 nondisclosure agreement,
7 c. the bill, project, incentive package, or subject
8 matter associated with the nondisclosure agreement,
9 and
10 d. the duration and scope of the confidentiality
11 obligation.

12 3. All nondisclosure agreement disclosures shall be public
13 records, posted on the Legislature's website.

14 B. Prohibited Effects of Nondisclosure Agreements

15 1. No nondisclosure agreement may restrict a legislator's
16 ability to:

17 a. communicate with constituents,
18 b. disclose information necessary to legislative
19 deliberation,
20 c. vote on legislation or appropriations,
21 d. inform other elected officials or staff of issues
22 arising from their official duties.

23 2. Any nondisclosure agreement purporting to impose such
24 restrictions is void as against public policy.

1 C. Penalties

2 Failure to file a nondisclosure agreement disclosure shall
3 constitute a misdemeanor punishable by a fine of One Thousand
4 Dollars (\$1,000.00) and removal from committee assignments until
5 disclosure is complete.

6 SECTION 5. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 470.4 of Title 74, unless there
8 is created a duplication in numbering, reads as follows:

9 Prohibition on Unauthorized Requirements Imposed on Legislators

10 A. No state agency, public trust, authority, board, commission,
11 political subdivision, or state contractor shall require any
12 legislator to sign:

- 13 1. A nondisclosure agreement;
- 14 2. A confidentiality covenant;
- 15 3. A waiver of rights; or
- 16 4. Any other condition or restriction,

17 as a prerequisite to meeting, receiving information, participating
18 in economic development discussions, viewing documents, or
19 performing legislative duties unless expressly authorized by statute
20 or administrative rule adopted pursuant to the Administrative
21 Procedures Act.

22 B. Any such attempt is void, unenforceable, and constitutes an
23 unlawful obstruction of legislative oversight.

24 C. Any agency that violates this section shall be subject to:

1 1. Referral to the Attorney General for enforcement;
2 2. Audit by the State Auditor and Inspector; and
3 3. Legislative sanctions, including appropriations limitations.

4 SECTION 6. NEW LAW A new section of law not to be

5 codified in the Oklahoma Statutes reads as follows:

6 Any statute, rule, policy, or legislative order inconsistent
7 with this act is hereby repealed to the extent of the conflict.

8 SECTION 7. AMENDATORY 25 O.S. 2021, Section 304, as last
9 amended by Section 2, Chapter 369, O.S.L. 2025 (25 O.S. Supp. 2025,
10 Section 304), is amended to read as follows:

11 Section 304. As used in the Oklahoma Open Meeting Act:

12 1. "Public body" means the governing bodies of all
13 municipalities located within this state, boards of county
14 commissioners of the counties in this state, boards of public and
15 higher education in this state and all boards, bureaus, commissions,
16 agencies, trusteeships, authorities, councils, committees, public
17 trusts or any entity created by a public trust including any
18 committee or subcommittee composed of any of the members of a public
19 trust or other legal entity receiving funds from the Rural Economic
20 Action Plan Fund as authorized by Section 2007 of Title 62 of the
21 Oklahoma Statutes, task forces or study groups in this state
22 supported in whole or in part by public funds or entrusted with the
23 expending of public funds, or administering public property, and
24 shall include all committees or subcommittees of any public body.

1 "Public body" includes the Oklahoma Senate, the Oklahoma House of
2 Representatives, all committees, task forces, working groups, and
3 conference committees, except as constitutionally exempted for
4 caucus meetings in which no official action is taken.

5 Public body shall not include:

- 6 a. the state judiciary,
- 7 b. the Council on Judicial Complaints when conducting,
8 discussing, or deliberating any matter relating to a
9 complaint received or filed with the Council,
- 10 c. ~~the Legislature,~~
- 11 d. administrative staffs of public bodies including, but
12 not limited to, faculty meetings and athletic staff
13 meetings of institutions of higher education when
14 those staffs are not meeting with the public body, or
15 entry-year assistance committees,
- 16 e.
- 17 d. multidisciplinary teams provided for in Section 1-9-
18 102 of Title 10A of the Oklahoma Statutes, in Section
19 10-115 of Title 43A of the Oklahoma Statutes, and in
20 subsection C of Section 1-502.2 of Title 63 of the
21 Oklahoma Statutes or any school board meeting for the
22 sole purpose of considering recommendations of a
23 multidisciplinary team and deciding the placement of
24 any child who is the subject of the recommendations,

1 f.

2 e. meetings conducted by stewards designated by the
3 Oklahoma Horse Racing Commission pursuant to Section
4 203.4 of Title 3A of the Oklahoma Statutes when the
5 stewards are officiating at races or otherwise
6 enforcing rules of the Commission,

7 g.

8 f. the board of directors of a Federally Qualified Health
9 Center or the postadjudication review boards provided
10 for in Sections 1116.2 and 1116.3 of Title 10 of the
11 Oklahoma Statutes, or

12 h.

13 g. boards of county commissioners for the purposes set
14 forth in subsections C, D, and E of Section 326 of
15 Title 19 of the Oklahoma Statutes;

16 2. "Meeting" means the conduct of business of a public body by

17 a majority of its members being personally together or, as

18 authorized by Section 307.1 of this title, together pursuant to a

19 videoconference. Meeting shall not include informal gatherings of a
20 majority of the members of the public body when no business of the
21 public body is discussed;

22 3. "Regularly scheduled meeting" means a meeting at which the

23 regular business of the public body is conducted;

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1 4. "Special meeting" means any meeting of a public body other
2 than a regularly scheduled meeting or emergency meeting;

3 5. "Emergency meeting" means any meeting called for the purpose
4 of dealing with an emergency. For purposes of the Oklahoma Open
5 Meeting Act, an emergency is defined as a situation involving injury
6 to persons or injury and damage to public or personal property or
7 immediate financial loss when the time requirements for public
8 notice of a special meeting would make such procedure impractical
9 and increase the likelihood of injury or damage or immediate
10 financial loss;

11 6. "Continued or reconvened meeting" means a meeting which is
12 assembled for the purpose of finishing business appearing on an
13 agenda of a previous meeting. For the purposes of the Oklahoma Open
14 Meeting Act, only matters on the agenda of the previous meeting at
15 which the announcement of the continuance is made may be discussed
16 at a continued or reconvened meeting;

17 7. "Videoconference" means a conference among members of a
18 public body remote from one another who are linked by interactive
19 telecommunication devices or technology, or technology permitting
20 both visual and auditory communication between and among members of
21 the public body or between and among members of the public body and
22 members of the public. During any videoconference, both the visual
23 and auditory communications functions shall attempt to be utilized;
24 and

1 8. "Teleconference" means a conference among members of a
2 public body remote from one another who are linked by
3 telecommunication devices or technology permitting auditory
4 communication between and among members of the public body or
5 between and among members of the public body and members of the
6 public.

7 SECTION 8. This act shall become effective July 1, 2026.

8 SECTION 9. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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