

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1743

By: Green

AS INTRODUCED

An Act relating to state government; amending 74 O.S. 2021, Section 18c, as amended by Section 5, Chapter 199, O.S.L. 2025 (74 O.S. Supp. 2025, Section 18c), which relates to the employment of attorneys by certain officers, boards, or commissions; adding the State Board of Career and Technology Education to certain exception; updating statutory language; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 2021, Section 18c, as amended by Section 5, Chapter 199, O.S.L. 2025 (74 O.S. Supp. 2025, Section 18c), is amended to read as follows:

Section 18c. A. 1. Except as otherwise provided by this subsection, no state officer, board, or commission shall have authority to employ or appoint attorneys to advise or represent ~~said~~ such officer, board, or commission in any matter.

2. The provisions of this subsection shall not apply to the Corporation Commission, the Council on Law Enforcement Education and Training, the Consumer Credit Commission, the Board of Managers of

1 the State Insurance Fund, the Oklahoma Tax Commission, the  
2 Commissioners of the Land Office, the Oklahoma Public Welfare  
3 Commission also known as the Commission for Human Services, the  
4 State Board of Corrections, the Oklahoma Health Care Authority, the  
5 Department of Public Safety, the Oklahoma State Bureau of Narcotics  
6 and Dangerous Drugs Control, the Alcoholic Beverage Laws Enforcement  
7 Commission, the Transportation Commission, the Oklahoma Energy  
8 Resources Board, the Oklahoma Merit Protection Commission, the  
9 Office of Management and Enterprise Services, the Oklahoma Water  
10 Resources Board, the Department of Labor, the Department of  
11 Agriculture, Food, and Forestry, the Northeast Oklahoma Public  
12 Facilities Authority, the Oklahoma Firefighters Pension and  
13 Retirement System, the Oklahoma Public Employees Retirement System,  
14 the Uniform Retirement System for Justices and Judges, the Oklahoma  
15 Conservation Commission, the Office of Juvenile Affairs, the State  
16 Board of Pharmacy, the State Board of Career and Technology  
17 Education, and the Oklahoma Department of Veterans Affairs.

18 3. The provisions of paragraph 2 of this subsection shall not  
19 be construed to authorize the Office of Juvenile Affairs to employ  
20 any attorneys that are not specifically authorized by law.

21 4. All the legal duties of such officer, board, or commission  
22 shall devolve upon and are hereby vested in the Attorney General;  
23 provided that:  
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- 1           a.    the Governor shall have authority to employ special  
2                   counsel to protect the rights or interest of the state  
3                   as provided in Section 6 of this title, and  
4           b.    liquidation agents of banks shall have the authority  
5                   to employ local counsel, with the consent of the Bank  
6                   Commissioner and the Attorney General and the approval  
7                   of the district court.

8           B.   At the request of any state officer, board, or commission,  
9   except the Corporation Commission, the Oklahoma Tax Commission and  
10   the Commissioners of the Land Office, the Grand River Dam Authority,  
11   the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control,  
12   the Alcoholic Beverage Laws Enforcement Commission, the Oklahoma  
13   Firefighters Pension and Retirement System, the Oklahoma Public  
14   Employees Retirement System, the Uniform Retirement System for  
15   Justices and Judges, and the Interstate Oil and Gas Compact  
16   Commission, the Attorney General shall defend any action in which  
17   they may be sued in their official capacity. At the request of any  
18   such state officer, board, or commission, the Attorney General shall  
19   have authority to institute suits in the name of the State of  
20   Oklahoma on their relation, if after investigation the Attorney  
21   General is convinced there is sufficient legal merit to justify the  
22   action. Any officer, board, or commission which has the authority  
23   to employ or appoint attorneys may request that the Attorney General  
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1 defend any action arising pursuant to the provisions of The  
2 Governmental Tort Claims Act.

3 C. Nothing in this section shall be construed to repeal or  
4 affect the provisions of the statutes of this state pertaining to  
5 attorneys and legal advisors of the several commissions and  
6 departments of state specified in subsection B of this section, and  
7 all acts and parts of acts pertaining thereto shall be and remain in  
8 full force and effect.

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

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

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