

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1740

By: Jett

AS INTRODUCED

An Act relating to state government; creating the Anti-Perverse Incentive Act; providing short title; defining term; directing the deposit of all fines or fees assessed by state agencies in the General Revenue Fund; requiring certain appeals process for fines and fees assessed by state agencies; stating penalty for certain violation; providing for codification; providing an effective date; and declaring an emergency.

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 3318 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Anti-Perverse Incentive Act".

B. As used in this section, "state agency" means any board, commission, department, authority, bureau, office, or other entity of this state created with the authority to make rules or formulate orders as defined in the Administrative Procedures Act.

1 C. Notwithstanding any other provision of law, any fine or fee
2 for any statutory violation assessed against an individual or
3 business that is collected by a state agency shall be deposited in
4 the General Revenue Fund. Monies from fines or fees deposited in
5 the General Revenue Fund shall be distributed in the usual manner by
6 which monies from such fund are distributed, without regard to the
7 amount of such monies a state agency deposits.

8 D. 1. Notwithstanding any other provision of law, no fine or
9 fee for a statutory violation assessed against an individual or
10 business shall be assessed by a state agency without an appeals
11 process, whereby an individual or business may appeal the assessment
12 of such fine or fee if the individual or business has a reasonable
13 belief that the issuance of such fine or fee was:

- 14 a. a punitive assessment that does not align with the
15 mission of the state agency issuing the fine or fee,
- 16 b. assessed for a personal motivation by an employee or
17 official of a state agency, or
- 18 c. assessed for a political motivation by an employee or
19 official of a state agency.

20 2. An employee or official of a state agency that, as
21 determined by the appeals process provided for in paragraph 1 of
22 this subsection, abuses the authority to assess a fine or fee shall
23 be subject to a fine in the amount of One Thousand Dollars
24 (\$1,000.00) or the amount of the fine or fee assessed by such

1 employee or official that was appealed, whichever is greater. Any
2 fine collected pursuant to the provisions of this paragraph shall be
3 deposited in the General Revenue Fund.

4 SECTION 2. This act shall become effective July 1, 2026.

5 SECTION 3. It being immediately necessary for the preservation
6 of the public peace, health or safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

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