

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1598

By: McIntosh

AS INTRODUCED

An Act relating to state government; amending 53 O.S. 2021, Sections 1.18, 171, and 201C, as amended by Section 1, Chapter 213, O.S.L. 2022 (53 O.S. Supp. 2025, Section 201C), which relate to the dispensation of funds; removing certain prohibition on use of funds; amending 70 O.S. 2021, Section 3-136, as amended by Section 7, Chapter 323, O.S.L. 2023 (70 O.S. Supp. 2025, Section 3-136), which relates to charter schools; removing certain requirement on nonsectarian charter schools; updating statutory language; updating statutory references; and providing an effective date.

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

SECTION 1. AMENDATORY 53 O.S. 2021, Section 1.18, is amended to read as follows:

Section 1.18. The Oklahoma Historical Society shall dispense funds for historical purposes only as ~~defined~~ provided by ~~paragraph 6 of Section 6 of this act~~ the Oklahoma Historical Preservation Act.

The Oklahoma Historical Society may enter into contracts with other state agencies or nonprofit corporations holding a valid exemption from taxation issued pursuant to Section 501(a) of the Internal Revenue Code of 1986, as amended, and listed as an exempt

1 organization in Section 501(c)(3) of the Internal Revenue Code of
2 1986, ~~of the United States~~, as amended, or with individuals or
3 associations pursuant to statutory requirements.

4 ~~Funds shall not be applied, donated or used directly or~~
5 ~~indirectly for the use, benefit or support of any sect, church,~~
6 ~~denomination or system of religion, or for the use, benefit or~~
7 ~~support of any priest, preacher, minister, or other religious~~
8 ~~teacher or dignitary, or sectarian institution as such.~~

9 The Oklahoma Historical Society shall provide opportunity to
10 organizations to submit written applications to be received and
11 acted upon by the Oklahoma Historical Society. At the conclusion of
12 the contract, each state agency, nonprofit corporation, individual,
13 or association shall provide the Oklahoma Historical Society with
14 proof of fulfillment of the contract in proper order and ~~must~~ shall
15 be affirmed on the proper form, provided by the Oklahoma Historical
16 Society, by the managing officers of the state agency, nonprofit
17 group, association, or individual making the contract.

18 SECTION 2. AMENDATORY 53 O.S. 2021, Section 171, is
19 amended to read as follows:

20 Section 171. The Oklahoma Arts Council shall dispense funds for
21 arts purposes only. The Oklahoma Arts Council shall enter into
22 contracts with other state agencies or nonprofit corporations
23 holding a valid exemption from taxation issued pursuant to Section
24 501(a) of the Internal Revenue Code, ~~1954~~ of 1986, as amended, and
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1 listed as an exempt organization in Section 501(c)(3) of the
2 Internal Revenue Code, ~~1954, of the United States~~ of 1986, as
3 amended. These nonprofit corporations must demonstrate that the
4 goods and services provided meet the intent of the state policy
5 provided in ~~this act~~ Section 162 of this title.

6 ~~Funds shall not be applied, donated or used directly or~~
7 ~~indirectly for the use, benefit or support of any sect, church,~~
8 ~~denomination or system of religion, or for the use, benefit, or~~
9 ~~support of any priest, preacher, minister, or other religious~~
10 ~~teacher or dignitary, or sectarian institution as such.~~

11 The Oklahoma Arts Council shall provide opportunity, by public
12 notices, to all organizations interested in providing these goods
13 and services, who will submit written applications to be received
14 and acted upon by the Oklahoma Arts Council. At the conclusion of
15 the contract, each state agency or nonprofit corporation shall
16 provide the Oklahoma Arts Council with proof of fulfillment of the
17 contract in proper order and ~~must~~ shall be affirmed on the proper
18 form, provided by the Oklahoma Arts Council, by the managing
19 officers of the state agency or nonprofit group making the contract.

20 SECTION 3. AMENDATORY 53 O.S. 2021, Section 201C, as
21 amended by Section 1, Chapter 213, O.S.L. 2022 (53 O.S. Supp. 2025,
22 Section 201C), is amended to read as follows:

23 Section 201C. A. The J.M. Davis Memorial Commission shall have
24 power and authority to:

1 1. Appoint and to fix the salaries and duties of the
2 professional and administrative employees and curators as may be
3 necessary to carry out the purpose of ~~this act~~ 201A et seq. of this
4 title;

5 2. Appoint an executive director who shall serve at the
6 pleasure of the Commission. A member of the Commission may be
7 appointed as the executive director; provided, if a member of the
8 Commission is so appointed, the member shall resign as a member of
9 the Commission and the vacancy shall be filled in the same manner as
10 are original appointments;

11 3. Provide for the proper housing, protection and display of
12 the J.M. Davis Gun Collection and other historical artifacts; and

13 4. Enter into contracts for services to be performed in
14 furtherance of the authorized activities and duties of the J.M.
15 Davis Memorial Commission with other state agencies or nonprofit
16 corporations holding a valid exemption from taxation issued pursuant
17 to Section 501(a) of the Internal Revenue Code of 1986, as amended,
18 and listed as an exempt organization in Section 501(c)(3) of the
19 Internal Revenue Code of 1986, as amended, or with individuals or
20 associations pursuant to statutory requirements.

21 ~~B. Funds of the J.M. Davis Memorial Commission shall not be~~
22 ~~applied, donated, or used directly or indirectly for the use,~~
23 ~~benefit, or support of any sect, church, denomination, or system of~~
24 ~~religion, or for the use, benefit, or support of any priest,~~

1 ~~preacher, minister, or other religious teacher or dignitary, or~~
2 ~~sectarian institution as such.~~ The J.M. Davis Memorial Commission
3 shall provide opportunity to organizations to submit written
4 applications to be received and acted upon by the J.M. Davis
5 Memorial Commission. At the conclusion of the contract, each state
6 agency, nonprofit corporation, individual, or association shall
7 provide the J.M. Davis Memorial Commission with proof of fulfillment
8 of the contract in proper order and ~~must~~ shall be affirmed on the
9 proper form, provided by the J.M. Davis Memorial Commission, by the
10 managing officers of the state agency, nonprofit group, association,
11 or individual making the contract.

12 C. Any agreements or contracts providing for the employment of
13 persons or to purchase property or equipment or the construction of
14 any facilities shall not be authorized unless necessary funds have
15 been appropriated by the Legislature or have been otherwise obtained
16 from gifts, grants or contributions actually received by the
17 Commission.

18 SECTION 4. AMENDATORY 70 O.S. 2021, Section 3-136, as
19 amended by Section 7, Chapter 323, O.S.L. 2023 (70 O.S. Supp. 2025,
20 Section 3-136), is amended to read as follows:

21 Section 3-136. A. Beginning July 1, 2024, a written contract
22 entered into between the Statewide Charter School Board and the
23 governing board of a charter school or statewide virtual charter
24 school or a written contract entered into between a sponsor and the
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1 governing board of a charter school shall ensure compliance with the
2 following:

3 1. Except as provided for in the Oklahoma Charter Schools Act,
4 a charter school and virtual charter school shall be exempt from all
5 statutes and rules relating to schools, boards of education, and
6 school districts; provided, however, a charter school or virtual
7 charter school shall comply with all federal regulations and state
8 and local rules and statutes relating to health, safety, civil
9 rights, and insurance. By January 1, 2000, the State Department of
10 Education shall prepare a list of relevant rules and statutes which
11 a charter school and virtual charter school ~~must~~ shall comply with
12 as required by this paragraph and shall annually provide an update
13 to the list;

14 2. ~~A charter school shall be nonsectarian in its programs,~~
15 ~~admission policies, employment practices, and all other operations.~~
16 ~~A sponsor may not authorize a charter school or program that is~~
17 ~~affiliated with a nonpublic sectarian school or religious~~
18 ~~institution;~~

19 ~~3.~~ The charter contract shall provide a description of the
20 educational program to be offered. A charter school or virtual
21 charter school may provide a comprehensive program of instruction
22 for a prekindergarten program, a kindergarten program, or any grade
23 between grades one and twelve. Instruction may be provided to all
24 persons between four (4) and twenty-one (21) years of age. A

1 charter school or virtual charter school may offer a curriculum
2 which emphasizes a specific learning philosophy or style or certain
3 subject areas such as mathematics, science, fine arts, performance
4 arts, or foreign language. The charter of a charter school or
5 virtual charter school which offers grades nine through twelve shall
6 specifically address whether the charter school or virtual charter
7 school will comply with the graduation requirements established in
8 Section 11-103.6 of this title. No charter school shall be
9 chartered for the purpose of offering a curriculum for deaf or blind
10 students that is the same or similar to the curriculum being
11 provided by or for educating deaf or blind students that are being
12 served by the Oklahoma School for the Blind or the Oklahoma School
13 for the Deaf;

14 ~~4.~~ 3. A charter school or virtual charter school shall
15 participate in the testing as required by the Oklahoma School
16 Testing Program Act and the reporting of test results as is required
17 of a school district. A charter school or virtual charter school
18 shall also provide any necessary data to the Office of
19 Accountability within the State Department of Education;

20 ~~5.~~ 4. A charter school or virtual charter school shall be
21 subject to the same reporting requirements, financial audits, audit
22 procedures, and audit requirements as a school district. The State
23 Department of Education or State Auditor and Inspector may conduct
24 financial, program, or compliance audits. The Statewide Charter
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1 School Board may request that the State Auditor and Inspector
2 conduct a financial, program, or compliance audit for any charter
3 school or virtual charter school it oversees. A charter school or
4 virtual charter school shall use the Oklahoma Cost Accounting System
5 to report financial transactions to the State Department of
6 Education. The charter school or virtual charter school shall be
7 subject to the limitations on spending, including provisions of the
8 Oklahoma Constitution, for any funds received from the state, either
9 through the State Department of Education or other sources;

10 ~~6.~~ 5. A charter school or virtual charter school shall comply
11 with all federal and state laws relating to the education of
12 children with disabilities in the same manner as a school district;

13 ~~7.~~ 6. A charter school or virtual charter school shall provide
14 for a governing board for the school which shall be responsible for
15 the policies and operational decisions of the charter school or
16 virtual charter school. All of the charter school or virtual
17 charter school governing board members shall be residents of this
18 state and shall meet no fewer than ten (10) months of the year in a
19 public meeting within the boundaries of the school district in which
20 the charter school is located or within this state if the governing
21 board oversees multiple charter schools in this state or oversees a
22 virtual charter school. The governing board of a charter school or
23 virtual charter school shall be subject to the same conflict of
24 interest requirements as a member of a school district board of

1 education including but not limited to Sections 5-113 and 5-124 of
2 this title. Members appointed to the governing board of a charter
3 school or virtual charter school shall be subject to the same
4 instruction and continuing education requirements as a member of a
5 school district board of education and pursuant to Section 5-110 of
6 this title shall complete twelve (12) hours of instruction within
7 fifteen (15) months of appointment to the governing board and
8 pursuant to Section 5-110.1 of this title shall attend continuing
9 education;

10 ~~8.~~ 7. A charter school or virtual charter school shall not be
11 used as a method of generating revenue for students who are being
12 home schooled and are not being educated at an organized charter
13 school site or by a virtual charter school;

14 ~~9.~~ 8. A charter school or virtual charter school shall be as
15 equally free and open to all students as traditional public schools
16 and shall not charge tuition or fees;

17 ~~10.~~ 9. A charter school or virtual charter school shall provide
18 instruction each year for at least the number of days or hours
19 required in Section 1-109 of this title;

20 ~~11.~~ 10. A charter school or virtual charter school shall comply
21 with the student suspension requirements provided for in Section 24-
22 101.3 of this title;

1 ~~12.~~ 11. A charter school or virtual charter school shall be
2 considered a school district for purposes of tort liability under
3 The Governmental Tort Claims Act;

4 ~~13.~~ 12. Employees of a charter school or virtual charter school
5 may participate as members of the Teachers' Retirement System of
6 Oklahoma in accordance with applicable statutes and rules if
7 otherwise allowed pursuant to law;

8 ~~14.~~ 13. A charter school or virtual charter school may
9 participate in all health and related insurance programs available
10 to employees of a public school district;

11 ~~15.~~ 14. A charter school or virtual charter school and their
12 respective governing boards shall comply with the Oklahoma Open
13 Meeting Act and the Oklahoma Open Records Act;

14 ~~16.~~ 15. The governing board of a charter school or virtual
15 charter school shall notify the sponsor within ten (10) business
16 days in the instance of any significant adverse actions, material
17 findings of noncompliance, or pending actions, claims, or
18 proceedings in this state relating to the charter school, the
19 virtual charter school, or an educational management organization
20 with which the charter school or virtual charter school has a
21 contract;

22 ~~17.~~ 16. No later than September 1 each year, the governing
23 board of each charter school or virtual charter school formed
24 pursuant to the Oklahoma Charter Schools Act shall prepare a
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1 statement of actual income and expenditures for the charter school
2 or virtual charter school for the fiscal year that ended on the
3 preceding June 30, in a manner compliant with Section 5-135 of this
4 title. The statement of expenditures shall include functional
5 categories as defined in rules adopted by the State Board of
6 Education to implement the Oklahoma Cost Accounting System pursuant
7 to Section 5-145 of this title. Charter schools and virtual charter
8 schools shall not be permitted to submit estimates of expenditures
9 or prorated amounts to fulfill the requirements of this paragraph;
10 and

11 ~~18.~~ 17. A charter school or virtual charter school contract
12 shall include performance provisions based on a performance
13 framework that clearly sets forth the academic and operational
14 performance indicators that shall be used by charter school and
15 virtual charter school sponsors to evaluate their respective
16 schools. The sponsor may develop a separate performance framework
17 to evaluate a charter school or virtual charter school that has been
18 designated by the State Department of Education as implementing an
19 alternative education program throughout the school. The sponsor
20 shall require a charter school or virtual charter school to submit
21 the data required in this subsection in the identical format that is
22 required by the State Department of Education of all public schools
23 in order to avoid duplicative administrative efforts or allow a
24 charter school or virtual charter school to provide permission to

1 the Department to share all required data with the Board. The
2 performance framework shall serve as the minimum requirement for
3 charter school and virtual charter school performance evaluation and
4 shall include, but not be limited to, the following indicators:

- 5 a. student academic proficiency,
- 6 b. student academic growth,
- 7 c. achievement gaps in both proficiency and growth
8 between major student subgroups,
- 9 d. student attendance,
- 10 e. recurrent enrollment from year to year as determined
11 by the methodology used for public schools in
12 Oklahoma,
- 13 f. in the case of high schools, graduation rates as
14 determined by the methodology used for public schools
15 in Oklahoma,
- 16 g. in the case of high schools, postsecondary readiness,
- 17 h. financial performance and sustainability and
18 compliance with state and Internal Revenue Service
19 financial reporting requirements,
- 20 i. audit findings or deficiencies,
- 21 j. accreditation and timely reporting,
- 22 k. governing board performance and stewardship including
23 compliance with all applicable laws, regulations, and
24 terms of the charter contract, and

1 1. mobility of student population for the virtual charter
2 school framework.

3 The sponsor including the Statewide Charter School Board shall
4 annually evaluate its charter schools or virtual charter schools
5 according to the performance framework. The results of the
6 evaluation shall be presented to the governing board of the charter
7 school or virtual charter school and the governing board of the
8 charter school sponsor in an open meeting.

9 B. An applicant or the governing board of an applicant may hold
10 one or more charter contracts. Each charter school or virtual
11 charter school that is part of a charter contract shall be separate
12 and distinct from any other charter school or virtual charter
13 school. For the purposes of this subsection, "separate and
14 distinct" shall mean that a charter school or virtual charter school
15 governing board with oversight of more than one charter school or
16 virtual charter school shall not combine accounting, budgeting,
17 recordkeeping, admissions, employment, or policies and operational
18 decisions of the charter schools or virtual charter schools it
19 oversees.

20 C. The charter contract of a charter school or virtual charter
21 school shall include a description of the personnel policies,
22 personnel qualifications, and method of school governance. A
23 charter school or virtual charter school shall not enter into an
24 employment contract with any teacher or other personnel until a
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1 contract has been executed with its sponsor. The employment
2 contract shall set forth the personnel policies of the charter
3 school or virtual charter school including, but not limited to,
4 policies related to certification, professional development,
5 evaluation, suspension, dismissal and nonreemployment, sick leave,
6 personal business leave, emergency leave, and family and medical
7 leave. The contract shall also specifically set forth the salary,
8 hours, fringe benefits, and work conditions. The contract may
9 provide for employer-employee bargaining, but the charter school or
10 virtual charter school shall not be required to comply with the
11 provisions of Sections 509.1 through 509.10 of this title.

12 Upon contracting with any teacher or other personnel, the
13 governing board of a charter school or virtual charter school shall,
14 in writing, disclose employment rights of the employees in the event
15 the charter school or virtual charter school closes or the charter
16 contract is not renewed.

17 No charter school or virtual charter school may begin serving
18 students without a contract executed in accordance with the
19 provisions of the Oklahoma Charter Schools Act and approved in an
20 open meeting of the governing board of the sponsor or the Statewide
21 Charter School Board. The governing board of the sponsor or the
22 Statewide Charter School Board may establish reasonable preopening
23 requirements or conditions to monitor the start-up progress of newly
24 approved charter schools or virtual charter schools and ensure that

1 each brick-and-mortar school is prepared to open smoothly on the
2 date agreed and to ensure that each school meets all building,
3 health, safety, insurance, and other legal requirements for the
4 opening of a school.

5 D. The charter of a charter school or virtual charter school
6 may be amended at the request of the governing board of the charter
7 school or virtual charter school and upon the approval of the
8 sponsor.

9 E. A charter school or virtual charter school may enter into
10 contracts and sue and be sued.

11 F. The governing board of a charter school or virtual charter
12 school shall not levy taxes or issue bonds. A school district that
13 proposes a bond shall include any charter school established
14 pursuant to subsection A of Section 3-132 of this title and located
15 within the school district in planning conversations regarding the
16 bond.

17 G. The charter of a charter school or virtual charter school
18 shall include a provision specifying the method or methods to be
19 employed for disposing of real and personal property acquired by the
20 charter school or virtual charter school upon expiration or
21 termination of the charter or failure of the charter school or
22 virtual charter school to continue operations. Except as otherwise
23 provided, any real or personal property purchased with state or
24 local funds shall be retained by the sponsor. If a charter school

1 that was previously sponsored by the board of education of a school
2 district continues operation within the school district under a new
3 charter sponsored by an entity authorized pursuant to Section 3-132
4 of this title, the charter school may retain any personal property
5 purchased with state or local funds for use in the operation of the
6 charter school until termination of the new charter or failure of
7 the charter school to continue operations.

8 SECTION 5. This act shall become effective November 1, 2026.

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