

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 2184

By: Howard

AS INTRODUCED

An Act relating to multiple versions of statutes; amending, merging, consolidating, and repealing multiple versions of statutes; amending 3 O.S. 2021, Section 65.1, as amended by Section 1, Chapter 135, O.S.L. 2024 (3 O.S. Supp. 2025, Section 65.1); repealing 3 O.S. 2021, Section 65.1, as amended by Section 1, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025, Section 65.1); repealing 3 O.S. 2021, Section 65.2, as amended by Section 2, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025, Section 65.2); repealing 3 O.S. 2021, Section 65.4, as amended by Section 3, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025, Section 65.4); repealing 3 O.S. 2021, Section 65.5, as amended by Section 4, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025, Section 65.5); repealing 3 O.S. 2021, Section 65.7, as amended by Section 6, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025, Section 65.7); repealing 3 O.S. 2021, Section 65.8, as amended by Section 7, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025, Section 65.8); repealing 3 O.S. 2021, Section 65.10, as amended by Section 8, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025, Section 65.10); repealing 3 O.S. 2021, Section 65.12, as amended by Section 9, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025, Section 65.12); repealing 3 O.S. 2021, Section 65.15, as amended by Section 10, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025, Section 65.15); repealing 3 O.S. 2021, Section 65.16, as amended by Section 11, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025, Section 65.16); repealing 3 O.S. 2021, Section 65.17, as amended by Section 12, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025, Section 65.17); repealing 3 O.S. 2021, Section 82, as last amended by Section 13, Chapter 135, O.S.L. 2024 (3 O.S. Supp. 2025, Section 82); amending 3 O.S. 2021, Section 85, as last

1 amended by Section 1, Chapter 164, O.S.L. 2025 (3
2 O.S. Supp. 2025, Section 85); repealing 3 O.S. 2021,
3 Section 85, as last amended by Section 14, Chapter
4 18, O.S.L. 2024 (3 O.S. Supp. 2025, Section 85);
5 repealing 3 O.S. 2021, Section 85, as last amended by
6 Section 14, Chapter 135, O.S.L. 2024 (3 O.S. Supp.
7 2025, Section 85); repealing 3 O.S. 2021, Section
8 421, as last amended by Section 15, Chapter 18,
9 O.S.L. 2024 (3 O.S. Supp. 2025, Section 421);
10 amending 10 O.S. 2021, Section 1116.2, as amended by
11 Section 7, Chapter 347, O.S.L. 2024 (10 O.S. Supp.
12 2025, Section 1116.2); repealing 10 O.S. 2021,
13 Section 1116.2, as amended by Section 1, Chapter 237,
14 O.S.L. 2024 (10 O.S. Supp. 2025, Section 1116.2);
15 amending 10 O.S. 2021, Section 1116.6, as amended by
16 Section 9, Chapter 347, O.S.L. 2024 (10 O.S. Supp.
17 2025, Section 1116.6); repealing 10 O.S. 2021,
18 Section 1116.6, as amended by Section 2, Chapter 237,
19 O.S.L. 2024 (10 O.S. Supp. 2025, Section 1116.6);
20 amending 10A O.S. 2021, Section 1-1-105, as amended
21 by Section 1, Chapter 375, O.S.L. 2025 (10A O.S.
22 Supp. 2025, Section 1-1-105); repealing 10A O.S.
23 2021, Section 1-1-105, as amended by Section 1,
24 Chapter 149, O.S.L. 2025 (10A O.S. Supp. 2025,
Section 1-1-105); amending 15 O.S. 2021, Section
141.13, as amended by Section 7, Chapter 225, O.S.L.
2024 (15 O.S. Supp. 2025, Section 141.13); repealing
15 O.S. 2021, Section 141.13, as amended by Section
1, Chapter 72, O.S.L. 2016; amending 18 O.S. 2021,
Section 1006, as amended by Section 10, Chapter 120,
O.S.L. 2024 (18 O.S. Supp. 2025, Section 1006);
repealing 18 O.S. 2021, Section 1006, as amended by
Section 1, Chapter 121, O.S.L. 2024 (18 O.S. Supp.
2025, Section 1006); amending 19 O.S. 2021, Section
1505, as last amended by Section 2, Chapter 85,
O.S.L. 2025 (19 O.S. Supp. 2025, Section 1505);
repealing 19 O.S. 2021, Section 1505, as last amended
by Section 1, Chapter 66, O.S.L. 2025 (19 O.S. Supp.
2025, Section 1505); amending 22 O.S. 2021, Section
60.4, as last amended by Section 704, Chapter 486,
O.S.L. 2025 (22 O.S. Supp. 2025, Section 60.4);
repealing 22 O.S. 2021, Section 60.4, as last amended
by Section 1, Chapter 40, O.S.L. 2025 (22 O.S. Supp.
2025, Section 60.4); amending 22 O.S. 2021, Section
60.6, as amended by Section 474, Chapter 486, O.S.L.
2025 (22 O.S. Supp. 2025, Section 60.6); repealing 22
O.S. 2021, Section 60.6, as amended by Section 2,

Chapter 145, O.S.L. 2025 (22 O.S. Supp. 2025, Section 60.6); amending 22 O.S. 2021, Section 152, as last amended by Section 1, Chapter 115, O.S.L. 2025 (22 O.S. Supp. 2025, Section 152); repealing 22 O.S. 2021, Section 152, as last amended by Section 1, Chapter 310, O.S.L. 2024 (22 O.S. Supp. 2025, Section 152); amending 47 O.S. 2021, Section 6-101, as last amended by Section 3, Chapter 330, O.S.L. 2025 (47 O.S. Supp. 2025, Section 6-101); repealing 47 O.S. 2021, Section 6-101, as last amended by Section 13, Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2025, Section 6-101); repealing 47 O.S. 2021, Section 6-101, as last amended by Section 2, Chapter 11, O.S.L. 2024 (47 O.S. Supp. 2025, Section 6-101); repealing 47 O.S. 2021, Section 6-101, as last amended by Section 3, Chapter 171, O.S.L. 2025 (47 O.S. Supp. 2025, Section 6-101); amending 47 O.S. 2021, Section 6-102, as last amended by Section 1, Chapter 450, O.S.L. 2024 (47 O.S. Supp. 2025, Section 6-102); repealing 47 O.S. 2021, Section 6-102, as last amended by Section 1, Chapter 123, O.S.L. 2025 (47 O.S. Supp. 2025, Section 6-102); amending 47 O.S. 2021, Section 6-105, as last amended by Section 38, Chapter 452, O.S.L. 2024 (47 O.S. Supp. 2025, Section 6-105); repealing 47 O.S. 2021, Section 6-105, as last amended by Section 2, Chapter 450, O.S.L. 2024 (47 O.S. Supp. 2025, Section 6-105); repealing 47 O.S. 2021, Section 6-105, as last amended by Section 3, Chapter 11, O.S.L. 2024 (47 O.S. Supp. 2025, Section 6-105); amending 47 O.S. 2021, Section 6-105.3, as last amended by Section 4, Chapter 330, O.S.L. 2025 (47 O.S. Supp. 2025, Section 6-105.3); repealing 47 O.S. 2021, Section 6-105.3, as last amended by Section 4, Chapter 11, O.S.L. 2024 (47 O.S. Supp. 2025, Section 6-105.3); repealing 47 O.S. 2021, Section 6-105.3, as last amended by Section 1, Chapter 101, O.S.L. 2024 (47 O.S. Supp. 2025, Section 6-105.3); repealing 47 O.S. 2021, Section 6-105.3, as last amended by Section 3, Chapter 315, O.S.L. 2024 (47 O.S. Supp. 2025, Section 6-105.3); amending 47 O.S. 2021, Section 6-110, as last amended by Section 4, Chapter 450, O.S.L. 2024 (47 O.S. Supp. 2025, Section 6-110); repealing 47 O.S. 2021, Section 6-110, as last amended by Section 44, Chapter 452, O.S.L. 2024 (47 O.S. Supp. 2025, Section 6-110); repealing 47 O.S. 2021, Section 6-110, as last amended by Section 6, Chapter 11, O.S.L. 2024 (47

1 O.S. Supp. 2025, Section 6-110); amending 47 O.S.
2 2021, Section 6-111, as last amended by Section 2,
3 Chapter 310, O.S.L. 2025 (47 O.S. Supp. 2025, Section
4 6-111); repealing 47 O.S. 2021, Section 6-111, as
5 last amended by Section 5, Chapter 330, O.S.L. 2025
6 (47 O.S. Supp. 2025, Section 6-111); amending 47 O.S.
7 2021, Section 6-301, as last amended by Section 3,
8 Chapter 38, O.S.L. 2025 (47 O.S. Supp. 2025, Section
9 6-301); repealing 47 O.S. 2021, Section 6-301, as
10 last amended by Section 516, Chapter 486, O.S.L. 2025
11 (47 O.S. Supp. 2025, Section 6-301); amending 47 O.S.
12 2021, Section 563, as last amended by Section 3,
13 Chapter 448, O.S.L. 2025 (47 O.S. Supp. 2025, Section
14 563); repealing 47 O.S. 2021, Section 563, as last
15 amended by Section 3, Chapter 236, O.S.L. 2024 (47
16 O.S. Supp. 2025, Section 563); amending 47 O.S. 2021,
17 Section 564, as last amended by Section 4, Chapter
18 448, O.S.L. 2025 (47 O.S. Supp. 2025, Section 564);
19 repealing 47 O.S. 2021, Section 564, as last amended
20 by Section 2, Chapter 119, O.S.L. 2025 (47 O.S. Supp.
21 2025, Section 564); amending 47 O.S. 2021, Section
22 565, as last amended by Section 6, Chapter 448,
23 O.S.L. 2025 (47 O.S. Supp. 2025, Section 565);
24 repealing 47 O.S. 2021, Section 565, as last amended
by Section 4, Chapter 119, O.S.L. 2025 (47 O.S. Supp.
2025, Section 565); amending 47 O.S. 2021, Section
752, as last amended by Section 13, Chapter 330,
O.S.L. 2025 (47 O.S. Supp. 2025, Section 752);
repealing 47 O.S. 2021, Section 752, as last amended
by Section 4, Chapter 172, O.S.L. 2025 (47 O.S. Supp.
2025, Section 752); repealing 47 O.S. 2021, Section
1102, as last amended by Section 60, Chapter 452,
O.S.L. 2024 (47 O.S. Supp. 2025, Section 1102);
amending 47 O.S. 2021, Section 1110, as last amended
by Section 1, Chapter 403, O.S.L. 2025 (47 O.S. Supp.
2025, Section 1110); repealing 47 O.S. 2021, Section
1110, as last amended by Section 1, Chapter 323,
O.S.L. 2024 (47 O.S. Supp. 2025, Section 1110);
amending 47 O.S. 2021, Section 1113, as last amended
by Section 72, Chapter 452, O.S.L. 2024 (47 O.S.
Supp. 2025, Section 1113); repealing 47 O.S. 2021,
Section 1113, as last amended by Section 8, Chapter
236, O.S.L. 2024 (47 O.S. Supp. 2025, Section 1113);
amending 47 O.S. 2021, Section 1132, as last amended
by Section 10, Chapter 236, O.S.L. 2024 (47 O.S.
Supp. 2025, Section 1132); repealing 47 O.S. 2021,
Section 1132, as last amended by Section 75, Chapter

452, O.S.L. 2024 (47 O.S. Supp. 2025, Section 1132);
repealing 51 O.S. 2021, Section 6, as amended by
Section 1, Chapter 303, O.S.L. 2025 (51 O.S. Supp.
2025, Section 6); amending 51 O.S. 2021, Section
24A.5, as last amended by Section 2, Chapter 404,
O.S.L. 2025 (51 O.S. Supp. 2025, Section 24A.5);
repealing 51 O.S. 2021, Section 24A.5, as last
amended by Section 14, Chapter 11, O.S.L. 2024 (51
O.S. Supp. 2025, Section 24A.5); amending 51 O.S.
2021, Section 154, as amended by Section 2, Chapter
314, O.S.L. 2025 (51 O.S. Supp. 2025, Section 154);
repealing 51 O.S. 2021, Section 154, as amended by
Section 2, Chapter 292, O.S.L. 2025 (51 O.S. Supp.
2025, Section 154); amending 57 O.S. 2021, Section
37, as amended by Section 9, Chapter 187, O.S.L. 2025
(57 O.S. Supp. 2025, Section 37); repealing 57 O.S.
2021, Section 37, as amended by Section 11, Chapter
11, O.S.L. 2025 (57 O.S. Supp. 2025, Section 37);
repealing 57 O.S. 2021, Section 138, as amended by
Section 38, Chapter 59, O.S.L. 2024 (57 O.S. Supp.
2025, Section 138); repealing 57 O.S. 2021, Section
571, as last amended by Section 40, Chapter 59,
O.S.L. 2024 (57 O.S. Supp. 2025, Section 571);
amending 59 O.S. 2021, Section 46.4, as last amended
by Section 2, Chapter 147, O.S.L. 2024 (59 O.S. Supp.
2025, Section 46.4); repealing 59 O.S. 2021, Section
46.4, as last amended by Section 4, Chapter 138,
O.S.L. 2024 (59 O.S. Supp. 2025, Section 46.4);
amending 59 O.S. 2021, Section 46.7, as amended by
Section 5, Chapter 138, O.S.L. 2024 (59 O.S. Supp.
2025, Section 46.7); repealing 59 O.S. 2021, Section
46.7, as amended by Section 3, Chapter 147, O.S.L.
2024 (59 O.S. Supp. 2025, Section 46.7); amending 59
O.S. 2021, Section 46.9, as amended by Section 6,
Chapter 138, O.S.L. 2024 (59 O.S. Supp. 2025, Section
46.9); repealing 59 O.S. 2021, Section 46.9, as
amended by Section 4, Chapter 147, O.S.L. 2024 (59
O.S. Supp. 2025, Section 46.9); amending 59 O.S.
2021, Section 46.10, as amended by Section 5, Chapter
147, O.S.L. 2024 (59 O.S. Supp. 2025, Section 46.10);
repealing 59 O.S. 2021, Section 46.10, as amended by
Section 7, Chapter 138, O.S.L. 2024 (59 O.S. Supp.
2025, Section 46.10); amending 59 O.S. 2021, Section
46.21, as amended by Section 15, Chapter 138, O.S.L.
2024 (59 O.S. Supp. 2025, Section 46.21); repealing
59 O.S. 2021, Section 46.21, as amended by Section 6,
Chapter 147, O.S.L. 2024 (59 O.S. Supp. 2025, Section

46.21); amending 59 O.S. 2021, Section 46.21b, as amended by Section 1, Chapter 208, O.S.L. 2025 (59 O.S. Supp. 2025, Section 46.21b); repealing 59 O.S. 2021, Section 46.21b, as amended by Section 7, Chapter 147, O.S.L. 2024 (59 O.S. Supp. 2025, Section 46.21b); amending 59 O.S. 2021, Section 46.38, as amended by Section 22, Chapter 138, O.S.L. 2024 (59 O.S. Supp. 2025, Section 46.38); repealing 59 O.S. 2021, Section 46.38, as amended by Section 8, Chapter 147, O.S.L. 2024 (59 O.S. Supp. 2025, Section 46.38); repealing 59 O.S. 2021, Section 328.49, as amended by Section 530, Chapter 486, O.S.L. 2025 (59 O.S. Supp. 2025, Section 328.49); amending 59 O.S. 2021, Section 353.1, as last amended by Section 5, Chapter 340, O.S.L. 2025 (59 O.S. Supp. 2025, Section 353.1); repealing 59 O.S. 2021, Section 353.1, as last amended by Section 1, Chapter 343, O.S.L. 2025 (59 O.S. Supp. 2025, Section 353.1); amending 59 O.S. 2021, Section 356.2, as last amended by Section 2, Chapter 300, O.S.L. 2025 (59 O.S. Supp. 2025, Section 356.2); repealing 59 O.S. 2021, Section 356.2, as last amended by Section 1, Chapter 414, O.S.L. 2025 (59 O.S. Supp. 2025, Section 356.2); amending 59 O.S. 2021, Section 357, as last amended by Section 2, Chapter 414, O.S.L. 2025 (59 O.S. Supp. 2025, Section 357); repealing 59 O.S. 2021, Section 357, as last amended by Section 6, Chapter 300, O.S.L. 2025 (59 O.S. Supp. 2025, Section 357); amending 59 O.S. 2021, Section 360, as last amended by Section 3, Chapter 414, O.S.L. 2025 (59 O.S. Supp. 2025, Section 360); repealing 59 O.S. 2021, Section 360, as last amended by Section 8, Chapter 300, O.S.L. 2025 (59 O.S. Supp. 2025, Section 360); amending 59 O.S. 2021, Section 481, as amended by Section 1, Chapter 227, O.S.L. 2024 (59 O.S. Supp. 2025, Section 481); repealing 59 O.S. 2021, Section 481, as last amended by Section 1, Chapter 14, O.S.L. 2025 (59 O.S. Supp. 2025, Section 481); amending 59 O.S. 2021, Section 493.2, as amended by Section 1, Chapter 61, O.S.L. 2025 (59 O.S. Supp. 2025, Section 493.2); repealing 59 O.S. 2021, Section 493.2, as amended by Section 3, Chapter 350, O.S.L. 2025 (59 O.S. Supp. 2025, Section 493.2); repealing 59 O.S. 2021, Section 1000.2, as amended by Section 1, Chapter 292, O.S.L. 2013; amending 59 O.S. 2021, Section 1873, as last amended by Section 1, Chapter 235, O.S.L. 2025 (59 O.S. Supp. 2025, Section 1873); repealing 59 O.S. 2021, Section 1873, as last

1 amended by Section 1, Chapter 266, O.S.L. 2025 (59
2 O.S. Supp. 2025, Section 1873); amending 63 O.S.
3 2021, Section 1-106, as last amended by Section 3,
4 Chapter 377, O.S.L. 2025 (63 O.S. Supp. 2025, Section
5 1-106); repealing 63 O.S. 2021, Section 1-106, as
6 last amended by Section 13, Chapter 215, O.S.L. 2025
7 (63 O.S. Supp. 2025, Section 1-106); amending 63 O.S.
8 2021, Section 2-312, as last amended by Section 10,
9 Chapter 340, O.S.L. 2025 (63 O.S. Supp. 2025, Section
10 2-312); repealing 63 O.S. 2021, Section 2-312, as
11 last amended by Section 9, Chapter 343, O.S.L. 2025
12 (63 O.S. Supp. 2025, Section 2-312); amending 63 O.S.
13 2021, Section 427.17, as last amended by Section 4,
14 Chapter 447, O.S.L. 2024 (63 O.S. Supp. 2025, Section
15 427.17); repealing 63 O.S. 2021, Section 427.17, as
16 last amended by Section 142, Chapter 452, O.S.L. 2024
17 (63 O.S. Supp. 2025, Section 427.17); amending 66
18 O.S. 2021, Section 304, as amended by Section 1,
19 Chapter 31, O.S.L. 2025 (66 O.S. Supp. 2025, Section
20 304); repealing 66 O.S. 2021, Section 304, as amended
21 by Section 556, Chapter 486, O.S.L. 2025 (66 O.S.
22 Supp. 2025, Section 304); amending 68 O.S. 2021,
23 Section 1353, as last amended by Section 4, Chapter
24 441, O.S.L. 2024 (68 O.S. Supp. 2025, Section 1353);
repealing 68 O.S. 2021, Section 1353, as amended by
Section 1, Chapter 240, O.S.L. 2022 (68 O.S. Supp.
2025, Section 1353); amending 68 O.S. 2021, Section
1356, as last amended by Section 1, Chapter 392,
O.S.L. 2025 (68 O.S. Supp. 2025, Section 1356);
repealing 68 O.S. 2021, Section 1356, as last amended
by Section 1, Chapter 444, O.S.L. 2024 (68 O.S. Supp.
2025, Section 1356); amending 68 O.S. 2021, Section
1357, as last amended by Section 1, Chapter 391,
O.S.L. 2025 (68 O.S. Supp. 2025, Section 1357);
repealing 68 O.S. 2021, Section 1357, as amended by
Section 10, Chapter 229, O.S.L. 2017; repealing 68
O.S. 2021, Section 1357, as amended by Section 1,
Chapter 68, O.S.L. 2021; repealing 68 O.S. 2021,
Section 1357, as last amended by Section 1, Chapter
193, O.S.L. 2023 (68 O.S. Supp. 2025, Section 1357);
repealing 68 O.S. 2021, Section 1357, as amended by
Section 1, Chapter 44, 1st Extraordinary Session,
O.S.L. 2023 (68 O.S. Supp. 2025, Section 1357);
amending 68 O.S. 2021, Section 2357.22, as last
amended by Section 1, Chapter 143, O.S.L. 2024 (68
O.S. Supp. 2025, Section 2357.22); repealing 68 O.S.
2021, Section 2357.22, as last amended by Section

153, Chapter 452, O.S.L. 2024 (68 O.S. Supp. 2025, Section 2357.22); amending 68 O.S. 2021, Section 2358, as last amended by Section 155, Chapter 452, O.S.L. 2024 (68 O.S. Supp. 2025, Section 2358); repealing 68 O.S. 2021, Section 2358, as last amended by Section 1, Chapter 166, O.S.L. 2024 (68 O.S. Supp. 2025, Section 2358); repealing 68 O.S. 2021, Section 2358, as last amended by Section 2, Chapter 277, O.S.L. 2024 (68 O.S. Supp. 2025, Section 2358); amending 68 O.S. 2021, Section 2902, as last amended by Section 1, Chapter 411, O.S.L. 2025 (68 O.S. Supp. 2025, Section 2902); repealing 68 O.S. 2021, Section 2902, as last amended by Section 1, Chapter 204, O.S.L. 2025 (68 O.S. Supp. 2025, Section 2902); amending 70 O.S. 2021, Section 6-194, as last amended by Section 5, Chapter 101, O.S.L. 2025 (70 O.S. Supp. 2025, Section 6-194); repealing 70 O.S. 2021, Section 6-194, as last amended by Section 1, Chapter 277, O.S.L. 2025 (70 O.S. Supp. 2025, Section 6-194); amendatory 70 O.S. 2021, Section 1210.163, as last amended by Section 3, Chapter 260, O.S.L. 2025 (70 O.S. Supp. 2025, Section 1210.163); repealing 70 O.S. 2021, Section 1210.163, as last amended by Section 6, Chapter 101, O.S.L. 2025 (70 O.S. Supp. 2025, Section 1210.163); amendatory 70 O.S. 2021, Section 2403, as amended by Section 3, Chapter 482, O.S.L. 2025 (70 O.S. Supp. 2025, Section 2403); repealing 70 O.S. 2021, Section 2403, as amended by Section 6, Chapter 277, O.S.L. 2025 (70 O.S. Supp. 2025, Section 2403); amending 74 O.S. 2021, Section 62.3, as amended by Section 1, Chapter 384, O.S.L. 2025 (74 O.S. Supp. 2025, Section 62.3); repealing 74 O.S. 2021, Section 62.3, as amended by Section 6, Chapter 199, O.S.L. 2025 (74 O.S. Supp. 2025, Section 62.3); repealing 74 O.S. 2021, Section 85.58A, as amended by Section 4, Chapter 245, O.S.L. 2024 (74 O.S. Supp. 2025, Section 85.58A); amending 74 O.S. 2021, Section 902, as last amended by Section 1, Chapter 139, O.S.L. 2024 (74 O.S. Supp. 2025, Section 902); repealing 74 O.S. 2021, Section 902, as last amended by Section 1, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2025, Section 902); amending 74 O.S. 2021, Section 915, as amended by Section 2, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2025, Section 915); repealing 74 O.S. 2021, Section 915, as amended by Section 2, Chapter 139, O.S.L. 2024 (74 O.S. Supp. 2025, Section 915); amending 74 O.S. 2021, Section 916.3, as amended by Section 3,

Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2025, Section 916.3); repealing 74 O.S. 2021, Section 916.3, as amended by Section 3, Chapter 139, O.S.L. 2024 (74 O.S. Supp. 2025, Section 916.3); amending 74 O.S. 2021, Section 919.1, as amended by Section 4, Chapter 139, O.S.L. 2024 (74 O.S. Supp. 2025, Section 919.1); repealing 74 O.S. 2021, Section 919.1, as amended by Section 4, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2025, Section 919.1); amending 74 O.S. 2021, Section 1321, as last amended by Section 29, Chapter 379, O.S.L. 2025 (74 O.S. Supp. 2025, Section 1321); repealing 74 O.S. 2021, Section 1321, as amended by Section 5, Chapter 123, O.S.L. 2024 (74 O.S. Supp. 2025, Section 1321); amending 75 O.S. 2021, Section 250.3, as last amended by Section 5, Chapter 258, O.S.L. 2025 (75 O.S. Supp. 2025, Section 250.3); repealing 75 O.S. 2021, Section 250.3, as last amended by Section 1, Chapter 420, O.S.L. 2025 (75 O.S. Supp. 2025, Section 250.3); amending 75 O.S. 2021, Section 303, as amended by Section 7, Chapter 258, O.S.L. 2025 (75 O.S. Supp. 2025, Section 303); repealing 75 O.S. 2021, Section 303, as amended by Section 1, Chapter 267, O.S.L. 2025 (75 O.S. Supp. 2025, Section 303); amending 75 O.S. 2021, Section 308, as last amended by Section 8, Chapter 258, O.S.L. 2025 (75 O.S. Supp. 2025, Section 308); repealing 75 O.S. 2021, Section 308, as last amended by Section 2, Chapter 420, O.S.L. 2025 (75 O.S. Supp. 2025, Section 308); amending 85A O.S. 2021, Section 2, as amended by Section 1, Chapter 135, O.S.L. 2025 (85A O.S. Supp. 2025, Section 2); repealing 85A O.S. 2021, Section 2, as amended by Section 1, Chapter 67, O.S.L. 2025 (85A O.S. Supp. 2025, Section 2); and declaring an emergency.

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

SECTION 1. AMENDATORY 3 O.S. 2021, Section 65.1, as amended by Section 1, Chapter 135, O.S.L. 2024 (3 O.S. Supp. 2025, Section 65.1), is amended to read as follows:

1 Section 65.1. As used in the Municipal Airports Act, unless the
2 text otherwise requires:

3 1. "Airport" means an area on land or water that is used, or
4 intended to be used, for the landing and taking off of aircraft, and
5 includes its buildings and facilities, if any;

6 2. "Air navigation facility" means any facility - other than
7 one owned and operated by the United States - used in, available for
8 use in, or designed for use in, aid of air navigation, including any
9 structures, mechanisms, lights, beacons, markers, communicating
10 systems, or other instrumentalities, or devices used or useful as an
11 aid, or constituting an advantage or convenience, to the safe taking
12 off, navigation, and landing of aircraft, or the safe and efficient
13 operation or maintenance of an airport, and any combination of any
14 or all of such facilities;

15 3. "Airport hazard" means any structure, object of natural
16 growth, or use of land which obstructs the airspace required for the
17 flight of aircraft in landing or taking off at an airport or
18 vertiport or is otherwise hazardous to such landing or taking off of
19 aircraft;

20 4. "Helipad" means a small designated area, usually with a
21 prepared surface, on a heliport, airport, landing or takeoff area,
22 apron or ramp, or movement area used for takeoff, landing or parking
23 of helicopters;

1 5. "Heliport" means an area of land, water or structure used or
2 intended to be used for the landing and takeoff of helicopters and
3 includes its buildings and facilities, if any;

4 6. "Municipality" means any county, city, ~~or~~ town, or political
5 subdivision of this state. "Municipal" means pertaining to a
6 municipality as herein defined;

7 7. "Person" means any individual, firm, partnership,
8 corporation, company, association, joint stock association, or body
9 politic; and includes any trustee, receiver, assignee or other
10 similar representative thereof;

11 8. "Vertiport" means an area of land, water, or structure used
12 or intended to be used for the landing and takeoff of VTOL aircraft;
13 and

14 9. "VTOL aircraft" means an aircraft which has vertical takeoff
15 and landing capability.

16 SECTION 2. REPEALER 3 O.S. 2021, Section 65.1, as
17 amended by Section 1, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025,
18 Section 65.1), is hereby repealed.

19 SECTION 3. REPEALER 3 O.S. 2021, Section 65.2, as
20 amended by Section 2, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025,
21 Section 65.2), is hereby repealed.

22 SECTION 4. REPEALER 3 O.S. 2021, Section 65.4, as
23 amended by Section 3, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025,
24 Section 65.4), is hereby repealed.

1 SECTION 5. REPEALER 3 O.S. 2021, Section 65.5, as
2 amended by Section 4, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025,
3 Section 65.5), is hereby repealed.

4 SECTION 6. REPEALER 3 O.S. 2021, Section 65.7, as
5 amended by Section 6, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025,
6 Section 65.7), is hereby repealed.

7 SECTION 7. REPEALER 3 O.S. 2021, Section 65.8, as
8 amended by Section 7, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025,
9 Section 65.8), is hereby repealed.

10 SECTION 8. REPEALER 3 O.S. 2021, Section 65.10, as
11 amended by Section 8, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025,
12 Section 65.10), is hereby repealed.

13 SECTION 9. REPEALER 3 O.S. 2021, Section 65.12, as
14 amended by Section 9, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025,
15 Section 65.12), is hereby repealed.

16 SECTION 10. REPEALER 3 O.S. 2021, Section 65.15, as
17 amended by Section 10, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025,
18 Section 65.15), is hereby repealed.

19 SECTION 11. REPEALER 3 O.S. 2021, Section 65.16, as
20 amended by Section 11, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025,
21 Section 65.16), is hereby repealed.

22 SECTION 12. REPEALER 3 O.S. 2021, Section 65.17, as
23 amended by Section 12, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025,
24 Section 65.17), is hereby repealed.

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1 SECTION 13. REPEALER 3 O.S. 2021, Section 82, as last
2 amended by Section 13, Chapter 135, O.S.L. 2024 (3 O.S. Supp. 2025,
3 Section 82), is hereby repealed.

4 SECTION 14. AMENDATORY 3 O.S. 2021, Section 85, as last
5 amended by Section 1, Chapter 164, O.S.L. 2025 (3 O.S. Supp. 2025,
6 Section 85), is amended to read as follows:

7 Section 85. A. The Oklahoma Department of Aerospace and
8 Aeronautics and its Executive Director acting under its authority is
9 empowered and directed to encourage, foster, and assist in the
10 development of aerospace and aeronautics in this state and to
11 encourage the establishment of airports, vertiports, and air
12 navigation facilities. It shall cooperate with and assist the
13 federal government, the municipalities of this state, and other
14 persons in the development of aerospace and aeronautics, and shall
15 seek to coordinate the aeronautical activities of these bodies and
16 persons. Municipalities are authorized to cooperate with the
17 Department in the development of aeronautics and aeronautical
18 facilities in this state.

19 B. The Department may organize and administer an aerospace and
20 aviation education program in cooperation with the schools,
21 colleges, and for the general public, and may prepare and conduct
22 voluntary flight clinics for airmen and issue such bulletins and
23 publications as may be required. This program shall be known and
24 may be cited as the "AeroSPACE Program" or "Aero Student Pathways
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1 for Aerospace Careers and Education". This program shall be a
2 partnership with primary, secondary, career technology, and higher
3 education providers to respond to the workforce needs of the
4 aviation and aerospace industry by promoting and organizing quality
5 curriculum, enhanced classroom instruction, and research-based
6 educational programs. The AeroSPACE Program shall collaborate with
7 industry and act as the facilitator for the collection and sharing
8 of information, development and implementation of activities, and
9 the dissemination of resources concerning aerospace education with
10 the primary goal being to establish a common statewide strategy for
11 implementing aerospace educational curriculum initiatives to better
12 prepare students for an aviation and aerospace career. The Oklahoma
13 Aeronautics Commission may employ established program processes or
14 contract with other qualified entities to operate the AeroSPACE
15 Program. The Oklahoma Aeronautics Commission may accept funding
16 that includes, but is not limited to, donations, contractual
17 arrangements, in-kind services, federal or state appropriations, and
18 grants.

19 C. The Department shall assist in all aeronautical matters
20 related to emergency management actions in conformance with federal
21 directions and with the Emergency Operations Plan of the state.

22 D. The Department may establish air markers throughout the
23 state.
24
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1 E. The Department may purchase and install roadside signs
2 directing highway traffic to airports, subject to approval of the
3 State Transportation Commission.

4 F. The Department shall:

5 1. Draft and recommend necessary legislation to advance the
6 interests of the state in aerospace and aeronautics;

7 2. Represent the state in aeronautical matters before federal
8 agencies and other state agencies; and

9 3. Participate as party plaintiff or defendant or as intervener
10 on behalf of the state or any municipality or citizen thereof in any
11 proceeding which involves the interest of the state in aerospace or
12 aeronautics.

13 G. 1. The Department shall develop and adopt a five-year
14 Airport Construction Program on an annual basis which lists federal
15 and state funding that the Department has available for the
16 development of airport infrastructure. In addition, the Department
17 shall adopt a statewide airport system plan on a regular basis which
18 details the twenty-year planning horizon for publicly owned, public-
19 use airports and sets the service level, role, and functional
20 classification of airports within the Oklahoma Airport System. The
21 system plan will be made available to the public and shall serve as
22 the Department's official document which guides the programming of
23 public funds for airport infrastructure. An airport must be
24 included in the system plan to be eligible for funding.

1 2. The development of the five-year Airport Construction
2 Program shall begin with supporting and achieving the goals laid out
3 in the statewide airport system plan and will be guided by the air
4 transportation needs and priorities of airports within the system.
5 The basic goals within the system plan include, but are not limited
6 to, airport safety, security, infrastructure preservation and
7 sustainment, economic enhancement, capacity, meeting Federal
8 Aviation Administration (FAA) or Department standards, and pro-
9 growth development.

10 3. The Department shall involve public input during the
11 development of the five-year Airport Construction Program each year
12 and coordinate and receive input from the airports within the
13 statewide airport system plan.

14 4. The Department shall set realistic project delivery
15 schedules across the five-year window of the Airport Construction
16 Program to maintain the integrity of the Program and to minimize air
17 transportation disruptions.

18 H. 1. The Department may, insofar as is reasonably possible,
19 make available its engineering and other technical services to any
20 municipality or person desiring them in connection with the
21 planning, acquisition, construction, improvement, maintenance, or
22 operation of airports, vertiports, or air navigation facilities.

23 2. The Department may render financial assistance by grant or
24 loan or both to any municipality or municipalities acting jointly in
25

1 the planning, acquisition, construction, improvement, maintenance,
2 or operation of an airport, vertiport, or air navigation facility
3 owned or controlled, or to be owned or controlled, by such
4 municipality or municipalities, out of appropriations or other
5 monies made available by the Legislature for such purposes. Such
6 financial assistance may be furnished in connection with federal or
7 other financial aid for the same purposes. A project must have been
8 included in the five-year Airport Construction Program and be at an
9 airport that is included in the most current version of the
10 statewide airport system plan to receive financial assistance.

11 3. The Department shall be designated as the agent of this
12 state or any political subdivision of this state for the purpose of
13 applying for, receiving, administering, and disbursing federal funds
14 and other public monies for the benefit of general aviation
15 airports, except reliever airports, as may be available under
16 applicable federal law or other laws. If requested by a political
17 subdivision, the Department may act as its or their agent in
18 contracting for and supervising such planning, acquisition,
19 construction, improvement, maintenance, or operation; and all
20 political subdivisions are authorized to designate the Department as
21 their agent for the foregoing purposes. The Department, as
22 principal on behalf of the state, may enter into any contracts with
23 the United States or with any person, which may be required in
24 connection with a grant or loan of federal monies for municipal

1 airport, vertiport, or air navigation facility purposes. All
2 federal monies accepted under this section shall be accepted and
3 transferred or expended by the Department upon such terms and
4 conditions as are prescribed by the United States. All monies
5 received by the Department pursuant to this section shall be
6 deposited in the Oklahoma Department of Aerospace and Aeronautics
7 Revolving Fund in the State Treasury and shall be paid out by the
8 Department in accordance with the terms and conditions of any
9 agreement entered into under the provisions of this section.

10 I. 1. The Department is authorized on behalf of and in the
11 name of the state, out of appropriations and other monies made
12 available for such purposes, to plan, zone, establish, construct,
13 enlarge, improve, maintain, equip, operate, regulate, protect, and
14 police airports, vertiports, and air navigation facilities, either
15 within or without the state, including the construction,
16 installation, equipping, maintenance, and operation at such airports
17 of buildings and other facilities for the servicing of aircraft or
18 for the comfort and accommodation of air travelers. However, the
19 regulatory authority shall not extend to any airman employed by, nor
20 to any aeronautics facility or aircraft under the exclusive
21 possession, operation, or control of, a person holding a certificate
22 of public convenience and necessity issued by any agency of the
23 United States to operate as a common carrier by air of persons
24 and/or property in interstate commerce. For such purposes the

1 Department may, by purchase, gift, devise, or lease, acquire
2 property, real or personal, or any interest therein including
3 easements in aeronautical hazards or land outside the boundaries of
4 an airport or airport site, as are necessary to permit safe and
5 efficient operation of the state airports or to permit the removal,
6 elimination, obstruction-marking or obstruction-lighting of airport
7 hazards, or to prevent the establishment of airport hazards. In
8 like manner, the Department may acquire existing airports,
9 vertiports, and air navigation facilities. However, the Department
10 shall not acquire or take over any airport, vertiport, or air
11 navigation facility owned or controlled by a municipality of this or
12 any other state without the consent of such municipality. The
13 Department may, by sale, lease, or otherwise, dispose of any such
14 property, airport, vertiport, air navigation facility, or portion
15 thereof or interest therein. The disposal, by sale, lease, or
16 otherwise, shall be in accordance with the laws of this state
17 governing the disposition of other property of the state, except
18 that, in the case of disposals to any municipality or state
19 government or the United States for aeronautical purposes incident
20 thereto, the sale, lease, or other disposal may be effected in such
21 manner and upon such terms as the Department may deem in the best
22 interest of the state.

23 2. All airports owned by the state shall be within the primary
24 jurisdiction of the Oklahoma Department of Aerospace and Aeronautics

1 for purposes of design, development, and operation; provided, that
2 airports owned and operated by the Oklahoma Space Industry
3 Development Authority shall be exempt from such provisions, and
4 during the time of a national emergency, the Air National Guard
5 shall be exempt from such provisions, and provided further, that any
6 airport owned by the state may be leased by the Department to a
7 public or private agency, as it may deem fit.

8 3. Nothing contained in the Oklahoma Department of Aerospace
9 and Aeronautics Act shall be construed to limit any right, power, or
10 authority of the state or a municipality to regulate airport hazards
11 by zoning.

12 4. The Department may exercise any powers granted by this
13 section jointly with any municipalities or with the United States.

14 5. a. In operating an airport, vertiport, or air navigation
15 facility owned or controlled by the state, the
16 Department may enter into contracts, leases, and other
17 arrangements for a term not exceeding twenty-five (25)
18 years with any persons granting the privilege of using
19 or improving such airport, vertiport, or air
20 navigation facility or any portion or facility thereof
21 or space therein for commercial purposes; conferring
22 the privilege of supplying goods, commodities, things,
23 services, or facilities at such airport, vertiport, or
24 air navigation facility; or making available services

1 to be furnished by the Department or its agents at
2 such airport or air navigation facility.

3 In each such case, the Department may establish the
4 terms and conditions and fix the charges, rentals, or
5 fees for the privileges or services, which shall be
6 reasonable and uniform for the same class of
7 privileges or services and shall be established with
8 due regard to the property and improvements used and
9 the expenses of operation to the state; provided, that
10 in no case shall the public be deprived of its
11 rightful, equal, and uniform use of the airport,
12 vertiport, air navigation facility or portion or
13 facility thereof.

- 14 b. The Department may by contract, lease, or other
15 arrangement, upon a consideration fixed by it, grant
16 to any qualified person for a term not to exceed
17 twenty-five (25) years the privilege of operating, as
18 an agent of the state or otherwise, any airport,
19 vertiport, or air navigation facility owned or
20 controlled by the state; provided, that no such person
21 shall be granted any authority to operate the airport,
22 vertiport, or air navigation facility other than as a
23 public airport, vertiport, or air navigation facility
24 or to enter into any contracts, leases, or other

1 arrangements in connection with the operation of the
2 airport, vertiport, or air navigation facility which
3 the Department might not have undertaken under
4 subparagraph a of this paragraph.

5 c. To enforce the payment of any charges for repairs to,
6 or improvements, storage, or care of, any personal
7 property made or furnished by the Department or its
8 agents in connection with the operation of an airport,
9 vertiport, or air navigation facility owned or
10 operated by the state, the state shall have liens on
11 such property, which shall be enforceable by the
12 Department as provided by law.

13 6. In accepting federal monies under this section, the
14 Department shall have the same authority to enter into contracts on
15 behalf of the state as is granted to the Department under paragraph
16 3 of subsection H of this section with respect to federal monies
17 accepted on behalf of municipalities. All monies received by the
18 Department pursuant to this section shall be deposited in the
19 Oklahoma Department of Aerospace and Aeronautics Revolving Fund in
20 the State Treasury and shall be paid out of the Department Fund in
21 accordance with the terms and conditions of any agreement entered
22 into under the provisions of this section.

23 7. The Department shall grant no exclusive right for the use of
24 any airport, vertiport, or air navigation facility under its

1 jurisdiction. This shall not be construed to prevent the making of
2 contracts, leases, and other arrangements pursuant to paragraph 5 of
3 this subsection.

4 J. The Department may enter into any contracts necessary ~~to~~ for
5 the execution of the powers granted it by the Oklahoma Department of
6 Aerospace and Aeronautics Act. All contracts made by the
7 Department, either as the agent of the state or as the agent of any
8 municipality, shall be made pursuant to the laws of the state
9 governing the making of like contracts. When the planning,
10 acquisition, construction, improvement, maintenance, or operation of
11 any airport, vertiport, or air navigation facility is financed
12 wholly or partially with federal monies, the Department as agent of
13 the state or of any municipality may let contracts in the manner
14 prescribed by the federal authorities acting under the laws of the
15 United States and any rules or regulations made thereunder.

16 K. 1. The Oklahoma Aerospace and Aeronautics Commission, the
17 Executive Director, or any officer or employee of the Department
18 designated by it shall have the power to hold investigations,
19 inquiries, and hearings concerning matters covered by the provisions
20 of the Oklahoma Department of Aerospace and Aeronautics Act and the
21 rules, regulations, and orders of the Department. Hearings shall be
22 open to the public and shall be held upon such call or notice as the
23 Commission shall deem advisable. Each member of the Commission, the
24 Director, and every officer or employee of the Department designated

1 by it to hold any inquiry, investigation, or hearing shall have the
2 power to administer oaths and affirmations, certify to all official
3 acts, issue subpoenas, and order the attendance and testimony of
4 witnesses and the production of papers, books, and documents. In
5 case of the failure of any person to comply with any subpoena or
6 order issued under the authority of this subsection, or on the
7 refusal of any witness to testify to any matters regarding which he
8 or she may be lawfully interrogated, it shall be the duty of the
9 district court of any county or of the judge thereof, on application
10 of the Department or its authorized representative, to compel
11 obedience by proceedings for contempt, as in the case of
12 disobedience of the requirements of a subpoena issued from such
13 court or a refusal to testify therein.

14 2. In order to facilitate the making of investigations by the
15 Department in the interest of public safety and promotion of
16 aeronautics the public interest requires, and it is therefore
17 provided, that the reports of investigations or hearings, or any
18 part thereof, shall not be admitted in evidence or used for any
19 purpose in any suit, action, or proceeding growing out of any matter
20 referred to in the investigation, hearing, or report thereof, except
21 in case of any suit, action, or proceeding, civil or criminal,
22 instituted by or in behalf of the Department or in the name of the
23 state under the provisions of the Oklahoma Department of Aerospace
24 and Aeronautics Act or other laws of the state relating to

1 aeronautics; nor shall any member of the Commission, or the
2 Executive Director, or any officer or employee of the Department be
3 required to testify to any facts ascertained in, or information
4 gained by reason of, such person's official capacity, or be required
5 to testify as an expert witness in any suit, action, or proceeding
6 involving any aircraft. Subject to the foregoing provisions, the
7 Department may in its discretion make available to appropriate
8 federal, state and municipal agencies information and material
9 developed in the course of its investigations and hearings.

10 L. 1. The Department is authorized to confer with or to hold
11 joint hearings with any agency of the United States in connection
12 with any matter arising under the Oklahoma Department of Aerospace
13 and Aeronautics Act or relating to the sound development of
14 aerospace and aeronautics.

15 2. The Department is authorized to avail itself of the
16 cooperation, services, records, and facilities of the agencies of
17 the United States as fully as may be practicable in the
18 administration and enforcement of the Oklahoma Department of
19 Aerospace and Aeronautics Act. The Department shall furnish to the
20 agencies of the United States its cooperation, services, records,
21 and facilities, insofar as may be practicable.

22 3. The Department shall report to the appropriate agency of the
23 United States all accidents in aeronautics in this state of which it
24 is informed and shall, insofar as is practicable, preserve, protect,
25

1 and prevent the removal of the component parts of any aircraft
2 involved in an accident being investigated by it until the federal
3 agency institutes an investigation.

4 M. The Department may organize and administer an aerospace
5 education program in cooperation with universities, colleges and
6 schools for the general public. The Department may also plan and
7 act jointly in a cooperative aviation research or high technology
8 program. As part of these programs, the Department may issue
9 aviation communication films and publications.

10 N. The Department shall administer an airport inspection
11 program for all public-use airports within this state. The
12 inspection program shall occur on a three-year cycle and shall be
13 administered by the Oklahoma Department of Aerospace and
14 Aeronautics. Airport owners, including individuals and
15 municipalities, shall provide access to airport facilities for
16 conducting the inspections. The Department shall provide a written
17 report to each public-use airport detailing the findings of such
18 inspections.

19 SECTION 15. REPEALER 3 O.S. 2021, Section 85, as last
20 amended by Section 14, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025,
21 Section 85), is hereby repealed.

22 SECTION 16. REPEALER 3 O.S. 2021, Section 85, as last
23 amended by Section 14, Chapter 135, O.S.L. 2024 (3 O.S. Supp. 2025,
24 Section 85), is hereby repealed.

1 SECTION 17. REPEALER 3 O.S. 2021, Section 421, as last
2 amended by Section 15, Chapter 18, O.S.L. 2024 (3 O.S. Supp. 2025,
3 Section 421), is hereby repealed.

4 SECTION 18. AMENDATORY 10 O.S. 2021, Section 1116.2, as
5 amended by Section 7, Chapter 347, O.S.L. 2024 (10 O.S. Supp. 2025,
6 Section 1116.2), is amended to read as follows:

7 Section 1116.2. A. There is hereby established a
8 postadjudication review board in each judicial district in the
9 state. Members and alternate members of the postadjudication review
10 boards shall be residents of or employed within the judicial
11 district in which the board serves and shall be appointed by the
12 Director of the Oklahoma Commission on Children and Youth after
13 consultation with judges in the judicial district having juvenile
14 docket responsibility. In the event of a conflict of interest or
15 for any reason when circumstances dictate, the Director may transfer
16 the appointment decision to the Commission whose decision shall be
17 final. An aggrieved candidate may appeal a decision of the Director
18 denying appointment within five (5) days to the Commission, whose
19 decision shall be final. The Commission may establish additional
20 postadjudication review boards as needed for each county within a
21 judicial district.

22 B. A postadjudication review board for each judicial district
23 shall consist of at least five (5) members. Alternate review board
24 members may be appointed to serve in the absence of a regularly

1 appointed board ~~member~~ members. Alternate board members shall be
2 appointed in the same manner as regularly appointed board members.

3 C. Board members shall be appointed for a term of five (5)
4 years. Members shall serve after the expiration of their terms
5 until their respective successors shall have been appointed.

6 Vacancies shall be filled for the duration of unexpired terms. The
7 review board members shall be appointed as follows:

8 1. One member shall be a person who has training or experience
9 in issues concerning child welfare, or a person who has demonstrated
10 an interest in children through voluntary community service or
11 professional activities;

12 2. Whenever possible, at least one member of the board shall be
13 an individual who has served as a foster parent, provided that no
14 person on the review board shall participate as a board member in
15 any review hearing in which the person is a party; and

16 3. No more than one person employed by any child welfare agency
17 or juvenile court may be appointed to a board at the same time,
18 provided such person shall not participate in any review hearing in
19 which the person is professionally involved.

20 D. Each review board shall annually elect a chair and shall
21 provide the Commission with the contact information of the chair. A
22 list of the members of each local board and its officers shall be
23 filed with the Presiding Judge of the judicial district and each
24 judge within the district having juvenile docket responsibility.

1 E. There shall be a rebuttable presumption that a person
2 participating in a judicial proceeding as a postadjudication review
3 board member, a member of the State Postadjudication Review Advisory
4 Board created in Section 1116.6 of this title, or postadjudication
5 review board staff is acting in good faith. When acting in good
6 faith, a participant shall be immune from any civil liability that
7 might otherwise be incurred or imposed. Each review board shall
8 meet as often as is necessary at a place it designates to carry out
9 the duties of the board established by Section 1116.3 of this title.
10 The review board shall meet at least twice annually. ~~Each review~~
11 ~~board shall be subject to the provisions of the Oklahoma Open~~
12 ~~Meeting Act, except that the actual case reviews shall be held in~~
13 ~~executive session.~~ Upon request, members or prospective members of
14 other review boards, students or researchers may observe, but not
15 participate in, board meetings subject to conditions imposed by the
16 board. Further, members and staff of the State Postadjudication
17 Review Advisory Board who are exercising their oversight
18 responsibilities pursuant to state law may observe, but not
19 participate in, board meetings. All parties shall maintain
20 confidentiality, and the names of the children in placement shall
21 not be published. Temporary ad hoc review boards may be created in
22 counties in which there is no active review board. The Director of
23 the Oklahoma Commission on Children and Youth may appoint active or
24 alternate members of existing review boards to serve as members of

1 local boards that are unable to meet quorum requirements and to
2 temporarily constitute members of a new board where no current board
3 exists. A member appointed to temporary service shall be fully
4 qualified as provided by law, and such service shall terminate when
5 the basis for the appointment is remedied or upon the order of the
6 Director.

7 F. As a condition of service, members and alternates of a
8 postadjudication review board shall attend the next available
9 orientation program after appointment to the board. Failure to
10 attend an orientation program, at the discretion of the Commission,
11 may result in the removal of the board member. Members shall
12 receive additional training as required by the Commission.

13 G. Members of postadjudication review boards shall serve
14 without compensation, but shall be reimbursed for travel and
15 training expenses from monies appropriated by the Legislature for
16 such purposes, as provided by the State Travel Reimbursement Act.
17 The Commission shall provide members of postadjudication review
18 boards with necessary operating supplies or members shall be
19 reimbursed for these expenses.

20 H. The Commission on Children and Youth shall be responsible
21 for developing procedures for the removal of a member from a
22 postadjudication review board. The grounds for removal shall
23 include but not be limited to:

1 1. Failure to attend board meetings as required by the
2 Commission;

3 2. Engaging in illegal conduct involving moral turpitude;

4 3. Engaging in conduct involving dishonesty, fraud, deceit, or
5 misrepresentation; or

6 4. Wrongful disclosure of information as provided by Section
7 1116.4 of this title.

8 I. Necessary staff assistance required by the postadjudication
9 review boards may be provided by the bailiff or bailiffs, or other
10 person designated by the court, of the judges with juvenile docket
11 responsibility in the judicial district. Upon the request of the
12 presiding judge, the Chief Justice of the Supreme Court may
13 authorize additional staff to be paid from local court funds to
14 assist the review board.

15 The Administrative Director of the Courts may include such
16 additional funding requests in the annual budget for the courts as
17 are necessary to provide staff and administrative support for the
18 review boards.

19 SECTION 19. REPEALER 10 O.S. 2021, Section 1116.2, as
20 amended by Section 1, Chapter 237, O.S.L. 2024 (10 O.S. Supp. 2025,
21 Section 1116.2), is hereby repealed.

22 SECTION 20. AMENDATORY 10 O.S. 2021, Section 1116.6, as
23 amended by Section 9, Chapter 347, O.S.L. 2024 (10 O.S. Supp. 2025,
24 Section 1116.6), is amended to read as follows:

1 Section 1116.6. A. There is hereby created a State
2 Postadjudication Review Advisory Board which shall meet at least
3 twice each calendar year. The Advisory Board shall have the duty of
4 overseeing implementation of the postadjudication review program in
5 coordination with the Oklahoma Commission on Children and Youth.

6 B. The Advisory Board shall consist of twenty-one (21) members
7 appointed by the Governor as follows:

8 1. Eight of the members shall be members of the various review
9 boards throughout the state;

10 2. Five of the members shall be judges of the district court;

11 3. Five of the members shall represent the general public and
12 may be foster parents;

13 4. One of the members shall be a foster parent representing
14 foster parents who have a current contract with the Department of
15 Human Services to provide foster care services;

16 5. One of the members shall be a foster parent representing
17 child-placing agencies which have current contracts with the
18 Department to provide foster care services; and

19 6. One of the members shall be a foster parent nominated by any
20 local or statewide foster parent association.

21 The members shall serve at the pleasure of the Governor. The
22 administrative heads of the divisions which have foster care
23 responsibilities within the Department of Human Services and the
24

1 Office of Juvenile Affairs or their designees shall serve as ex
2 officio members of the Board.

3 C. The Director of the Oklahoma Commission on Children and
4 Youth shall make staff support available to the Advisory Board.

5 The Advisory Board shall have the duty to:

6 1. Assist in the training of the members of the review boards;

7 2. Serve, in coordination with the Commission, as a
8 clearinghouse for information concerning the review boards as they
9 relate to the foster care system;

10 3. Make recommendations to the courts, the Commission, the
11 Governor, the Legislature, the Department of Human Services, the
12 Office of Juvenile Affairs, and other state agencies providing
13 services to children regarding proposed statutory revisions and
14 amendments to court rules and procedures, and review and make
15 recommendations on permanency planning, foster care and child
16 welfare service delivery policies, guidelines, and procedures;

17 4. Work with both public and private foster care and adoption
18 agencies to inform the public of the need for temporary and
19 permanent homes and other services for deprived children; and

20 5. Review and make recommendations specifically related to
21 foster care and permanency planning and on any other aspect of the
22 child welfare system it deems necessary.

1 D. The Commission, with the assistance of the Advisory Board,
2 shall be responsible for developing and providing the necessary
3 training for members of the postadjudication review boards.

4 E. The Advisory Board shall submit a report of the activities,
5 findings and recommendations of the review boards to the Commission
6 on or before May 1 of each year. The report shall include, but not
7 be limited to, the following:

- 8 1. The location of each review board;
- 9 2. The names of the members of each board;
- 10 3. The number of cases reviewed by each board; and
- 11 4. The recommendation categories made by each board.

12 F. The Commission shall incorporate, as appropriate, the
13 activities and recommendations of the review boards in the annual
14 report required by Section 601.5 of this title.

15 SECTION 21. REPEALER 10 O.S. 2021, Section 1116.6, as
16 amended by Section 2, Chapter 237, O.S.L. 2024 (10 O.S. Supp. 2025,
17 Section 1116.6), is hereby repealed.

18 SECTION 22. AMENDATORY 10A O.S. 2021, Section 1-1-105,
19 as amended by Section 1, Chapter 375, O.S.L. 2025 (10A O.S. Supp.
20 2025, Section 1-1-105), is amended to read as follows:

21 Section 1-1-105. When used in the Oklahoma Children's Code,
22 unless the context otherwise requires:

- 23 1. "Abandonment" means:
- 24
- 25

- a. the willful intent by words, actions, or omissions not to return for a child,
- b. the failure to maintain a significant parental relationship with a child through visitation or communication in which incidental or token visits or communication are not considered significant, or
- c. the failure to respond to notice of deprived proceedings;

2. "Abuse" means harm or threatened harm to the health, safety, or welfare of a child by a person responsible for the child's health, safety, or welfare, including, but not limited to, nonaccidental physical or mental injury, sexual abuse, or sexual exploitation. Provided, however, that nothing contained in the Oklahoma Children's Code shall prohibit any parent from using ordinary force as a means of discipline including, but not limited to, spanking, switching, or paddling.

- a. "Harm or threatened harm to the health, safety, or welfare of a child" means any real or threatened physical, mental, or emotional injury or damage to the body or mind that is not accidental including, but not limited to, sexual abuse, sexual exploitation, neglect, or dependency.
- b. "Sexual abuse" includes but is not limited to rape, incest, and lewd or indecent acts or proposals made to

1 a child, as defined by law, by a person responsible
2 for the health, safety, or welfare of the child.

3 c. "Sexual exploitation" includes but is not limited to
4 allowing, permitting, encouraging, or forcing a child
5 to engage in prostitution, as defined by law, by any
6 person eighteen (18) years of age or older or by a
7 person responsible for the health, safety, or welfare
8 of a child, or allowing, permitting, encouraging, or
9 engaging in the lewd, obscene, or pornographic, as
10 defined by law, photographing, filming, or depicting
11 of a child in those acts by a person responsible for
12 the health, safety, and welfare of the child;

13 3. "Adjudication" means a finding by the court that the
14 allegations in a petition alleging that a child is deprived are
15 supported by a preponderance of the evidence;

16 4. "Adjudicatory hearing" means a hearing by the court as
17 provided by Section 1-4-601 of this title;

18 5. "Age-appropriate or developmentally appropriate" means:

19 a. activities or items that are generally accepted as
20 suitable for children of the same age or level of
21 maturity or that are determined to be developmentally
22 appropriate for a child, based on the development of
23 cognitive, emotional, physical, and behavioral
24

1 capacities that are typical for an age or age group,
2 and

- 3 b. in the case of a specific child, activities or items
4 that are suitable for that child based on the
5 developmental stages attained by the child with
6 respect to the cognitive, emotional, physical, and
7 behavioral capacities of the specific child.

8 In the event that any age-related activities have implications
9 relative to the academic curriculum of a child, nothing in this
10 paragraph shall be construed to authorize an officer or employee of
11 the federal government to mandate, direct, or control a state or
12 local educational agency, or the specific instructional content,
13 academic achievement standards and assessments, curriculum, or
14 program of instruction of a school;

15 6. "Assessment" means a comprehensive review of child safety
16 and evaluation of family functioning and protective capacities that
17 is conducted in response to a child abuse or neglect referral that
18 does not allege a serious and immediate safety threat to a child;

19 7. "Behavioral health" means mental health, substance abuse, or
20 co-occurring mental health and substance abuse diagnoses, and the
21 continuum of mental health, substance abuse, or co-occurring mental
22 health and substance abuse treatment;

23 8. "Child" means any unmarried person under eighteen (18) years
24 of age;

1 9. "Child advocacy center" means a center and the
2 multidisciplinary child abuse team of which it is a member that is
3 accredited by the National Children's Alliance or that is completing
4 a sixth year of reaccreditation. Child advocacy centers shall be
5 classified, based on the child population of a district attorney's
6 district, as follows:

- 7 a. nonurban centers in districts with child populations
8 that are less than sixty thousand (60,000), and
- 9 b. mid-level nonurban centers in districts with child
10 populations equal to or greater than sixty thousand
11 (60,000), but not including Oklahoma and Tulsa
12 Counties;

13 10. "Child with a disability" means any child who has a
14 physical or mental impairment which substantially limits one or more
15 of the major life activities of the child, or who is regarded as
16 having such an impairment by a competent medical professional;

17 11. "Child-placing agency" means an agency that arranges for or
18 places a child in a foster family home, family-style living program,
19 group home, adoptive home, or a successful adulthood program;

20 12. "Children's emergency resource center" means a community-
21 based program that may provide emergency care and a safe and
22 structured homelike environment or a host home for children
23 providing food, clothing, shelter and hygiene products to each child
24 served; after-school tutoring; counseling services; life-skills

1 training; transition services; assessments; family reunification;
2 respite care; transportation to or from school, doctors'
3 appointments, visitations and other social, school, court or other
4 activities when necessary; and a stable environment for children in
5 crisis who are in custody of the Department of Human Services if
6 permitted under the Department's policies and regulations, or who
7 have been voluntarily placed by a parent or custodian during a
8 temporary crisis;

9 13. "Community-based services" or "community-based programs"
10 means services or programs which maintain community participation or
11 supervision in their planning, operation, and evaluation.

12 Community-based services and programs may include, but are not
13 limited to, emergency shelter, crisis intervention, group work, case
14 supervision, job placement, recruitment and training of volunteers,
15 consultation, medical, educational, home-based services, vocational,
16 social, preventive and psychological guidance, training, counseling,
17 early intervention and diversionary substance abuse treatment,
18 sexual abuse treatment, transitional living, independent living, and
19 other related services and programs;

20 14. "Concurrent permanency planning" means, when indicated, the
21 implementation of two plans for a child entering foster care. One
22 plan focuses on reuniting the parent and child; the other seeks to
23 find a permanent out-of-home placement for the child with both plans
24 being pursued simultaneously;

1 15. "Court-appointed special advocate" or "CASA" means a
2 responsible adult volunteer who has been trained and is supervised
3 by a court-appointed special advocate program recognized by the
4 court, and when appointed by the court, serves as an officer of the
5 court in the capacity as a guardian ad litem;

6 16. "Court-appointed special advocate program" means an
7 organized program, administered by either an independent, not-for-
8 profit corporation, a dependent project of an independent, not-for-
9 profit corporation or a unit of local government, which recruits,
10 screens, trains, assigns, supervises and supports volunteers to be
11 available for appointment by the court as guardians ad litem;

12 17. "Custodian" means an individual other than a parent, legal
13 guardian or Indian custodian, to whom legal custody of the child has
14 been awarded by the court. As used in this title, the term
15 custodian shall not mean the Department of Human Services;

16 18. "Day treatment" means a nonresidential program which
17 provides intensive services to a child who resides in the child's
18 own home, the home of a relative, a group home, a foster home, or a
19 residential child care facility. Day treatment programs include,
20 but are not limited to, educational services;

21 19. "Department" means the Department of Human Services;

22 20. "Dependency" means a child who is homeless or without
23 proper care or guardianship through no fault of his or her parent,
24 legal guardian, or custodian;

1 21. "Deprived child" means a child:

- 2 a. who is for any reason destitute, homeless, or
3 abandoned,
4 b. who does not have the proper parental care or
5 guardianship,
6 c. who has been abused or neglected or is dependent,
7 d. whose home is an unfit place for the child by reason
8 of depravity on the part of the parent or legal
9 guardian of the child, or other person responsible for
10 the health or welfare of the child,
11 e. who is a child in need of special care and treatment
12 because of the child's physical or mental condition,
13 and the child's parents, legal guardian, or other
14 custodian is unable or willfully fails to provide such
15 special care and treatment. As used in this
16 paragraph, a child in need of special care and
17 treatment includes, but is not limited to, a child who
18 at birth tests positive for alcohol or a controlled
19 dangerous substance and who, pursuant to a drug or
20 alcohol screen of the child and an assessment of the
21 parent, is determined to be at risk of harm or
22 threatened harm to the health, safety, or welfare of a
23 child,

- 1 f. who is a child with a disability deprived of the
2 nutrition necessary to sustain life or of the medical
3 treatment necessary to remedy or relieve a life-
4 threatening medical condition in order to cause or
5 allow the death of the child if such nutrition or
6 medical treatment is generally provided to similarly
7 situated children without a disability or children
8 with disabilities; provided that no medical treatment
9 shall be necessary if, in the reasonable medical
10 judgment of the attending physician, such treatment
11 would be futile in saving the life of the child,
- 12 g. who, due to improper parental care and guardianship,
13 is absent from school as specified in Section 10-106
14 of Title 70 of the Oklahoma Statutes, if the child is
15 subject to compulsory school attendance,
- 16 h. whose parent, legal guardian or custodian for good
17 cause desires to be relieved of custody,
- 18 i. who has been born to a parent whose parental rights to
19 another child have been involuntarily terminated by
20 the court and the conditions which led to the making
21 of the finding, which resulted in the termination of
22 the parental rights of the parent to the other child,
23 have not been corrected, or
24

1 j. whose parent, legal guardian, or custodian has
2 subjected another child to abuse or neglect or has
3 allowed another child to be subjected to abuse or
4 neglect and is currently a respondent in a deprived
5 proceeding.

6 Nothing in the Oklahoma Children's Code shall be construed to
7 mean a child is deprived for the sole reason the parent, legal
8 guardian, or person having custody or control of a child, in good
9 faith, selects and depends upon spiritual means alone through
10 prayer, in accordance with the tenets and practice of a recognized
11 church or religious denomination, for the treatment or cure of
12 disease or remedial care of such child.

13 Evidence of material, educational or cultural disadvantage as
14 compared to other children shall not be sufficient to prove that a
15 child is deprived; the state shall prove that the child is deprived
16 as defined pursuant to this title.

17 Nothing contained in this paragraph shall prevent a court from
18 immediately assuming custody of a child and ordering whatever action
19 may be necessary, including medical treatment, to protect the
20 child's health or welfare;

21 22. "Dispositional hearing" means a hearing by the court as
22 provided by Section 1-4-706 of this title;

23 23. "Drug-endangered child" means a child who is at risk of
24 suffering physical, psychological or sexual harm as a result of the
25

1 use, possession, distribution, manufacture or cultivation of
2 controlled substances, or the attempt of any of these acts, by a
3 person responsible for the health, safety or welfare of the child,
4 as defined in this section. This term includes circumstances
5 wherein the substance abuse of the person responsible for the
6 health, safety or welfare of the child interferes with that person's
7 ability to parent and provide a safe and nurturing environment for
8 the child;

9 24. "Emergency custody" means the custody of a child prior to
10 adjudication of the child following issuance of an order of the
11 district court pursuant to Section 1-4-201 of this title or
12 following issuance of an order of the district court pursuant to an
13 emergency custody hearing, as specified by Section 1-4-203 of this
14 title;

15 25. "Facility" means a place, an institution, a building or
16 part thereof, a set of buildings, or an area whether or not
17 enclosing a building or set of buildings used for the lawful custody
18 and treatment of children;

19 26. "Failure to protect" means failure to take reasonable
20 action to remedy or prevent child abuse or neglect, and includes the
21 conduct of a nonabusing parent or guardian who knows the identity of
22 the abuser or the person neglecting the child, but lies, conceals or
23 fails to report the child abuse or neglect or otherwise take
24 reasonable action to end the abuse or neglect;

1 27. "Family-style living program" means a residential program
2 providing sustained care and supervision to residents in a homelike
3 environment not located in a building used for commercial activity;

4 28. "Foster care" or "foster care services" means continuous
5 twenty-four-hour care and supportive services provided for a child
6 in foster placement including, but not limited to, the care,
7 supervision, guidance, and rearing of a foster child by the foster
8 parent;

9 29. "Foster family home" means the private residence of a
10 foster parent who provides foster care services to a child. Such
11 term shall include a nonkinship foster family home, a therapeutic
12 foster family home, or the home of a relative or other kinship care
13 home;

14 30. "Foster parent eligibility assessment" includes a criminal
15 background investigation including, but not limited to, a national
16 criminal history records search based upon the submission of
17 fingerprints, home assessments, and any other assessment required by
18 the Department of Human Services, the Office of Juvenile Affairs, or
19 any child-placing agency pursuant to the provisions of the Oklahoma
20 Child Care Facilities Licensing Act;

21 31. "Guardian ad litem" means a person appointed by the court
22 pursuant to the provisions of Section 1-4-306 of this title having
23 those duties and responsibilities as set forth in that section. The
24 term guardian ad litem shall refer to a court-appointed special
25

1 advocate as well as to any other person appointed pursuant to the
2 provisions of Section 1-4-306 of this title to serve as a guardian
3 ad litem;

4 32. "Guardian ad litem of the estate of the child" means a
5 person appointed by the court to protect the property interests of a
6 child pursuant to Section 1-8-108 of this title;

7 33. "Group home" means a residential facility licensed by the
8 Department to provide full-time care and community-based services
9 for more than five but fewer than thirteen children;

10 34. "Harm or threatened harm to the health or safety of a
11 child" means any real or threatened physical, mental, or emotional
12 injury or damage to the body or mind that is not accidental
13 including, but not limited to, sexual abuse, sexual exploitation,
14 neglect, or dependency;

15 35. "Heinous and shocking abuse" includes, but is not limited
16 to, aggravated physical abuse that results in serious bodily,
17 mental, or emotional injury. "Serious bodily injury" means injury
18 that involves:

- 19 a. a substantial risk of death,
- 20 b. extreme physical pain,
- 21 c. protracted disfigurement,
- 22 d. a loss or impairment of the function of a body member,
- 23 organ, or mental faculty,
- 24

- e. an injury to an internal or external organ or the body,
- f. a bone fracture,
- g. sexual abuse or sexual exploitation,
- h. chronic abuse including, but not limited to, physical, emotional, or sexual abuse, or sexual exploitation which is repeated or continuing,
- i. torture that includes, but is not limited to, inflicting, participating in or assisting in inflicting intense physical or emotional pain upon a child repeatedly over a period of time for the purpose of coercing or terrorizing a child or for the purpose of satisfying the craven, cruel, or prurient desires of the perpetrator or another person, or
- j. any other similar aggravated circumstance;

36. "Heinous and shocking neglect" includes, but is not limited

to:

- a. chronic neglect that includes, but is not limited to, a persistent pattern of family functioning in which the caregiver has not met or sustained the basic needs of a child which results in harm to the child,
- b. neglect that has resulted in a diagnosis of the child as a failure to thrive,

1 c. an act or failure to act by a parent that results in
2 the death or near death of a child or sibling, serious
3 physical or emotional harm, sexual abuse, or sexual
4 exploitation, or presents an imminent risk of serious
5 harm to a child, or

6 d. any other similar aggravating circumstance;

7 37. "Individualized service plan" means a document written
8 pursuant to Section 1-4-704 of this title that has the same meaning
9 as "service plan" or "treatment plan" where those terms are used in
10 the Oklahoma Children's Code;

11 38. "Infant" means a child who is twelve (12) months of age or
12 younger;

13 39. "Institution" means a residential facility offering care
14 and treatment for more than twenty residents;

15 40. a. "Investigation" means a response to an allegation of
16 abuse or neglect that involves a serious and immediate
17 threat to the safety of the child, making it necessary
18 to determine:

19 (1) the current safety of a child and the risk of
20 subsequent abuse or neglect, and

21 (2) whether child abuse or neglect occurred and
22 whether the family needs prevention- and
23 intervention-related services.
24
25

1 b. Investigation results in a written response stating
2 one of the following findings:

3 (1) "substantiated" means the Department has
4 determined, after an investigation of a report of
5 child abuse or neglect and based upon some
6 credible evidence, that child abuse or neglect
7 has occurred. When child abuse or neglect is
8 substantiated, the Department may recommend:

9 (a) court intervention if the Department finds
10 the health, safety, or welfare of the child
11 is threatened, or

12 (b) child abuse and neglect prevention- and
13 intervention-related services for the child,
14 parents or persons responsible for the care
15 of the child if court intervention is not
16 determined to be necessary,

17 (2) "unsubstantiated" means the Department has
18 determined, after an investigation of a report of
19 child abuse or neglect, that insufficient
20 evidence exists to fully determine whether child
21 abuse or neglect has occurred. If child abuse or
22 neglect is unsubstantiated, the Department may
23 recommend, when determined to be necessary, that
24 the parents or persons responsible for the care

1 of the child obtain child abuse and neglect
2 prevention- and intervention-related services, or
3 (3) "ruled out" means a report in which a child
4 protective services specialist has determined,
5 after an investigation of a report of child abuse
6 or neglect, that no child abuse or neglect has
7 occurred;

8 41. "Kinship care" means full-time care of a child by a kinship
9 relation;

10 42. "Kinship guardianship" means a permanent guardianship as
11 defined in this section;

12 43. "Kinship relation" or "kinship relationship" means
13 relatives, stepparents, or other responsible adults who have a bond
14 or tie with a child or to whom has been ascribed a family
15 relationship role with the child's parents or the child; provided,
16 however, in cases where the Indian Child Welfare Act applies, the
17 definitions contained in 25 U.S.C., Section 1903 shall control;

18 44. "Mental health facility" means a mental health or substance
19 abuse treatment facility as defined by the Inpatient Mental Health
20 and Substance Abuse Treatment of Minors Act;

21 45. "Minor" means the same as the term child as defined in this
22 section;

1 46. "Minor in need of treatment" means a child in need of
2 mental health or substance abuse treatment as defined by the
3 Inpatient Mental Health and Substance Abuse Treatment of Minors Act;

4 47. "Multidisciplinary child abuse team" means any team
5 established pursuant to Section 1-9-102 of this title of three or
6 more persons who are trained in the prevention, identification,
7 investigation, prosecution, and treatment of physical and sexual
8 child abuse and who are qualified to facilitate a broad range of
9 prevention- and intervention-related services and services related
10 to child abuse. For purposes of this definition, "freestanding"
11 means a team not used by a child advocacy center for its
12 accreditation;

13 48. "Near death" means a child is in serious or critical
14 condition, as certified by a physician, as a result of abuse or
15 neglect;

16 49. a. "Neglect" means:

17 (1) the failure or omission to provide any of the
18 following:

- 19 (a) adequate nurturance and affection, food,
20 clothing, shelter, sanitation, hygiene, or
21 appropriate education,
22 (b) medical, dental, or behavioral health care,
23 (c) supervision or appropriate caretakers to
24 protect the child from harm or threatened

1 harm of which any reasonable and prudent
2 person responsible for the child's health,
3 safety or welfare would be aware, or

4 (d) special care made necessary for the child's
5 health and safety by the physical or mental
6 condition of the child,

7 (2) the failure or omission to protect a child from
8 exposure to any of the following:

9 (a) the use, possession, sale, or manufacture of
10 illegal drugs,

11 (b) illegal activities, or

12 (c) sexual acts or materials that are not age-
13 appropriate, or

14 (3) abandonment.

15 b. Neglect shall not mean a child who engages in
16 independent activities, except if the person
17 responsible for the child's health, safety or welfare
18 willfully disregards any harm or threatened harm to
19 the child, given the child's level of maturity,
20 physical condition or mental abilities. Such
21 independent activities include but are not limited to:

22 (1) traveling to and from school including by
23 walking, running or bicycling,
24

- (2) traveling to and from nearby commercial or recreational facilities,
- (3) engaging in outdoor play,
- (4) remaining at home unattended for a reasonable amount of time,
- (5) remaining in a vehicle if the temperature inside the vehicle is not or will not become dangerously hot or cold, except under the conditions described in Section 11-1119 of Title 47 of the Oklahoma Statutes, or
- (6) engaging in similar activities alone or with other children.

Nothing in this paragraph shall be construed to mean a child is abused or neglected for the sole reason the parent, legal guardian or person having custody or control of a child, in good faith, selects and depends upon spiritual means alone through prayer, in accordance with the tenets and practice of a recognized church or religious denomination, for the treatment or cure of disease or remedial care of such child. Nothing contained in this paragraph shall prevent a court from immediately assuming custody of a child, pursuant to the Oklahoma Children's Code, and ordering whatever action may be necessary, including medical treatment, to protect the child's health or welfare;

1 50. "Permanency hearing" means a hearing by the court pursuant
2 to Section 1-4-811 of this title;

3 51. "Permanent custody" means the court-ordered custody of an
4 adjudicated deprived child when a parent-child relationship no
5 longer exists due to termination of parental rights or due to the
6 death of a parent or parents;

7 52. "Permanent guardianship" means a judicially created
8 relationship between a child, a kinship relation of the child, or
9 other adult established pursuant to the provisions of Section 1-4-
10 709 of this title;

11 53. "Person responsible for a child's health, safety, or
12 welfare" includes a parent; a legal guardian; custodian; a foster
13 parent; a person eighteen (18) years of age or older with whom the
14 child's parent cohabitates or any other adult residing in the home
15 of the child; an agent or employee of a public or private
16 residential home, institution, facility or day treatment program as
17 defined in Section 175.20 of Title 10 of the Oklahoma Statutes; or
18 an owner, operator, or employee of a child care facility as defined
19 by Section 402 of Title 10 of the Oklahoma Statutes;

20 54. "Plan of safe care" means a plan developed for an infant
21 with Neonatal Abstinence Syndrome or a Fetal Alcohol Spectrum
22 Disorder upon release from the care of a health care provider that
23 addresses the health and substance use treatment needs of the infant
24 and mother or caregiver;

1 55. "Protective custody" means custody of a child taken by a
2 law enforcement officer or designated employee of the court without
3 a court order;

4 56. "Putative father" means an alleged father as that term is
5 defined in Section 7700-102 of Title 10 of the Oklahoma Statutes;

6 57. "Qualified residential treatment program" means a program
7 that:

- 8 a. has a trauma-informed treatment model that is designed
9 to address the needs including clinical needs as
10 appropriate, of children with serious emotional or
11 behavioral disorders or disturbances and, with respect
12 to a child, is able to implement the treatment
13 identified for the child from a required assessment,
- 14 b. has registered or licensed nursing staff and other
15 licensed clinical staff who:
 - 16 (1) provide care within the scope of their practice
17 as defined by the laws of this state,
 - 18 (2) are on-site according to the treatment model
19 referred to in subparagraph a of this paragraph,
20 and
 - 21 (3) are available twenty-four (24) hours a day and
22 seven (7) days a week,

- c. to the extent appropriate, and in accordance with the child's best interest, facilitates participation of family members in the child's treatment program,
- d. facilitates outreach to the family members of the child including siblings, documents how the outreach is made including contact information, and maintains contact information for any known biological family of the child,
- e. documents how family members are integrated into the treatment process for the child including post-discharge, and how sibling connections are maintained,
- f. provides discharge planning and family-based aftercare support for at least six (6) months post-discharge, and
- g. is licensed and accredited by any of the following independent, not-for-profit organizations:
 - (1) the Commission on Accreditation of Rehabilitation Facilities (CARF),
 - (2) the Joint Commission,
 - (3) the Council on Accreditation (COA), or
 - (4) any other federally approved independent, not-for-profit accrediting organization;

58. "Reasonable and prudent parent standard" means the standard characterized by careful and sensible parental decisions that

1 maintain the health, safety, and best interests of a child while at
2 the same time encouraging the emotional and developmental growth of
3 the child. This standard shall be used by the child's caregiver
4 when determining whether to allow a child to participate in
5 extracurricular, enrichment, cultural, and social activities. For
6 purposes of this definition, the term "caregiver" means a foster
7 parent with whom a child in foster care has been placed, a
8 representative of a group home where a child has been placed or a
9 designated official for a residential child care facility where a
10 child in foster care has been placed;

11 59. "Relative" means a grandparent, great-grandparent, brother
12 or sister of whole or half blood, aunt, uncle or any other person
13 related to the child;

14 60. "Residential child care facility" means a twenty-four-hour
15 residential facility where children live together with or are
16 supervised by adults who are not their parents or relatives;

17 61. "Review hearing" means a hearing by the court pursuant to
18 Section 1-4-807 of this title;

19 62. "Risk" means the likelihood that an incident of child abuse
20 or neglect will occur in the future;

21 63. "Safety threat" means the threat of serious harm due to
22 child abuse or neglect occurring in the present or in the very near
23 future and without the intervention of another person, a child would
24

1 likely or in all probability sustain severe or permanent disability
2 or injury, illness, or death;

3 64. "Safety analysis" means action taken by the Department in
4 response to a report of alleged child abuse or neglect that may
5 include an assessment or investigation based upon an analysis of the
6 information received according to priority guidelines and other
7 criteria adopted by the Department;

8 65. "Safety evaluation" means evaluation of a child's situation
9 by the Department using a structured, evidence-based tool to
10 determine if the child is subject to a safety threat;

11 66. "Secure facility" means a facility which is designed and
12 operated to ensure that all entrances and exits from the facility
13 are subject to the exclusive control of the staff of the facility,
14 whether or not the juvenile being detained has freedom of movement
15 within the perimeter of the facility, or a facility which relies on
16 locked rooms and buildings, fences, or physical restraint in order
17 to control behavior of its residents;

18 67. "Sibling" means a biologically or legally related brother
19 or sister of a child. This includes an individual who satisfies at
20 least one of the following conditions with respect to a child:

- 21 a. the individual is considered by state law to be a
22 sibling of the child, or
- 23 b. the individual would have been considered a sibling
24 under state law but for a termination or other

1 disruption of parental rights, such as the death of a
2 parent;

3 68. "Specialized foster care" means foster care provided to a
4 child in a foster home or agency-contracted home which:

- 5 a. has been certified by the Developmental Disabilities
6 Services Division of the Department of Human Services,
- 7 b. is monitored by the Division, and
- 8 c. is funded through the Home and Community-Based Waiver
9 Services Program administered by the Division;

10 69. "Successful adulthood program" means a program specifically
11 designed to assist a child to enhance those skills and abilities
12 necessary for successful adult living. A successful adulthood
13 program may include, but shall not be limited to, such features as
14 minimal direct staff supervision, and the provision of supportive
15 services to assist children with activities necessary for finding an
16 appropriate place of residence, completing an education or
17 vocational training, obtaining employment, or obtaining other
18 similar services;

19 70. "Temporary custody" means court-ordered custody of an
20 adjudicated deprived child;

21 71. "Therapeutic foster family home" means a foster family home
22 which provides specific treatment services, pursuant to a
23 therapeutic foster care contract, which are designed to remedy
24

1 social and behavioral problems of a foster child residing in the
2 home;

3 72. "Third party" means any nonkin individual who is not
4 related to the child by blood, marriage, or legal adoption;

5 73. "Time-limited reunification services" means reunification
6 services provided only during the period of fifteen (15) months that
7 begins on the date the child is considered to have entered foster
8 care;

9 ~~73.~~ 74. "Trafficking in persons" means sex trafficking or
10 severe forms of trafficking in persons as described in Section 7102
11 of Title 22 of the United States Code:

12 a. "sex trafficking" means the recruitment, harboring,
13 transportation, provision, obtaining, patronizing or
14 soliciting of a person for the purpose of a commercial
15 sex act, and

16 b. "severe forms of trafficking in persons" means:

17 (1) sex trafficking in which a commercial sex act is
18 induced by force, fraud, or coercion, or in which
19 the person induced to perform such act has not
20 attained eighteen (18) years of age, or

21 (2) the recruitment, harboring, transportation,
22 provision, obtaining, patronizing or soliciting
23 of a person for labor or services, through the
24 use of force, fraud, or coercion for the purpose

1 of subjection to involuntary servitude, peonage,
2 debt bondage, or slavery;

3 ~~74.~~ 75. "Transitional living program" means a residential
4 program that may be attached to an existing facility or operated
5 solely for the purpose of assisting children to develop the skills
6 and abilities necessary for successful adult living. The program
7 may include, but shall not be limited to, reduced staff supervision,
8 vocational training, educational services, employment and employment
9 training, and other appropriate independent living skills training
10 as a part of the transitional living program; and

11 ~~75.~~ 76. "Voluntary foster care placement" means the temporary
12 placement of a child by the parent, legal guardian or custodian of
13 the child in foster care pursuant to a signed placement agreement
14 between the Department or a child-placing agency and the child's
15 parent, legal guardian or custodian.

16 SECTION 23. REPEALER 10A O.S. 2021, Section 1-1-105, as
17 amended by Section 1, Chapter 149, O.S.L. 2025 (10A O.S. Supp. 2025,
18 Section 1-1-105), is hereby repealed.

19 SECTION 24. AMENDATORY 15 O.S. 2021, Section 141.13, as
20 amended by Section 7, Chapter 225, O.S.L. 2024 (15 O.S. Supp. 2025,
21 Section 141.13), is amended to read as follows:

22 Section 141.13. A. No service warranty form or related form
23 shall be issued or used in this state unless the form has been filed
24 with the Insurance Commissioner. Service warranty forms shall not

1 be subject to prior approval and shall be filed with the Insurance
2 Commissioner for informational purposes only.

3 B. Each service warranty contract shall contain a cancelation
4 provision. In the event the contract is canceled by the warranty
5 holder, return of the provider fee shall be based upon ninety
6 percent (90%) of the unearned pro rata provider fee less the actual
7 cost of any service provided under the service warranty contract.
8 In the event the contract is canceled by the association, return of
9 premium shall be based upon one hundred percent (100%) of unearned
10 pro rata provider fee less the actual cost of any service provided
11 under the service warranty contract.

12 C. Service warranties shall state the name ~~and~~, address and
13 license number of the service warranty association and shall
14 identify any administrator if different from the service warranty
15 association, the service warranty seller and the service warranty
16 holder to the extent that the name of the service warranty holder
17 has been furnished by the service warranty holder. For service
18 warranties issued on and after July 1, 2017, the identity of the
19 service warranty association and its license number shall be
20 preprinted on the service warranty or added at the time of sale so
21 consumers can clearly identify the obligor of the service warranty.
22 Information to be printed at the time of sale shall be indicated as
23 such at the time the service warranty is filed and a "Jane Doe"

1 specimen shall accompany the service warranty illustrating how the
2 service warranty will look after printing.

3 Each person and service warranty association shall
4 electronically submit, in the form and manner prescribed by the
5 Commissioner, any change of legal business name, "doing business as"
6 or assumed name, address, or contact email address within thirty
7 (30) days after the change occurred, and any fees deemed necessary
8 by the Commissioner. Any submission of a change under this
9 paragraph received more than thirty (30) days after the change
10 occurs shall be accompanied by a fee of Fifty Dollars (\$50.00).

11 D. The Commissioner shall have the authority to immediately
12 order a service warranty association to stop using any service
13 warranty contract if the Commissioner determines that the form:

- 14 1. Violates the Service Warranty Act;
15 2. Is misleading in any respect; or
16 3. Is reproduced so that any material provision is
17 substantially illegible.

18 E. The Insurance Commissioner may, by order, exempt from the
19 requirements of this section for so long as he or she deems proper
20 any document or form or type thereof as specified in such order, to
21 which, in his or her discretion, this section may not practicably be
22 applied, or the filing of which is, in his or her opinion, not
23 desirable or necessary for the protection of the public.
24

SECTION 25. REPEALER 15 O.S. 2021, Section 141.13, as amended by Section 1, Chapter 72, O.S.L. 2016, is hereby repealed.

SECTION 26. AMENDATORY 18 O.S. 2021, Section 1006, as amended by Section 10, Chapter 120, O.S.L. 2024 (18 O.S. Supp. 2025, Section 1006), is amended to read as follows:

Section 1006.

CERTIFICATE OF INCORPORATION; CONTENTS

A. The certificate of incorporation shall set forth:

1. The name of the corporation which shall contain one of the words "association", "company", "corporation", "club", "foundation", "fund", "incorporated", "institute", "society", "union", "syndicate", or "limited" or abbreviations thereof, with or without punctuation, or words or abbreviations thereof, with or without punctuation, of like import of foreign countries or jurisdictions; provided that such abbreviations are written in Roman characters or letters, and which shall be such as to distinguish it upon the records in the Office of the Secretary of State from:

a. names of other corporations, whether domestic or foreign, then existing or which existed at any time during the preceding three (3) years,

b. names of partnerships whether general or limited, or domestic or foreign, then in good standing or registered or which were in good standing or

1 registered at any time during the preceding three (3)
2 years,

3 c. names of limited liability companies, whether domestic
4 or foreign, then in good standing or registered or
5 which were in good standing or registered at any time
6 during the preceding three (3) years,

7 d. names of registered series of a limited liability
8 company,

9 e. trade names or fictitious names filed with the
10 Secretary of State, or

11 ~~e. corporate, limited liability company or limited~~
12 ~~partnership names~~

13 f. names of corporations, limited liability companies,
14 limited partnerships, or registered series of limited
15 liability companies reserved with the Secretary of
16 State;

17 2. The address including the street, number, city and postal
18 code of the corporation's registered office in this state, and the
19 name of the corporation's registered agent at such address;

20 3. The nature of the business or purposes to be conducted or
21 promoted. It shall be sufficient to state, either alone or with
22 other businesses or purposes, that the purpose of the corporation is
23 to engage in any lawful act or activity for which corporations may
24 be organized under the general corporation law of this state, and by

1 such statement all lawful acts and activities shall be within the
2 purposes of the corporation, except for express limitations, if any;

3 4. If the corporation is to be authorized to issue only one
4 class of stock, the total number of shares of stock which the
5 corporation shall have authority to issue and the par value of each
6 of such shares, or a statement that all such shares are to be
7 without par value. If the corporation is to be authorized to issue
8 more than one class of stock, the certificate of incorporation shall
9 set forth the total number of shares of all classes of stock which
10 the corporation shall have authority to issue and the number of
11 shares of each class, and shall specify each class the shares of
12 which are to be without par value and each class the shares of which
13 are to have par value and the par value of the shares of each such
14 class. The provisions of this paragraph shall not apply to
15 corporations which are not organized for profit and which are not to
16 have authority to issue capital stock. In the case of such
17 corporations, the fact that they are not to have authority to issue
18 capital stock shall be stated in the certificate of incorporation.
19 The provisions of this paragraph shall not apply to nonstock
20 corporations. In the case of nonstock corporations, the fact that
21 they are not authorized to issue capital stock shall be stated in
22 the certificate of incorporation. The conditions of membership, or
23 other criteria for identifying members, of nonstock corporations
24 shall likewise be stated in the certificate of incorporation or the

1 bylaws. Nonstock corporations shall have members, but the failure
2 to have members shall not affect otherwise valid corporate acts or
3 work a forfeiture or dissolution of the corporation. Nonstock
4 corporations may provide for classes or groups of members having
5 relative rights, powers and duties, and may make provision for the
6 future creation of additional classes or groups of members having
7 such relative rights, powers and duties as may from time to time be
8 established, including rights, powers and duties senior to existing
9 classes and groups of members. Except as otherwise provided in the
10 Oklahoma General Corporation Act, nonstock corporations may also
11 provide that any member or class or group of members shall have
12 full, limited, or no voting rights or powers, including that any
13 member or class or group of members shall have the right to vote on
14 a specified transaction even if that member or class or group of
15 members does not have the right to vote for the election of members
16 of the governing body of the corporation. Voting by members of a
17 nonstock corporation may be on a per capita, number, financial
18 interest, class, group, or any other basis set forth. The
19 provisions referred to in the three preceding sentences may be set
20 forth in the certificate of incorporation or the bylaws. If neither
21 the certificate of incorporation nor the bylaws of a nonstock
22 corporation state the conditions of membership, or other criteria
23 for identifying members, the members of the corporation shall be
24 deemed to be those entitled to vote for the election of the members

1 of the governing body pursuant to the certificate of incorporation
2 or bylaws of such corporation or otherwise until thereafter
3 otherwise provided by the certificate of incorporation or the
4 bylaws;

5 5. The name and mailing address of the incorporator or
6 incorporators;

7 6. If the powers of the incorporator or incorporators are to
8 terminate upon the filing of the certificate of incorporation, the
9 names and mailing addresses of the persons who are to serve as
10 directors until the first annual meeting of shareholders or until
11 their successors are elected and qualify;

12 7. If the corporation is not for profit:

13 a. that the corporation does not afford pecuniary gain,
14 incidentally or otherwise, to its members as such,

15 b. the name and mailing address of each member of the
16 governing body,

17 c. the number of members of the governing body to be
18 elected at the first meeting, and

19 d. in the event the corporation is a church, the street
20 address of the location of the church.

21 The restriction on affording pecuniary gain to members shall not
22 prevent a not-for-profit corporation operating as a cooperative from
23 rebating excess revenues to patrons who may also be members; and
24

1 8. If the corporation is a charitable nonstock and does not
2 otherwise provide in its certificate of incorporation:

- 3 a. that the corporation is organized exclusively for
4 charitable, religious, educational, and scientific
5 purposes including, for such purposes, the making of
6 distributions to organizations that qualify as exempt
7 organizations under Section 501(c)(3) of the Internal
8 Revenue Code, or the corresponding section of any
9 future federal tax code,
10 b. that upon the dissolution of the corporation, its
11 assets shall be distributed for one or more exempt
12 purposes within the meaning of Section 501(c)(3) of
13 the Internal Revenue Code, or the corresponding
14 section of any future federal tax code, for a public
15 purpose, and
16 c. that the corporation complies with the requirements in
17 paragraph 7 of this subsection.

18 B. In addition to the matters required to be set forth in the
19 certificate of incorporation pursuant to the provisions of
20 subsection A of this section, the certificate of incorporation may
21 also contain any or all of the following matters:

- 22 1. Any provision for the management of the business and for the
23 conduct of the affairs of the corporation, and any provision
24 creating, defining, limiting and regulating the powers of the
25

1 corporation, the directors, and the shareholders, or any class of
2 the shareholders, or the governing body, the members, or any class
3 or group of the members of a nonstock corporation, if such
4 provisions are not contrary to the laws of this state. Any
5 provision which is required or permitted by any provision of the
6 Oklahoma General Corporation Act to be stated in the bylaws may
7 instead be stated in the certificate of incorporation;

8 2. The following provisions, in substantially the following
9 form:

10 a. for a corporation, other than a nonstock corporation:

11 "Whenever a compromise or arrangement is proposed
12 between this corporation and its creditors or any
13 class of them and/or between this corporation and its
14 shareholders or any class of them, any court of
15 equitable jurisdiction within this state, on the
16 application in a summary way of this corporation or of
17 any creditor or shareholder thereof or on the
18 application of any receiver or receivers appointed for
19 this corporation under the provisions of Section 1106
20 of this title or on the application of trustees in
21 dissolution or of any receiver or receivers appointed
22 for this corporation under the provisions of Section
23 1100 of this title, may order a meeting of the
24 creditors or class of creditors, and/or of the

1 shareholders or class of shareholders of this
2 corporation, as the case may be, to be summoned in
3 such manner as the court directs. If a majority in
4 number representing three-fourths (3/4) in value of
5 the creditors or class of creditors, and/or of the
6 shareholders or class of shareholders of this
7 corporation, as the case may be, agree to any
8 compromise or arrangement and to any reorganization of
9 this corporation as a consequence of such compromise
10 or arrangement, the compromise or arrangement and the
11 reorganization, if sanctioned by the court to which
12 the application has been made, shall be binding on all
13 the creditors or class of creditors, and/or on all the
14 shareholders or class of shareholders, of this
15 corporation, as the case may be, and also on this
16 corporation", and

17 b. for a nonstock corporation:

18 "Whenever a compromise or arrangement is proposed
19 between this corporation and its creditors or any
20 class of them and/or between this corporation and its
21 members or any class of them, any court of equitable
22 jurisdiction within this state may, on the application
23 in a summary way of this corporation or of any
24 creditor or member thereof or on the application of

1 any receiver or receivers appointed for this
2 corporation under the provisions of Section 1106 of
3 this title or on the application of trustees in
4 dissolution or of any receiver or receivers appointed
5 for this corporation under the provisions of Section
6 1100 of this title, order a meeting of the creditors
7 or class of creditors, and/or of the members or class
8 of members of this corporation, as the case may be, to
9 be summoned in such manner as the court directs. If a
10 majority in number representing three-fourths (3/4) in
11 value of the creditors or class of creditors, and/or
12 of the members or class of members of this
13 corporation, as the case may be, agree to any
14 compromise or arrangement and to any reorganization of
15 this corporation as a consequence of such compromise
16 or arrangement, the compromise or arrangement and the
17 reorganization, if sanctioned by the court to which
18 the application has been made, shall be binding on all
19 the creditors or class of creditors, and/or on all the
20 members or class of members, of this corporation, as
21 the case may be, and also on this corporation";

22 3. Such provisions as may be desired granting to the holders of
23 the stock of the corporation, or the holders of any class or series
24 of a class thereof, the preemptive right to subscribe to any or all

1 additional issues of stock of the corporation of any or all classes
2 or series thereof, or to any securities of the corporation
3 convertible into such stock. No shareholder shall have any
4 preemptive right to subscribe to an additional issue of stock or to
5 any security convertible into such stock unless, and except to the
6 extent that, such right is expressly granted to him in the
7 certificate of incorporation. Preemptive rights, if granted, shall
8 not extend to fractional shares;

9 4. Provisions requiring, for any corporate action, the vote of
10 a larger portion of the stock or of any class or series thereof, or
11 of any other securities having voting power, or a larger number of
12 the directors, than is required by the provisions of the Oklahoma
13 General Corporation Act;

14 5. A provision limiting the duration of the corporation's
15 existence to a specified date; otherwise, the corporation shall have
16 perpetual existence;

17 6. A provision imposing personal liability for the debts of the
18 corporation on its shareholders to a specified extent and upon
19 specified conditions; otherwise, the shareholders of a corporation
20 shall not be personally liable for the payment of the corporation's
21 debts, except as they may be liable by reason of their own conduct
22 or acts; or

23 7. A provision eliminating or limiting the personal liability
24 of a director or officer to the corporation or its shareholders for
25

1 monetary damages for breach of fiduciary duty as a director or
2 officer, provided that such provision shall not eliminate or limit
3 the liability of:

- 4 a. a director or officer for any breach of the director's
5 or officer's duty of loyalty to the corporation or its
6 shareholders,
- 7 b. a director or officer for acts or omissions not in
8 good faith or which involve intentional misconduct or
9 a knowing violation of law,
- 10 c. a director under Section 1053 of this title,
- 11 d. a director or officer for any transaction from which
12 the director or officer derived an improper personal
13 benefit, or
- 14 e. an officer in any action by or in the right of the
15 corporation.

16 No such provision shall eliminate or limit the liability of a
17 director or officer for any act or omission occurring before the
18 date when such provision becomes effective. An amendment, repeal,
19 or elimination of such provision shall not affect its application
20 with respect to an act or omission by a director or officer
21 occurring before the amendment, repeal, or elimination of the
22 provision unless the provision provides otherwise at the time of the
23 act or omission.

1 Any reference in this subsection to a director shall be deemed
2 to refer to such other persons who, under a provision of the
3 certificate of incorporation in accordance with subsection A of
4 Section 1027 of this title, exercises or performs any of the powers
5 or duties otherwise conferred or imposed upon the board of directors
6 under this title.

7 C. It shall not be necessary to set forth in the certificate of
8 incorporation any of the powers conferred on corporations by the
9 provisions of the Oklahoma General Corporation Act.

10 D. Except for provisions included under paragraphs 1, 2, 5, 6
11 and 7 of subsection A of this section and paragraphs 2, 5 and 7 of
12 subsection B of this section, and provisions included under
13 paragraph 4 of subsection A of this section specifying the classes,
14 number of shares and par value of shares a corporation other than a
15 nonstock corporation is authorized to issue, any provision of the
16 certificate of incorporation may be made dependent upon facts
17 ascertainable outside the instrument, provided that the manner in
18 which the facts shall operate upon the provision is clearly and
19 explicitly set forth therein. As used in this subsection, the term
20 "facts" includes but is not limited to the occurrence of any event
21 including a determination or action by any person or body, including
22 the corporation.

1 SECTION 27. REPEALER 18 O.S. 2021, Section 1006, as
2 amended by Section 1, Chapter 121, O.S.L. 2024 (18 O.S. Supp. 2025,
3 Section 1006), is hereby repealed.

4 SECTION 28. AMENDATORY 19 O.S. 2021, Section 1505, as
5 last amended by Section 2, Chapter 85, O.S.L. 2025 (19 O.S. Supp.
6 2025, Section 1505), is amended to read as follows:

7 Section 1505. The following procedures shall be used by
8 counties for the requisition, purchase, lease-purchase, rental, and
9 receipt of supplies, materials, road and bridge construction
10 services, equipment, and other services, except for professional
11 services as defined in Section 803 of Title 18 of the Oklahoma
12 Statutes, for the maintenance, operation, and capital expenditures
13 of county government unless otherwise provided for by law.

14 A. The procedure for requisitioning items for county offices
15 shall be as follows:

16 1. The requesting department shall prepare a requisition form
17 in triplicate. The requisition shall contain any specifications for
18 an item as deemed necessary by the requesting department. The form
19 shall be prescribed by the State Auditor and Inspector;

20 2. The requesting department shall retain a copy of the
21 requisition and forward the original requisition and a copy to the
22 county purchasing agent; and

23 3. Upon receipt of the requisition, the county purchasing
24 agent, within two (2) working days, shall begin the bidding and
25

1 purchasing process as provided for in this section. Nothing in this
2 section shall prohibit the transfer of supplies, materials, or
3 equipment between county departments upon a written agreement
4 between county officers.

5 B. The bid procedure for selecting a vendor for the purchase,
6 lease-purchase, or rental of supplies, materials, equipment, and
7 services used by a county shall be as follows:

8 1. The county purchasing agent shall request written
9 recommendations from all county officers pertaining to needed or
10 commonly used supplies, materials, road and bridge construction
11 services, equipment, and services. From such recommendations and
12 available requisition, purchase, or inventory records, the county
13 purchasing agent shall prepare a list of items needed or commonly
14 used by county officers. The county purchasing agent shall request
15 from the Purchasing Division or from the Information Services
16 Division in the case of information technology and telecommunication
17 goods and services of the Office of Management and Enterprise
18 Services all contracts quoting the price the state is paying for the
19 items. The county purchasing agent shall either request the
20 Purchasing Division or the Information Services Division of the
21 Office of Management and Enterprise Services, as applicable, to make
22 the purchase for the county or the county purchasing agent shall
23 solicit bids for unit prices on the items for periods of not to
24 exceed twelve (12) months in the manner described in paragraph 2 of

1 this subsection. If the county purchasing agent receives a
2 requisition for an item for which the county purchasing agent does
3 not have a current bid, the county purchasing agent shall request
4 from the Purchasing Division or the Information Services Division of
5 the Office of Management and Enterprise Services, as applicable, all
6 contracts quoting the price the state is paying for the item. The
7 county purchasing agent shall either request the Purchasing Division
8 or the Information Services Division of the Office of Management and
9 Enterprise Services, as applicable, to make the purchase for the
10 county or the county purchasing agent shall solicit bids in the
11 manner described in paragraph 2 of this subsection. Nothing in this
12 paragraph shall prohibit bids from being taken on an item currently
13 on a twelve-month bid list, at any time deemed necessary by the
14 county purchasing agent. Whenever the county purchasing agent deems
15 it necessary to take a bid on an item currently on a twelve-month
16 bid list, the reason for the bid shall be entered into the minutes
17 of the board of county commissioners;

18 2. Bids shall be solicited by mailing or emailing a notice to
19 all persons or firms who have made a written request of the county
20 purchasing agent that they be notified of such bid solicitation and
21 to all other persons or firms who might reasonably be expected to
22 submit bids. Notice of solicitation of bids shall also be published
23 one time in a newspaper of general circulation in the county.
24 Notices shall be mailed and published at least ten (10) days prior

1 to the date on which the bids are opened. Proof of the mailing or
2 emailing shall be made by the affidavit of the person mailing or
3 emailing the request for bids and shall be made a part of the
4 official records of the county purchasing agent. The notice shall
5 specify whether the county will consider written bids, electronic
6 bids, or both; the decision to exclusively consider either written
7 bids or electronic bids shall be determined pursuant to an
8 affirmative vote of the board of county commissioners. Whenever any
9 prospective supplier or vendor dealing in or listing for sale any
10 particular item or article required to be purchased or acquired by
11 sealed bids fails to enter or offer a sealed bid for three
12 successive bid solicitations, the name of the supplier or vendor may
13 be dropped from the mailing lists of the board of county
14 commissioners;

15 3. The sealed bids received from vendors and the state contract
16 price received from the applicable division of the Office of
17 Management and Enterprise Services shall be given to the county
18 clerk by the county purchasing agent. The county clerk shall
19 forward the sealed bids and state contract price, if any, to the
20 board of county commissioners;

21 4. The board of county commissioners, in an open meeting, shall
22 open the sealed bids and compare them to the state contract price.
23 The board of county commissioners shall select the lowest and best
24 bid based upon, if applicable, the availability of material and
25

1 transportation cost to the job site within thirty (30) days of the
2 meeting. For any special item not included on the list of needed or
3 commonly used items, the requisitioning official shall review the
4 bids and submit a written recommendation to the board before final
5 approval. The board of county commissioners shall keep a written
6 record of the meeting as required by law, and any time the lowest
7 bid was not considered to be the lowest and best bid, the reason for
8 such conclusion shall be recorded. Whenever the board of county
9 commissioners rejects the written recommendation of the
10 requisitioning official pertaining to a special item, the reasons
11 for the rejection shall be entered in their minutes and stated in a
12 letter to the requisitioning official and county purchasing agent;

13 5. The county purchasing agent shall notify the successful
14 bidders and shall maintain a copy of the notification. The county
15 purchasing agent shall prepare and maintain a vendors list
16 specifying the successful bidders and shall notify each county
17 officer of the list. The county purchasing agent may remove any
18 vendor from such list who refuses to provide goods or services as
19 provided by contract if the removal is authorized by the board of
20 county commissioners. The county purchasing agent may make
21 purchases from the remaining bidders for a price at or below the bid
22 price; and

23 6. When bids have been solicited as provided for by law and no
24 bids have been received, the procedure shall be as follows:

- 1 a. the county purchasing agent shall determine if
2 potential vendors are willing to commit to a firm
3 price for a reduced period of time, and, if such is
4 the case, the bid procedure described in this
5 subsection shall be followed,
- 6 b. if vendors are not willing to commit to a firm price
7 for a reduced period, the purchasing agent shall
8 solicit and record at least three (3) quotes of
9 current prices available to the county and authorize
10 the purchase of goods or services based on the lowest
11 and best quote as it becomes necessary to acquire such
12 goods or services. The quotes shall be recorded on a
13 form prescribed by the State Auditor and Inspector and
14 shall be attached to the purchase order and filed with
15 the county clerk's copy of the purchase order. Any
16 time the lowest quote was not considered to be the
17 lowest and best quote, the reason for this conclusion
18 shall be recorded by the county purchasing agent and
19 transmitted to the county clerk, or
- 20 c. if three quotes are not available, a memorandum to the
21 county clerk from the county purchasing agent shall
22 describe the basis upon which a purchase is
23 authorized. The memorandum shall state the reasons
24 why the price for such a purchase is the lowest and

1 best under the circumstances. The county clerk shall
2 then attach the memorandum to the county clerk's copy
3 of the purchase order and file both in the office of
4 the county clerk.

5 C. After selection of a vendor, the procedure for the purchase,
6 lease-purchase, or rental of supplies, materials, road and bridge
7 construction services, equipment, and services used by a county
8 shall be as follows:

9 1. The county purchasing agent shall prepare a purchase order
10 in quadruplicate and submit it with a copy of the requisition to the
11 county clerk;

12 2. The county clerk shall then encumber the amount stated on
13 the purchase order and assign a sequential number to the purchase
14 order;

15 3. If there is an unencumbered balance in the appropriation
16 made for that purpose by the county excise board, the county clerk
17 shall so certify in the following form:

18 "I hereby certify that the amount of this encumbrance has been
19 entered against the designated appropriation accounts and that this
20 encumbrance is within the authorized available balance of the
21 appropriation.

22 Dated this _____ day of _____, 20__.

23 _____
24 County Clerk/Deputy
25

1 of _____ County".

2 In instances where it is impossible to ascertain the exact amount of
3 the indebtedness sought to be incurred at the time of recording the
4 encumbrance, an estimated amount may be used. No purchase order
5 shall be valid unless signed by the county purchasing agent and
6 certified by the county clerk; and

7 4. The county clerk shall file the original purchase order and
8 return three (3) copies to the county purchasing agent who shall
9 file a copy, retain a copy for the county road and bridge inventory
10 officer if the purchase order is for the purchase of equipment,
11 supplies, or materials for the construction or maintenance of roads
12 and bridges, and submit the other copy to the receiving officer of
13 the requesting department.

14 D. 1. The procedure for the purchase of supplies, materials,
15 equipment, and services at public auction or by sealed bid to be
16 used by a county shall be as follows:

- 17 a. the county purchasing agent shall prepare a purchase
18 order in quadruplicate and submit it with a copy of
19 the requisition to the county clerk,
20 b. the county clerk shall then encumber the amount stated
21 on the purchase order and assign a sequential number
22 to the purchase order,
23 c. if there is an unencumbered balance in the
24 appropriation made for that purpose by the county

1 excise board, the county clerk shall so certify in the
2 following form:

3 "I hereby certify that the amount of this encumbrance
4 has been entered against the designated appropriation
5 accounts and that this encumbrance is within the
6 authorized available balance of the appropriation.

7 Dated this _____ day of _____, 20__.

8 _____
9 County Clerk/Deputy

10 of _____ County".

11 In instances where it is impossible to ascertain the
12 exact amount of the indebtedness sought to be incurred
13 at the time of recording the encumbrance, an estimated
14 amount may be used. No purchase order shall be valid
15 unless signed by the county purchasing agent and
16 certified by the county clerk, and

- 17 d. the county clerk shall file the original purchase
18 order and return three (3) copies to the county
19 purchasing agent who shall file a copy, retain a copy
20 for the county road and bridge inventory officer if
21 the purchase order is for the purchase of equipment,
22 supplies, or materials for the construction or
23 maintenance of roads and bridges, and submit the other
24

1 copy to the receiving officer of the requesting
2 department.

3 2. The procedure for the purchase of supplies, materials, and
4 equipment at a public auction when the purchase will be made with
5 the proceeds from the sale of county property at the same public
6 auction is as follows:

- 7 a. the purchasing agent shall cause such items being sold
8 to be appraised in the manner determined in Section
9 421.1 of this title,
- 10 b. the county purchasing agent shall prepare a purchase
11 order in quadruplicate and submit it with a copy of
12 the requisition to the county clerk,
- 13 c. the county clerk shall then encumber the amount of the
14 appraised value and any additional funds obligated by
15 the county on the purchase order and assign a
16 sequential number to the purchase order,
- 17 d. the county clerk shall certify that the amount of the
18 encumbrance is equal to the appraised value of the
19 item being sold plus any additional funds obligated by
20 the county. In effect, the recording of the
21 encumbrance is an estimate that is authorized by law.
22 No purchase order shall be valid unless signed by the
23 county purchasing agent and certified by the county
24 clerk,

1 e. the county clerk shall file the original purchase
2 order and return three (3) copies to the county
3 purchasing agent who shall file a copy, retain a copy
4 for the county road and bridge inventory officer if
5 the purchase order is for the purchase of equipment,
6 supplies, or materials for the construction or
7 maintenance of roads and bridges, and submit the other
8 copy to the receiving officer of the requesting
9 department, and

10 f. a purchase shall not be bid until such time that the
11 appraised item or items are sold. Any item or items
12 purchased shall not exceed the appraised value plus
13 any additional funds obligated by the county or the
14 actual selling price of the item or items, whichever
15 is the lesser amount.

16 E. The procedure for the receipt of items shall be as follows:

17 1. A receiving officer for the requesting department shall be
18 responsible for receiving all items delivered to that department;

19 2. Upon the delivery of an item, the receiving officer shall
20 determine if a purchase order exists for the item being delivered;

21 3. If no such purchase order has been provided, the receiving
22 officer shall refuse delivery of the item;

23 4. If a purchase order is on file, the receiving officer shall
24 obtain a delivery ticket, bill of lading, or other delivery document

1 and compare it with the purchase order. If any item is back-
2 ordered, the back order and estimated date of delivery shall be
3 noted in the receiving report;

4 5. The receiving officer shall complete a receiving report in
5 quadruplicate which shall state the quantity and quality of goods
6 delivered. The receiving report form shall be prescribed by the
7 State Auditor and Inspector. The person delivering the goods shall
8 acknowledge the delivery by signature, noting the date and time;

9 6. The receiving officer shall file the original receiving
10 report and submit:

- 11 a. a copy of the purchase order and a copy of the
12 receiving report to the county purchasing agent, and
- 13 b. a copy of the receiving report with the delivery
14 documentation to the county clerk;

15 7. The county purchasing agent shall file a copy of the
16 purchase order and a copy of the receiving report;

17 8. Upon receipt of the original receiving report and the
18 delivery documentation, the county clerk shall maintain a file until
19 such time as an invoice is received from the vendor;

20 9. The invoice shall state the name and address of the vendor
21 and must be sufficiently itemized to clearly describe each item
22 purchased, the unit price when applicable, the number or volume of
23 each item purchased, the total price, the total purchase price, and
24 the date of the purchase;

1 10. Upon receipt of an invoice, the county clerk shall compare
2 the following documents:

- 3 a. requisition,
- 4 b. purchase order,
- 5 c. invoice with noncollusion affidavit as required by
6 law,
- 7 d. receiving report, and
- 8 e. delivery document.

9 The documents shall be available for public inspection during
10 regular business hours; and

11 11. If the documents conform as to the quantity and quality of
12 the items, the county clerk shall prepare a warrant for payment
13 according to procedures provided for by law.

14 F. The following procedures are for the processing of purchase
15 orders:

16 1. The purchasing agent shall be allowed up to three (3) days
17 to process purchase orders to be presented to the board of county
18 commissioners for consideration and payment. Nothing herein shall
19 prevent the purchasing agent from processing or the board of county
20 commissioners from consideration and payment of utilities, travel
21 claims, and payroll claims;

22 2. The board of county commissioners shall consider the
23 purchase orders so presented and act upon the purchase orders, by
24 allowing in full or in part or by holding for further information or
25

1 disallowing the same. The disposition of purchase orders shall be
2 indicated by the board of county commissioners, showing the amounts
3 allowed or disallowed, and shall be signed by at least two members
4 of the board of county commissioners. Any claim held over for
5 further information shall be acted upon by allowing or disallowing
6 same at any future meeting of the board held within seventy-five
7 (75) days from the date of filing of the purchase order. Any
8 purchase order not acted upon within the seventy-five (75) days from
9 the date of filing shall be deemed to have been disallowed, but such
10 disallowance shall not prevent the refiling of the purchase order at
11 the proper time; and

12 3. Whenever any allowance, either in whole or in part, is made
13 upon any purchase order presented to the board of county
14 commissioners and is accepted by the person making the claim, such
15 allowance shall be a full settlement of the entire purchase order
16 and provided that the cashing of warrant shall be considered as
17 acceptance by the claimant.

18 G. The procedure upon consumption or disposal of supplies,
19 materials, or equipment shall be as follows:

20 1. For consumable road or bridge items or materials, a
21 quarterly report of the road and bridge projects completed during
22 such period shall be prepared and kept on file by the consuming
23 department. The quarterly report may be prepared and kept
24 electronically by the consuming department. The report shall

1 contain a record of the date, the place, and the purpose for the use
2 of the road or bridge items or materials. For purposes of
3 identifying county bridges, the board of county commissioners shall
4 number each bridge subject to its jurisdiction; and

5 2. For disposal of all equipment and information technology and
6 telecommunication goods which originally cost more than Five Hundred
7 Dollars (\$500.00), resolution of disposal shall be submitted by the
8 officer on a form prescribed by the Office of the State Auditor and
9 Inspector to the board of county commissioners. The approval of the
10 resolution of disposal shall be entered into the minutes of the
11 board.

12 H. Inventory forms and reports shall be retained for not less
13 than two (2) years after all audit requirements for the state and
14 federal government have been fulfilled and after any pending
15 litigation involving the forms and reports has been resolved.

16 I. The procedures provided for in this section shall not apply
17 when a county officer certifies that an emergency exists requiring
18 an immediate expenditure of funds. Such an expenditure of funds
19 shall not exceed Five Thousand Dollars (\$5,000.00). The county
20 officer shall give the county purchasing agent a written explanation
21 of the emergency. The county purchasing agent shall attach the
22 written explanation to the purchase order. The purchases shall be
23 paid by attaching a properly itemized invoice, as described in this
24 section, to a purchase order which has been prepared by the county

1 purchasing agent and submitting them to the county clerk for filing,
2 encumbering, and consideration for payment by the board of county
3 commissioners.

4 J. The county purchasing agent may authorize county purchasing
5 officers to make acquisitions through the state purchase card
6 program as authorized by the State Purchasing Director in accordance
7 with Section 85.5 of Title 74 of the Oklahoma Statutes and defined
8 in Section 85.2 of Title 74 of the Oklahoma Statutes. A purchase
9 cardholder shall sign a purchase card agreement prior to becoming a
10 cardholder and attend purchase card procedure training as required
11 by the State Purchasing Director. Complete descriptions of
12 purchases made by county government entities shall be published as
13 warrants required to be published pursuant to Sections 444 and 445
14 of this title.

15 K. Nothing in this section shall prohibit counties from
16 providing material and/or services bids on the twelve-month bid list
17 to all road and bridge projects and contracts. All non-road and
18 bridge related construction contracts shall refer to subsection A of
19 Section 103 of Title 61 of the Oklahoma Statutes.

20 L. Nothing in this section or under Section 103 of Title 61 of
21 the Oklahoma Statutes shall prohibit counties from requesting and
22 entering into interlocal agreements pursuant to the Interlocal
23 Cooperation Act for services offered by Circuit Engineering
24

1 Districts created under Section 687.1 of Title 69 of the Oklahoma
2 Statutes.

3 SECTION 29. REPEALER 19 O.S. 2021, Section 1505, as last
4 amended by Section 1, Chapter 66, O.S.L. 2025 (19 O.S. Supp. 2025,
5 Section 1505), is hereby repealed.

6 SECTION 30. AMENDATORY 22 O.S. 2021, Section 60.4, as
7 last amended by Section 704, Chapter 486, O.S.L. 2025 (22 O.S. Supp.
8 2025, Section 60.4), is amended to read as follows:

9 Section 60.4. A. 1. A copy of a petition for a protective
10 order, any notice of hearing and a copy of any emergency temporary
11 order or emergency ex parte order issued by the court shall be
12 served upon the defendant in the same manner as a bench warrant. In
13 addition, if the service is to be in another county, the court clerk
14 may issue service to the sheriff by facsimile or other electronic
15 transmission for service by the sheriff and receive the return of
16 service from the sheriff in the same manner. Any fee for service of
17 a petition for protective order, notice of hearing, and emergency ex
18 parte order shall only be charged pursuant to subsection C of
19 Section 60.2 of this title and, if charged, shall be the same as the
20 sheriff's service fee plus mileage expenses.

21 2. Emergency temporary orders, emergency ex parte orders and
22 notice of hearings shall be given priority for service and can be
23 served twenty-four (24) hours a day when the location of the
24 defendant is known, including service to the county jail if the

1 defendant is currently in custody. The initial attempt at service
2 shall be made within twenty-four (24) hours of the issuance of the
3 order. When service cannot be made upon the defendant by the
4 sheriff, the sheriff may contact another law enforcement officer or
5 a private investigator or private process server to serve the
6 defendant.

7 3. An emergency temporary order, emergency ex parte order, a
8 petition for protective order, and a notice of hearing shall have
9 statewide validity and may be transferred to any law enforcement
10 jurisdiction to effect service upon the defendant. The sheriff may
11 transmit the document by electronic means.

12 4. The return of service shall be submitted to the sheriff's
13 office or court clerk in the court where the petition, notice of
14 hearing or order was issued.

15 5. When the defendant is a minor child who is ordered removed
16 from the residence of the victim, in addition to those documents
17 served upon the defendant, a copy of the petition, notice of hearing
18 and a copy of any temporary order or ex parte order issued by the
19 court shall be delivered with the child to the caretaker of the
20 place where such child is taken pursuant to Section 2-2-101 of Title
21 10A of the Oklahoma Statutes.

22 B. 1. Within fourteen (14) days of the filing of the petition
23 for a protective order, the court shall schedule a full hearing on
24 the petition, if the court finds sufficient grounds within the scope
25

1 of the Protection from Domestic Abuse Act stated in the petition to
2 hold such a hearing, regardless of whether an emergency temporary
3 order or ex parte order has been previously issued, requested or
4 denied. Provided, however, when the defendant is a minor child who
5 has been removed from the residence pursuant to Section 2-2-101 of
6 Title 10A of the Oklahoma Statutes, the court shall schedule a full
7 hearing on the petition within seventy-two (72) hours, regardless of
8 whether an emergency temporary order or ex parte order has been
9 previously issued, requested or denied.

10 2. The court may schedule a full hearing on the petition for a
11 protective order within seventy-two (72) hours when the court issues
12 an emergency temporary order or ex parte order suspending child
13 visitation rights due to physical violence or threat of abuse.

14 3. If service has not been made on the defendant at the time of
15 the hearing, the court shall, at the request of the petitioner,
16 issue a new emergency order reflecting a new hearing date and direct
17 service to issue.

18 4. A petition for a protective order shall, upon the request of
19 the petitioner, renew every fourteen (14) days with a new hearing
20 date assigned until the defendant is served. A petition for a
21 protective order shall not expire unless the petitioner fails to
22 appear at the hearing or fails to request a new order. A petitioner
23 may move to dismiss the petition and emergency or final order at any
24 time; however, a protective order must be dismissed by court order.

1 5. Failure to serve the defendant shall not be grounds for
2 dismissal of a petition or an ex parte order unless the victim
3 requests dismissal or fails to appear for the hearing thereon.

4 6. A final protective order shall be granted or denied within
5 six (6) months of service on the defendant unless all parties agree
6 that a temporary protective order remain in effect; provided, a
7 victim shall have the right to request a final protective order
8 hearing at any time after the passage of six (6) months.

9 C. 1. At the hearing, the court may impose any terms and
10 conditions in the protective order that the court reasonably
11 believes are necessary to bring about the cessation of domestic
12 abuse against the victim or stalking or harassment of the victim or
13 the immediate family of the victim but shall not impose any term and
14 condition that may compromise the safety of the victim including,
15 but not limited to, mediation, couples counseling, family
16 counseling, parenting classes or joint victim-offender counseling
17 sessions. The court may order the defendant to obtain domestic
18 abuse counseling or treatment in a program certified by the Attorney
19 General at the expense of the defendant pursuant to Section 644 of
20 Title 21 of the Oklahoma Statutes.

21 2. If the court grants a protective order and the defendant is
22 a minor child, the court shall order a preliminary inquiry in a
23 juvenile proceeding to determine whether further court action
24

1 pursuant to the Oklahoma Juvenile Code should be taken against a
2 juvenile defendant.

3 D. Final protective orders authorized by this section shall be
4 on a standard form developed by the Administrative Office of the
5 Courts.

6 E. 1. After notice and hearing, protective orders authorized
7 by this section may require the defendant to undergo treatment or
8 participate in the court-approved counseling services necessary to
9 bring about cessation of domestic abuse against the victim pursuant
10 to Section 644 of Title 21 of the Oklahoma Statutes but shall not
11 order any treatment or counseling that may compromise the safety of
12 the victim including, but not limited to, mediation, couples
13 counseling, family counseling, parenting classes or joint victim-
14 offender counseling sessions.

15 2. The defendant may be required to pay all or any part of the
16 cost of such treatment or counseling services. The court shall not
17 be responsible for such cost.

18 3. Should the plaintiff choose to undergo treatment or
19 participate in court-approved counseling services for victims of
20 domestic abuse, the court may order the defendant to pay all or any
21 part of the cost of such treatment or counseling services if the
22 court determines that payment by the defendant is appropriate.

23 F. When necessary to protect the victim and when authorized by
24 the court, protective orders granted pursuant to the provisions of

1 this section may be served upon the defendant by a peace officer,
2 sheriff, constable, or policeman or other officer whose duty it is
3 to preserve the peace, as defined by Section 99 of Title 21 of the
4 Oklahoma Statutes.

5 G. 1. Any protective order issued on or after November 1,
6 2012, pursuant to subsection C of this section shall be:

- 7 a. for a fixed period not to exceed a period of five (5)
8 years unless extended, modified, vacated or rescinded
9 upon motion by either party or if the court approves
10 any consent agreement entered into by the plaintiff
11 and defendant; provided, if the defendant is
12 incarcerated, the protective order shall remain in
13 full force and effect during the period of
14 incarceration. The period of incarceration, in any
15 jurisdiction, shall not be included in the calculation
16 of the five-year time limitation, or
17 b. continuous upon a specific finding by the court of one
18 of the following:
19 (1) the person has a history of violating the orders
20 of any court or governmental entity,
21 (2) the person has previously been convicted of a
22 violent felony offense,
23
24
25

- 1 (3) the person has a previous felony conviction for
2 stalking as provided in Section 1173 of Title 21
3 of the Oklahoma Statutes,
4 (4) a court order for a final Victim Protection Order
5 has previously been issued against the person in
6 this state or another state, or
7 (5) the victim provides proof that a continuous
8 protective order is necessary for his or her
9 protection.

10 Further, the court may take into consideration whether the person
11 has a history of domestic violence or a history of other violent
12 acts. The protective order shall remain in effect until modified,
13 vacated or rescinded upon motion by either party or if the court
14 approves any consent agreement entered into by the plaintiff and
15 defendant. If the defendant is incarcerated, the protective order
16 shall remain in full force and effect during the period of
17 incarceration.

18 2. The court shall notify the parties at the time of the
19 issuance of the protective order of the duration of the protective
20 order.

21 3. Upon the filing of a motion by either party to modify,
22 extend, or vacate a protective order, a hearing shall be scheduled
23 and notice given to the parties. At the hearing, the issuing court
24 may take such action as is necessary under the circumstances.

1 4. If a child has been removed from the residence of a parent
2 or custodial adult because of domestic abuse committed by the child,
3 the parent or custodial adult may refuse the return of such child to
4 the residence unless, upon further consideration by the court in a
5 juvenile proceeding, it is determined that the child is no longer a
6 threat and should be allowed to return to the residence.

7 H. 1. It shall be unlawful for any person to knowingly and
8 willfully seek a protective order against a spouse or ex-spouse
9 pursuant to the Protection from Domestic Abuse Act for purposes of
10 harassment, undue advantage, intimidation, or limitation of child
11 visitation rights in any divorce proceeding or separation action
12 without justifiable cause.

13 2. The violator shall, upon conviction thereof, be guilty of a
14 misdemeanor punishable by imprisonment in the county jail for a
15 period not exceeding one (1) year or by a fine not to exceed Five
16 Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

17 3. A second or subsequent conviction under this subsection
18 shall be a Class D3 felony offense punishable by imprisonment as
19 provided for in subsections B through F of Section 20P of Title 21
20 of the Oklahoma Statutes, or by a fine not to exceed Ten Thousand
21 Dollars (\$10,000.00), or by both such fine and imprisonment.

22 I. 1. A protective order issued under the Protection from
23 Domestic Abuse Act shall not in any manner affect title to real
24 property, purport to grant to the parties a divorce or otherwise

1 purport to determine the issues between the parties as to child
2 custody, visitation or visitation schedules, child support or
3 division of property or any other like relief obtainable pursuant to
4 Title 43 of the Oklahoma Statutes, except child visitation orders
5 may be temporarily suspended or modified to protect from threats of
6 abuse or physical violence by the defendant or a threat to violate a
7 custody order. Orders not affecting title may be entered for good
8 cause found to protect an animal owned by either of the parties or
9 any child living in the household.

10 2. When granting any protective order for the protection of a
11 minor child from violence or threats of abuse, the court shall allow
12 visitation only under conditions that provide adequate supervision
13 and protection to the child while maintaining the integrity of a
14 divorce decree or temporary order.

15 J. 1. In order to ensure that a petitioner can maintain an
16 existing wireless telephone number or household utility account, the
17 court, after providing notice and a hearing, may issue an order
18 directing a wireless service provider or public utility provider to
19 transfer the billing responsibility for and rights to the wireless
20 telephone number or numbers of any minor children in the care of the
21 petitioning party or household utility account to the petitioner if
22 the petitioner is not the wireless service or public utility account
23 holder.

1 2. The order transferring billing responsibility for and rights
2 to the wireless telephone number or numbers or household utility
3 account to the petitioner shall list the name and billing telephone
4 number of the account holder, the name and contact information of
5 the person to whom the telephone number or numbers or household
6 utility account will be transferred and each telephone number or
7 household utility to be transferred to that person. The court shall
8 ensure that the contact information of the petitioner is not
9 provided to the account holder in proceedings held under this
10 subsection.

11 3. Upon issuance, a copy of the final order of protection shall
12 be transmitted, either electronically or by certified mail, to the
13 registered agent of the wireless service provider or public utility
14 provider listed with the Secretary of State or Corporation
15 Commission of Oklahoma or electronically to the email address
16 provided by the wireless service provider or public utility
17 provider. Such transmittal shall constitute adequate notice for the
18 wireless service provider or public utility provider.

19 4. If the wireless service provider or public utility provider
20 cannot operationally or technically effectuate the order due to
21 certain circumstances, the wireless service provider or public
22 utility provider shall notify the petitioner. Such circumstances
23 shall include, but not be limited to, the following:

24 a. the account holder has already terminated the account,

- 1 b. the differences in network technology prevent the
2 functionality of a mobile device on the network, or
3 c. there are geographic or other limitations on network
4 or service availability.

5 5. Upon transfer of billing responsibility for and rights to a
6 wireless telephone number or numbers or household utility account to
7 the petitioner under the provisions of this subsection by a wireless
8 service provider or public utility provider, the petitioner shall
9 assume all financial responsibility for the transferred wireless
10 telephone number or numbers or household utility account, monthly
11 service and utility billing costs and costs for any mobile device
12 associated with the wireless telephone number or numbers. The
13 wireless service provider or public utility provider shall have the
14 right to pursue the original account holder for purposes of
15 collecting any past due amounts owed to the wireless service
16 provider or public utility provider.

17 6. The provisions of this subsection shall not preclude a
18 wireless service provider or public utility provider from applying
19 any routine and customary requirements for account establishment to
20 the petitioner as part of this transfer of billing responsibility
21 for a household utility account or for a wireless telephone number
22 or numbers and any mobile devices attached to that number including,
23 but not limited to, identification, financial information and
24 customer preferences.

1 7. The provisions of this subsection shall not affect the
2 ability of the court to apportion the assets and debts of the
3 parties as provided for in law or the ability to determine the
4 temporary use, possession and control of personal property.

5 8. No cause of action shall lie against any wireless service
6 provider or public utility provider, its officers, employees or
7 agents for actions taken in accordance with the terms of a court
8 order issued under the provisions of this subsection.

9 9. As used in this subsection:

- 10 a. "wireless service provider" means a provider of
11 commercial mobile service under Section 332(d) of the
12 federal Telecommunications Act of 1996,
13 b. "public utility provider" means every corporation
14 organized or doing business in this state that owns,
15 operates or manages any plant or equipment for the
16 manufacture, production, transmission, transportation,
17 delivery or furnishing of water, heat or light with
18 gas or electric current for heat, light or power, for
19 public use in this state, and
20 c. "household utility account" shall include utility
21 services for water, heat, light, power or gas that are
22 provided by a public utility provider.

23 K. 1. A court shall not issue any mutual protective orders.
24
25

1 2. If both parties allege domestic abuse by the other party,
2 the parties shall do so by separate petitions. The court shall
3 review each petition separately in an individual or a consolidated
4 hearing and grant or deny each petition on its individual merits.
5 If the court finds cause to grant both motions, the court shall do
6 so by separate orders and with specific findings justifying the
7 issuance of each order.

8 3. The court may only consolidate a hearing if:

9 a. the court makes specific findings that:

10 (1) sufficient evidence exists of domestic abuse,
11 stalking, harassment or rape against each party,
12 and

13 (2) each party acted primarily as aggressors,

14 b. the defendant filed a petition with the court for a
15 protective order no less than three (3) days, not
16 including weekends or holidays, prior to the first
17 scheduled full hearing on the petition filed by the
18 plaintiff, and

19 c. the defendant had no less than forty-eight (48) hours
20 of notice prior to the full hearing on the petition
21 filed by the plaintiff.

22 L. The court may allow a plaintiff or victim to be accompanied
23 by a victim support person at court proceedings. A victim support
24 person shall not make legal arguments; however, a victim support

1 person who is not a licensed attorney may offer the plaintiff or
2 victim comfort or support and may remain in close proximity to the
3 plaintiff or victim.

4 SECTION 31. REPEALER 22 O.S. 2021, Section 60.4, as last
5 amended by Section 1, Chapter 40, O.S.L. 2025 (22 O.S. Supp. 2025,
6 Section 60.4), is hereby repealed.

7 SECTION 32. AMENDATORY 22 O.S. 2021, Section 60.6, as
8 amended by Section 474, Chapter 486, O.S.L. 2025 (22 O.S. Supp.
9 2025, Section 60.6), is amended to read as follows:

10 Section 60.6. A. Except as otherwise provided by this section,
11 any person who:

12 1. Has been served with an emergency temporary, ex parte or
13 final protective order or foreign protective order and is in
14 violation of such protective order, upon conviction, shall be guilty
15 of a misdemeanor and shall be punished by a fine of not more than
16 One Thousand Dollars (\$1,000.00) or by a term of imprisonment in the
17 county jail of not more than one (1) year, or by both such fine and
18 imprisonment; and

19 2. After a previous conviction of a violation of a protective
20 order, is convicted of a second or subsequent offense pursuant to
21 the provisions of this section shall, upon conviction, be guilty of
22 a Class D1 felony offense and shall be punished by a term of
23 imprisonment as provided for in subsections B through F of Section
24 20N of Title 21 of the Oklahoma Statutes, or by a fine of not less
25

1 than Two Thousand Dollars (\$2,000.00) nor more than Ten Thousand
2 Dollars (\$10,000.00), or by both such fine and imprisonment.

3 B. 1. Any person who has been served with an emergency
4 temporary, ex parte or final protective order or foreign protective
5 order who violates the protective order and causes physical injury
6 or physical impairment to the plaintiff or to any other person named
7 in said protective order shall, upon conviction, be guilty of a
8 misdemeanor and shall be punished by a term of imprisonment in the
9 county jail for not less than twenty (20) days nor more than one (1)
10 year. In addition to the term of imprisonment, the person may be
11 punished by a fine not to exceed Five Thousand Dollars (\$5,000.00).

12 2. Any person who is convicted of a second or subsequent
13 violation of a protective order which causes physical injury or
14 physical impairment to a plaintiff or to any other person named in
15 the protective order shall be guilty of a Class D1 felony offense
16 and shall be punished by a term of imprisonment in the custody of
17 the Department of Corrections of not less than one (1) year nor more
18 than five (5) years, or by a fine of not less than Three Thousand
19 Dollars (\$3,000.00) nor more than Ten Thousand Dollars (\$10,000.00),
20 or by both such fine and imprisonment.

21 3. In determining the term of imprisonment required by this
22 section, the jury or sentencing judge shall consider the degree of
23 physical injury or physical impairment to the victim.
24
25

1 4. The provisions of this subsection shall not affect the
2 applicability of Sections 644, 645, 647 and 652 of Title 21 of the
3 Oklahoma Statutes.

4 C. The minimum sentence of imprisonment issued pursuant to the
5 provisions of paragraph 2 of subsection A and paragraph 2 of
6 subsection B of this section shall not be subject to statutory
7 provisions for suspended sentences, deferred sentences or probation,
8 provided the court may subject any remaining penalty under the
9 jurisdiction of the court to the statutory provisions for suspended
10 sentences, deferred sentences or probation.

11 D. In addition to any other penalty specified by this section,
12 the court shall require a defendant to undergo the treatment or
13 participate in the counseling services necessary to bring about the
14 cessation of domestic abuse against the victim or to bring about the
15 cessation of stalking or harassment of the victim. For every
16 conviction of violation of a protective order:

17 1. The court shall specifically order as a condition of a
18 suspended sentence or probation that a defendant participate in
19 counseling or undergo treatment to bring about the cessation of
20 domestic abuse as specified in paragraph 2 of this subsection;

21 2. a. The court shall require the defendant to participate
22 in counseling or undergo treatment for domestic abuse
23 by an individual licensed practitioner or a domestic
24 abuse treatment program certified by the Attorney
25

1 General. If the defendant is ordered to participate
2 in a domestic abuse counseling or treatment program,
3 the order shall require the defendant to attend the
4 program for a minimum of fifty-two (52) weeks,
5 complete the program, and be evaluated before and
6 after attendance of the program by a program counselor
7 or a private counselor.

8 b. A program for anger management, couples counseling, or
9 family and marital counseling shall not solely qualify
10 for the counseling or treatment requirement for
11 domestic abuse pursuant to this subsection. The
12 counseling may be ordered in addition to counseling
13 specifically for the treatment of domestic abuse or
14 per evaluation as set forth below. If, after
15 sufficient evaluation and attendance at required
16 counseling sessions, the domestic violence treatment
17 program or licensed professional determines that the
18 defendant does not evaluate as a perpetrator of
19 domestic violence or does evaluate as a perpetrator of
20 domestic violence and should complete other programs
21 of treatment simultaneously or prior to domestic
22 violence treatment, including but not limited to
23 programs related to the mental health, apparent
24 substance or alcohol abuse or inability or refusal to

1 manage anger, the defendant shall be ordered to
2 complete the counseling as per the recommendations of
3 the domestic violence treatment program or licensed
4 professional;

5 3. a. The court shall set a review hearing no more than one
6 hundred twenty (120) days after the defendant is
7 ordered to participate in a domestic abuse counseling
8 program or undergo treatment for domestic abuse to
9 assure the attendance and compliance of the defendant
10 with the provisions of this subsection and the
11 domestic abuse counseling or treatment requirements.

12 b. The court shall set a second review hearing after the
13 completion of the counseling or treatment to assure
14 the attendance and compliance of the defendant with
15 the provisions of this subsection and the domestic
16 abuse counseling or treatment requirements. The court
17 may suspend sentencing of the defendant until the
18 defendant has presented proof to the court of
19 enrollment in a program of treatment for domestic
20 abuse by an individual licensed practitioner or a
21 domestic abuse treatment program certified by the
22 Attorney General and attendance at weekly sessions of
23 such program. Such proof shall be presented to the
24 court by the defendant no later than one hundred

1 twenty (120) days after the defendant is ordered to
2 such counseling or treatment. At such time, the court
3 may complete sentencing, beginning the period of the
4 sentence from the date that proof of enrollment is
5 presented to the court, and schedule reviews as
6 required by subparagraphs a and b of this paragraph
7 and paragraphs 4 and 5 of this subsection. The court
8 shall retain continuing jurisdiction over the
9 defendant during the course of ordered counseling
10 through the final review hearing;

11 4. The court may set subsequent or other review hearings as the
12 court determines necessary to assure the defendant attends and fully
13 complies with the provisions of this subsection and the domestic
14 abuse counseling or treatment requirements;

15 5. At any review hearing, if the defendant is not
16 satisfactorily attending individual counseling or a domestic abuse
17 counseling or treatment program or is not in compliance with any
18 domestic abuse counseling or treatment requirements, the court may
19 order the defendant to further or continue counseling, treatment, or
20 other necessary services. The court may revoke all or any part of a
21 suspended sentence, deferred sentence, or probation pursuant to
22 Section 991b of this title and subject the defendant to any or all
23 remaining portions of the original sentence;

1 6. At the first review hearing, the court shall require the
2 defendant to appear in court. Thereafter, for any subsequent review
3 hearings, the court may accept a report on the progress of the
4 defendant from individual counseling, domestic abuse counseling, or
5 the treatment program. There shall be no requirement for the victim
6 to attend review hearings; and

7 7. If funding is available, a referee may be appointed and
8 assigned by the presiding judge of the district court to hear
9 designated cases set for review under this subsection. Reasonable
10 compensation for the referees shall be fixed by the presiding judge.
11 The referee shall meet the requirements and perform all duties in
12 the same manner and procedure as set forth in Sections 1-8-103 and
13 2-2-702 of Title 10A of the Oklahoma Statutes pertaining to referees
14 appointed in juvenile proceedings.

15 E. Emergency temporary, ex parte and final protective orders
16 shall include notice of these penalties.

17 F. When a minor child violates the provisions of any protective
18 order, the violation shall be heard in a juvenile proceeding and the
19 court may order the child and the parent or parents of the child to
20 participate in family counseling services necessary to bring about
21 the cessation of domestic abuse against the victim and may order
22 community service hours to be performed in lieu of any fine or
23 imprisonment authorized by this section.
24
25

1 G. Any district court of this state and any judge thereof shall
2 be immune from any liability or prosecution for issuing an order
3 that requires a defendant to:

4 1. Attend a treatment program for domestic abusers certified by
5 the Attorney General;

6 2. Attend counseling or treatment services ordered as part of
7 any final protective order or for any violation of a protective
8 order; and

9 3. Attend, complete, and be evaluated before and after
10 attendance by a treatment program for domestic abusers certified by
11 the Attorney General.

12 H. At no time, under any proceeding, may a person protected by
13 a protective order be held to be in violation of that protective
14 order. Only a defendant against whom a protective order has been
15 issued may be held to have violated the order.

16 I. In addition to any other penalty specified by this section,
17 the court may order a defendant to use an active, real-time, twenty-
18 four-hour Global Positioning System (GPS) monitoring device as a
19 condition of a sentence. The court may further order the defendant
20 to pay costs and expenses related to the GPS device and monitoring.

21 J. Any pleas of guilty or nolo contendere or finding of guilt
22 to a violation of any provision of this section shall constitute a
23 conviction of the offense for the purpose of any subsection of this
24 section under which the existence of a prior conviction is relevant

1 for a period of ten (10) years following the completion of any
2 sentence or court imposed probationary term.

3 SECTION 33. REPEALER 22 O.S. 2021, Section 60.6, as
4 amended by Section 2, Chapter 145, O.S.L. 2025 (22 O.S. Supp. 2025,
5 Section 60.6), is hereby repealed.

6 SECTION 34. AMENDATORY 22 O.S. 2021, Section 152, as
7 last amended by Section 1, Chapter 115, O.S.L. 2025 (22 O.S. Supp.
8 2025, Section 152), is amended to read as follows:

9 Section 152. A. Prosecutions for the crimes of bribery,
10 embezzlement of public money, bonds, securities, assets or property
11 of the state or any county, school district, municipality or other
12 subdivision thereof, or of any misappropriation of public money,
13 bonds, securities, assets or property of the state or any county,
14 school district, municipality or other subdivision thereof,
15 falsification of public records of the state or any county, school
16 district, municipality or other subdivision thereof, and conspiracy
17 to defraud the State of Oklahoma or any county, school district,
18 municipality or other subdivision thereof in any manner or for any
19 purpose shall be commenced within seven (7) years after the
20 discovery of the crime; provided, however, prosecutions for the
21 crimes of embezzlement or misappropriation of public money, bonds,
22 securities, assets or property of any school district, including
23 those relating to student activity funds, or the crime of
24 falsification of public records of any independent school district,

1 the crime of criminal conspiracy, the crime of embezzlement pursuant
2 to Sections 1451 through 1461 of Title 21 of the Oklahoma Statutes,
3 the crime of False Personation or Identity Theft pursuant to
4 Sections 1531 through 1533.3 of Title 21 of the Oklahoma Statutes,
5 the financial exploitation of a vulnerable adult pursuant to
6 Sections 843.1, 843.3 and 843.4 of Title 21 of the Oklahoma
7 Statutes, or Medicaid fraud pursuant to Section 1005 of Title 56 of
8 the Oklahoma Statutes, shall be commenced within five (5) years
9 after the discovery of the crime.

10 B. Prosecutions for criminal violations of any state income tax
11 laws shall be commenced within five (5) years after the commission
12 of such violation.

13 C. 1. Prosecutions for sexual crimes against children,
14 specifically rape or forcible sodomy, sodomy, lewd or indecent
15 proposals or acts against children, involving minors in pornography
16 pursuant to Section 886, 888, 1111, 1111.1, 1113, 1114, 1021.2,
17 1021.3, 1040.12a or 1123 of Title 21 of the Oklahoma Statutes, any
18 offense prohibited by Section 843.5 of Title 21 of the Oklahoma
19 Statutes, sexual abuse of a vulnerable adult pursuant to Section
20 843.1 of Title 21 of the Oklahoma Statutes, child trafficking
21 pursuant to Section 866 of Title 21 of the Oklahoma Statutes,
22 nonconsensual dissemination of private sexual images pursuant to
23 Section 1040.13b of Title 21, and failure to report abuse or neglect
24 pursuant to Section 1-2-101 of Title 10A of the Oklahoma Statutes

1 shall be commenced by the forty-fifth birthday of the alleged
2 victim. Prosecutions for such crimes committed against victims
3 eighteen (18) years of age or older, and sexual abuse of a
4 vulnerable adult pursuant to Section 843.1 of Title 21 of the
5 Oklahoma Statutes, shall be commenced within twenty (20) years after
6 the discovery of the crime. As used in this paragraph, "discovery"
7 means the date that a physical or sexually related crime involving a
8 victim eighteen (18) years of age or older is reported to a law
9 enforcement agency. Any offense for which the prosecution is not
10 time-barred upon the effective date of this act shall be
11 retroactively subject to the provisions of this subsection.

12 2. However, prosecutions for the crimes listed in paragraph 1
13 of this subsection may be commenced at any time after the commission
14 of the offense if:

- 15 a. physical evidence is collected and preserved that is
16 capable of being tested to obtain a profile from
17 deoxyribonucleic acid (DNA), and
- 18 b. probable cause as to the identity of the offender is
19 subsequently established through the use of a DNA
20 profile using evidence listed in subparagraph a of
21 this paragraph, or
- 22 c. the accused person has provided a confession or
23 admission related to the crime.

1 3. No prosecution under this subsection shall be based upon the
2 memory of the victim that has been recovered through psychotherapy
3 unless there is some evidence independent of such repressed memory.

4 4. Any person who knowingly and willfully makes a false claim
5 pursuant to this subsection or a claim that the person knows lacks
6 factual foundation may be reported to local law enforcement for
7 criminal investigation and, upon conviction, shall be guilty of a
8 felony.

9 D. Prosecutions for criminal violations of any provision of the
10 Oklahoma Wildlife Conservation Code shall be commenced within three
11 (3) years after the commission of such offense.

12 E. Prosecutions for the crime of criminal fraud or workers'
13 compensation fraud pursuant to Section 1541.1, 1541.2, 1662 or 1663
14 of Title 21 of the Oklahoma Statutes shall commence within three (3)
15 years after the discovery of the crime, but in no event greater than
16 seven (7) years after the commission of the crime.

17 F. Prosecution for the crime of false or bogus check pursuant
18 to Section 1541.1, 1541.2, 1541.3 or 1541.4 of Title 21 of the
19 Oklahoma Statutes shall be commenced within five (5) years after the
20 commission of such offense.

21 G. Prosecution for the crime of solicitation for murder in the
22 first degree pursuant to Section 701.16 of Title 21 of the Oklahoma
23 Statutes shall be commenced within seven (7) years after the
24 discovery of the crime. For purposes of this subsection,

1 "discovery" means the date upon which the crime is made known to
2 anyone other than a person involved in the solicitation.

3 H. In all other cases a prosecution for a public offense must
4 be commenced within three (3) years after its commission.

5 I. Prosecution for the crime of accessory after the fact must
6 be commenced within the same statute of limitations as that of the
7 felony for which the person acted as an accessory.

8 J. Prosecution for the crime of arson pursuant to Section 1401,
9 1402, 1403, 1404 or 1405 of Title 21 of the Oklahoma Statutes shall
10 be commenced within seven (7) years after the commission of the
11 crime.

12 K. Prosecutions for criminal violations in which a deadly
13 weapon is used to commit a felony or prosecutions for criminal
14 violations in which a deadly weapon is used in an attempt to commit
15 a felony shall be commenced within seven (7) years after the
16 commission of the crime.

17 L. Prosecutions for the crime of human trafficking pursuant to
18 Section 748 of Title 21 of the Oklahoma Statutes shall be commenced
19 within three (3) years after discovery of the crime. For purposes
20 of this subsection, "discovery" means the date upon which the crime
21 is reported to a law enforcement agency.

22 SECTION 35. REPEALER 22 O.S. 2021, Section 152, as last
23 amended by Section 1, Chapter 310, O.S.L. 2024 (22 O.S. Supp. 2025,
24 Section 152), is hereby repealed.

1 SECTION 36. AMENDATORY 47 O.S. 2021, Section 6-101, as
2 last amended by Section 3, Chapter 330, O.S.L. 2025 (47 O.S. Supp.
3 2025, Section 6-101), is amended to read as follows:

4 Section 6-101. A. No person, except those hereinafter
5 expressly exempted in Sections 6-102 and 6-102.1 of this title,
6 shall operate any motor vehicle upon a highway in this state unless
7 the person has a valid Oklahoma driver license for the class of
8 vehicle being operated under the provisions of this title. No
9 person shall be permitted to possess more than one valid license at
10 any time, except as provided in paragraph 4 of subsection F of this
11 section.

12 B. 1. No person shall operate a Class A commercial motor
13 vehicle unless the person is eighteen (18) years of age or older and
14 holds a valid Class A commercial license, except as provided in
15 paragraph 5 of this subsection and subsection F of this section.
16 Any person holding a valid Class A commercial license shall be
17 permitted to operate motor vehicles in Classes A, B, C and D, except
18 as provided for in paragraph 4 of this subsection.

19 2. No person shall operate a Class B commercial motor vehicle
20 unless the person is eighteen (18) years of age or older and holds a
21 valid Class B commercial license, except as provided in paragraph 5
22 of subsection F of this section. Any person holding a valid Class B
23 commercial license shall be permitted to operate motor vehicles in
24

1 Classes B, C and D, except as provided for in paragraph 4 of this
2 subsection.

3 3. No person shall operate a Class C commercial motor vehicle
4 unless the person is eighteen (18) years of age or older and holds a
5 valid Class C commercial license, except as provided in subsection F
6 of this section. Any person holding a valid Class C commercial
7 license shall be permitted to operate motor vehicles in Classes C
8 and D, except as provided for in paragraph 4 of this subsection.

9 4. No person under twenty-one (21) years of age shall be
10 licensed to operate any motor vehicle which is required to be
11 placarded for hazardous materials pursuant to 49 C.F.R., Part 172,
12 subpart F, except as provided in subsection F of this section;
13 provided, a person eighteen (18) years of age or older may be
14 licensed to operate a farm vehicle which is required to be placarded
15 for hazardous materials pursuant to 49 C.F.R., Part 172, subpart F,
16 except as provided in subsection F of this section.

17 5. A person at least seventeen (17) years of age who
18 successfully completes all examinations required by law may be
19 issued by Service Oklahoma:

- 20 a. a restricted Class A commercial license which shall
21 grant to the licensee the privilege to operate a Class
22 A or Class B commercial motor vehicle for harvest
23 purposes or a Class D motor vehicle, or
24

1 b. a restricted Class B commercial license which shall
2 grant to the licensee the privilege to operate a Class
3 B commercial motor vehicle for harvest purposes or a
4 Class D motor vehicle.

5 6. No person shall operate a Class D motor vehicle unless the
6 person is sixteen (16) years of age or older and holds a valid Class
7 D license, except as provided for in Section 6-102 or 6-105 of this
8 title. Any person holding a valid Class D license shall be
9 permitted to operate motor vehicles in Class D only.

10 C. Any person issued a driver license pursuant to this section
11 may exercise the privilege thereby granted upon all streets and
12 highways in this state.

13 D. No person shall operate a motorcycle or motor-driven cycle
14 without having a valid Class A, B, C or D license with a motorcycle
15 endorsement. Except as otherwise provided by law, any new applicant
16 for an original driver license shall be required to successfully
17 complete a written examination, vision examination and driving
18 examination for a motorcycle as prescribed by the Department of
19 Public Safety, in conjunction with Service Oklahoma, and a certified
20 state-approved motorcycle basic rider course approved by the
21 Department, in conjunction with Service Oklahoma, if the applicant
22 is seventeen (17) years of age or younger to be eligible for a
23 motorcycle endorsement thereon. The written examination and driving
24 examination for a motorcycle shall be waived by Service Oklahoma

1 upon verification that the person has successfully completed a
2 certified Motorcycle Safety Foundation rider course approved by the
3 Department, in conjunction with Service Oklahoma.

4 E. Except as otherwise provided by law, any person who lawfully
5 possesses a valid Oklahoma driver license which is eligible for
6 renewal shall be required to successfully complete a written
7 examination, ~~vision examination~~ and driving examination for a
8 motorcycle as prescribed by the Department, in conjunction with
9 Service Oklahoma, and a certified state-approved motorcycle basic
10 rider course approved by the Department, in conjunction with Service
11 Oklahoma, if the person is seventeen (17) years of age or younger to
12 be eligible for a motorcycle endorsement. The written examination
13 and driving examination for a motorcycle shall be waived by Service
14 Oklahoma upon verification that the person has successfully
15 completed a certified Motorcycle Safety Foundation rider course
16 approved by the Department, in conjunction with Service Oklahoma.

17 F. 1. Any person eighteen (18) years of age or older may apply
18 for a restricted Class A, B or C commercial learner permit. Service
19 Oklahoma, after the applicant has passed all parts of the
20 examination for a Class D license and has successfully passed all
21 parts of the examination for a Class A, B or C commercial license
22 other than the driving examination, may issue to the applicant a
23 commercial learner permit which shall entitle the person having
24 immediate lawful possession of the commercial learner permit and a

1 valid Oklahoma driver license or provisional driver license pursuant
2 to Section 6-212 of this title to operate a Class A, B or C
3 commercial motor vehicle upon the public highways solely for the
4 purpose of behind-the-wheel training in accordance with rules
5 promulgated by the Department.

6 2. This commercial learner permit shall be issued for a period
7 as provided in Section 6-115 of this title of one (1) year;
8 provided, such commercial learner permit may be suspended, revoked,
9 canceled, denied or disqualified at the discretion of the
10 Department, with notice to Service Oklahoma, for violation of the
11 restrictions, for failing to give the required or correct
12 information on the application or for violation of any traffic laws
13 of this state pertaining to the operation of a motor vehicle.
14 Except as otherwise provided, the lawful possessor of a commercial
15 learner permit who has been issued a commercial learner permit for a
16 minimum of fourteen (14) days may have the restriction requiring an
17 accompanying driver removed by satisfactorily completing a driver's
18 examination; provided, the removal of a restriction shall not
19 authorize the operation of a Class A, B or C commercial motor
20 vehicle if such operation is otherwise prohibited by law.

21 3. No person shall apply for and Service Oklahoma shall not
22 issue an original Class A, B or C driver license until the person
23 has been issued a commercial learner permit and held the permit for
24 at least fourteen (14) days. Any person who currently holds a Class

1 B or C license and who wishes to apply for another class of
2 commercial driver license shall be required to apply for a
3 commercial learner permit and to hold the permit for at least
4 fourteen (14) days before applying for the Class A or B license, as
5 applicable. Any person who currently holds a Class A, B or C
6 license and who wishes to add an endorsement or remove a restriction
7 for which a skills examination is required shall be required to
8 apply for a commercial learner permit and to hold the permit for at
9 least fourteen (14) days before applying for the endorsement.

10 4. A commercial learner permit shall be issued by Service
11 Oklahoma as a separate and unique document which shall be valid only
12 in conjunction with a valid Oklahoma driver license or provisional
13 driver license pursuant to Section 6-212 of this title, both of
14 which shall be in the possession of the person to whom they have
15 been issued whenever that person is operating a commercial motor
16 vehicle as provided in this subsection.

17 5. ~~After one renewal of a commercial learner permit, as~~
18 ~~provided in paragraph 2 of this subsection, a commercial permit~~
19 ~~shall not be renewed again.~~ Any person who has held a commercial
20 learner permit for the initial issuance period ~~and one renewal~~
21 ~~period~~ shall not be eligible for and Service Oklahoma shall not
22 issue ~~another~~ renewal of the permit; provided, the person may
23 reapply for a new commercial learner permit, as provided for in this
24 subsection.

1 G. 1. For purposes of this title:

2 a. "REAL ID Compliant Driver License" or "Identification
3 Card" means a driver license or identification card
4 issued by this state that has been certified by the
5 United States Department of Homeland Security (USDHS)
6 as compliant with the requirements of the REAL ID Act
7 of 2005, Public Law No. 109-13. A REAL ID Compliant
8 Driver License or Identification Card and the process
9 through which it is issued incorporate a variety of
10 security measures designed to protect the integrity
11 and trustworthiness of the license or card. A REAL ID
12 Compliant Driver License or Identification Card will
13 be clearly marked on the face indicating that it is a
14 compliant document, and

15 b. "REAL ID Noncompliant Driver License" or
16 "Identification Card" means a driver license or
17 identification card issued by this state that has not
18 been certified by the United States Department of
19 Homeland Security (USDHS) as being compliant with the
20 requirements of the REAL ID Act of 2005. A REAL ID
21 Noncompliant Driver License or Identification Card
22 will be clearly marked on the face indicating that it
23 is not compliant with the federal REAL ID Act of 2005
24 and is not acceptable for official federal purposes.

1 The driver license or identification card will have a
2 unique design or color indicator that clearly
3 distinguishes it from a compliant license or card.

4 2. Original Driver License and Identification Card Issuance:

5 a. Application for an original REAL ID Compliant or REAL
6 ID Noncompliant Driver License or Identification Card
7 shall be made to Service Oklahoma or a licensed
8 operator provided such licensed operator is authorized
9 to process application for REAL ID Compliant Driver
10 Licenses and Identification Cards. Application for a
11 REAL ID Noncompliant Driver License or Identification
12 Card shall be made to Service Oklahoma.

13 b. Service Oklahoma employees or authorized licensed
14 operators shall perform all document recognition and
15 other requirements needed for approval of an original
16 REAL ID Compliant Driver License or Identification
17 Card application. Service Oklahoma employees shall
18 perform all document recognition and other
19 requirements needed for approval of a REAL ID
20 Noncompliant Driver License or Identification Card
21 application.

22 c. Upon approval of an original REAL ID Compliant or REAL
23 ID Noncompliant Driver License or Identification Card
24 application, the applicant may take the approved

1 application document to a licensed operator to receive
2 a temporary driver license or identification card.

- 3 d. The licensed operator shall process the approved REAL
4 ID Compliant or REAL ID Noncompliant Driver License or
5 Identification Card application and upon payment shall
6 provide the applicant a temporary driver license or
7 identification card. A temporary driver license or
8 identification card shall afford the holder the
9 privileges otherwise granted by the specific class of
10 driver license or identification card for the period
11 of time listed on the temporary driver license or
12 identification card or the period of time prior to the
13 applicant receiving a REAL ID Compliant or REAL ID
14 Noncompliant Driver License or Identification Card,
15 whichever time period is shorter.

16 3. REAL ID Compliant Driver License and Identification Card

17 Renewal and Replacement:

- 18 a. Application for renewal or replacement of a REAL ID
19 Compliant Driver License or Identification Card may be
20 made to Service Oklahoma or to a licensed operator;
21 provided, such licensed operator is authorized to
22 process application for REAL ID Compliant Driver
23 Licenses and Identification Cards. A licensed
24 operator may process the voluntary downgrade of a REAL

1 ID Compliant Commercial Driver License to any lower
2 class license upon request of the licensee; provided,
3 no additional endorsements or restrictions are placed
4 on the license.

5 b. Service Oklahoma employees or authorized licensed
6 operators shall perform all document recognition and
7 other requirements needed for approval of a renewal or
8 replacement REAL ID Compliant Driver License or
9 Identification Card application.

10 c. Upon approval of a renewal or replacement REAL ID
11 Compliant Driver License or Identification Card
12 application, the applicant may receive a temporary
13 driver license or identification card from Service
14 Oklahoma or an authorized licensed operator.

15 d. A temporary driver license or identification card
16 acquired under the provisions of this paragraph shall
17 afford the holder the privileges otherwise granted by
18 the specific class of driver license or identification
19 card being renewed or replaced for the period of time
20 listed on the temporary driver license or
21 identification card or the period of time prior to the
22 applicant receiving a REAL ID Compliant Driver License
23 or Identification Card, whichever time period is
24 shorter.

1 e. For purposes of this title, an application for a REAL
2 ID Compliant Driver License or Identification Card by
3 an individual with a valid Oklahoma-issued driver
4 license or identification card shall be considered a
5 renewal of a REAL ID Compliant Driver License or
6 Identification Card.

7 4. REAL ID Noncompliant Driver License and Identification Card
8 Renewal and Replacement:

9 a. Application for renewal or replacement of a REAL ID
10 Noncompliant Driver License or Identification Card may
11 be made to Service Oklahoma or to a licensed operator.
12 A licensed operator may process the voluntary
13 downgrade of a REAL ID Noncompliant Commercial Driver
14 License to any lower class license upon request of the
15 licensee; provided, no additional endorsements or
16 restrictions are added to the license.

17 b. Service Oklahoma employees or licensed operators shall
18 perform all document recognition and other
19 requirements needed for approval of a renewal or
20 replacement REAL ID Noncompliant Driver License or
21 Identification Card application.

22 c. Upon approval of a renewal or replacement REAL ID
23 Noncompliant Driver License or Identification Card
24 application, the applicant may receive a temporary
25

1 driver license or identification card from Service
2 Oklahoma or a licensed operator.

3 d. A temporary driver license or identification card
4 acquired under the provisions of this paragraph shall
5 afford the holder the privileges otherwise granted by
6 the specific class of driver license or identification
7 card being renewed or replaced for the period of time
8 listed on the temporary driver license or
9 identification card or the period of time prior to the
10 applicant receiving a REAL ID Noncompliant Driver
11 License or Identification Card, whichever time period
12 is shorter.

13 H. 1. The fee charged for an approved application for an
14 original Oklahoma REAL ID Compliant or REAL ID Noncompliant Driver
15 License or an approved application for the addition of an
16 endorsement to a current valid Oklahoma REAL ID Compliant or REAL ID
17 Noncompliant Driver License shall be assessed in accordance with the
18 following schedule:

19 Class A Commercial Learner	
20 Permit	\$25.00
21 Class A Commercial License	\$25.00
22 Class B Commercial Learner	
23 Permit	\$15.00
24 Class B Commercial License	\$15.00

Class C Commercial Learner	
Permit	\$15.00
Class C Commercial License	\$15.00
Class D License	\$ 4.00
Motorcycle Endorsement	\$ 4.00

2. Notwithstanding the provisions of Section 1104 of this title, all monies collected from the fees charged for Class A, B and C commercial licenses pursuant to the provisions of this subsection shall be deposited by Service Oklahoma in the General Revenue Fund of this state.

I. The fee charged for any failed examination shall be Four Dollars (\$4.00) for any license classification. Notwithstanding the provisions of Section 1104 of this title, all monies collected from such examination fees pursuant to the provisions of this subsection shall be deposited in the General Revenue Fund of this state.

J. In addition to any fee charged pursuant to the provisions of subsection H of this section, the fee charged for the issuance or renewal of a REAL ID Noncompliant Driver License shall be in accordance with the following schedule; provided, that any applicant who has a CDL Learner Permit shall be charged only the replacement fee for the issuance of the license:

License Class	4-year	8-year
Class A Commercial Learner		
Permit	\$56.50	\$113.00

Class A Commercial License	\$56.50	\$113.00
Class B Commercial Learner Permit	\$56.50	\$113.00
Class B Commercial License	\$56.50	\$113.00
Class C Commercial Learner Permit	\$46.50	\$93.00
Class C Commercial License	\$46.50	\$93.00
Class D License	\$38.50	\$77.00

K. In addition to any fee charged pursuant to the provisions of subsection H of this section, the fee charged for the issuance or renewal of a REAL ID Compliant Driver License shall be in accordance with the following schedule; provided, that any applicant who has a CDL Learner Permit shall be charged only the replacement fee for the issuance of the license:

License Class	4-year	8-year
REAL ID Compliant Class A Commercial Learner Permit	\$56.50	\$113.00
REAL ID Compliant Class A Commercial License	\$56.50	\$113.00
REAL ID Compliant Class B Commercial Learner Permit	\$56.50	\$113.00
REAL ID Compliant Class B Commercial License	\$56.50	\$113.00

1 REAL ID Compliant Class C

2 Commercial Learner Permit \$46.50 \$93.00

3 REAL ID Compliant Class C

4 Commercial License \$46.50 \$93.00

5 REAL ID Compliant Class D

6 License \$38.50 \$77.00

7 L. A commercial learner permit may not be renewed ~~one time for~~
8 ~~a period of one hundred eighty (180) days. The cost for the renewed~~
9 ~~permit shall be the same as for the original permit.~~

10 M. Notwithstanding the provisions of Section 1104 of this
11 title, of each fee charged pursuant to the provisions of subsections
12 J, K and L of this section shall be apportioned by Service Oklahoma
13 as follows:

14 1. Five Dollars and fifty cents (\$5.50) of a 4-year license or
15 Eleven Dollars (\$11.00) of an 8-year license shall be deposited to
16 the Trauma Care Assistance Revolving Fund created in Section 1-
17 2530.9 of Title 63 of the Oklahoma Statutes;

18 2. Six Dollars and seventy-five cents (\$6.75) of a 4-year
19 license or Thirteen Dollars and fifty cents (\$13.50) of an 8-year
20 license shall be deposited to the Department of Public Safety
21 Computer Imaging System Revolving Fund to be used solely for the
22 purpose of administration and maintenance of the computerized
23 imaging system of the Department through October 31, 2022.

24 Beginning November 1, 2022, Six Dollars and seventy-five cents

1 (\$6.75) of a 4-year license or Thirteen Dollars and fifty cents
2 (\$13.50) of an 8-year license shall be deposited to the Service
3 Oklahoma Computer Imaging System Revolving Fund to be used solely
4 for the purpose of administration and maintenance of the
5 computerized imaging system of Service Oklahoma;

6 3. Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars
7 (\$20.00) of an 8-year license shall be deposited to the Department
8 of Public Safety Revolving Fund for all original or renewal
9 issuances of licenses through October 31, 2022. Beginning November
10 1, 2022, Ten Dollars (\$10.00) of a 4-year license or Twenty Dollars
11 (\$20.00) of an 8-year license shall be deposited to the Service
12 Oklahoma Revolving Fund for all original or renewal issuances of
13 licenses; and

14 4. Five Dollars (\$5.00) of a 4-year license or Six Dollars
15 (\$6.00) of an 8-year license shall be deposited to the State Public
16 Safety Fund created in Section 2-147 of this title.

17 N. All original and renewal driver licenses shall expire as
18 provided in Section 6-115 of this title.

19 O. 1. Through May 31, 2025, any person sixty-two (62) to
20 sixty-four (64) years of age during the calendar year of issuance or
21 renewal of a Class D license or motorcycle endorsement shall be
22 charged the following prorated fee:

	4-year	8-year
Age 62	\$21.25	\$42.50

Age 63	\$17.50	\$35.00

Age 64	\$13.75	\$27.50

2. Any person sixty-five (65) years of age or older during the calendar year of issuance or renewal of a Class D license or motorcycle endorsement shall not be charged a fee.

P. No person who has been honorably discharged from active service in any branch of the Armed Forces of the United States or Oklahoma National Guard and who has been certified by the United States Department of Veterans Affairs, its successor or the Armed Forces of the United States to be a disabled veteran in receipt of compensation at the one-hundred-percent rate for a permanent disability sustained through military action or accident resulting from disease contracted while in such active service and registered with the veterans registry created by the Oklahoma Department of Veterans Affairs shall be charged a fee for the issuance, replacement or renewal of an Oklahoma driver license; provided, that if a veteran has been previously exempt from a fee pursuant to this subsection, no registration with the veterans registry shall be required.

Q. In accordance with the provisions of subsection G of this section, Service Oklahoma is authorized to promulgate rules for the issuance and renewal of driver licenses authorized pursuant to the provisions of Sections 6-101 through 6-309 of this title; provided, that no such rules applicable to the issuance or renewal of REAL ID

1 Noncompliant Driver Licenses shall create more stringent standards
2 than such rules applicable as of January 1, 2017, unless directly
3 related to a specific change in statutory law concerning standards
4 for REAL ID Noncompliant Driver Licenses. Applications, upon forms
5 approved by Service Oklahoma, for such licenses shall be handled, in
6 accordance with the provisions of subsection G of this section, by
7 the licensed operator; provided, Service Oklahoma is authorized to
8 assume these duties in any county of this state. ~~Each licensed~~
9 ~~operator accepting applications for driver licenses shall receive~~
10 ~~Six Dollars (\$6.00) for a 4-year REAL ID Noncompliant Driver License~~
11 ~~or Twelve Dollars (\$12.00) for an 8-year REAL ID Noncompliant Driver~~
12 ~~License or Ten Dollars (\$10.00) for a 4-year REAL ID Compliant~~
13 ~~Driver License or Twenty Dollars (\$20.00) for an 8-year REAL ID~~
14 ~~Compliant Driver License to be deducted from the total collected for~~
15 ~~each license or renewal application accepted through June 30, 2023.~~
16 ~~Beginning July 1, 2022, and ending on June 30, 2023, each motor~~
17 ~~license agent or licensed operator accepting applications for driver~~
18 ~~licenses for individuals over the age of sixty-five (65) years or~~
19 ~~for applications for drivers pursuant to subsection P of this~~
20 ~~section shall receive Six Dollars (\$6.00) for a 4-year driver~~
21 ~~license or Twelve Dollars (\$12.00) for an 8-year driver license to~~
22 ~~be deducted daily by the motor license agent or licensed operator~~
23 ~~receipts. Beginning July 1, 2023, these fees shall be retained by~~
24 ~~the licensed operator pursuant to subsection E of Section 1141.1 of~~

1 ~~this title. The fees received by the licensed operator, authorized~~
2 ~~by this subsection, shall be used for operating expenses. The~~
3 amount retained pursuant to this subsection shall not be retained by
4 any state agency. The fees received by the licensed operator,
5 authorized by this subsection, shall be used for operating expenses.
6 For purposes of this subsection, "licensed operator" shall mean an
7 individual who obtains a license from the Service Oklahoma Operator
8 Board to operate a designated Service Oklahoma location and offers
9 third-party fulfillment of designated services to be rendered by
10 Service Oklahoma.

11 R. Notwithstanding the provisions of Section 1104 of this title
12 and subsection Q of this section and except as provided in
13 subsections H and M of this section, the first Sixty Thousand
14 Dollars (\$60,000.00) of all monies collected pursuant to this
15 section shall be paid by ~~the Oklahoma Tax Commission~~ Service
16 Oklahoma to the State Treasurer to be deposited in the General
17 Revenue Fund of the State Treasury.

18 The next Five Hundred Thousand Dollars (\$500,000.00) of monies
19 collected pursuant to this section shall be paid by ~~the Tax~~
20 ~~Commission~~ Service Oklahoma to the State Treasurer to be deposited
21 each fiscal year under the provisions of this section to the credit
22 of the Department of Public Safety Restricted Revolving Fund for the
23 purpose of the Oklahoma Law Enforcement Telecommunications System.
24 All other monies collected in excess of Five Hundred Sixty Thousand

1 Dollars (\$560,000.00) each fiscal year shall be apportioned as
2 provided in Section 1104 of this title, except as otherwise provided
3 in this section.

4 S. Service Oklahoma shall retain the images displayed on
5 licenses and identification cards issued pursuant to the provisions
6 of Sections 6-101 through 6-309 of this title which may be used
7 only:

8 1. By a law enforcement agency for purposes of criminal
9 investigations, missing person investigations or any law enforcement
10 purpose which is deemed necessary by the Commissioner of Public
11 Safety;

12 2. By the driver licensing agency of another state for its
13 official purpose; and

14 3. As provided in Section 2-110 of this title.

15 All agencies approved by the Oklahoma Law Enforcement
16 Telecommunications System (OLETS) or the National Law Enforcement
17 Telecommunications System (NLETS) to receive photographs or
18 computerized images may obtain them through OLETS or through NLETS.
19 Photographs or computerized images may be obtained by law
20 enforcement one inquiry at a time.

21 The computer system and related equipment acquired for this
22 purpose must conform to industry standards for interoperability and
23 open architecture. The Department of Public Safety may promulgate
24 rules to implement the provisions of this subsection.

1 T. No person may hold more than one state-issued or territory-
2 issued driver license or identification card from Oklahoma or any
3 other state or territory. Service Oklahoma shall not issue a driver
4 license to a person who has been previously issued a driver license
5 or identification card until such license or identification card has
6 been surrendered to Service Oklahoma by the applicant. Provided,
7 any person who holds both a driver license and identification card
8 from Oklahoma as of November 1, 2025, may continue to possess both
9 credentials until the first expiration of either credential. At
10 that time, the person shall be allowed to retain, replace, or renew
11 either the driver license or identification card and shall surrender
12 the second credential to Service Oklahoma. Service Oklahoma may
13 promulgate rules related to the issuance of replacement REAL ID
14 Compliant Driver Licenses in the event of loss or theft.

15 ~~U. Beginning May 24, 2021, and ending on June 30, 2023, in~~
16 ~~addition to the amounts provided in subsection Q of this section, a~~
17 ~~licensed operator shall receive Five Dollars (\$5.00) for each~~
18 ~~processed application for a REAL ID Compliant 4-year Driver License~~
19 ~~and Ten Dollars (\$10.00) for each processed application for a REAL~~
20 ~~ID Compliant 8-year Driver License. Any additional amounts provided~~
21 ~~pursuant to this subsection shall not be retained by Service~~
22 ~~Oklahoma.~~

SECTION 37. REPEALER 47 O.S. 2021, Section 6-101, as last amended by Section 13, Chapter 310, O.S.L. 2023 (47 O.S. Supp. 2025, Section 6-101), is hereby repealed.

SECTION 38. REPEALER 47 O.S. 2021, Section 6-101, as last amended by Section 2, Chapter 11, O.S.L. 2024 (47 O.S. Supp. 2025, Section 6-101), is hereby repealed.

SECTION 39. REPEALER 47 O.S. 2021, Section 6-101, as last amended by Section 3, Chapter 171, O.S.L. 2025 (47 O.S. Supp. 2025, Section 6-101), is hereby repealed.

SECTION 40. AMENDATORY 47 O.S. 2021, Section 6-102, as last amended by Section 1, Chapter 450, O.S.L. 2024 (47 O.S. Supp. 2025, Section 6-102), is amended to read as follows:

Section 6-102. A. A nonresident who is sixteen (16) years of age or older may operate a motor vehicle in this state as authorized by the class, restrictions, and endorsements specified on the license, if the nonresident is:

1. Properly licensed in the home state or country to operate a commercial or noncommercial motor vehicle and who has immediate possession of a valid driver license issued by the home state or country; or

2. A member of the Armed Forces of the United States or the spouse or dependent of such member who has been issued and is in possession of a valid driver license issued by an overseas component of the Armed Forces of the United States.

1 B. A resident who is at least fifteen (15) years of age may
2 operate a vehicle in this state without a driver license, if the
3 resident is:

4 1. Operating a vehicle pursuant to subsection B of Section 6-
5 105 of this title; or

6 2. Taking the driving skills examination as required by Section
7 6-110 of this title, when accompanied by a driver license examiner
8 of Service Oklahoma or by a designated examiner approved and
9 certified by Service Oklahoma.

10 C. A resident who is at least thirteen and one-half (13 1/2)
11 years of age who will qualify for the permit to operate farm
12 vehicles as provided for in Section 6-105 of this title may operate
13 a vehicle in this state without a driver license, if the resident
14 is:

15 1. Operating a vehicle pursuant to subsection B of Section 6-
16 105 of this title; or

17 2. Taking the driving skills examination as required by Section
18 6-110 of this title, when accompanied by a driver license examiner
19 of Service Oklahoma or by a designated examiner approved and
20 certified by Service Oklahoma.

21 D. Any person, while in the performance of official duties, may
22 operate any class of motor vehicle if the person possesses any class
23 of valid Oklahoma driver license or a valid driver license issued by
24 another state, if the person is:

1 1. A member of the Armed Forces of the United States who is on
2 active duty;

3 2. A member of the military reserves, not including United
4 States reserve technicians;

5 3. A member of the National Guard who is on active duty,
6 including National Guard military technicians;

7 4. A member of the National Guard who is on part-time National
8 Guard training, including National Guard military technicians; or

9 5. A member of the United States Coast Guard who is on active
10 duty.

11 E. 1. The Executive Director of Service Oklahoma is hereby
12 authorized to adopt rules as may be necessary to enter into
13 reciprocity agreements with foreign countries. The rules shall
14 specify that the driver license standards of the foreign country
15 shall be comparable to those of this state. The rules shall also
16 require foreign drivers, who are operating a motor vehicle in
17 Oklahoma under such a reciprocity agreement, to comply with the
18 compulsory motor vehicle liability insurance and financial
19 responsibility laws of this state.

20 2. Service Oklahoma shall enter into a reciprocity agreement
21 for driver licenses with the country of Ireland.

22 F. When an automated driving system, as defined by Section 1701
23 of this title, installed on a motor vehicle is engaged, the
24 following shall apply:

1 1. The automated driving system is considered the driver or
2 operator, for the purpose of assessing compliance with applicable
3 traffic or motor vehicle laws, and shall be deemed to satisfy
4 electronically all physical acts required by a driver or operator of
5 the vehicle; and

6 2. The automated driving system is considered to be licensed to
7 operate the vehicle.

8 SECTION 41. REPEALER 47 O.S. 2021, Section 6-102, as
9 last amended by Section 1, Chapter 123, O.S.L. 2025 (47 O.S. Supp.
10 2025, Section 6-102), is hereby repealed.

11 SECTION 42. AMENDATORY 47 O.S. 2021, Section 6-105, as
12 last amended by Section 38, Chapter 452, O.S.L. 2024 (47 O.S. Supp.
13 2025, Section 6-105), is amended to read as follows:

14 Section 6-105. A. Unless a legal custodial parent or legal
15 guardian has filed an objection to licensure pursuant to Section 6-
16 103.1 of this title, any person under eighteen (18) years of age may
17 be permitted to operate:

18 1. A Class D motor vehicle under the graduated driver license
19 provisions prescribed in subsections B through E of this section;

20 2. A motorcycle under the provisions prescribed in subsection H
21 of this section; or

22 3. A farm vehicle under the provisions prescribed in subsection
23 I of this section.

1 B. Any person who is at least thirteen and one-half (13 1/2)
2 years of age who will qualify for the permit to operate farm
3 vehicles as provided for in subsection I of this section or fifteen
4 (15) years of age may drive during a session in which the driver is
5 being instructed in a driver education course, as set out in
6 subparagraphs a, b, c, d and e of paragraph 1 of subsection C of
7 this section, by a certified driver education instructor who is
8 seated in the right front seat of the motor vehicle.

9 C. Any person:

10 1. Who is at least fifteen ~~and one-half (15 1/2)~~ (15) years of
11 age and is currently receiving instruction in or has successfully
12 completed driver education. For purposes of this section, the term
13 "driver education" shall mean:

- 14 a. a prescribed secondary school driver education course,
15 as provided for in Sections 19-113 through ~~19-121~~ 19-
16 123 of Title 70 of the Oklahoma Statutes,
17 b. a driver education course, certified by Service
18 Oklahoma, from a parochial, private, or other
19 nonpublic secondary school,
20 c. a commercial driver training course, as defined by
21 Sections 801 through 808 of this title,
22 d. a parent-taught driver education course, certified by
23 Service Oklahoma, in conjunction with the Department
24 of Public Safety. Service Oklahoma shall promulgate

1 rules for any parent-taught driver education course,
2 or

3 e. a driver education course certified by a state other
4 than Oklahoma; or

5 2. Who is at least sixteen (16) years of age,
6 may, upon successfully passing all parts of the driver license
7 examination administered by Service Oklahoma, or an approved written
8 examination proctor, except the driving examination, be issued a
9 learner permit which will grant the permittee the privilege to
10 operate a Class D motor vehicle upon the public highways only
11 between the hours of 5:00 a.m. and 10:00 p.m. and while accompanied
12 by a licensed driver who is at least twenty-one (21) years of age
13 and who is actually occupying a seat beside the permittee; provided,
14 the written examination for a learner permit may be waived by
15 Service Oklahoma upon verification that the person has successfully
16 completed driver education.

17 D. 1. Any person:

18 a. who has applied for, been issued, and has possessed a
19 learner permit for a minimum of one hundred eighty
20 (180) days,

21 b. whose custodial legal parent or legal guardian
22 certifies to Service Oklahoma by sworn affidavit that
23 the person has received a minimum of fifty (50) hours
24 of actual behind-the-wheel training, of which at least

1 ten (10) hours of such training ~~was~~ were at night,
2 from a licensed driver who was at least twenty-one
3 (21) years of age and who was properly licensed to
4 operate a Class D motor vehicle for a minimum of two
5 (2) years, ~~and~~

6 c. who has completed a free course approved by the
7 ~~Oklahoma~~ Department of Transportation on teen driver
8 work zone and first responder safety, and

9 d. who is at least sixteen (16) years of age,

10 may be issued an intermediate Class D license upon successfully
11 passing all parts of the driver license examinations administered by
12 Service Oklahoma; provided, the written examination, if it has not
13 previously been administered or waived, may be waived by Service
14 Oklahoma upon verification that the person has successfully
15 completed driver education or the driving examination may be waived
16 by Service Oklahoma upon successful passage of the examination
17 administered by a certified designated examiner, as provided for in
18 Section 6-110 of this title. However, notwithstanding the date of
19 issuance of the learner permit, if the person has been convicted of
20 a traffic offense which is reported on the driving record of that
21 person, the time period specified in subparagraph a of this
22 paragraph shall be recalculated to begin from the date of conviction
23 for the traffic offense, and must elapse before that person may be
24 issued an intermediate Class D license. If the person has been

1 convicted of more than one traffic offense which is reported on the
2 driving record of that person, the time period specified in
3 subparagraph a of this paragraph shall be recalculated to begin from
4 the most recent date of conviction, and must elapse before that
5 person may be issued an intermediate Class D license.

6 2. A person who has been issued an intermediate Class D license
7 under the provisions of this subsection:

8 a. shall be granted the privilege to operate a Class D
9 motor vehicle upon the public highways:

10 (1) only between the hours of 5:00 a.m. and 10:00

11 p.m., except for driving to and from work,
12 school, school activities, and church activities,
13 or

14 (2) at any time, if a licensed driver who is at least
15 twenty-one (21) years of age is actually
16 occupying a seat beside the intermediate Class D
17 licensee, or if the intermediate Class D licensee
18 is a farm or ranch resident, and is operating a
19 motor vehicle while engaged in farming or
20 ranching operations outside the limits of a
21 municipality, or driving to and from work,
22 school, school activities, or church activities,
23 and
24

b. shall not operate a motor vehicle with more than one passenger unless:

(1) all passengers live in the same household as the custodial legal parent or legal guardian, or

(2) a licensed driver at least twenty-one (21) years of age is actually occupying a seat beside the intermediate Class D licensee.

E. Any person who has been issued an intermediate Class D license for a minimum of:

1. One (1) year; or

2. One hundred eighty (180) days, if the person has completed both the driver education and the parent-certified behind-the-wheel training provisions of subparagraph b of paragraph 1 of subsection D of this section,

may be issued a Class D license. However, notwithstanding the date of issuance of the Class D license, if the person has been convicted of a traffic offense which is reported on the driving record of that person, the time periods specified in paragraph 1 or 2 of this subsection, as applicable, shall be recalculated to begin from the date of conviction for the traffic offense, and must elapse before that person may be issued a Class D license. If the person has been convicted of more than one traffic offense which is reported on the driving record of that person, the time periods specified in paragraph 1 or 2 of this subsection, as applicable, shall be

1 recalculated to begin from the most recent date of conviction, and
2 must elapse before that person may be issued a Class D license.

3 F. Learner permits and intermediate Class D licenses shall be
4 issued for the same period as all other driver licenses. The
5 licenses may be suspended or canceled at the discretion of ~~the~~
6 ~~Department, with notice to~~ Service Oklahoma for violation of
7 restrictions, for failing to give the required or correct
8 information on the application, for knowingly giving false or
9 inaccurate information on the application or any subsequent
10 documentation related to the granting of driving privileges, for
11 using a hand-held electronic device while operating a motor vehicle
12 for non-life-threatening emergency purposes or for violation of any
13 traffic laws of this state pertaining to the operation of a motor
14 vehicle.

15 G. Service Oklahoma shall promulgate rules establishing
16 procedures for removal of learner permit and intermediate Class D
17 license restrictions from the permit or license upon the permittee
18 or licensee qualifying for a less restricted or an unrestricted
19 license.

20 H. Any person fourteen (14) years of age or older may apply for
21 a restricted Class D license with a motorcycle-only restriction.
22 After the person has successfully passed all parts of the motorcycle
23 examination other than the driving examination, has successfully
24 completed a certified state-approved motorcycle basic rider course

1 approved by the Department of Public Safety, in conjunction with
2 Service Oklahoma, and has met all requirements provided for in the
3 rules of the Department and Service Oklahoma, Service Oklahoma shall
4 issue to the person a restricted Class D license with a motorcycle-
5 only restriction which shall grant to the person, while having the
6 license in the person's immediate possession, the privilege to
7 operate a motorcycle or motor-driven cycle:

8 1. With a piston displacement not to exceed three hundred cubic
9 centimeters (300 cc) or a sixteen and eight-tenths (16.8) kilowatt
10 electric power source;

11 2. Between the hours of 4:30 a.m. to 9:00 p.m. only;

12 3. While wearing approved protective headgear; and

13 4. While accompanied by and receiving instruction from any
14 person who is at least twenty-one (21) years of age and who is
15 properly licensed pursuant to the laws of this state to operate a
16 motorcycle or motor-driven cycle, and who has visual contact with
17 the restricted licensee.

18 The restricted licensee may apply on or after thirty (30) days
19 from date of issuance of the restricted Class D license with a
20 motorcycle-only restriction to have the restriction of being
21 accompanied by a licensed driver removed by successfully completing
22 the driving portion of an examination.

23 The written examination and driving examination for a restricted
24 Class D license with a motorcycle-only endorsement shall be waived

1 by Service Oklahoma upon verification that the person has
2 successfully completed a certified state-approved motorcycle basic
3 rider course approved by the Department and Service Oklahoma.

4 I. 1. Any person who is less than seventeen (17) years of age
5 but is at least fourteen (14) years of age and who resides upon a
6 farm in this state or is employed for compensation upon a farm in
7 this state may apply to Service Oklahoma for a farm permit
8 authorizing such person, while possessing the permit, to operate any
9 Class D motor vehicle.

10 2. a. A farm permit shall entitle the licensee, who is at
11 least fourteen (14) years of age but less than sixteen
12 (16) years of age, to operate the appropriate motor
13 vehicles at any time:

- 14 (1) while going to or from or in connection with any
15 farm job, employment, or other farm-related work,
16 (2) on days while school is in session, over the most
17 direct and accessible route between the
18 licensee's residence and school of enrollment for
19 the purpose of school attendance; provided, that
20 the privilege shall only extend to those
21 licensees who reside on a farm and commute
22 directly from their place of residence to the
23 school in which they are enrolled, or
24

1 (3) when the licensee is operating a passenger car at
2 any time when accompanied by an adult who is the
3 holder of a valid commercial driver license,
4 Class A, B, C, or D driver license and who is
5 actually occupying a seat beside the driver.

6 b. For a period of six (6) months, a farm permit shall
7 entitle the licensee who is at least sixteen (16)
8 years of age to operate the appropriate motor vehicles
9 at any time:

10 (1) from 5:00 a.m. to 9:00 p.m.,

11 (2) while going to or from or in connection with any
12 farm job, employment, or other farm-related work,

13 (3) while going to or from authorized school
14 activities,

15 (4) while going directly to or from any religious
16 worship service held by a religious organization,
17 or

18 (5) while the licensee is operating a passenger car
19 at any time while accompanied by an adult who is
20 the holder of a valid commercial driver license,
21 Class A, B, or C driver license, and who is
22 actually occupying a seat beside the driver.

23 After such six-month period, if the licensee has complied with the
24 provisions of this subsection, such farm permit shall entitle the

1 licensee to operate the appropriate motor vehicles at any time
2 without the restrictions required by this subsection.

3 3. A farm permit shall be issued only if:

- 4 a. the applicant can prove that such applicant resides or
5 works on a farm by submitting the signed affidavit of
6 either a parent or guardian stating that the applicant
7 lives on a farm,
- 8 b. the applicant has successfully completed the
9 examination requirements in Section 6-110 of this
10 title, and
- 11 c. the applicant does not live on a farm but works on a
12 farm and the applicant submits the signed affidavit of
13 the applicant's employer and parent or guardian
14 attesting to such employment.

15 4. Any licensee issued a farm permit under this subsection:

- 16 a. who is less than sixteen (16) years of age shall not
17 operate any motor vehicle with nonsibling minor
18 passengers,
- 19 b. who is at least sixteen (16) years of age, for a
20 period of six (6) months after reaching sixteen (16)
21 years of age, shall not operate any motor vehicle with
22 more than one passenger who is less than eighteen (18)
23 years of age and who is not a member of the licensee's
24 immediate family, or

1 c. who is at least fourteen (14) years of age, but less
2 than sixteen (16) years of age, shall not operate any
3 motor vehicle on interstate or turnpike highway
4 systems, nor shall a licensee operate a motor vehicle
5 within the limits of a city with a population in
6 excess of one hundred thousand (100,000) persons
7 according to the latest Federal Decennial Census.

8 Any conviction for violating this paragraph shall be construed as a
9 moving traffic violation. Service Oklahoma may, in its discretion,
10 suspend the permit of an individual for violation of this paragraph.

11 5. Any licensee issued a farm permit under this subsection
12 shall not operate a wireless communication device while driving a
13 motor vehicle, except that a licensee may operate a wireless
14 communication device while driving a motor vehicle to report illegal
15 activity or to summon medical or other emergency help.

16 6. As used in this subsection, "farm" means any parcel of land
17 for which the owner has an agricultural exemption permit issued by
18 the Oklahoma Tax Commission.

19 7. a. A farm permit issued under this subsection is subject
20 to suspension or revocation in the same manner as any
21 other driver license.

22 b. A farm permit may be suspended in accordance with
23 Section 6-113 of this title for any violation of
24 restrictions under this subsection.

1 c. Service Oklahoma shall suspend the farm permit upon
2 receiving satisfactory evidence that the licensee has
3 been involved in two or more accidents chargeable to
4 the licensee and such suspended license shall not be
5 reinstated for one (1) year.

6 8. Any licensee issued a farm permit under this subsection
7 shall provide, prior to reaching sixteen (16) years of age, a signed
8 affidavit of either a parent or guardian stating that the applicant
9 has completed at least fifty (50) hours of adult-supervised driving
10 with at least ten (10) of those hours being at night. The adult-
11 supervised driving required by this paragraph shall be conducted by
12 an adult who is at least twenty-one (21) years of age and is the
13 holder of a valid commercial driver license, Class A, B, C, or D
14 driver license. Evidence of failure of any licensee who was
15 required to complete the fifty (50) hours of adult-supervised
16 driving under this subsection shall not be admissible in any action
17 for the purpose of determining any aspect of comparative negligence
18 or mitigation of damages.

19 9. Any licensee issued a farm permit under this subsection who:

20 a. is under sixteen (16) years of age and is convicted of
21 two or more moving traffic violations committed on
22 separate occasions shall not be eligible to receive a
23 driver license which is not restricted, in accordance
24 with the provisions of subparagraph a of paragraph 2

1 of this subsection, until the person reaches seventeen
2 (17) years of age,

3 b. is at least sixteen (16) years of age but less than
4 seventeen (17) years of age and is convicted of two or
5 more moving traffic violations committed on separate
6 occasions shall not be eligible to receive a driver
7 license which is not restricted, in accordance with
8 the provisions of subparagraph b of paragraph 2 of
9 this subsection, until the person reaches eighteen
10 (18) years of age, or

11 c. fails to provide the affidavit required under
12 paragraph 8 of this subsection shall not be eligible
13 to receive a driver license which is not restricted,
14 in accordance with the provisions of subparagraph a of
15 paragraph 2 of this subsection, until the person
16 provides such affidavit to Service Oklahoma or the
17 person reaches seventeen (17) years of age, whichever
18 occurs first.

19 J. As used in this section:

20 1. ~~Hand-held~~ Handheld electronic device" means a mobile
21 telephone or electronic device with which a user engages in a
22 telephone call, plays or stores media, including but not limited to
23 music and video, or sends or reads a text message while requiring
24 the use of at least one hand; and

1 2. "Using a ~~hand-held~~ handheld electronic device" means
2 engaging any function on an electronic device.

3 K. All driver education courses provided for in paragraph 1 of
4 subsection C of this section shall include education regarding the
5 dangers of texting while driving and the effects of being under the
6 influence of alcohol or other intoxicating substance while driving.

7 SECTION 43. REPEALER 47 O.S. 2021, Section 6-105, as
8 last amended by Section 2, Chapter 450, O.S.L. 2024 (47 O.S. Supp.
9 2025, Section 6-105), is hereby repealed.

10 SECTION 44. REPEALER 47 O.S. 2021, Section 6-105, as
11 last amended by Section 3, Chapter 11, O.S.L. 2024 (47 O.S. Supp.
12 2025, Section 6-105), is hereby repealed.

13 SECTION 45. AMENDATORY 47 O.S. 2021, Section 6-105.3, as
14 last amended by Section 4, Chapter 330, O.S.L. 2025 (47 O.S. Supp.
15 2025, Section 6-105.3), is amended to read as follows:

16 Section 6-105.3. A. In addition to the licenses to operate
17 motor vehicles, Service Oklahoma may issue cards to Oklahoma
18 residents for purposes of identification only. The identification
19 cards shall be issued, renewed, replaced, canceled and denied in the
20 same manner as driver licenses in this state. Provided, any person
21 who holds both a driver license and identification card from
22 Oklahoma as of November 1, 2025, may continue to possess both
23 credentials until the first expiration of either credential. At
24 that time, the person shall be allowed to retain, replace, or renew

1 either the driver license or identification card and shall surrender
2 the second credential to Service Oklahoma. A licensee whose record
3 reflects a notation of the person's proof of legal presence,
4 verified by the U.S. Department of Homeland Security, or proof of
5 U.S. citizenship, may obtain a REAL ID Compliant Identification Card
6 or a Noncompliant Identification Card from a licensed operator or
7 Service Oklahoma, regardless of the status of the license held by
8 the licensee. Provided, the licensee must comply with all REAL ID
9 documentation requirements to obtain a REAL ID Compliant
10 Identification Card. A person shall not apply for or possess more
11 than one state-issued or territory-issued REAL ID Compliant
12 Identification Card pursuant to the provisions of Section 6-101 of
13 this title.

14 The application for an identification card by any person under
15 the age of eighteen (18) years shall be signed and verified by a
16 custodial legal parent or legal guardian, either in person before a
17 person authorized to administer oaths or electronically if
18 completing an online application, or a notarized affidavit signed by
19 a custodial legal parent or legal guardian submitted before a person
20 authorized to administer oaths by the person under the age of
21 eighteen (18) years with the application. Provided, that persons
22 under eighteen (18) years of age who are homeless children and
23 youth, as defined in Section 600 of Title 10 of the Oklahoma
24 Statutes and verified as such through the process established in

1 Section 601.6d of Title 10 of the Oklahoma Statutes, shall be
2 allowed to apply for a REAL ID Noncompliant Identification Card,
3 which shall be valid for a period of four (4) years from the month
4 of issuance, without signature of their parent or legal guardian.

5 Except as otherwise provided in this section, the identification
6 cards shall be valid for a period of either four (4) years from the
7 month of issuance or eight (8) years from the month of issuance;
8 however, the REAL ID Noncompliant identification cards issued to
9 persons sixty-five (65) years of age or older shall be valid
10 indefinitely from the month of issuance.

11 B. 1. The Department of Corrections shall coordinate with
12 Service Oklahoma to provide REAL ID Noncompliant Identification
13 Cards to all inmates who do not have a current state-issued
14 identification card or driver license upon their release from
15 custody. The identification cards shall be issued, replaced,
16 canceled and denied in the same manner as driver licenses in this
17 state.

18 2. Service Oklahoma shall allow the use of a ~~certified~~ copy of
19 a birth certificate coupled with a Department of Corrections-issued
20 consolidated record card to serve as a valid form of photo
21 identification documentation to obtain a REAL ID Noncompliant
22 Identification Card.

23 3. REAL ID Noncompliant Identification Cards issued with a
24 consolidated record card from the Department of Corrections for
25

1 inmates shall be valid for a period of four (4) years from the month
2 of issuance for an allowable fee to be determined by Service
3 Oklahoma and are nonrenewable and nontransferable.

4 4. The fee charged for the issuance or replacement of a REAL ID
5 Noncompliant Identification Card pursuant to this subsection shall
6 be deposited in the Department of Public Safety Revolving Fund
7 through October 31, 2022. Beginning November 1, 2022, this fee
8 shall be deposited in the Service Oklahoma Revolving Fund.

9 Provided, however, REAL ID Noncompliant Identification Cards issued
10 to individuals required to register pursuant to the Sex Offenders
11 Registration Act shall only be valid for a period of one (1) year.
12 No person sixty-five (65) years of age or older shall be charged a
13 fee for a REAL ID Noncompliant Identification Card.

14 5. Service Oklahoma is authorized to promulgate rules and
15 procedures to implement the provisions of this subsection.

16 C. No person shall hold more than one state-issued or
17 territory-issued driver license or identification card, as defined
18 in subsection G of Section 6-101 of this title. Service Oklahoma
19 shall not issue an identification card to any applicant who has been
20 previously issued a driver license or identification card unless
21 such license or identification card has been surrendered to Service
22 Oklahoma by the applicant. Provided, any person who holds both a
23 driver license and identification card from Oklahoma as of November
24 1, 2025, may continue to possess both credentials until the first

1 expiration of either credential. At that time, the person shall be
2 allowed to retain, replace, or renew either the driver license or
3 identification card and shall surrender the second credential to
4 Service Oklahoma. Service Oklahoma may promulgate rules related to
5 the issuance of replacement REAL ID Compliant Identification Cards
6 in the event of loss or theft.

7 D. The fee charged for the issuance or renewal of a REAL ID
8 Compliant Identification Card shall be Twenty-five Dollars (\$25.00)
9 for a 4-year card and Fifty Dollars (\$50.00) for an 8-year card.
10 The fee charged for the issuance or renewal of a REAL ID
11 Noncompliant Identification Card pursuant to this section shall be
12 Twenty-five Dollars (\$25.00) for a 4-year card and Fifty Dollars
13 (\$50.00) for an 8-year card; however, no person sixty-five (65)
14 years of age or older, ~~or~~ one hundred percent (100%) disabled
15 veteran described in subsection P of Section 6-101 of this title, or
16 persons who are homeless children and youth as defined in Section
17 600 of Title 10 of the Oklahoma Statutes and verified through the
18 process established in Section 601.6d of Title 10 of the Oklahoma
19 Statutes shall be charged a fee for an identification card. Of each
20 fee charged pursuant to the provisions of this subsection:

21 1. Seven Dollars (\$7.00) of a 4-year card and Fourteen Dollars
22 (\$14.00) of an 8-year card shall be apportioned as provided in
23 Section 1104 of this title;
24

1 2. Three Dollars (\$3.00) of a 4-year card and Six Dollars
2 (\$6.00) of an 8-year card shall be credited to the Department of
3 Public Safety Computer Imaging System Revolving Fund to be used
4 solely for the purpose of the administration and maintenance of the
5 computerized imaging system of the Department through October 31,
6 2022. Beginning November 1, 2022, Three Dollars (\$3.00) of a 4-year
7 card and Six Dollars (\$6.00) of an 8-year card shall be credited to
8 the Service Oklahoma Computer Imaging System Revolving Fund to be
9 used solely for the purpose of administration and maintenance of the
10 computerized imaging system of Service Oklahoma;

11 3. Ten Dollars (\$10.00) of a 4-year card and Twenty Dollars
12 (\$20.00) of an 8-year card shall be deposited in the Department of
13 Public Safety Revolving Fund through October 31, 2022. Beginning
14 November 1, 2022, this fee shall be deposited in the Service
15 Oklahoma Revolving Fund;

16 4. Three Dollars (\$3.00) of a 4-year card and Six Dollars
17 (\$6.00) of an 8-year card shall be deposited to the State Public
18 Safety Fund created in Section 2-147 of this title; and

19 5. Two Dollars (\$2.00) for a 4-year card and Four Dollars
20 (\$4.00) for an 8-year card of the fee authorized by this subsection
21 related to the issuance or renewal of an identification card by a
22 licensed operator that does process approved applications or
23 renewals for REAL ID Compliant and REAL ID Noncompliant Driver
24 Licenses or Identification Cards shall be retained by the licensed

1 operator through June 30, 2023. Beginning July 1, 2023, these
2 monies shall be retained by the licensed operator pursuant to
3 subsection E of Section 1141.1 of this title.

4 E. The fee charged for replacement of a REAL ID Compliant
5 Identification Card, or REAL ID Noncompliant Identification Card,
6 shall be Twenty-five Dollars (\$25.00); however, no person sixty-five
7 (65) years of age or older shall be charged a fee for an
8 identification card replacement. Of each fee charged pursuant to
9 the provisions of this subsection:

10 1. Seven Dollars (\$7.00) shall be apportioned as provided in
11 Section 1104 of this title;

12 2. Three Dollars (\$3.00) shall be credited to the Department of
13 Public Safety Computer Imaging System Revolving Fund to be used
14 solely for the purpose of the administration and maintenance of the
15 computerized imaging system of the Department through October 31,
16 2022. Beginning November 1, 2022, Three Dollars (\$3.00) shall be
17 credited to the Service Oklahoma Computer Imaging System Revolving
18 Fund to be used solely for the purpose of administration and
19 maintenance of the computerized imaging system of Service Oklahoma;

20 3. Ten Dollars (\$10.00) shall be deposited in the Department of
21 Public Safety Revolving Fund through October 31, 2022. Beginning
22 November 1, 2022, this fee shall be deposited in the Service
23 Oklahoma Revolving Fund;
24
25

1 4. Three Dollars (\$3.00) shall be deposited to the State Public
2 Safety Fund created in Section 2-147 of this title; and

3 5. Two Dollars (\$2.00) of the fee authorized by this subsection
4 related to the replacement of an identification card by a licensed
5 operator that does process approved applications or renewals for
6 REAL ID Compliant or REAL ID Noncompliant Driver Licenses or
7 Identification Cards shall be retained by the licensed operator
8 through June 30, 2023. Beginning July 1, 2023, these monies shall
9 be retained by the licensed operator pursuant to subsection E of
10 Section 1141.1 of this title.

11 F. The Oklahoma Tax Commission is hereby authorized to
12 reimburse, from funds available to that agency, each licensed
13 operator issuing an identification card to a person sixty-five (65)
14 years of age or older, an amount not to exceed One Dollar (\$1.00)
15 for each card or driver license so issued through June 30, 2023.
16 The Tax Commission shall develop procedures for claims for
17 reimbursement.

18 G. Notwithstanding any other provision of law, when a person
19 makes application for a new identification card, or makes
20 application to renew an identification card, and the person has been
21 convicted of, or received a deferred judgment for, any offense
22 required to register pursuant to the Sex Offenders Registration Act,
23 the identification card shall be valid for a period of one (1) year
24 from the month of issuance, but may be renewed yearly during the

1 time the person is subject to registration on the Sex Offender
2 Registry. The cost for such identification card shall be the same
3 as for other identification cards and renewals.

4 H. Nothing in this section requires or authorizes ~~the~~
5 ~~Department of Public Safety~~ Service Oklahoma to issue a REAL ID
6 Noncompliant Identification Card without the documentation required
7 by the provisions of paragraph 9 of subsection A of Section 6-103 of
8 this title.

9 SECTION 46. REPEALER 47 O.S. 2021, Section 6-105.3, as
10 last amended by Section 4, Chapter 11, O.S.L. 2024 (47 O.S. Supp.
11 2025, Section 6-105.3), is hereby repealed.

12 SECTION 47. REPEALER 47 O.S. 2021, Section 6-105.3, as
13 last amended by Section 1, Chapter 101, O.S.L. 2024 (47 O.S. Supp.
14 2025, Section 6-105.3), is hereby repealed.

15 SECTION 48. REPEALER 47 O.S. 2021, Section 6-105.3, as
16 last amended by Section 3, Chapter 315, O.S.L. 2024 (47 O.S. Supp.
17 2025, Section 6-105.3), is hereby repealed.

18 SECTION 49. AMENDATORY 47 O.S. 2021, Section 6-110, as
19 last amended by Section 4, Chapter 450, O.S.L. 2024 (47 O.S. Supp.
20 2025, Section 6-110), is amended to read as follows:

21 Section 6-110. A. 1. Service Oklahoma shall establish
22 procedures to ensure every applicant for an original Class A, B, C
23 or D license and for any endorsements thereon is examined by Service
24 Oklahoma, or an approved written examination proctor, except as

1 otherwise provided in Section 6-101 et seq. of this title or as
2 provided in paragraph 2 of this subsection or in subsections D and E
3 of this section. Service Oklahoma is authorized to approve and
4 enter into agreements with third parties including, but not limited
5 to, public school districts, technology center districts overseen by
6 the Oklahoma Department of Career and Technology Education,
7 institutions of higher education, or commercial driver training
8 schools, to act as approved written examination proctors with regard
9 to any written examination required by this section. The
10 examination shall include a test of the applicant's:

- 11 a. eyesight,
- 12 b. ability to read and understand highway signs
13 regulating, warning and directing traffic,
- 14 c. knowledge of the traffic laws of this state including
15 a portion on bicycle and motorcycle safety, and
- 16 d. ability, by actual demonstration, to exercise ordinary
17 and reasonable control in the operation of a motor
18 vehicle. The actual demonstration shall be conducted
19 in the type of motor vehicle for the class of driver
20 license being applied for.

21 The Department of Public Safety, in conjunction with Service
22 Oklahoma, may create a knowledge test that may be taken on the
23 Internet by an applicant applying for a Class D license.

1 Any licensee seeking to apply for a driver license of another class
2 which is not covered by the licensee's current driver license shall
3 be considered an applicant for an original license for that class.

4 2. Service Oklahoma shall have the authority to waive the
5 requirement of any part of the examination required in paragraph 1
6 of this subsection for those applicants whose driving record meets
7 the standards set by the Department of Public Safety and surrender
8 either of the following:

9 a. a valid unexpired driver license issued by any state
10 or country for the same type or types of vehicles, or

11 b. an expired driver license that:

12 (1) is not expired more than six (6) months past the
13 expiration date listed on the driver license, and

14 (2) is not a Class A, B or C commercial driver
15 license or commercial driver license permit.

16 3. Service Oklahoma shall accept skills test results from
17 another state for Class A, B or C license applicants who have
18 successfully completed commercial motor vehicle driver training in
19 that state and successfully passed the skills test in that state;
20 provided, Service Oklahoma shall not accept skills test results from
21 another state when the applicant has not successfully completed
22 commercial motor vehicle driver training in that state. Nothing in
23 this section shall be construed to prohibit Service Oklahoma from
24

1 administering the skills test to any applicant who has successfully
2 completed commercial vehicle driver training in another state.

3 4. All applicants requiring a hazardous materials endorsement
4 shall be required, for the renewal of the endorsement, to
5 successfully complete the examination and to submit to a security
6 threat assessment performed by the Transportation Security
7 Administration of the Department of Homeland Security as required by
8 and pursuant to 49 C.F.R., Part 1572, which shall be used to
9 determine whether the applicant is eligible for renewal of the
10 endorsement pursuant to federal law and regulation.

11 5. Service Oklahoma, or an approved written examination
12 proctor, shall give the complete examination as provided for in this
13 section within thirty (30) days from the date the application is
14 received, and the examination shall be given at a location within
15 one hundred (100) miles of the residence of the applicant. Service
16 Oklahoma shall make every effort to make the examination locations
17 and times convenient for applicants. Service Oklahoma shall
18 consider giving the examination at any public or private site, if
19 economically feasible and practicable, and if Service Oklahoma and
20 the owner or the governing body agree.

21 B. Any person holding a valid Oklahoma Class D license or
22 provisional driver license pursuant to Section 6-212 of this title
23 and applying for a Class A, B or C commercial license shall be
24 required to successfully complete all examinations as required for

1 the specified class. Failure to submit to Service Oklahoma
2 federally required medical certification information pursuant to 49
3 C.F.R., Part 391.41 et seq. shall result in an automatic downgrade
4 of a commercial license to a Class D license. Provided, however,
5 once the required medical certification information has been
6 received by Service Oklahoma, the license shall be reinstated to the
7 classification of the commercial license prior to the downgrade and
8 the holder of such a license shall not be required to reapply.

9 C. Except as provided in subsection E of Section 6-101 of this
10 title, any person holding a valid Oklahoma Class A, B or C
11 commercial license shall, upon time for renewal thereof, be entitled
12 to a Class D license without any type of testing or examination,
13 except for any endorsements thereon as otherwise provided for by
14 Section 6-110.1 of this title.

15 D. 1. Any certified driver education instructor who is
16 currently an operator or an employee of a commercial driver training
17 school in this state ~~or~~, any driver education instructor employed by
18 any school district in this state, or any licensed operator or an
19 employee of a licensed operator shall be eligible to apply to be a
20 designated examiner of Service Oklahoma for the purposes of
21 administering the Class D driving skills portion of the Oklahoma
22 driving examination to any person who is eligible to take the
23 Oklahoma driving examination including, but not limited to, a person
24 who has been issued a learner permit or farm permit. Service

1 Oklahoma shall to the maximum extent possible accept electronic
2 signatures for all applications to be a designated examiner.

3 2. The Department of Public Safety, in conjunction with Service
4 Oklahoma, shall adopt a curriculum of required courses and training
5 to be offered to applicants who are qualified to apply to be a
6 designated examiner. The courses and training for certification
7 shall meet the same standards as required for driver examiners of
8 Service Oklahoma. Within thirty (30) days of the effective date of
9 this act, and by October 1 of each subsequent year, Service Oklahoma
10 shall publish a schedule for the subsequent calendar year of courses
11 and trainings which shall occur no less than twice per calendar
12 year. Service Oklahoma may schedule additional courses and
13 trainings based on demand. Service Oklahoma shall disclose how many
14 slots are available for each course or training and any restrictions
15 on how those slots may be allocated at the time of publishing the
16 schedule.

17 3. Each person applying to be a designated examiner shall be
18 required to pay an initial designated examiner certification fee of
19 One Thousand Dollars (\$1,000.00). Upon successful completion of
20 training prescribed by paragraph 2 of this subsection, the person
21 shall be required to pay an annual designated examiner certification
22 fee of Five Hundred Dollars (\$500.00). If an applicant for the
23 designated examiner program is employed by an Oklahoma public school
24 system that offers driver education, and he or she administers the

1 skills test only to students enrolled in a public school driver
2 education program, the certification fee may be waived by Service
3 Oklahoma. Each designated examiner certification shall expire on
4 the last day of the calendar year and may be renewed upon
5 application to Service Oklahoma. The designated examiner
6 certification fees collected by Service Oklahoma pursuant to this
7 subsection shall be deposited to the credit of the Department of
8 Public Safety Restricted Revolving Fund to be used for the purposes
9 of this subsection, through October 31, 2022. Beginning November 1,
10 2022, the designated examiner certification fees collected by
11 Service Oklahoma pursuant to this subsection shall be deposited to
12 the credit of the Service Oklahoma Revolving Fund. No designated
13 examiner certification fee shall be refunded in the event that
14 certification is denied, suspended or revoked.

15 4. A designated examiner may charge a fee for each Class D
16 driving skills examination given, whether the person being examined
17 passes or fails the examination.

18 5. Service Oklahoma shall ~~conduct an annual complete nationwide~~
19 ~~criminal history background check on~~ require each designated
20 examiner ~~and a complete nationwide criminal history background check~~
21 ~~on each designated examiner applicant~~ and driver education
22 instructor applicant to submit to an electronic national criminal
23 history record check pursuant to Section 150.9 of Title 74 of the
24 Oklahoma Statutes. The fees for the ~~background~~ record check shall

1 be borne by the designated examiner ~~or~~, designated examiner
2 applicant, driver education instructor, or driver education
3 instructor applicant.

4 6. The Department of Public Safety, in conjunction with Service
5 Oklahoma, shall promulgate rules to implement and administer the
6 provisions of this subsection.

7 E. 1. Upon application and approval of Service Oklahoma, any
8 public or private commercial truck driving school that has or
9 maintains a program instructing students for a Class A, B or C
10 license, public transit agency, state, county or municipal
11 government agency in this state, such as local school districts, the
12 Oklahoma Department of Career and Technology Education, or
13 institutions of higher education, or a private entity, shall be
14 authorized to hire or employ designated examiners approved by
15 Service Oklahoma to be third-party examiners of the Class A, B or C
16 driving skills portion and/or knowledge written portion, pursuant to
17 subsection A of this section, of the Oklahoma driving examination.
18 All designated examiners must successfully have completed the
19 courses and training as outlined in paragraph 2 of this subsection.
20 Service Oklahoma shall be required to approve at least one public
21 transit agency that has or maintains a program instructing students
22 for a Class A, B or C license to hire or employ third-party
23 examiners pursuant to this section. It shall be permissible for any
24 public transit agency operating in this state to utilize the third-

1 party examiners hired or employed by a public transit agency
2 approved by Service Oklahoma.

3 2. The Department of Public Safety, in conjunction with Service
4 Oklahoma, shall adopt a curriculum of required courses and training
5 to be offered to third-party examiners. The courses and training
6 for certification shall meet the same standards as required for
7 commercial driver examiners of Service Oklahoma.

8 3. Service Oklahoma shall require each third-party examiner
9 applicant and commercial school driver education instructor
10 applicant to submit to an electronic national criminal history
11 record check pursuant to Section 150.9 of Title 74 of the Oklahoma
12 Statutes. On or before December 1, 2022, Service Oklahoma shall
13 require each third-party examiner or commercial school driver
14 education instructor to submit to an electronic national criminal
15 history record check pursuant to Section 150.9 of Title 74 of the
16 Oklahoma Statutes. The fees for the background check shall be borne
17 by the third-party examiner, third-party examiner applicant,
18 commercial school driver education instructor or commercial school
19 driver education instructor applicant.

20 F. Service Oklahoma shall promulgate rules to:

21 1. Implement and administer the provisions of this section
22 based on requirements set forth in Section 383.75 of Title 49 of the
23 Code of Federal Regulations;

2. Establish a process to inform any school, public transit agency, examiner, or state, county or municipal government agency, who has been denied, within forty-five (45) days from the denial;

3. Create an appeal process for any school, public transit agency, examiner, or state, county or municipal government agency denied; and

4. If the initial application for approval was denied, limit the number of times an individual school, public transit agency, individual examiner applicant, or state, county or municipal government agency may reapply in a calendar year to two reapplications.

SECTION 50. REPEALER 47 O.S. 2021, Section 6-110, as last amended by Section 44, Chapter 452, O.S.L. 2024 (47 O.S. Supp. 2025, Section 6-110), is hereby repealed.

SECTION 51. REPEALER 47 O.S. 2021, Section 6-110, as last amended by Section 6, Chapter 11, O.S.L. 2024 (47 O.S. Supp. 2025, Section 6-110), is hereby repealed.

SECTION 52. AMENDATORY 47 O.S. 2021, Section 6-111, as last amended by Section 2, Chapter 310, O.S.L. 2025 (47 O.S. Supp. 2025, Section 6-111), is amended to read as follows:

Section 6-111. A. 1. Service Oklahoma shall, upon payment of the required fee, issue to every applicant qualifying therefor a Class A, B, C or D driver license or identification card as applied for, which license or card shall bear thereon a distinguishing

1 alphanumeric identification assigned to the licensee or cardholder,
2 date of issuance and date of expiration of the license or card, the
3 full legal name, signature or computerized signature, date of birth,
4 residence address, unless specified as an exception in 6 C.F.R.,
5 Section 37.17, sex, a computerized ~~color~~ image of the licensee or
6 cardholder taken in accordance with Service Oklahoma rules and
7 security features as determined by Service Oklahoma. The image
8 shall depict a full front unobstructed view of the entire face of
9 the licensee or cardholder; provided, a commercial learner permit
10 shall not bear the image of the licensee. ~~When any person is issued~~
11 ~~both a driver license and an identification card, Service Oklahoma~~
12 ~~shall ensure the information on both the license and the card are~~
13 ~~the same, unless otherwise provided by law.~~

14 2. A driver license or identification card issued by Service
15 Oklahoma on or after March 1, 2004, shall bear thereon the county of
16 residence of the licensee or cardholder.

17 3. Service Oklahoma may cancel the distinguishing number, when
18 that distinguishing number is another person's Social Security
19 number, assign a new distinguishing alphanumeric identification, and
20 issue a new license or identification card without charge to the
21 licensee or cardholder.

22 4. Service Oklahoma may promulgate rules for inclusion of the
23 height and a brief description of the licensee or cardholder on the
24

1 face of the card or license identifying the licensee or cardholder
2 as deaf or hard-of-hearing.

3 5. It is unlawful for any person to apply, adhere, or otherwise
4 attach to a driver license or identification card any decal,
5 sticker, label, or other attachment. Any law enforcement officer is
6 authorized to remove and dispose of any unlawful decal, sticker,
7 label, or other attachment from the driver license of a person. The
8 law enforcement officer, the employing agency of the officer,
9 Service Oklahoma, and the State of Oklahoma shall be immune from any
10 liability for any loss suffered by the licensee, cardholder, or the
11 owner of the decal, sticker, label, or other attachment caused by
12 the removal and destruction of the decal, sticker, label, or other
13 attachment. Nothing in this section shall prohibit Service Oklahoma
14 from adopting, applying, adhering, or otherwise attaching decals,
15 stickers, labels, or other attachments to a driver license or
16 identification card.

17 6. Service Oklahoma may develop by rule a procedure which
18 complies with the provisions of subsection G of Section 6-101 of
19 this title whereby a person may apply for a renewal or replacement
20 Oklahoma Class D license or Oklahoma identification card.

21 B. 1. Service Oklahoma may issue or authorize the issuance of
22 a temporary permit or license to an applicant for a driver license
23 permitting such applicant to operate a motor vehicle while Service
24 Oklahoma is completing its investigation and determination of all

1 facts relative to such applicant's privilege to receive a license,
2 or while a permanent driver license is being produced and delivered
3 to the applicant. Such permit or license must be in the immediate
4 possession of the driver while operating a motor vehicle, and it
5 shall be invalid when the applicant's permanent driver license has
6 been issued and delivered or for good cause has been refused.

7 2. Service Oklahoma may issue or authorize the issuance of a
8 temporary identification card to an applicant, permitting the holder
9 the privileges otherwise granted by identification cards, while a
10 permanent driver license is being provided and delivered to the
11 applicant. Such card shall be invalid when the applicant's
12 permanent identification card has been issued and delivered, or for
13 good cause has been refused.

14 C. 1. Service Oklahoma may issue a restricted commercial
15 driver license to drivers eighteen (18) years of age or older for
16 any of the following specific farm-related service industries:

- 17 a. farm retail outlets and suppliers,
- 18 b. agri-chemical businesses,
- 19 c. custom harvesters, and
- 20 d. livestock feeders.

21 The applicant shall have held a valid driver license for at
22 least one (1) year. Applicants with more than two (2) years of
23 driving experience shall have a good driving record for the most
24 recent two-year period and shall meet all the requirements for a

1 commercial driver license. The restricted commercial driver license
2 shall not exceed the maximum total days that federal law allows.
3 Applicants for the restricted commercial driver license shall be
4 exempt from the knowledge and skills test. Application of the
5 restricted commercial driver license does not have to be used in
6 consecutive days. The use of the permit shall be declared at
7 application.

8 2. A "good driving record" as used in this subsection shall
9 mean an applicant:

- 10 a. has not had more than one license,
- 11 b. has not had any license suspended, revoked, or
12 canceled,
- 13 c. has not had any conviction for any type of
14 disqualifying offenses or serious traffic violations,
15 or
- 16 d. has not had any conviction for a violation of state or
17 local law relating to motor vehicle traffic control,
18 other than a parking violation, arising in connection
19 with any traffic accident and has no record of an
20 accident in which he or she is at fault.

21 3. The restricted commercial driver license shall not be valid
22 for operators of commercial motor vehicles beyond one hundred fifty
23 (150) miles from the place of business or the farm currently being
24 served. Such license shall be limited to Class B or C vehicles.

1 Holders of such licenses who transport hazardous materials which are
2 required to be placarded shall be limited to the following:

- 3 a. diesel fuel in quantities of one thousand (1,000)
4 gallons or less,
- 5 b. liquid fertilizers in vehicles with total capacities
6 of three thousand (3,000) gallons or less, and
- 7 c. solid fertilizers that are not mixed with any organic
8 substance.

9 No other placarded hazardous materials shall be transported by
10 holders of such licenses.

11 D. 1. Service Oklahoma may issue a non-domiciled commercial
12 learner permit or a non-domiciled commercial driver license.

13 2. A person applying for such permit or license must comply
14 with all testing and licensing requirements in accordance with
15 applicable federal regulations, state laws, and Service Oklahoma
16 rules. The expiration of the issued license shall be the same date
17 as the expiration of the visa for the non-domiciled worker. Service
18 Oklahoma may promulgate rules for the implementation of the process
19 to carry out the provisions of this section.

20 3. A person holding a non-domiciled commercial driver license
21 or non-domiciled commercial learner's permit within this state shall
22 also possess a valid work visa and provide proof of citizenship to
23 validate his or her identity while operating a commercial motor
24 vehicle. Proof of citizenship shall be demonstrated through

1 presentation of a birth certificate, naturalization certificate, or
2 valid passport.

3 4. A commercial motor carrier whose driver is found to be in
4 violation of this subsection shall be subject to a fine in the
5 amount of Three Thousand Dollars (\$3,000.00) for each violation.
6 The proceeds of any penalties collected pursuant to this paragraph
7 shall be deposited in the Weigh Station Improvement Revolving Fund
8 created in Section 1167 of Title 47 of the Oklahoma Statutes.

9 5. A driver found to be in violation of this subsection shall
10 be prohibited from operating a commercial motor vehicle within this
11 state until such a time that the driver is able to meet the
12 identification provisions of this subsection. Any driver found to
13 be operating a motor vehicle within this state while under such
14 prohibition shall be guilty of a misdemeanor and upon conviction
15 shall be punished by a fine not to exceed One Thousand Dollars
16 (\$1,000.00), or by imprisonment for not more than ninety (90) days,
17 or by both such fine and imprisonment. Any fine collected pursuant
18 to the provisions of this paragraph shall be deposited to the Trauma
19 Care Assistance Revolving Fund created in Section 1-2530.9 of Title
20 63 of the Oklahoma Statutes.

21 6. The commercial motor carrier shall be notified of the
22 location of any commercial motor vehicle involved in a violation,
23 and, upon payment of the fine in full and presentation of a driver
24 who meets all requirements to operate a commercial motor vehicle

1 within this state, shall take possession of the vehicle. If the
2 commercial motor carrier is unable to either pay such fine or
3 present such driver within twelve (12) hours after notification, the
4 owner of any cargo being transported by the commercial motor vehicle
5 shall be notified and allowed to arrange for the transfer of the
6 cargo to another vehicle. Neither the state nor the owner of such
7 cargo shall be liable for any reasonable action to transfer such
8 cargo.

9 7. As used in this subsection, a non-domiciled commercial
10 driver license or non-domiciled commercial learner permit shall have
11 the same meaning as that provided in 49 C.F.R., Section 383.5.

12 E. 1. Service Oklahoma shall develop a procedure whereby a
13 person applying for an original, renewal or replacement Class A, B,
14 C or D driver license or identification card who is required to
15 register as a convicted sex offender with the Department of
16 Corrections pursuant to the provisions of the Sex Offenders
17 Registration Act and who the Department of Corrections designates as
18 an aggravated or habitual offender pursuant to subsection J of
19 Section 584 of Title 57 of the Oklahoma Statutes shall be issued a
20 license or card bearing the words "Sex Offender".

21 2. Service Oklahoma shall notify every person subject to
22 registration under the provisions of Section 1-101 et seq. of this
23 title who holds a current Class A, B, C or D driver license or
24 identification card that such person is required to surrender the
25

1 license or card to Service Oklahoma within one hundred eighty (180)
2 days from the date of the notice.

3 3. Upon surrendering the license or card for the reason set
4 forth in this subsection, application may be made with Service
5 Oklahoma for a replacement license or card bearing the words "Sex
6 Offender".

7 4. Failure to comply with the requirements set forth in such
8 notice shall result in cancellation of the person's license or card.
9 Such cancellation shall be in effect for one (1) year, after which
10 time the person may make application with Service Oklahoma for a new
11 license or card bearing the words "Sex Offender". Continued use of
12 a canceled license or card shall constitute a misdemeanor and shall,
13 upon conviction thereof, be punishable by a fine of not less than
14 Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars
15 (\$200.00). When an individual is no longer required to register as
16 a convicted sex offender with the Department of Corrections pursuant
17 to the provisions of the Sex Offenders Registration Act, the
18 individual shall be eligible to receive a driver license or
19 identification card which does not bear the words "Sex Offender".

20 F. Nothing in subsection E of this section shall be deemed to
21 impose any liability upon or give rise to a cause of action against
22 any employee, agent or official of the Department of Corrections for
23 failing to designate a sex offender as an aggravated or habitual
24

1 offender pursuant to subsection J of Section 584 of Title 57 of the
2 Oklahoma Statutes.

3 G. A person subject to an order for the installation of an
4 ignition interlock device shall be required by Service Oklahoma to
5 submit his or her driver license for a replacement. The replacement
6 driver license shall bear the words "Interlock Required" and such
7 designation shall remain on the driver license for the duration of
8 the order requiring the ignition interlock device. The replacement
9 license shall be subject to the same expiration and renewal
10 procedures provided by law. Upon completion of the requirements for
11 the interlock device, a person may apply for a replacement driver
12 license.

13 H. Service Oklahoma shall develop a procedure whereby a person
14 applying for an original, renewal or replacement Class D driver
15 license who has been granted modified driving privileges under this
16 title shall be issued a Class D driver license which identifies the
17 license as a modified license.

18 SECTION 53. REPEALER 47 O.S. 2021, Section 6-111, as
19 last amended by Section 5, Chapter 330, O.S.L. 2025 (47 O.S. Supp.
20 2025, Section 6-111), is hereby repealed.

21 SECTION 54. AMENDATORY 47 O.S. 2021, Section 6-301, as
22 last amended by Section 3, Chapter 38, O.S.L. 2025 (47 O.S. Supp.
23 2025, Section 6-301), is amended to read as follows:
24
25

1 Section 6-301. It shall be unlawful for any person to commit
2 any of the acts specified in paragraph 1 or 2 of this section in
3 relation to an Oklahoma driver license or identification card
4 authorized to be issued by Service Oklahoma pursuant to the
5 provisions of Sections 6-101 through 6-309 of this title or any
6 driver license or other evidence of driving privilege or
7 identification card authorized to be issued by the state of origin.

8 1. It is a misdemeanor for any licensee:

- 9 a. to display or cause or permit to be displayed one's
10 own license after such license has been suspended,
11 revoked, or canceled or to possess one's own license
12 after having received notice of its suspension,
13 revocation, or cancellation,
14 b. to lend one's own license or identification card to
15 any other person or knowingly permit the use thereof
16 by another,
17 c. to display or cause or permit to be displayed or to
18 possess a license or identification card issued to
19 oneself which bears altered information concerning the
20 date of birth, expiration date, sex, height, eye
21 color, weight, or license or card number,
22 d. to fail or refuse to surrender to Service Oklahoma
23 upon its lawful demand any license or identification
24 card which has been suspended, revoked, or canceled,

- e. to permit any unlawful use of a license or identification card issued to oneself,
- f. to do any act forbidden or fail to perform any act required by this chapter, excepting those acts as provided in paragraph 2 of this section,
- g. to display or represent as one's own any license or identification card not issued to such person unless under conditions provided in subparagraph e of paragraph 2 of this section, or
- h. to add to, delete from, alter, or deface the required information on a driver license or identification card.

2. It is a felony for any person:

- a. to create, publish, or otherwise manufacture an Oklahoma or other state license or identification card or facsimile thereof, or to create, manufacture, or possess an engraved plate or other such device, card, laminate, digital image or file, or software for the printing of an Oklahoma or other state license or identification card or facsimile thereof, except as authorized pursuant to this title,
- b. to display or cause or permit to be displayed or to knowingly possess any state counterfeit or fictitious license or identification card,

- c. to display or cause to be displayed or to knowingly possess any state license or identification card bearing a fictitious or forged name or signature,
- d. to display or cause to be displayed or to knowingly possess any state license or identification card bearing the photograph of any person, other than the person named thereon as licensee,
- e. to display or represent as one's own, any license or identification card not issued to him or her, for the purpose of committing a fraud in any commercial transaction or to mislead a peace officer in the performance of his or her duties, or
- f. to use a false or fictitious name in any application for a license or identification card or to knowingly make a false statement or to knowingly conceal a material fact or otherwise commit a fraud in any such application.

3. It is a felony for any employee or person authorized to issue or approve the issuance of licenses or identification cards under this title to knowingly issue or attempt to issue a license or identification card or to knowingly give approval for, cause, or attempt to cause a license or identification card to be issued:

- a. to a person not entitled thereto,
- b. bearing erroneous information thereon, or

1 c. bearing the photograph of a person other than the
2 person named thereon.

3 Such conduct shall be grounds for termination of employment of the
4 employee.

5 4. The violation of any of the provisions of paragraph 1 of
6 this section shall constitute a misdemeanor and shall, upon
7 conviction thereof, be punishable by a fine not less than Twenty-
8 five Dollars (\$25.00), nor more than Two Hundred Dollars (\$200.00);
9 the violation of any of the provisions of paragraph 2 or 3 of this
10 section shall constitute a Class D1 felony offense and shall, upon
11 conviction thereof, be punishable by a fine not to exceed Ten
12 Thousand Dollars (\$10,000.00), or a term of imprisonment in the
13 custody of the Department of Corrections not to exceed seven (7)
14 years as provided for in subsections B through F of Section 20N of
15 Title 21 of the Oklahoma Statutes, or by both such fine and
16 imprisonment.

17 5. Notwithstanding any provision of this section, the
18 Department of Public Safety, through the Identity Verification Unit
19 established pursuant to Section 2-106.3 of this title, may, upon the
20 request of the chief administrator of a law enforcement, military,
21 or intelligence agency, authorize the issuance to and display and
22 possession by a person of a license which would otherwise be a
23 violation of this section, for the sole purpose of aiding in a
24 criminal investigation or a military or intelligence operation.

1 While acting pursuant to such authorization by the Department, such
2 person shall not be prosecuted for a violation under this section
3 unless the person exceeds the scope or duration of the Department's
4 authorization. Upon termination of such investigation or operation
5 or upon request of the Department, the chief administrator of the
6 law enforcement agency that requests the issuance of the license and
7 the recipient of the license shall be jointly responsible to ensure
8 the license is promptly returned to the Department. The Department
9 and Service Oklahoma shall enter into interagency agreements as may
10 be necessary to fulfill the powers and duties set forth in this
11 paragraph. The Department may enter into interagency agreements
12 with law enforcement agencies that request issuance of such a
13 license to set forth the terms of the authorization for use of the
14 license, the terms for custody and control of the license, and the
15 terms for duration and revocation of authorization to use or possess
16 the license.

17 SECTION 55. REPEALER 47 O.S. 2021, Section 6-301, as
18 last amended by Section 516, Chapter 486, O.S.L. 2025 (47 O.S. Supp.
19 2025, Section 6-301), is hereby repealed.

20 SECTION 56. AMENDATORY 47 O.S. 2021, Section 563, as
21 last amended by Section 3, Chapter 448, O.S.L. 2025 (47 O.S. Supp.
22 2025, Section 563), is amended to read as follows:

23 Section 563. A. There is hereby created the Oklahoma New Motor
24 Vehicle Commission, to be composed of nine (9) members. Seven of

1 the members shall have been engaged in the manufacture,
2 distribution, or sale of new motor vehicles and two members shall be
3 lay members, all to be appointed by the Governor of ~~the State of~~
4 ~~Oklahoma~~ this state, with the advice and consent of the Senate.
5 Appointments shall be made within thirty (30) days after November 1,
6 1985. Each of the Commissioners thus appointed shall, at the time
7 of the appointment, be a resident in good faith of this state, shall
8 be of good moral character, and each of the ~~industry-related~~
9 industry-related Commissioners shall have been actually engaged in
10 the manufacture, distribution, or sale of new motor vehicles, new
11 powersport vehicles or new recreational vehicles for not less than
12 ten (10) years preceding the appointment. The members of the
13 Commission shall serve at the pleasure of the Governor.

14 B. 1. The Commissioners shall elect a chair from amongst them
15 whose term shall be for one (1) year with the right to succeed
16 himself or herself.

17 2. There shall be three ~~at-large~~ at-large members of the
18 Commission. Six members of the Commission shall be appointed from
19 the following geographical areas with at least one member from each
20 area:

- 21 a. four areas of the state shall be the northwest,
22 northeast, southwest, and southeast sections
23 designated by Interstate 35 dividing the state east
24 and west and Interstate 40 dividing the state north
25

1 and south, excluding Oklahoma County and Tulsa County,
2 and

3 b. two additional areas shall be Oklahoma County and
4 Tulsa County.

5 There shall not be more than two members of the Commission from any
6 one area.

7 C. The terms of office of the members first appointed to the
8 Commission shall be as follows:

9 1. The members appointed from the northwest, northeast, and
10 southwest areas shall serve until June 30, 1987;

11 2. The members appointed from the southeast area and Oklahoma
12 County and Tulsa County shall serve until June 30, 1989; and

13 3. The members appointed at large shall serve until June 30,
14 1991.

15 Each member shall serve until a successor is appointed and
16 qualifies. Thereafter, the term of office of each member of the
17 Commission shall be for six (6) years. The term of office of any
18 member will automatically expire if the member moves out of the
19 geographical area from which the member was appointed. In event of
20 death, resignation, removal, or term automatically expiring of any
21 person serving on the Commission, the vacancy shall be filled by
22 appointment as provided for the unexpired portion of the term. The
23 Commission shall meet ~~at~~ in Oklahoma City and complete its
24 organization immediately after the membership has been appointed and

1 has qualified. The chair and each member of the Commission shall
2 take and subscribe to the oath of office required of public
3 officers.

4 D. The members of the Commission shall receive reimbursement
5 for subsistence and traveling expenses necessarily incurred in the
6 performance of their duties as provided by the State Travel
7 Reimbursement Act.

8 E. The Commission shall appoint a qualified person to serve as
9 Executive Director thereof, which person shall have had not less
10 than ten (10) years of experience in the motor vehicle industry.
11 The Executive Director shall be appointed for a term of six (6)
12 years, and shall not be subject to dismissal or removal without
13 cause. The Commission shall fix the salary and prescribe the duties
14 of the Executive Director. The Executive Director shall devote such
15 time as necessary to fulfill the duties thereof, and before entering
16 upon such duties shall take and subscribe to the oath of office.
17 The Executive Director may employ such clerical, technical, and
18 other help and legal services and incur such expenses as may be
19 necessary for the proper discharge of the duties of the Executive
20 Director under Section 561 et seq. of this title. The Commission
21 shall maintain its office and transact its business in Oklahoma
22 City, and it is authorized to adopt and use a seal. The Executive
23 Director is hereby authorized to hire, retain, or otherwise acquire
24 the services of an attorney to represent the Commission in any and

1 all state and federal courts, and assist the Commission in any and
2 all business or legal matters that may come before it. The attorney
3 so representing the Commission shall discharge the duties under the
4 direction of the Executive Director.

5 F. The Commission is hereby vested with the powers necessary to
6 enable it to fully and effectively carry out the provisions and
7 objects of Section 561 et seq. of this title and Section 1137.4 of
8 this title, and is hereby authorized and empowered to make and
9 enforce all reasonable rules and to adopt and prescribe all forms
10 necessary to accomplish such purpose. All forms used by a new motor
11 vehicle dealer or powersports vehicle dealer to facilitate the
12 delivery of a vehicle pending approval of financing shall be
13 approved by the Commission. Spot delivery agreement forms shall be
14 required for all new motor vehicle or powersport vehicle deliveries
15 subject to dealers finding lending institutions to purchase the
16 retail or lease installment contracts executed by the purchasing and
17 selling parties.

18 G. All fees, charges and fines collected under the provisions
19 of Section 561 et seq. of this title and Section 1137.4 of this
20 title shall be deposited by the Executive Director in the State
21 Treasury in accordance with the depository laws of this state in a
22 special fund to be known as the "Oklahoma New Motor Vehicle
23 Commission Fund", which is hereby created, and except as hereinafter
24 provided the monies in the fund shall be used by the Commission for

1 the purpose of carrying out and enforcing the provisions of Section
2 561 et seq. of this title and Section 1137.4 of this title.

3 Expenditures from the fund shall be made upon vouchers approved by
4 the Commission or its authorized officers.

5 At the close of each fiscal year, the Commission shall file with
6 the Governor and the State Auditor and Inspector a true and correct
7 report of all fees, fines, and charges collected and received by it
8 during the preceding fiscal year and shall at the same time pay into
9 the General Revenue Fund of the state a sum equal to ten percent
10 (10%) of the fees, fines, and charges collected and received.

11 All expenses incurred by the Commission in carrying out the
12 provisions of Section 561 et seq. of this title and Section 1137.4
13 of this title, including but not limited to per diem, wages,
14 salaries, rent, postage, advertising, supplies, bond premiums,
15 travel, and subsistence for the Commissioners, the Executive
16 Director, employees, and legal counsel, and printing and utilities,
17 shall be a proper charge against such fund, exclusive of the portion
18 thereof to be paid into the General Revenue Fund as above set out.
19 In no event shall liability ever accrue hereunder against this state
20 in any sum whatsoever, or against the Oklahoma New Motor Vehicle
21 Commission Fund, in excess of the ninety percent (90%) of the fees,
22 fines, and charges deposited therein.

1 SECTION 57. REPEALER 47 O.S. 2021, Section 563, as last
2 amended by Section 3, Chapter 236, O.S.L. 2024 (47 O.S. Supp. 2025,
3 Section 563), is hereby repealed.

4 SECTION 58. AMENDATORY 47 O.S. 2021, Section 564, as
5 last amended by Section 4, Chapter 448, O.S.L. 2025 (47 O.S. Supp.
6 2025, Section 564), is amended to read as follows:

7 Section 564. A. It shall be unlawful for any person, firm,
8 association, corporation, ~~or~~ partnership, trust, joint venture, or
9 common entity thereof, to engage in business as, or serve in the
10 capacity of, or act as a new motor vehicle dealer, powersports
11 vehicle dealer, or new motor vehicle manufacturer, or distributor ,
12 factory branch, distributor branch , factory representative, or
13 distributor representative, as defined in Section 562 of this title,
14 in this state without first obtaining a license therefor as provided
15 for by law. Any person, firm, association, corporation, ~~or~~
16 partnership, trust, joint venture, or common entity thereof,
17 engaging in more than one of such capacities or having more than one
18 place where such business is carried on or conducted in this state
19 shall be required to obtain and hold a current license for each
20 thereof. Provided that, a new motor vehicle dealer's or powersports
21 vehicle dealer's license shall authorize one person to sell without
22 the necessity of registering as a salesperson, so long as such
23 person is an owner of the dealership, or the person designated as
24 principal in the dealer's franchise or the managing officer or one

1 partner if no principal person is named in the franchise. It is
2 further provided that a factory ~~or an entity affiliated by any~~
3 ~~ownership or control by the factory~~ shall not be permitted to engage
4 in the activities of a dealer as defined in paragraph 2 of Section
5 562 of this title or to be licensed as a new motor vehicle dealer in
6 this state, except as provided by subparagraph b of paragraph 12 of
7 Section 565 of this title.

8 B. Applications for licenses required to be obtained under the
9 provisions of Section 561 et seq. of this title shall be verified by
10 the oath or affirmation of the applicant and shall be on forms
11 prescribed by the Oklahoma New Motor Vehicle Commission and
12 furnished to the applicants, and shall contain information as the
13 Commission deems necessary to enable it to fully determine the
14 qualifications and eligibility of the several applicants to receive
15 the license or licenses applied for. The Commission shall require
16 in such application, or otherwise, information relating to the
17 applicant's current financial standing, the applicant's business
18 integrity, the applicant's criminal convictions or criminal or civil
19 court proceedings history, whether the applicant has an established
20 place of business and is primarily engaged in the pursuit,
21 avocation, or business for which a license, or licenses, are applied
22 for, and whether the applicant is able to properly conduct the
23 business for which a license, or licenses, are applied for, and such
24 other pertinent information consistent with the safeguarding of the

1 public interest and the public welfare. All applications for
2 license or licenses shall be accompanied by the appropriate fee or
3 fees therefor in accordance with the schedule thereof hereinafter
4 set out. In the event any application is denied and the license
5 applied for is not issued, the entire license fee shall be returned
6 to the applicant. All licenses issued under the provisions of
7 Section 561 et seq. of this title shall expire on June 30, following
8 the date of issue and shall be nontransferable. All applications
9 for renewal of a license for a new motor vehicle dealer, powersports
10 vehicle dealer, manufacturer, distributor, factory branch,
11 distributor branch, or manufacturer's or distributor's
12 representative shall be submitted by June 1 of each year, and such
13 license or licenses will be issued by July 1. If applications have
14 not been made for renewal of licenses at the times described in this
15 subsection, it shall be illegal for any person to represent himself
16 or herself and act as a dealer, manufacturer, distributor, or
17 manufacturer's or distributor's representative. Service Oklahoma
18 and licensed operators will be notified not to accept manufacturers'
19 statements or certificates of origin for unlicensed dealers until
20 such time as their licenses have been issued by the Commission.

21 C. The schedule of license fees to be charged and received by
22 the Commission for the licenses issued hereunder shall be as
23 follows:
24

1 1. For each manufacturer, distributor, factory branch, or
2 distributor branch of new motor vehicles or powersports vehicles,
3 Four Hundred Dollars (\$400.00) initial fee with annual renewal fee
4 of Three Hundred Dollars (\$300.00);

5 2. For each factory representative or distributor
6 representative, One Hundred Dollars (\$100.00) annually;

7 3. For each new motor vehicle dealer, initial fee of Three
8 Hundred Dollars (\$300.00) per franchise sold at each location
9 licensed, with an annual renewal fee of One Hundred Dollars
10 (\$100.00) per franchise sold at each location licensed per year; and

11 4. For each powersports vehicle dealer, initial fee of Three
12 Hundred Dollars (\$300.00) per manufacturer represented by the dealer
13 at each location licensed, with an annual renewal fee of One Hundred
14 Dollars (\$100.00) per manufacturer represented by the dealer at each
15 location licensed per year.

16 D. The licenses issued to each new motor vehicle dealer, new
17 powersports vehicle dealer, manufacturer, distributor, factory
18 branch, or distributor branch shall specify the location thereof.
19 In case such location is changed, the Commission may endorse the
20 change of location on the license without charge unless the change
21 of address triggers a relocation of a new motor vehicle dealer or
22 new powersports vehicle dealer pursuant to the provisions of Section
23 578.1 of this title. The licenses shall be posted in a conspicuous
24 place in the licensee's place or places of business.

1 Every representative of a factory or distributor shall
2 physically possess the license when engaged in business and shall
3 display such upon request. The name of the employer shall be stated
4 on the representative's license.

5 E. The new powersports vehicle dealer license shall only allow
6 the sale of the specific types of powersports vehicles authorized by
7 the manufacturer and agreed to by the powersports dealer.

8 SECTION 59. REPEALER 47 O.S. 2021, Section 564, as last
9 amended by Section 2, Chapter 119, O.S.L. 2025 (47 O.S. Supp. 2025,
10 Section 564), is hereby repealed.

11 SECTION 60. AMENDATORY 47 O.S. 2021, Section 565, as
12 last amended by Section 6, Chapter 448, O.S.L. 2025 (47 O.S. Supp.
13 2025, Section 565), is amended to read as follows:

14 Section 565. A. The Oklahoma New Motor Vehicle Commission may
15 deny an application for a license, revoke or suspend a license, or
16 impose a fine against any person or entity, not to exceed Ten
17 Thousand Dollars (\$10,000.00) per occurrence, that violates any
18 provision of Sections 561 through 567, 572, 578.1, 579, and 579.1 of
19 this title or for any of the following reasons:

20 1. On satisfactory proof of unfitness of the applicant in any
21 application for any license under the provisions of Section 561 et
22 seq. of this title;

1 2. For any material misstatement made by an applicant in any
2 application for any license under the provisions of Section 561 et
3 seq. of this title;

4 3. For any failure to comply with any provision of Section 561
5 et seq. of this title or any rule promulgated by the Commission
6 under authority vested in it by Section 561 et seq. of this title;

7 4. A change of condition after license is granted resulting in
8 failure to maintain the qualifications for license;

9 5. Being a new motor vehicle dealer or new powersports vehicle
10 dealer who:

11 a. has required a purchaser of a new motor vehicle or new
12 powersports vehicle, as a condition of sale and
13 delivery thereof, to also purchase special features,
14 appliances, accessories, or equipment not desired or
15 requested by the purchaser and installed by the new
16 motor vehicle dealer or new powersports vehicle
17 dealer,

18 b. uses any false or misleading advertising in connection
19 with business as a new motor vehicle dealer or new
20 powersports vehicle dealer,

21 c. has committed any unlawful act which resulted in the
22 revocation of any similar license in another state,
23
24
25

- d. has failed or refused to perform any written agreement with any retail buyer involving the sale of a motor vehicle or powersports vehicle,
- e. has been convicted of a felony crime that substantially relates to the occupation of a new motor vehicle dealer or new powersports vehicle dealer and poses a reasonable threat to public safety,
- f. has committed a fraudulent act in selling, purchasing, or otherwise dealing in new motor vehicles or new powersports vehicles or has misrepresented the terms and conditions of a sale, purchase or contract for sale or purchase of a new motor vehicle or new powersports vehicle or any interest therein including an option to purchase such vehicle,
- g. has failed to meet or maintain the conditions and requirements necessary to qualify for the issuance of a license, or
- h. completes any sale or transaction of an extended service contract, extended maintenance plan, or similar product using contract forms that do not conspicuously disclose the identity of the service contract provider;

6. Being a vehicle salesperson who is not employed as such by a licensed new motor vehicle dealer or powersports vehicle dealer;

1 7. Being a new motor vehicle dealer or new powersports vehicle
2 dealer who:

3 a. does not have an established place of business,

4 b. does not provide for a suitable repair shop separate
5 from the display room with ample space to repair or
6 recondition one or more vehicles at the same time, and
7 which is staffed with properly trained and qualified
8 repair technicians and is equipped with such parts,
9 tools, and equipment as may be requisite for the
10 servicing of motor vehicles in such a manner as to
11 make them comply with the safety laws of this state
12 and to properly fulfill the dealer's or manufacturer's
13 warranty obligation,

14 c. does not hold a franchise in effect with a
15 manufacturer or distributor of new or unused vehicles
16 for the sale of the same and is not authorized by the
17 manufacturer or distributor to render predelivery
18 preparation of such vehicles sold to purchasers and to
19 perform any authorized post-sale work pursuant to the
20 manufacturer's or distributor's warranty,

21 d. employs or utilizes the services of used motor vehicle
22 lots or dealers or other unlicensed persons or
23 unregistered persons in connection with the sale of
24 new vehicles,

- e. does not properly service a new motor vehicle or new powersports vehicle before delivery of same to the original purchaser thereof, or
- f. fails to order and stock a reasonable number of new motor vehicles necessary to meet consumer demand for each of the new motor vehicles included in the new motor vehicle dealer's franchise agreement, unless the new motor vehicles are not readily available from the manufacturer or distributor due to limited production;

8. Being a factory that has:

- a. either induced or attempted to induce by means of coercion or intimidation, any new motor vehicle dealer or powersports vehicle dealer:
 - (1) to accept delivery of any vehicle or vehicles, parts, or accessories therefor, or any other commodities including advertising material which shall not have been ordered by the new motor vehicle dealer,
 - (2) to order or accept delivery of any motor vehicle or powersports vehicle with special features, appliances, accessories, or equipment not included in the list price of the vehicles as publicly advertised by the manufacturer thereof, or

1 (3) to order or accept delivery of any parts,
2 accessories, equipment, machinery, tools,
3 appliances, or any commodity whatsoever,
4 b. induced under threat or discrimination by the
5 withholding from delivery to a new motor vehicle
6 dealer or new powersports vehicle dealer certain
7 models of motor vehicles, changing or amending
8 unilaterally the new motor vehicle dealer's allotment
9 of motor vehicles, and/or withholding and delaying
10 delivery of the vehicles out of the ordinary course of
11 business, in order to induce by such coercion any new
12 motor vehicle dealer or new powersports vehicle dealer
13 to participate or contribute to any local or national
14 advertising fund controlled directly or indirectly by
15 the factory or for any other purposes such as contest,
16 "giveaways", or other so-called sales promotional
17 devices, and/or change of quotas in any sales contest;
18 or has required new motor vehicle dealers, as a
19 condition to receiving their vehicle allotment, to
20 order a certain percentage of the vehicles with
21 optional equipment not specified by the dealer;
22 however, nothing in this section shall prohibit a
23 factory from supporting an advertising association
24

- 1 which is open to all new motor vehicle dealers or new
2 powersports vehicle dealers on the same basis,
- 3 c. used a performance standard, sales objective, or
4 program for measuring dealer performance that may have
5 a material effect on a right of the dealer to vehicle
6 allocation; or payment under any incentive or
7 reimbursement program that is unfair, unreasonable,
8 inequitable, and not based on accurate information,
- 9 d. used a performance standard for measuring sales or
10 service performance ~~of~~ which results in penalizing any
11 new motor vehicle dealer or new powersports vehicle
12 dealer under the terms of the franchise agreement
13 which:
- 14 (1) is unfair, unreasonable, arbitrary, or
15 inequitable, ~~and~~
- 16 (2) does not consider the relevant and material local
17 and state or regional criteria, ~~including~~
18 prevailing economic conditions affecting the
19 sales or service performance of a vehicle dealer
20 or any relevant and material data and facts
21 presented by the dealer in writing within thirty
22 (30) days of the written notice of the
23 manufacturer to the dealer of its intention to
24

cancel, terminate, or not renew the dealer's
franchise agreement, and

(3) does not consider the actual vehicle allocation
offered or otherwise made available to the dealer
by the manufacturer or distributor, as well as
the dealer's inventory levels relevant to achieve
any minimum performance standards to which the
manufacturer or distributor holds the dealer
accountable,

e. failed or refused to sell, or offer for sale, new
motor vehicles to all of its authorized same line-make
franchised new motor vehicle dealers or new
powersports vehicle dealers at the same price for a
comparably equipped motor vehicle, on the same terms,
with no differential in functionally available
discount, allowance, credit, or bonus, except as
provided in subparagraph e of paragraph 9 of this
subsection,

f. failed to provide reasonable compensation to a new
motor vehicle dealer substantially equivalent to the
actual cost of providing a manufacturer required
loaner or rental vehicle to any consumer who is having
a vehicle serviced at the dealership. For purposes of
this paragraph, actual cost is the average cost in the

1 new motor vehicle dealer's region for the rental of a
2 substantially similar make and model as the vehicle
3 being serviced, or

- 4 g. failed to make available to its new motor vehicle
5 dealers a fair and proportional share of all new
6 vehicles distributed to same line-make dealers in this
7 state, subject to the same reasonable terms, including
8 any vehicles distributed from a common new vehicle
9 inventory pool outside of the factory's ordinary
10 allocation process such as any vehicles the factory
11 reserves to distribute on a discretionary basis;

12 9. Being a factory that:

- 13 a. has attempted to coerce or has coerced any new motor
14 vehicle dealer or new powersports vehicle dealer to
15 enter into any agreement or to cancel any agreement;
16 has failed to act in good faith and in a fair,
17 equitable, and nondiscriminatory manner; has directly
18 or indirectly coerced, intimidated, threatened, or
19 restrained any new motor vehicle dealer; has acted
20 dishonestly; or has failed to act in accordance with
21 the reasonable standards of fair dealing,
22 b. has failed to compensate its dealers for the work and
23 services they are required to perform in connection
24 with the dealer's delivery and preparation obligations

1 according to the agreements on file with the
2 Commission which must be found by the Commission to be
3 reasonable, or has failed to adequately and fairly
4 compensate its dealers for labor, parts, and other
5 expenses incurred by the dealer to perform under and
6 comply with manufacturer's warranty agreements and
7 recall repairs which shall include diagnostic work as
8 applicable and assistance requested by a consumer
9 whose vehicle was subjected to an over-the-air or
10 remote change, repair, or update to any part, system,
11 accessory, or function by the manufacturer and
12 performed by the dealer in order to satisfy the
13 consumer. Time allowances for the diagnosis and
14 performance of repair work shall be reasonable and
15 adequate for the work to be performed. Adequate and
16 fair compensation, which under this provision shall be
17 no less than the rates customarily charged for retail
18 consumer repairs as calculated herein, for parts and
19 labor for warranty and recall repairs shall, at the
20 option of the new motor vehicle dealer, be established
21 by the new motor vehicle dealer submitting to the
22 manufacturer or distributor one hundred sequential
23 nonwarranty consumer-paid service repair orders which
24 contain warranty-like repairs, or ninety (90)

consecutive days of nonwarranty consumer-paid service repair orders which contain warranty-like repairs, whichever is less, covering repairs made no more than one hundred eighty (180) days before the submission and declaring the average percentage labor rate and/or markup rate. A motor vehicle dealer may not submit a request to establish its retail rates more than once in a twelve-month period. That request may establish a parts markup rate, labor rate, or both. The new motor vehicle dealer or new powersports vehicle dealer shall calculate its retail parts rate by determining the total charges for parts from the qualified repair orders submitted, dividing that amount by the new motor vehicle dealer's total cost of the purchase of those parts, subtracting one (1), and multiplying by one hundred (100) to produce a percentage. The new motor vehicle dealer or new powersports vehicle dealer shall calculate its retail labor rate by dividing the amount of the new vehicle dealer's total labor sales from the qualified repair orders by the total labor hours charged for those sales. When submitting repair orders to establish a retail parts and labor rate, a new motor vehicle dealer or new powersports vehicle dealer need not include repairs for:

- (1) routine maintenance including but not limited to the replacement of bulbs, fluids, filters, batteries, and belts that are not provided in the course of and related to a repair,
- (2) factory special events, specials, or promotional discounts for retail consumer repairs,
- (3) parts sold or repairs performed at wholesale,
- (4) factory-approved goodwill or policy repairs or replacements,
- (5) repairs with aftermarket parts, when calculating the retail parts rate but not the retail labor rate,
- (6) repairs on aftermarket parts,
- (7) replacement of or work on tires including front-end alignments and wheel or tire rotations,
- (8) repairs of vehicles owned by the new motor vehicle dealer or new powersports vehicle dealer or employee thereof at the time of the repair,
- (9) vehicle reconditioning, or
- (10) items that do not have individual part numbers including, but not limited to, nuts, bolts, and fasteners.

A manufacturer or distributor may, not later than forty-five (45) days after submission, rebut that

1 declared retail parts and labor rate in writing by
2 reasonably substantiating that the rate is not
3 accurate or is incomplete pursuant to the provisions
4 of this section. If the manufacturer or distributor
5 determines the set of repair orders submitted by the
6 new motor vehicle dealer or new powersports vehicle
7 dealer pursuant to this section for a retail labor
8 rate or retail parts markup rate is substantially
9 higher than the new vehicle dealer's current warranty
10 rates, the manufacturer or distributor may request, in
11 writing, within forty-five (45) days after the
12 manufacturer's or distributor's receipt of the new
13 vehicle dealer's initial submission, all repair orders
14 closed within the period of thirty (30) days
15 immediately preceding, or thirty (30) days immediately
16 following, the set of repair orders initially
17 submitted by the new motor vehicle dealer. All time
18 periods under this section shall be suspended until
19 the supplemental repair orders are provided. If the
20 manufacturer or distributor requests supplemental
21 repair orders, the manufacturer or distributor may,
22 within thirty (30) days after receiving the
23 supplemental repair orders and in accordance with the
24 formula described in this subsection, calculate a

1 proposed adjusted retail labor rate or retail parts
2 markup rate, as applicable, based upon any set of the
3 qualified repair orders submitted by the franchisee
4 and following the formula set forth herein to
5 establish the rate. The retail labor and parts rates
6 shall go into effect thirty (30) days following the
7 approval by the manufacturer or distributor. If the
8 declared rate is rebutted, the manufacturer or
9 distributor shall provide written notice stating the
10 reasons for the rebuttal, an explanation of the
11 reasons for the rebuttal, and a copy of all
12 calculations used by the franchisor in determining the
13 manufacturer or distributor's position and propose an
14 adjustment in writing of the average percentage markup
15 or labor rate based on that rebuttal not later than
16 forty-five (45) days after submission. If the new
17 motor vehicle dealer or new powersports vehicle dealer
18 does not agree with the proposed average percentage
19 markup or labor rate, the new vehicle dealer may file
20 a protest with the Commission not later than thirty
21 (30) days after receipt of that proposal by the
22 manufacturer or distributor. In the event a protest
23 is filed, the manufacturer or distributor shall have
24 the burden of proof to establish the new vehicle

1 dealer's submitted parts markup rate or labor rate was
2 inaccurate or not complete pursuant to the provisions
3 of this section. A manufacturer or distributor may
4 not retaliate against any new motor vehicle dealer or
5 new powersports vehicle dealer seeking to exercise its
6 rights under this section. A manufacturer or
7 distributor may require a dealer to submit repair
8 orders in accordance with this section in order to
9 validate the reasonableness of a dealer's retail rate
10 for parts or labor not more often than once every
11 twelve (12) months. A manufacturer or distributor may
12 not otherwise recover its costs from new vehicle
13 dealers within this state including a surcharge
14 imposed on a new motor vehicle dealer solely intended
15 to recover the cost of reimbursing a dealer for parts
16 and labor pursuant to this section; provided, a
17 manufacturer or distributor shall not be prohibited
18 from increasing prices for vehicles or parts in the
19 normal course of business or from auditing and
20 charging back claims in accordance with this section.
21 All claims made by dealers for compensation for
22 delivery, preparation, warranty, or recall repair work
23 shall be paid within thirty (30) days after approval
24 and shall be approved or disapproved within thirty

(30) days after receipt. When any claim is disapproved, the dealer shall be notified in writing of the grounds for disapproval. The dealer's delivery, preparation, and warranty obligations as filed with the Commission shall constitute the dealer's sole responsibility for product liability as between the dealer and manufacturer. A factory may reasonably and periodically audit a new motor vehicle dealer or new powersports vehicle dealer to determine the validity of paid claims for dealer compensation or any charge-backs for warranty parts or service compensation. Except in cases of suspected fraud, audits of warranty payments shall only be for the one-year period immediately following the date of the payment. A manufacturer shall reserve the right to reasonable, periodic audits to determine the validity of paid claims for dealer compensation or any charge-backs for consumer or dealer incentives. Except in cases of suspected fraud, audits of incentive payments shall only be for a one-year period immediately following the date of the payment. A factory shall not deny a claim or charge a new motor vehicle dealer back subsequent to the payment of the claim unless the factory can show that the claim was false or

1 fraudulent or that the new motor vehicle dealer or new
2 powersports vehicle dealer failed to reasonably
3 substantiate the claim by the written reasonable
4 procedures of the factory. A factory shall not deny a
5 claim or implement a charge-back against a new vehicle
6 dealer after payment of a claim in the event a
7 purchaser of a new vehicle that is the subject of a
8 claim fails to comply with titling or registration
9 laws of this state and is not prevented from
10 compliance by any action of the dealer; provided, that
11 the factory may require the dealer to provide, within
12 thirty (30) days of notice of charge-back, withholding
13 of payment, or denial of claim, the documentation to
14 demonstrate the vehicle sale, delivery, and customer
15 qualification for an incentive as reported, including
16 consumer name and address and written attestation
17 signed by the dealer operator or general manager
18 stating the consumer was not on the export control
19 list and the dealer did not know or have reason to
20 know the vehicle was being exported or resold.
21 The factory shall provide written notice to a dealer
22 of a proposed charge-back that is the result of an
23 audit along with the specific audit results and
24 proposed charge-back amount. A dealer that receives

1 notice of a proposed charge-back pursuant to a
2 factory's audit has the right to file a protest with
3 the Commission within thirty (30) days after receipt
4 of the notice of the charge-back or audit results,
5 whichever is later. The factory is prohibited from
6 implementing the charge-back or debiting the dealer's
7 account until either the time frame for filing a
8 protest has passed or a final adjudication is rendered
9 by the Commission, whichever is later, unless the
10 dealer has agreed to the charge-back or charge-backs,
11 c. fails to compensate the new motor vehicle dealer for a
12 used motor vehicle:

13 (1) that is of the same make and model manufactured,
14 imported, or distributed by the factory and is a
15 line-make that the new motor vehicle dealer is
16 franchised to sell or on which the new motor
17 vehicle dealer is authorized to perform recall
18 repairs,

19 (2) that is subject to a stop-sale or do-not-drive
20 order issued by the factory or an authorized
21 governmental agency,

22 (3) that is held by the new motor vehicle dealer in
23 the dealer's inventory at the time the stop-sale
24 or do-not-drive order is issued or that is taken

1 by the new motor vehicle dealer into the dealer's
2 inventory after the recall notice as a result of
3 a retail consumer trade-in or a lease return to
4 the dealer inventory in accordance with an
5 applicable lease contract,

6 (4) that cannot be repaired due to the
7 unavailability, within thirty (30) days after
8 issuance of the stop-sale or do-not-drive order,
9 of a remedy or parts necessary for the new motor
10 vehicle dealer to make the recall repair, and

11 (5) that is not at least in the prorated amount of
12 one percent (1.00%) of the value of the vehicle
13 per month beginning on the date that is thirty
14 (30) days after the date on which the stop-sale
15 order was provided to the new motor vehicle
16 dealer until the earlier of either of the
17 following:

18 (a) the date the recall remedy or parts are made
19 available, or

20 (b) the date the new motor vehicle dealer sells,
21 trades, or otherwise disposes of the
22 affected used motor vehicle.

23 For the purposes of division (5) of this subparagraph,
24 the value of a used vehicle shall be the average Black
25

1 Book value for the year, make, and model of the
2 recalled vehicle. A factory may direct the manner and
3 method in which a new motor vehicle dealer must
4 demonstrate the inventory status of an affected used
5 motor vehicle to determine eligibility under this
6 subparagraph; provided, that the manner and method may
7 not be unduly burdensome and may not require
8 information that is unduly burdensome to provide. All
9 reimbursement claims made by new motor vehicle dealers
10 pursuant to this section for recall remedies or
11 repairs, or for compensation where no part or repair
12 is reasonably available and the vehicle is subject to
13 a stop-sale or do-not-drive order, shall be subject to
14 the same limitations and requirements as a warranty
15 reimbursement claim made under subparagraph b of this
16 paragraph. In the alternative, a manufacturer may
17 compensate its franchised new motor vehicle dealers
18 under a national recall compensation program;
19 provided, the compensation under the program is equal
20 to or greater than that provided under division (5) of
21 this subparagraph, or as the manufacturer and new
22 motor vehicle dealer otherwise agree. Nothing in this
23 section shall require a factory to provide total
24 compensation to a new motor vehicle dealer which would

1 exceed the total average Black Book value of the
2 affected used motor vehicle as originally determined
3 under division (5) of this subparagraph. Any remedy
4 provided to a new motor vehicle dealer under this
5 subparagraph is exclusive and may not be combined with
6 any other state or federal compensation remedy,

- 7 d. unreasonably fails or refuses to offer to its same
8 line-make franchised dealers a reasonable supply and
9 mix of all models manufactured for that line-make, or
10 unreasonably requires a dealer to pay any extra fee,
11 purchase unreasonable advertising displays or other
12 materials, or enter into a separate agreement which
13 adversely alters the rights or obligations contained
14 within the dealer's existing franchise agreement or
15 which waives any right of the new motor vehicle dealer
16 or new powersports vehicle dealer as protected by
17 Section 561 et seq. of this title, or remodel,
18 renovate, or recondition the dealer's existing
19 facilities as a prerequisite to receiving a model or
20 series of vehicles, except as may be necessary to sell
21 or service the model or series of vehicles as provided
22 by subparagraph e of this paragraph. It shall be a
23 violation of this section for new vehicle allocation
24 to be withheld subject to any requirement to purchase

1 or sell any number of used or off-lease vehicles. The
2 failure to deliver any such new motor vehicle shall
3 not be considered a violation of the section if the
4 failure is not arbitrary or is due to lack of
5 manufacturing capacity or to a strike or labor
6 difficulty, a shortage of materials, a freight
7 embargo, or other cause over which the manufacturer
8 has no control. However, this subparagraph shall not
9 apply to limited production model vehicles, a vehicle
10 not advertised by the factory for sale in this state,
11 vehicles that are subject to allocation affected by
12 federal environmental laws or environmental laws of
13 this state, or vehicles allocated in response to an
14 unforeseen event or circumstance,

- 15 e. except as necessary to comply with a health or safety
16 law, or to comply with a technology requirement which
17 is necessary to sell or service a vehicle that the
18 franchised new motor vehicle dealer or new powersports
19 vehicle dealer is authorized or licensed by the
20 franchisor to sell or service, requires a dealer to
21 construct a new facility or substantially renovate the
22 dealer's existing facility unless the facility
23 construction or renovation is justified by the
24 economic conditions existing at the time, as well as

1 the reasonably foreseeable projections, in the new
2 motor vehicle dealer's market and in the automotive
3 industry. However, this subparagraph shall not apply
4 if the new motor vehicle dealer or new powersports
5 vehicle dealer voluntarily agrees to facility
6 construction or renovation in exchange for money,
7 credit, allowance, reimbursement, or additional
8 vehicle allocation to a dealer from the factory to
9 compensate the dealer for the cost of, or a portion of
10 the cost of, the facility construction or renovation.
11 Except as necessary to comply with a health or safety
12 law, or to comply with a technology or safety
13 requirement which is necessary to sell or service a
14 motor vehicle or powersports vehicle that the
15 franchised dealer is authorized or licensed by the
16 franchisor to sell or service, a new vehicle dealer
17 which completes a facility construction or renovation
18 pursuant to factory requirements shall not be required
19 to construct a new facility or renovate the existing
20 facility if the same area of the facility or premises
21 has been constructed or substantially altered within
22 the last ten (10) years and the construction or
23 alteration was approved by the manufacturer as a part
24 of a facility upgrade program, standard, or policy.

1 For purposes of this subparagraph, "substantially
2 altered" means to perform an alteration that
3 substantially impacts the architectural features,
4 characteristics, or integrity of a structure or lot.
5 The term shall not include routine maintenance
6 reasonably necessary to maintain a dealership in
7 attractive condition. If a facility upgrade program,
8 standard, or policy under which the dealer completed a
9 facility construction or substantial alteration does
10 not contain a specific time period during which the
11 manufacturer or distributor shall provide payments or
12 benefits to a participating dealer, or the time frame
13 specified under the program is reduced or canceled
14 prematurely in the unilateral discretion of the
15 manufacturer or distributor, the manufacturer or
16 distributor shall not deny the participating dealer
17 any payment or benefit under the terms of the program,
18 standard, or policy as it existed when the dealer
19 began to perform under the program, standard, or
20 policy for the balance of the ten-year period,
21 regardless of whether the manufacturer's or
22 distributor's program, standard, or policy has been
23 changed or canceled, unless the manufacturer and
24 dealer agree, in writing, to the change in payment or

1 benefit. During the ten-year period following
2 facility construction or substantial alteration, the
3 manufacturer shall not fail to make available to the
4 dealer a fair and proportionate share of all new
5 vehicles distributed to dealers of the same line-make
6 in this state, subject to the same reasonable terms,
7 including vehicles distributed from a common new
8 vehicle inventory pool outside of the factory's
9 ordinary allocation process, such as any vehicles the
10 factory reserves to distribute on a discretionary
11 basis,

12 f. requires a new motor vehicle dealer or new powersports
13 vehicle dealer to establish an exclusive facility or
14 to change the location of the dealership, unless
15 supported by reasonable business, market, and economic
16 considerations; provided, that this section shall not
17 restrict the terms of any agreement for such exclusive
18 facility voluntarily entered into and supported by
19 valuable consideration separate from the new motor
20 vehicle dealer's right to sell and service motor
21 vehicles for the franchisor. If a dealer is required
22 by the manufacturer or distributor to change an
23 existing, previously approved location of the
24 dealership and has not sold its existing dealership

facility and real estate within the later of one
hundred eighty (180) days of listing the property for
sale or ninety (90) days after the facility
relocation, then, upon the written request of the
dealer, the manufacturer or distributor shall purchase
the dealer's existing dealership facility and real
estate as if the new motor vehicle dealership
continues to operate on the property. If the factory
and dealer cannot agree on the value of the dealership
facilities and real estate, then the factory and
dealer shall utilize the process described in
paragraph 6 of subsection G of Section 565.2 of this
title. If a manufacturer or distributor purchases a
dealership facility and real estate, then it shall be
entitled to sole ownership, possession, use, and
control of any items, buildings, or property that were
included in the contract to purchase,

- g. requires a new motor vehicle dealer or new powersports vehicle dealer to enter into a site-control agreement covering any or all of the new motor vehicle dealer's facilities or premises; provided, that this section shall not restrict the terms of any site-control agreement voluntarily entered into and supported by valuable consideration separate from the new motor

1 vehicle dealer's right to sell and service motor
2 vehicles for the franchisor. Notwithstanding the
3 foregoing or the terms of any site-control agreement,
4 a site-control agreement automatically extinguishes if
5 all of the factory's franchises that operated from the
6 location that are the subject of the site-control
7 agreement are terminated by the factory as part of the
8 discontinuance of a product line,

9 h. refuses to pay, or claims reimbursement from, a new
10 motor vehicle dealer or new powersports vehicle dealer
11 for sales, incentives, or other payments related to a
12 vehicle sold by the dealer because the purchaser of
13 the new vehicle exported or resold the vehicle in
14 violation of the policy of the factory unless the
15 factory can show that, at the time of the sale, the
16 new vehicle dealer knew or reasonably should have
17 known of the purchaser's intention to export or resell
18 the vehicle. There is a rebuttable presumption that
19 the new vehicle dealer did not know or could not have
20 known that the vehicle would be exported if the
21 vehicle is titled and registered in any state of the
22 United States, or

23 i. (1) notwithstanding the terms of a franchise
24 agreement or other agreement except as provided
25

1 by this subsection, requires a new motor vehicle
2 dealer or new powersports vehicle dealer to
3 purchase or utilize goods or services, or
4 contract with any vendor, identified, selected or
5 designated by the factory for the:

6 (a) operation of the dealership including
7 electronic services such as websites, data
8 management or storage systems, digital
9 platforms, software, or other digital
10 services or platforms, or

11 (b) construction, renovation, or improvement of
12 the new dealer's facility ~~from a vendor~~
13 ~~chosen by the factory~~ if goods or services
14 available from ~~other sources~~ a vendor that
15 the new motor vehicle dealer chooses, are of
16 substantially similar quality, function, and
17 design and comply with all applicable laws;
18 provided, however, that such goods are not
19 subject to the factory's intellectual
20 property or trademark rights and the new
21 vehicle dealer has received the factory's
22 approval, which approval may not be
23 unreasonably withheld. Nothing in this
24 subparagraph may be construed to allow a new

1 motor vehicle dealer or new powersports
2 vehicle dealer to impair or eliminate a
3 factory's intellectual property, trademark
4 rights, or trade dress usage guidelines.
5 Nothing in this ~~section~~ subdivision or
6 subdivision (a) of this division prohibits
7 the enforcement of a voluntary agreement
8 between the factory and the new vehicle
9 dealer where separate and valuable
10 consideration has been offered and accepted.
11 It is a violation of this subdivision or
12 subdivision (a) of this division for a
13 factory, or any entity that acts on behalf
14 of a factory, to coerce a new motor vehicle
15 dealer to purchase or utilize certain goods
16 or services by withholding the vehicle
17 allocation the new motor vehicle dealer is
18 otherwise eligible to receive, and

19 (2) for purposes of this subparagraph, "goods and
20 services" do not include:

21 (a) moveable displays, brochures, promotional
22 materials, or electronic or digital media
23 containing material subject to the
24 intellectual property rights of a factory or

parts to be used in repairs under warranty
obligations of a factory, or
(b) special tools or training required by the
factory to perform warranty or recall
repairs;

10. Being a factory that:

- a. establishes a system of motor vehicle allocation or distribution which is unfair, inequitable, or unreasonably discriminatory. A manufacturer and distributor shall maintain for three (3) years records that describe its methods or formula of allocation and distribution of its motor vehicles and records of its actual allocation and distribution of motor vehicles to its motor vehicle dealers. Upon the written request of any new motor vehicle dealer or new powersports vehicle dealer franchised by ~~it~~ the manufacturer or distributor, received by the manufacturer or distributor within thirty (30) days of the manufacturer's or distributor's written notice to the dealer of its intention to cancel or terminate, or written notice from the manufacturer or distributor of a sales performance deficiency requiring the dealer to take action to cure the alleged performance deficiency, a ~~factory~~ manufacturer or distributor

1 shall disclose in writing to the dealer the basis upon
2 which new vehicles are allocated, scheduled, and
3 delivered ~~among the~~, by vehicle model, to new motor
4 vehicle dealers of the same line-make for that ~~factory~~
5 manufacturer or distributor for the prior three (3)
6 years, and the basis upon which the current allocation
7 or distribution is being made or will be made based on
8 existing information to such dealer, or

- 9 b. changes an established plan or system of new motor
10 vehicle or new powersports vehicle distribution. A
11 new motor vehicle dealer or new powersports vehicle
12 dealer franchise agreement shall continue in full
13 force and operation notwithstanding a change, in whole
14 or in part, of an established plan or system of
15 distribution of the motor vehicles or new powersports
16 vehicles offered or previously offered for sale under
17 the franchise agreement. The appointment of a new
18 importer or distributor for motor vehicles or new
19 powersports vehicle offered for sale under the
20 franchise agreement shall be deemed to be a change of
21 an established plan or system of distribution. The
22 discontinuation of a line-make shall not be deemed to
23 be a change of an established plan or system of motor
24 vehicle or new powersports vehicle distribution. The

1 creation of a line-make shall not be deemed to be a
2 change of an established plan or system of motor
3 vehicle distribution as long as the new line-make is
4 not selling the same, or substantially the same
5 vehicle or vehicles previously sold through another
6 line-make by new motor vehicle dealers or new
7 powersports vehicle dealers with an active franchise
8 agreement for the other line-make in the state if such
9 dealers are no longer authorized to sell the
10 comparable vehicle previously sold through their line-
11 make. Changing a vehicle's powertrain is not
12 sufficient to show it is substantially different.
13 Upon the occurrence of such change, the manufacturer
14 or distributor shall be prohibited from obtaining a
15 license to distribute vehicles under the new plan or
16 system of distribution unless the manufacturer or
17 distributor offers to each vehicle dealer who is a
18 party to the franchise agreement a new franchise
19 agreement containing substantially the same provisions
20 which were contained in the previous franchise
21 agreement;

22 11. Being a factory that sells directly or indirectly new motor
23 vehicles or new powersports vehicles to any retail consumer in the
24 state except through a new motor vehicle dealer or new powersports
25

1 vehicle dealer holding a franchise for the line-make that includes
2 the new motor vehicle or new powersports vehicle. This paragraph
3 does not apply to factory sales of new vehicles to its employees,
4 family members of employees, retirees and family members of
5 retirees, not-for-profit organizations, or the federal, state, or
6 local governments. The provisions of this paragraph shall not
7 preclude a factory from providing information to a consumer for the
8 purpose of marketing or facilitating a sale of a new vehicle or from
9 establishing a program to sell or offer to sell new motor vehicles
10 or new powersports vehicle through participating dealers subject to
11 the limitations provided in paragraph 2 of Section 562 of this
12 title;

13 12. a. Being a factory which directly or indirectly:

- 14 (1) owns any ownership interest or has any financial
15 interest in a new motor vehicle dealer or new
16 powersports vehicle dealer or any person who
17 sells products or services pursuant to the terms
18 of the franchise agreement,
19 (2) operates or controls a new motor vehicle dealer
20 or new powersports vehicle dealer, or
21 (3) acts in the capacity of a new motor vehicle
22 dealer or new powersports vehicle dealer.

23 b. (1) This paragraph does not prohibit a factory from
24 owning or controlling a new motor vehicle dealer
25

1 or new powersports vehicle dealer while in a bona
2 fide relationship with a dealer development
3 candidate who has made a substantial initial
4 investment in the franchise and whose initial
5 investment is subject to potential loss. The
6 dealer development candidate can reasonably
7 expect to acquire full ownership of a new vehicle
8 dealer within a reasonable period of time not to
9 exceed ten (10) years and on reasonable terms and
10 conditions. The ten-year acquisition period may
11 be expanded for good cause shown.

- 12 (2) This paragraph does not prohibit a factory from
13 owning, operating, controlling, or acting in the
14 capacity of a new motor vehicle dealer or new
15 powersports vehicle dealer for a period not to
16 exceed twelve (12) months during the transition
17 from one independent dealer to another
18 independent dealer if the dealership is for sale
19 at a reasonable price and on reasonable terms and
20 conditions to an independent qualified buyer. On
21 showing by a factory of good cause, the Oklahoma
22 New Motor Vehicle Commission may extend the time
23 limit set forth above; extensions may be granted
24 for periods not to exceed twelve (12) months.

1 (3) This paragraph does not prohibit a factory from
2 owning, operating, or controlling or acting in
3 the capacity of a new motor vehicle dealer or new
4 powersports vehicle dealer which was in operation
5 prior to January 1, 2000.

6 (4) This paragraph does not prohibit a factory from
7 owning, directly or indirectly, a minority
8 interest in an entity that owns, operates, or
9 controls motor vehicle dealerships or powersports
10 vehicle dealerships of the same line-make
11 franchised by the manufacturer, provided that
12 each of the following conditions are met:

13 (a) all of the new motor vehicle or new
14 powersports vehicle dealerships selling the
15 vehicles of that manufacturer in this state
16 trade exclusively in the line-make of that
17 manufacturer,

18 (b) all of the franchise agreements of the
19 manufacturer confer rights on the dealer of
20 the line-make to develop and operate, within
21 a defined geographic territory or area, as
22 many dealership facilities as the dealer and
23 manufacturer shall agree are appropriate,
24

1 (c) at the time the manufacturer first acquires
2 an ownership interest or assumes operation,
3 the distance between any dealership thus
4 owned or operated and the nearest
5 unaffiliated new motor vehicle or new
6 powersports vehicle dealership trading in
7 the same line-make is not less than seventy
8 (70) miles,

9 (d) during any period in which the manufacturer
10 has such an ownership interest, the
11 manufacturer has no more than three
12 franchise agreements with new motor vehicle
13 dealers or new powersports vehicle dealers
14 licensed by the Oklahoma New Motor Vehicle
15 Commission to do business within the state,
16 and

17 (e) prior to January 1, 2000, the factory shall
18 have furnished or made available to
19 prospective new vehicle dealers an offering
20 circular in accordance with the Trade
21 Regulation Rule on Franchising of the
22 Federal Trade Commission, and any guidelines
23 and exemptions issued thereunder, which
24 disclose the possibility that the factory

1 may from time to time seek to own or
2 acquire, directly or indirectly, ownership
3 interests in retail dealerships;

4 13. Being a factory which directly or indirectly makes
5 available for public disclosure any proprietary information provided
6 to the factory by a new motor vehicle dealer or new powersports
7 vehicle dealer, other than in composite form to new vehicle dealers
8 in the same line-make or in response to a subpoena or order of the
9 Commission or a court. Proprietary information includes, but is not
10 limited to, information:

- 11 a. derived from monthly financial statements provided to
- 12 the factory, and
- 13 b. regarding any aspect of the profitability of a
- 14 particular new motor vehicle dealer or new powersports
- 15 vehicle dealer;

16 14. Being a factory which does not provide or direct leads in a
17 fair, equitable, and timely manner. Nothing in this paragraph shall
18 be construed to require a factory to disregard the preference of a
19 consumer in providing or directing a lead;

20 15. Being a factory which used the consumer list of a new motor
21 vehicle dealer or new powersports vehicle dealer for the purpose of
22 unfairly competing with dealers;

1 16. Being a factory which prohibits a new motor vehicle dealer
2 or new powersports vehicle dealer from relocating after a written
3 request by such dealer if:

- 4 a. the facility and the proposed new location satisfies
5 or meets the written reasonable guidelines of the
6 factory. Reasonable guidelines do not include
7 exclusivity or site control unless agreed to as set
8 forth in subparagraphs f and g of paragraph 9 of this
9 subsection,
- 10 b. the proposed new location is within the area of
11 responsibility of the new motor vehicle dealer or new
12 powersports vehicle dealer pursuant to Section 578.1
13 of this title, and
- 14 c. the factory has sixty (60) days from receipt of the
15 new motor vehicle dealer's or powersports vehicle
16 dealer's relocation request to approve or deny the
17 request. The failure to approve or deny the request
18 within the sixty-day time frame shall constitute
19 approval of the request;

20 17. Being a factory which prohibits a new motor vehicle dealer
21 or new powersports vehicle dealer from adding additional line-makes
22 to its existing facility, if, after adding the additional line-
23 makes, the facility satisfies the written reasonable capitalization
24 standards and facility guidelines of each factory. Reasonable

1 facility guidelines do not include a requirement to maintain
2 exclusivity or site control unless agreed to by the dealer as set
3 forth in subparagraphs f and g of paragraph 9 of this subsection;

4 18. Being a factory that increases prices of new motor vehicles
5 or new powersports vehicles which the dealer had ordered for retail
6 consumers and notified the factory prior to the dealer's receipt of
7 the written official price increase notification. A sales contract
8 signed by a retail consumer accompanied with proof of order
9 submission to the factory shall constitute evidence of each such
10 order, provided that the vehicle is in fact delivered to the
11 consumer. Price differences applicable to new models or series
12 motor vehicles at the time of the introduction of new models or
13 series shall not be considered a price increase for purposes of this
14 paragraph. Price changes caused by any of the following shall not
15 be subject to the provisions of this paragraph:

- 16 a. the addition to a motor vehicle or powersports vehicle
17 of required or optional equipment pursuant to state or
18 federal law,
- 19 b. revaluation of the United States dollar in the case of
20 foreign-made vehicles or components, or
- 21 c. an increase in transportation charges due to increased
22 rates imposed by common or contract carriers;

23 19. Being a factory that requires a new motor vehicle dealer or
24 new powersports vehicle dealer to participate monetarily in an
25

1 advertising campaign or contest, or purchase any promotional
2 materials, showroom, or other display decoration or materials at the
3 expense of the new motor vehicle or powersports vehicle dealer
4 without consent of the dealer, which consent shall not be
5 unreasonably withheld;

6 20. Being a factory that denies any new motor vehicle dealer or
7 new powersports vehicle dealer the right of free association with
8 any other dealer for any lawful purpose, unless otherwise permitted
9 by this chapter; ~~or~~

10 21. Being a factory that requires a new motor vehicle dealer or
11 new powersports vehicle dealer to sell, offer to sell, or sell
12 exclusively an extended service contract, extended maintenance plan,
13 or similar product, such as gap products offered, endorsed, or
14 sponsored by the factory by the following means:

- 15 a. by an act or statement from the factory that will in
16 any manner adversely impact the new motor vehicle
17 dealer, or
18 b. by measuring dealer's performance under the franchise
19 based on the sale of extended service contracts,
20 extended maintenance plans, or similar products
21 offered, endorsed, or sponsored by the manufacturer or
22 distributor;

23 22. Being a factory that requires or coerces a new motor
24 vehicle dealer in this state to purchase or lease any electric
25

1 vehicle charging stations at the new motor vehicle dealer's expense
2 unless the franchise agreement, including any related addendums,
3 with the new motor vehicle dealer identifies electric vehicle models
4 among the vehicles available for sale under the dealer's franchised
5 line-make, or the new motor vehicle dealer has notified the
6 manufacturer or distributor of the new motor vehicle dealer's
7 intention to begin selling and servicing electric vehicles
8 manufactured or distributed by that factory. If the new motor
9 vehicle dealer's franchise identifies electric vehicle models or the
10 dealer is actually offering for sale to the public or providing
11 warranty service on electric vehicles manufactured or distributed by
12 that factory, the new motor vehicle dealer may not be required to
13 purchase or lease, at the new motor vehicle dealer's expense:

- 14 a. more than the number and type of electric vehicle
15 charging stations based upon the reasonable estimate
16 dealer sales and service volume for those vehicles in
17 the dealer's market, or
18 b. to make electric vehicle charging stations located at
19 the new motor vehicle dealership available for use by
20 the general public. Nothing in this paragraph shall
21 prohibit a factory from offering financial assistance
22 through a lump-sum payment to new motor vehicle
23 dealers that purchase or install electric charging
24 stations; and

1 23. Being a factory that withdraws all or a material part of
2 its stated electric vehicle distribution plan and fails or refuses,
3 at the written request of the new motor vehicle dealer, to accept
4 the return or otherwise fully reimburse a new motor vehicle dealer
5 for the cost of parts, tools, equipment, chargers and other
6 returnable items required as a part of that distribution plan,
7 program, policy or other initiative related to the sale or service
8 of electric motor vehicles, provided that:

- 9 a. the dealer demonstrates that the volume of electric
10 motor vehicle sales or service is no longer adequate
11 to allow the dealer to realize a positive return on
12 the investment over the useful life of the parts,
13 tools, equipment, chargers, or other returnable items,
14 and
15 b. the dealer submits its request to the manufacturer or
16 distributor in writing and within twenty-four (24)
17 months of dealer's receipt of the part, tools,
18 equipment, charger or other returnable items.

19 B. Notwithstanding the terms of any franchise agreement, in the
20 event of a proposed sale or transfer of a new motor vehicle
21 dealership, the manufacturer or distributor shall be permitted to
22 exercise a right of first refusal to acquire the assets or ownership
23 interest of the dealer of the new motor vehicle dealership, if such
24 sale or transfer is conditioned upon the manufacturer or dealer

1 entering into a dealer agreement with the proposed new owner or
2 transferee, only if all the following requirements are met:

3 1. The manufacturer or distributor must notify the new motor
4 vehicle dealer of its intent to exercise the right of first refusal
5 in writing within sixty (60) days of receipt of the completed
6 proposal for the proposed sale or transfer;

7 2. The exercise of the right of first refusal will result in
8 the new motor vehicle dealer and the owner of the dealership
9 receiving the same or greater consideration as they have contracted
10 to receive in connection with the proposed change of ownership or
11 transfer. If the proposed new motor vehicle dealership sale or
12 transfer includes the sale, transfer, or lease of the real property
13 and improvements thereon, then the right of first refusal shall
14 include the same terms for the purchase or lease of the real
15 property and all improvements thereon for not less than the
16 consideration the new motor vehicle dealer has contracted to receive
17 in connection with the proposed sale or transfer;

18 3. The proposed sale or transfer of the dealership does not
19 involve the transfer or sale to a member or members of the family of
20 one or more dealer owners, or to a qualified manager or a
21 partnership or corporation controlled by such persons;

22 4. The factory agrees to pay the reasonable expenses, including
23 attorney fees which do not exceed the usual, customary, and
24 reasonable fees charged for similar work done for other clients

1 incurred by the proposed new owner and transferee prior to the
2 exercise by the factory of its right of first refusal in negotiating
3 and implementing the contract for the proposed sale or transfer of
4 the dealership or dealership assets. Notwithstanding the foregoing,
5 no payment of expenses and attorney fees shall be required if the
6 proposed new dealer or transferee has not submitted or caused to be
7 submitted an accounting of those expenses within thirty (30) days of
8 receipt of the written request of the factory for such an
9 accounting. The accounting may be requested by a factory before
10 exercising its right of first refusal; and

11 5. a. For the purposes of this paragraph, "multi-dealership
12 transaction" means any proposed sale, transfer, or
13 assignment that involves two or more new motor vehicle
14 dealerships that are being sold as part of the same
15 overall transaction or a series of related
16 transactions intended by the parties to constitute a
17 single deal.

18 b. In a multi-dealership transaction, the selling dealer
19 may withdraw the proposed sale, transfer, or
20 assignment of the dealership that is subject to the
21 manufacturer's or distributor's right of first refusal
22 in response to the manufacturer's or distributor's
23 timely received notice of intent to exercise the right
24 of first refusal as follows:

1 (1) the selling dealer shall provide written notice
2 to the manufacturer or distributor within thirty
3 (30) days of receipt of the manufacturer's or
4 distributor's timely received notice of intent to
5 exercise the right of first refusal, stating that
6 either:

7 (a) the entire multi-dealership transaction has
8 been withdrawn, or

9 (b) the specific dealership subject to the
10 timely received notice of manufacturer's or
11 distributor's intent to exercise the right
12 of first refusal has been excluded from the
13 multi-dealership transaction,

14 (2) upon the manufacturer's or distributor's receipt
15 of the selling dealer's withdrawal notice under
16 division (1) of this subparagraph, the proposed
17 sale, transfer, or assignment of the dealership
18 subject to the manufacturer's or distributor's
19 timely received notice of intent to exercise the
20 right of first refusal shall be deemed withdrawn,
21 and the manufacturer's or distributor's right of
22 first refusal with respect to that dealership
23 shall be deemed extinguished, and
24

1 (3) if the selling dealer does not provide the
2 withdrawal notice within the thirty-day period,
3 the manufacturer or distributor may proceed with
4 exercising the right of first refusal.

5 C. Nothing in this section shall prohibit, limit, restrict, or
6 impose conditions on:

7 1. Business activities, including without limitation the
8 dealings with manufacturers and the representatives and affiliates
9 of manufacturers, of any person that is primarily engaged in the
10 business of short-term, not to exceed twelve (12) months, rental of
11 motor vehicles, powersports vehicles, and industrial and
12 construction equipment and activities incidental to that business,
13 provided that:

14 a. any motor vehicle or powersports vehicle sold by that
15 person is limited to used motor vehicles or
16 powersports vehicles that have been previously used
17 exclusively and regularly by that person in the
18 conduct of business and used motor vehicles or used
19 powersports vehicles traded in on motor vehicles or
20 powersports vehicles sold by that person,

21 b. warranty repairs performed by that person on motor
22 vehicles or powersports vehicles are limited to those
23 vehicles that the person owns, previously owned, or
24 takes in trade, and
25

1 c. motor vehicle or powersports vehicle financing
2 provided by that person to retail consumers for motor
3 vehicles or powersports vehicles is limited to used
4 vehicles sold by that person in the conduct of
5 business; or

6 2. The direct or indirect ownership, affiliation, or control of
7 a person described in paragraph 1 of this subsection.

8 D. As used in this section:

9 1. "Substantially relates" means the nature of criminal conduct
10 for which the person was convicted has a direct bearing on the
11 fitness or ability to perform one or more of the duties or
12 responsibilities necessarily related to the occupation; and

13 2. "Poses a reasonable threat" means the nature of criminal
14 conduct for which the person was convicted involved an act or threat
15 of harm against another and has a bearing on the fitness or ability
16 to serve the public or work with others in the occupation.

17 ~~E. Nothing in this section shall prohibit a manufacturer or~~
18 ~~distributor from requiring a dealer to be in compliance with the~~
19 ~~franchise agreement and authorized to sell a make and model based on~~
20 ~~applicable reasonable standards and requirements that include but~~
21 ~~are not limited to any facility, technology, or training~~
22 ~~requirements necessary to sell or service a vehicle, in order to be~~
23 ~~eligible for delivery or allotment of a make or model of a new motor~~
24 ~~vehicle or new powersports vehicle or an incentive.~~

1 SECTION 61. REPEALER 47 O.S. 2021, Section 565, as last
2 amended by Section 4, Chapter 119, O.S.L. 2025 (47 O.S. Supp. 2025,
3 Section 565), is hereby repealed.

4 SECTION 62. AMENDATORY 47 O.S. 2021, Section 752, as
5 last amended by Section 13, Chapter 330, O.S.L. 2025 (47 O.S. Supp.
6 2025, Section 752), is amended to read as follows:

7 Section 752. A. Only a licensed medical doctor, licensed
8 osteopathic physician, licensed chiropractic physician, registered
9 nurse, licensed practical nurse, physician's assistant, certified by
10 any state's appropriate licensing authority, an employee of a
11 hospital or other health care facility authorized by the hospital or
12 health care facility to withdraw blood, or individuals licensed in
13 accordance with Section 1-2505 of Title 63 of the Oklahoma Statutes
14 as an Intermediate Emergency Medical Technician, an Advanced
15 Emergency Medical Technician or a Paramedic, acting within the scope
16 of practice prescribed by their medical director, acting at the
17 request of a law enforcement officer may withdraw blood for the
18 purpose of having a determination made of its concentration of
19 alcohol or the presence or concentration of other intoxicating
20 substance. Only qualified persons authorized by the Board may
21 collect breath, saliva or urine, or administer tests of breath under
22 the provisions of this title.

23 B. If the person authorized to withdraw blood as specified in
24 subsection A of this section is presented with a written statement:

1 1. Authorizing blood withdrawal signed by the person whose
2 blood is to be withdrawn;

3 2. Signed by a duly authorized peace officer that the person
4 whose blood is to be withdrawn has agreed to the withdrawal of
5 blood;

6 3. Signed by a duly authorized peace officer that ~~the person~~
7 ~~whose blood is to be withdrawn has been placed under arrest and that~~
8 ~~the officer has probable cause to believe that the person, while~~
9 ~~intoxicated, has operated a motor vehicle in such manner as to have~~
10 ~~caused the death or serious physical injury of another person, or~~
11 ~~the person has been involved in a traffic accident and has been~~
12 ~~removed from the scene of the accident that resulted in the death or~~
13 ~~great bodily injury, as defined in subsection B of Section 646 of~~
14 ~~Title 21 of the Oklahoma Statutes, of any person to a hospital or~~
15 ~~other health care facility outside the State of Oklahoma before the~~
16 ~~law enforcement officer was able to effect an arrest for such~~
17 ~~offense~~ there are exigent circumstances which necessitate the
18 withdrawal of blood; or

19 4. In the form of an order from a district court that blood be
20 withdrawn, the person authorized to withdraw the blood and the
21 hospital or other health care facility where the withdrawal occurs
22 may rely on such a statement or order as evidence that the person
23 has consented to or has been required to submit to the clinical
24 procedure and shall not require the person to sign any additional

1 consent or waiver form. In such a case, the person authorized to
2 perform the procedure, the employer of such person and the hospital
3 or other health care facility shall not be liable in any action
4 alleging lack of consent or lack of informed consent.

5 C. Collection of a person's blood, to be considered valid and
6 admissible in evidence, whether performed by or at the direction of
7 a law enforcement officer or at the request of the tested person,
8 shall have been performed by a person authorized to collect blood
9 pursuant to the provisions of subsection A of this section.

10 Analysis of a person's blood, to be considered valid and admissible
11 in evidence, whether performed by or at the direction of a law
12 enforcement officer or at the request of the tested person, shall
13 have been performed by a laboratory accredited in accordance with
14 ISO/IEC 17025 as defined in Section 150.37 of Title 74 of the
15 Oklahoma Statutes.

16 D. Collection of a person's breath, to be considered valid and
17 admissible in evidence:

18 1. Shall have been performed by an individual possessing a
19 valid permit issued by the Board of Tests for Alcohol and Drug
20 Influence for this purpose;

21 2. Shall have been performed on a breath alcohol measurement
22 device appearing on the most current conforming products list of
23 such devices published by the United States Department of
24 Transportation in the Federal Register, and utilizing a calibrating

1 unit appearing on the most current conforming products list of such
2 devices published by the United States Department of Transportation
3 in the Federal Register;

4 3. Shall have been performed on a device maintained by the
5 Board of Tests for Alcohol and Drug Influence; and

6 4. Shall have been performed in accordance with the operating
7 procedure prescribed by the State Director of Tests or the Board of
8 Tests for Alcohol and Drug Influence.

9 E. No person specified in subsection A of this section, no
10 employer of such person and no hospital or other health care
11 facility where blood is withdrawn shall incur any civil or criminal
12 liability as a result of the proper withdrawal of blood when acting
13 at the request of a law enforcement officer by the provisions of
14 Section 751 or 753 of this title, or when acting in reliance upon a
15 signed statement or court order as provided in this section, if the
16 act is performed in a reasonable manner according to generally
17 accepted clinical practice. No person specified in subsection A of
18 this section shall incur any civil or criminal liability as a result
19 of the proper collection of breath, saliva or urine when acting at
20 the request of a law enforcement officer under the provisions of
21 Section 751 or 753 of this title or when acting pursuant to a court
22 order.

23 F. The blood, breath, saliva or urine specimens obtained shall
24 be tested by the appropriate test as determined by the Board, or

1 tested by a laboratory that is exempt from the Board rules pursuant
2 to Section 759 of this title, to determine the alcohol concentration
3 thereof, or the presence or concentration of any other intoxicating
4 substance which might have affected the ability of the person tested
5 to operate a motor vehicle safely.

6 G. When blood is withdrawn for testing of its alcohol
7 concentration or other intoxicating substance presence or
8 concentration, at the request of a law enforcement officer, a
9 sufficient quantity of the same specimen shall be obtained to enable
10 the tested person, at his or her own option and expense, to have an
11 independent analysis made of such specimen. The excess blood
12 specimen shall be retained by a laboratory approved by the Board in
13 accordance with the rules and regulations of the Board or by a
14 laboratory that is exempt from the Board rules pursuant to Section
15 759 of this title, for sixty (60) days from the date of collection.
16 At any time within that period, the tested person or his or her
17 attorney may direct that such blood specimen be sent or delivered to
18 a laboratory of his or her own choosing and approved by the Board
19 for an independent analysis. Neither the tested person, nor any
20 agent of such person, shall have access to the additional blood
21 specimen prior to the completion of the independent analysis, except
22 the analyst performing the independent analysis and agents of the
23 analyst.

1 H. The costs of collecting blood specimens for the purpose of
2 determining the alcohol or other intoxicating substance thereof, by
3 or at the direction of a law enforcement officer, shall be borne by
4 the law enforcement agency employing such officer; provided, if the
5 person is convicted for any offense involving the operation of a
6 motor vehicle while under the influence of or while impaired by
7 alcohol or an intoxicating substance, or both, as a direct result of
8 the incident which caused the collection of blood specimens, an
9 amount equal to the costs shall become a part of the court costs of
10 the person and shall be collected by the court and remitted to the
11 law enforcement agency bearing the costs. The cost of collecting,
12 retaining and sending or delivering to an independent laboratory the
13 excess specimens of blood for independent analysis at the option of
14 the tested person shall also be borne by such law enforcement
15 agency. The cost of the independent analysis of such specimen of
16 blood shall be borne by the tested person at whose option such
17 analysis is performed. The tested person, or his or her agent,
18 shall make all necessary arrangements for the performance of such
19 independent analysis other than the forwarding or delivery of such
20 specimen.

21 I. Tests of blood or breath for the purpose of determining the
22 alcohol concentration thereof, and tests of blood for the purpose of
23 determining the presence or concentration of any other intoxicating
24 substance therein, under the provisions of this title, whether

1 administered by or at the direction of a law enforcement officer or
2 administered independently, at the option of the tested person, on
3 the excess specimen of such person's blood to be considered valid
4 and admissible in evidence under the provisions of this title, shall
5 have been administered in accordance with Section 759 of this title.

6 J. Any person who has been arrested for any offense arising out
7 of acts alleged to have been committed while the person was
8 operating or in actual physical control of a motor vehicle while
9 under the influence of alcohol, any other intoxicating substance or
10 the combined influence of alcohol and any other intoxicating
11 substance who is not requested by a law enforcement officer to
12 submit to a test shall be entitled to have an independent test of
13 his or her blood for the purpose of determining its alcohol
14 concentration or the presence or concentration of any other
15 intoxicating substance therein, performed by a person of his or her
16 own choosing who is qualified as stipulated in this section. The
17 arrested person shall bear the responsibility for making all
18 necessary arrangements for the administration of such independent
19 test and for the independent analysis of any specimens obtained, and
20 bear all costs thereof. The failure or inability of the arrested
21 person to obtain an independent test shall not preclude the
22 admission of other competent evidence bearing upon the question of
23 whether such person was under the influence of alcohol, or any other
24

1 intoxicating substance or the combined influence of alcohol and any
2 other intoxicating substance.

3 K. Any agency or laboratory certified by the Board or any
4 agency or laboratory that is exempt from the Board rules pursuant to
5 Section 759 of this title, which analyses blood shall make available
6 a written report of the results of the test administered by or at
7 the direction of the law enforcement officer to:

- 8 1. The tested person, or his or her attorney;
- 9 2. The Commissioner of Public Safety;
- 10 3. The Director of Service Oklahoma; and
- 11 4. The Fatality Analysis Reporting System (FARS) analyst of the
12 state, upon request.

13 The results of the tests provided for in this title shall be
14 admissible in all civil actions, including administrative hearings
15 regarding driving privileges.

16 SECTION 63. REPEALER 47 O.S. 2021, Section 752, as last
17 amended by Section 4, Chapter 172, O.S.L. 2025 (47 O.S. Supp. 2025,
18 Section 752), is hereby repealed.

19 SECTION 64. REPEALER 47 O.S. 2021, Section 1102, as last
20 amended by Section 60, Chapter 452, O.S.L. 2024 (47 O.S. Supp. 2025,
21 Section 1102), is hereby repealed.

22 SECTION 65. AMENDATORY 47 O.S. 2021, Section 1110, as
23 last amended by Section 1, Chapter 403, O.S.L. 2025 (47 O.S. Supp.
24 2025, Section 1110), is amended to read as follows:

1 Section 1110. A. 1. Except for a security interest in
2 vehicles held by a dealer for sale or lease, a vehicle registered by
3 a federally recognized Indian tribe as provided in subsection G of
4 this section, and a vehicle being registered in this state which was
5 previously registered in another state and which title contains the
6 name of a secured party on the face of the other state certificate
7 or title, and except as otherwise provided in subsection B of
8 Section 1105 of this title, a security interest in a vehicle as to
9 which a certificate of title may be properly issued by Service
10 Oklahoma shall be perfected only when a lien entry form, and the
11 existing certificate of title, if any, or application for a
12 certificate of title and manufacturer's certificate of origin
13 containing the name and address of the secured party and the date of
14 the security agreement and the required fee are delivered to Service
15 Oklahoma or to a licensed operator. As used in this section, the
16 term "dealer" shall be defined as provided in Section 1-112 of this
17 title and the term "security interest" shall be defined as provided
18 in paragraph (35) of Section 1-201 of Title 12A of the Oklahoma
19 Statutes. When a vehicle title is presented to a licensed operator
20 for transferring or registering and the documents reflect a
21 lienholder, the licensed operator shall perfect the lien pursuant to
22 subsection G of Section 1105 of this title. For the purposes of
23 this section, the term "vehicle" shall not include special mobilized
24 machinery, machinery used in highway construction or road material

1 construction and rubber-tired road construction vehicles including
2 rubber-tired cranes. The filing and duration of perfection of a
3 security interest, pursuant to the provisions of Title 12A of the
4 Oklahoma Statutes, including, but not limited to, Section 1-9-311 of
5 Title 12A of the Oklahoma Statutes, shall not be applicable to
6 perfection of security interests in vehicles as to which a
7 certificate of title may be properly issued by Service Oklahoma,
8 except as to vehicles held by a dealer for sale or lease and except
9 as provided in subsection D of this section. In all other respects
10 Title 12A of the Oklahoma Statutes shall be applicable to such
11 security interests in vehicles as to which a certificate of title
12 may be properly issued by Service Oklahoma.

13 2. Whenever a person creates a security interest in a vehicle,
14 the person shall surrender to the secured party the certificate of
15 title or the signed application for a new certificate of title, on
16 the form prescribed by Service Oklahoma, and the manufacturer's
17 certificate of origin. The secured party shall deliver the lien
18 entry form and the required lien filing fee within forty-five (45)
19 days as provided hereafter with certificate of title or the
20 application for certificate of title and the manufacturer's
21 certificate of origin to Service Oklahoma or to a licensed operator.
22 If the lien entry form, the lien filing fee and the certificate of
23 title or application for certificate of title and the manufacturer's
24 certificate of origin are delivered to Service Oklahoma or to a

1 licensed operator within forty-five (45) days after the date of the
2 lien entry form, perfection of the security interest shall begin
3 from the date of the execution of the lien entry form, but
4 otherwise, perfection of the security interest shall begin from the
5 date of the delivery to Service Oklahoma or to a licensed operator.

6 3. a. For each security interest recorded on a certificate
7 of title or manufacturer's certificate of origin, such
8 person shall pay a fee of Ten Dollars (\$10.00), which
9 shall be in addition to other fees provided for in the
10 Oklahoma Vehicle License and Registration Act. Upon
11 the receipt of the lien entry form and the required
12 fees with either the certificate of title or an
13 application for certificate of title and
14 manufacturer's certificate of origin, a licensed
15 operator shall, by placement of a clearly
16 distinguishing mark, record the date and number shown
17 in a conspicuous place on each of these instruments.
18 Of the ten-dollar fee, the licensed operator shall
19 retain Two Dollars (\$2.00) for recording the security
20 interest lien.

21 b. It shall be unlawful for any person to solicit,
22 accept, or receive any gratuity or compensation for
23 acting as a messenger and for acting as the agent or
24 representative of another person in applying for the
25

1 recording of a security interest or for the
2 registration of a motor vehicle and obtaining the
3 license plates or for the issuance of a certificate of
4 title therefor unless Service Oklahoma has appointed
5 and approved the person to perform such acts; and
6 before acting as a messenger, any such person shall
7 furnish to Service Oklahoma a surety bond in such
8 amount as Service Oklahoma shall determine
9 appropriate.

10 4. The certificate of title or the application for certificate
11 of title and manufacturer's certificate of origin with the record of
12 the date of receipt clearly marked thereon shall be returned to the
13 debtor together with a notice that the debtor is required to
14 register and pay all additional fees and taxes due within thirty
15 (30) days from the date of purchase of the vehicle.

16 5. Any person creating a security interest in a vehicle that
17 has been previously registered in the debtor's name and on which all
18 taxes due the state have been paid shall surrender the certificate
19 of ownership to the secured party. The secured party shall have the
20 duty to record the security interest as provided in this section and
21 shall, at the same time, obtain a new certificate of title which
22 shall show the secured interest on the face of the certificate of
23 title.
24

1 6. The lien entry form with the date and assigned number
2 thereof clearly marked thereon shall be returned to the secured
3 party. If the lien entry form is received and authenticated, as
4 herein provided, by a licensed operator, the licensed operator shall
5 make a report thereof to Service Oklahoma upon the forms and in the
6 manner as may be prescribed by Service Oklahoma.

7 7. Service Oklahoma shall have the duty to record the lien upon
8 the face of the certificate of title issued at the time of
9 registering and paying all fees and taxes due on the vehicle.

10 8. When there is an active lien from a commercial lender in
11 place on a vehicle, licensed operators shall be prohibited from
12 transferring the certificate of title on that vehicle until the lien
13 is satisfied, except when the title is transferred:

- 14 a. to a person whose name is included on the loan for
15 which the lien is placed pursuant to an agreement by
16 the lender and any party to the title,
- 17 b. to a trust created by a person whose name is included
18 on the loan for which the lien is placed, ~~or~~
- 19 c. from a person who has died, upon the submission of a
20 death certificate, or
- 21 d. upon attestation by the managing member indicating
22 ownership, to a business entity from a person who owns
23 at least fifty percent (50%) of the business entity
24 receiving title. As part of such transfer, the

business entity receiving title and at the discretion
of the financial institution holding the lien, the
individual transferring title and the receiving
business entity may be added as an obligor to the
original note secured by the collateral to which the
transferring individual is a borrower. This shall not
be construed to require refinancing of the original
note. Service Oklahoma shall provide notification of
the transaction to the lienholder, ninety (90) days
prior to effectuating the title transfer and shall
develop an appropriate affidavit and notice necessary
to effectuate a transfer of title. A title transfer
initiated pursuant to this subparagraph shall not
preclude the lienholder from exercising all remedies
available to it in accordance with an agreement
between the lienholder and the individual transferring
title, up to and including repossession of the vehicle
and civil action against the individual transferring
title and receiving business entity. Further, until
the original lien is satisfied, the receiving business
entity shall be prohibited from transferring title to
another entity or person. Types of business entities
that may receive a transfer of title pursuant to this
subparagraph shall be limited to:

- (1) sole proprietorships,
- (2) general partnerships,
- (3) limited partnerships,
- (4) limited liability companies,
- (5) professional limited partnerships, and
- (6) professional limited liability companies.

No individual may perform a transfer, pursuant to this subparagraph, to any business entity that is currently engaging in any activity which is prohibited by federal or state law.

The provisions of this paragraph shall not be construed to release any lien or debt based solely upon a transfer of certificate of title.

B. 1. A secured party shall, within seven (7) business days after the satisfaction of the security interest, furnish directly or by mail a release of a security interest to Service Oklahoma and mail a copy thereof to the last-known address of the debtor. If the security interest has been satisfied by payment from a licensed used motor vehicle dealer to whom the motor vehicle has been transferred, the secured party shall also, within seven (7) business days after receipt of a written request from such licensed used motor vehicle dealer, mail an additional copy of the release to the dealer. If the secured party fails to furnish the release as required, the secured party shall be liable to the debtor for a penalty of One

1 Hundred Dollars (\$100.00). Following the seven (7) business days
2 after satisfaction of the lien and upon receipt by the lienholder of
3 written communication demanding the release of the lien, thereafter
4 the penalty shall increase to One Hundred Dollars (\$100.00) per day
5 for each additional day beyond seven (7) business days until
6 accumulating to One Thousand Five Hundred Dollars (\$1,500.00) or the
7 value of the vehicle, whichever is less, and, in addition, any loss
8 caused to the debtor by such failure.

9 2. Upon release of a security interest the owner may obtain a
10 new certificate of title omitting reference to the security
11 interest, by submitting to Service Oklahoma or to a licensed
12 operator:

- 13 a. a release signed by the secured party, an application
14 for new certificate of title, and the proper fees, or
- 15 b. by submitting to Service Oklahoma or the licensed
16 operator an affidavit, supported by such documentation
17 as Service Oklahoma may require, by the owner on a
18 form prescribed by Service Oklahoma stating that the
19 security interest has been satisfied and stating the
20 reasons why a release cannot be obtained, an
21 application for a new certificate of title and the
22 proper fees.

23 Upon receiving such affidavit that the security interest has been
24 satisfied, Service Oklahoma shall issue a new certificate of title

1 eliminating the satisfied security interest and the name and address
2 of the secured parties who have been paid and satisfied. Service
3 Oklahoma shall accept a release of a security interest in any form
4 that identifies the debtor, the secured party, and the vehicle, and
5 contains the signature of the secured party. Service Oklahoma shall
6 not require any particular form for the release of a security
7 interest.

8 The words "security interest" when used in the Oklahoma Vehicle
9 License and Registration Act do not include liens dependent upon
10 possession.

11 C. Service Oklahoma shall file and index certificates of title
12 so that at all times it will be possible to trace a certificate of
13 title to the vehicle designated therein, identify the lien entry
14 form, and the names and addresses of secured parties, or their
15 assignees, so that all or any part of such information may be made
16 readily available to those who make legitimate inquiry of Service
17 Oklahoma as to the existence or nonexistence of security interest in
18 the vehicle.

19 D. 1. Any security interest in a vehicle properly perfected
20 prior to July 1, 1979, may be continued as to its effectiveness or
21 duration as provided by Sections 1-9-510 and 1-9-515 of Title 12A of
22 the Oklahoma Statutes, or may be terminated, assigned, or released
23 as provided by Sections 1-9-512, 1-9-513, and 1-9-514 of Title 12A
24 of the Oklahoma Statutes, as fully as if this section had not been

1 enacted, or, at the option of the secured party, may also be
2 perfected under this section, and, if so perfected, the time of
3 perfection under this section shall be the date the security
4 interest was originally perfected under the prior law.

5 2. Upon request of the secured party, the debtor or any other
6 holder of the certificate of title shall surrender the certificate
7 of title to the secured party and shall do such other acts as may be
8 required to perfect the security interest under this section.

9 E. If a manufactured home is permanently affixed to real
10 estate, an Oklahoma certificate of title may be surrendered to
11 Service Oklahoma or a licensed operator for cancellation. When the
12 document of title is surrendered, the owner shall provide the legal
13 description or the appropriate tract or parcel number of the real
14 estate and other information as may be required on a form provided
15 by Service Oklahoma. Service Oklahoma may not cancel a document of
16 title if a lien has been registered or recorded. Service Oklahoma
17 or the licensed operator shall notify the owner and any lienholder
18 that the title has been surrendered to Service Oklahoma and that
19 Service Oklahoma may not cancel the title until the lien is
20 released. Such notification shall include a description of the lien
21 and such notification to the owner shall be accompanied by the
22 return of title surrendered. Permanent attachment to real estate
23 does not affect the validity of a lien recorded or registered with
24 Service Oklahoma before the document of title is canceled pursuant

1 to this section. The rights of a prior lienholder pursuant to a
2 security agreement or the provisions of a credit transaction and the
3 rights of the state pursuant to a tax lien are preserved. Service
4 Oklahoma or the licensed operator shall forward the information to
5 the county assessor of the county where the real estate is located
6 and indicate whether the original document of title has been
7 canceled. A fee of Five Dollars (\$5.00) shall accompany the
8 application for cancellation of title. When the fee is paid by a
9 person making an application directly with Service Oklahoma, the fee
10 shall be deposited in the Oklahoma Tax Commission Fund. Beginning
11 January 1, 2023, the fee shall be deposited in the Service Oklahoma
12 Revolving Fund. A fee paid to a licensed operator shall be retained
13 by the licensed operator. The owner of a manufactured home upon
14 which the document of title has been properly surrendered may apply
15 to Service Oklahoma for issuance of a new original certificate of
16 title upon submission of:

17 1. An attestation from the homeowner indicating ownership of
18 the manufactured home and the nonexistence of any security interest
19 or lien of record in the manufactured home; and

20 2. A title opinion by a licensed attorney, determining that the
21 owner of the manufactured home has marketable title to the real
22 property upon which the manufactured home is located and that no
23 documents filed of record in the county clerk's office concerning
24 the real property contain a mortgage, recorded financial statement,

1 judgment, or lien of record. Persons or entities to whom the title
2 opinion is addressed may rely on the title opinion. A security
3 interest in a manufactured home perfected pursuant to this section
4 shall have priority over a conflicting interest of a mortgagee or
5 other lien encumbrancer, or the owner of the real property upon
6 which the manufactured home became affixed or otherwise permanently
7 attached. The holder of the security interest in the manufactured
8 home, upon default, may remove the manufactured home from such real
9 property. The holder of the security interest in the manufactured
10 home shall reimburse the owner of the real property who is not the
11 debtor and who has not otherwise agreed to access the real property
12 for the cost of repair of any physical injury to the real property,
13 but shall not be liable for any diminution in value to the real
14 property caused by the removal of the manufactured home, trespass,
15 or any other damages caused by the removal. The debtor shall notify
16 the holder of the security interest in the manufactured home of the
17 street address, if any, and the legal description of the real
18 property upon which the manufactured home is affixed or otherwise
19 permanently attached and shall sign such other documents, including
20 any appropriate mortgage, as may reasonably be requested by the
21 holder of such security interest.

22 F. In the case of motor vehicles or trailers, notwithstanding
23 any other provision of law, a transaction does not create a sale or
24 security interest merely because it provides that the rental price

1 is permitted or required to be adjusted under the agreement either
2 upward or downward by reference to the amount realized upon sale or
3 other disposition of the motor vehicle or trailer.

4 G. A security interest in vehicles registered by a federally
5 recognized Indian tribe shall be deemed valid under Oklahoma law if
6 validly perfected under the applicable tribal law and the lien is
7 noted on the face of the tribal certificate of title.

8 SECTION 66. REPEALER 47 O.S. 2021, Section 1110, as last
9 amended by Section 1, Chapter 323, O.S.L. 2024 (47 O.S. Supp. 2025,
10 Section 1110), is hereby repealed.

11 SECTION 67. AMENDATORY 47 O.S. 2021, Section 1113, as
12 last amended by Section 72, Chapter 452, O.S.L. 2024 (47 O.S. Supp.
13 2025, Section 1113), is amended to read as follows:

14 Section 1113. A. 1. Except for all-terrain vehicles, utility
15 vehicles and motorcycles used exclusively off roads and highways,
16 upon the filing of a registration application and the payment of the
17 fees provided for in the Oklahoma Vehicle License and Registration
18 Act, Service Oklahoma or the Corporation Commission, as applicable,
19 shall assign to the vehicle described in the application a
20 distinctive number, and issue to the owner of the vehicle a
21 certificate of registration, one license plate and a yearly decal,
22 unless otherwise previously issued pursuant to the Oklahoma Vehicle
23 License and Registration Act. Service Oklahoma shall assign an all-
24 terrain vehicle, utility vehicle or motorcycle used exclusively off

1 roads and highways a distinctive number and issue to the owner a
2 certificate of registration and a decal but not a license plate.
3 For each subsequent registration year, Service Oklahoma shall issue
4 a yearly decal to be affixed to the license plate, except for an
5 all-terrain vehicle, utility vehicle or motorcycle used exclusively
6 off roads and highways. The initial decal for an all-terrain
7 vehicle, utility vehicle or motorcycle shall be attached to the
8 front of the vehicle and shall be in clear view. The decal shall be
9 on the front or on the front fork of the motorcycle used exclusively
10 off roads and highways and the decal shall be in clear view. The
11 yearly decal shall have an identification number and the last two
12 numbers of the registration year for which it shall expire. Except
13 as provided by Section 1113A of this title, the license plate shall
14 be affixed to the exterior of the vehicle until a replacement
15 license plate is applied for. If the owner applies for a
16 replacement license plate, Service Oklahoma shall charge the fee
17 provided for in Section 1114 of this title. The yearly decal will
18 validate the license plate for each registration period other than
19 the year the license plate is issued. The license plate and decal
20 shall be of such size, color, design and numbering as Service
21 Oklahoma may direct. However, yearly decals issued to the owner of
22 a vehicle who has filed an affidavit with the appropriate licensed
23 operator in accordance with Section 7-607 of this title shall be a
24 separate and distinct color from all other decals issued under this

1 section. ~~Before the effective date of this act, Service Oklahoma~~
2 ~~shall also issue a monthly decal which shall include a two-letter~~
3 ~~abbreviation corresponding to the county in which the vehicle is~~
4 ~~registered. Service Oklahoma shall issue all decals in the~~
5 ~~possession of Service Oklahoma on the effective date of this act~~
6 ~~before issuing any decals which do not contain the county~~
7 ~~abbreviation.~~

8 2. a. The operation of a street-legal utility vehicle on the
9 streets and highways of this state requires the
10 vehicle be issued a certificate of registration and
11 license plate to be renewed annually. Upon the filing
12 of a registration application and the payment of the
13 fees provided for in the Oklahoma Vehicle License and
14 Registration Act, Service Oklahoma or the Corporation
15 Commission, as applicable, shall assign to the vehicle
16 described in the application a distinctive number, and
17 issue to the owner of the vehicle a certificate of
18 registration, one license plate and a yearly decal.
19 For each subsequent registration year, Service
20 Oklahoma shall issue a yearly decal to be affixed to
21 the license plate. The initial decal for a street-
22 legal utility vehicle shall be attached to the front
23 of the vehicle and shall be in clear view. The yearly
24 decal shall have an identification number and the last

1 two numbers of the registration year for which it
2 shall expire. Except as provided by Section 1113A of
3 this title, the license plate shall be affixed to the
4 exterior of the vehicle until a replacement license
5 plate is issued. If the owner applies for a
6 replacement license plate, Service Oklahoma shall
7 charge the fee provided for in Section 1114 of this
8 title. The yearly decal will validate the license
9 plate for each registration period other than the year
10 the license plate is issued. The license plate and
11 decal shall be of such size, color, design, and
12 numbering as Service Oklahoma may direct. However,
13 yearly decals issued to the owner of a vehicle who has
14 filed an affidavit with the appropriate licensed
15 operator in accordance with Section 7-607 of this
16 title shall be a separate and distinct color from all
17 other decals issued under this section.

- 18 b. Service Oklahoma shall design and issue a temporary
19 tag to out-of-state owners of street-legal utility
20 vehicles. The temporary tag shall be recognized in
21 lieu of registration in this state. The temporary tag
22 shall clearly indicate the date of issuance and the
23 date of expiration, which shall be five (5) days,
24 including the day of issuance. Upon application for a

1 temporary tag, the out-of-state owner shall show proof
2 of insurance coverage that satisfies the requirements
3 of the Compulsory Insurance Law pursuant to Section 7-
4 600 et seq. of this title. Service Oklahoma is
5 authorized to promulgate rules and procedures to
6 implement the provisions of this paragraph.

- 7 3. a. The operation of a military surplus vehicle, as
8 defined by Section 1-133.1a of this title, on the
9 streets and highways of this state requires that the
10 vehicle be issued a certificate of registration and
11 license plate to be renewed annually. Upon the filing
12 of a registration application and the payment of the
13 fees provided for in the Oklahoma Vehicle License and
14 Registration Act, Service Oklahoma or the Corporation
15 Commission, as applicable, shall design and assign
16 license plates of a distinctive design in lieu of the
17 usual license plates that shall show, in addition to
18 the identification number, that the vehicle meets the
19 qualifications of a military surplus vehicle, as the
20 case may be, owned by an Oklahoma military surplus
21 vehicle collector. The registration shall be valid
22 for one (1) year and may be renewed by payment of such
23 annual fee. The yearly decal shall have an
24 identification number and the last two numbers of the

1 registration year for which it shall expire. Except
2 as provided by Section 1113A of this title, the
3 license plate shall be affixed to the exterior of the
4 vehicle until a replacement license plate is issued.
5 If the owner applies for a replacement license plate,
6 Service Oklahoma shall charge the fee provided for in
7 Section 1114 of this title. The yearly decal will
8 validate the license plate for each registration
9 period other than the year the license plate is
10 issued. The license plate and decal shall be of such
11 size, color, design, and numbering as Service Oklahoma
12 may direct. However, yearly decals issued to the
13 owner of a vehicle who has filed an affidavit with the
14 appropriate licensed operator in accordance with
15 Section 7-607 of this title shall be a separate and
16 distinct color from all other decals issued under this
17 section.

- 18 b. Each military surplus vehicle collector, as defined by
19 Section 1-133.1b of this title, who applies for
20 military surplus vehicle license plates will be issued
21 a military surplus collector's identification number
22 that will appear on each license plate. Second and
23 all subsequent registrations under this section by the
24 same collector will bear the same collector's

1 identification number followed by a suffix letter for
2 vehicle identification.

3 c. A military surplus vehicle collector must own and have
4 registered one or more vehicles with regular Oklahoma
5 license plates that are used for regular
6 transportation.

7 d. There shall be a one-time processing fee of Twenty
8 Dollars (\$20.00) to defray the cost of issuing the
9 original military surplus vehicle collector's military
10 surplus vehicle designation license plates to ensure
11 that each collector will be issued only one
12 collector's identification number.

13 4. The license plate shall be securely attached to the rear of
14 the vehicle, except truck-tractor plates which shall be attached to
15 the front of the vehicle. Service Oklahoma may, with the
16 concurrence of the Department of Public Safety, by Joint Rule,
17 change and direct the manner, place and location of display of any
18 vehicle license plate when such action is deemed in the public
19 interest. The license plate, decal and all letters and numbers
20 shall be clearly visible at all times. The operation of a vehicle
21 in this state, regardless of where such vehicle is registered, upon
22 which the license plate is covered, overlaid, or otherwise screened
23 with any material, whether such material be clear, translucent,
24 tinted or opaque, shall be a violation of this paragraph.

1 5. Upon payment of the annual registration fee provided in
2 Section 1133 of this title, Service Oklahoma or the Corporation
3 Commission, as applicable, or a licensed operator may issue a
4 permanent nonexpiring license plate to an owner of one hundred or
5 more commercial motor vehicles and for vehicles registered under the
6 provisions of Section 1120 of this title. Upon payment of the
7 annual registration fee, Service Oklahoma or the Corporation
8 Commission shall issue a certificate of registration that shall be
9 carried at all times in the vehicle for which it is issued.
10 Provided, if the registrant submits its application through
11 electronic means, such qualified owners of one hundred or more
12 commercial motor vehicles, properly registered pursuant to the
13 provisions of Section 1133 of this title, may elect to receive a
14 permanent certificate of registration that shall be carried at all
15 times in the vehicle for which it is issued.

16 6. Every vehicle owned by an agency of this state shall be
17 exempt from the payment of registration fees required by this title.
18 Provided, such vehicle shall be registered and shall otherwise
19 comply with the provisions of the Oklahoma Vehicle License and
20 Registration Act.

21 B. The license plates required under the provisions of this
22 title shall conform to the requirements and specifications listed
23 hereinafter:
24
25

1 1. Each license plate shall have a space for the placement of
2 the yearly decals for each succeeding year of registration after the
3 initial issue;

4 2. The provisions of the Oklahoma Vehicle License and
5 Registration Act regarding the issuance of yearly decals shall not
6 apply to the issuance of apportioned license plates, including
7 license plates for state vehicles, and exempt plates for
8 governmental entities and fire departments organized pursuant to
9 Section 592 of Title 18 of the Oklahoma Statutes;

10 3. All license plates and decals shall be made with
11 reflectorized material as a background to the letters, numbers and
12 characters displayed thereon. The reflectorized material shall be
13 of such a nature as to provide effective and dependable brightness
14 during the service period for which the license plate or decal is
15 issued;

16 4. Except as otherwise provided in this subsection, Service
17 Oklahoma shall design appropriate official license plates for all
18 state vehicles. Such license plates shall be permanent in nature
19 and designed in such manner as to remain with the vehicle for the
20 duration of the vehicle's life span or until the title is
21 transferred to a nongovernmental owner;

22 5. Within the limits prescribed in this section, Service
23 Oklahoma shall design appropriate official license plates for
24 vehicles of the Oklahoma Highway Patrol. The license plates shall

1 have the legend "Oklahoma OK" and shall contain the letters "OHP"
2 followed by the state seal and the badge number of the Highway
3 Patrol officer to whom the vehicle is assigned. The words "Oklahoma
4 Highway Patrol" shall also be included on such license plates;

5 6. Within the limits prescribed in this section, Service
6 Oklahoma shall design appropriate official license plates for
7 vehicles of the ~~Oklahoma~~ Military Department of the State of
8 Oklahoma. Such license plates shall have the legend "Oklahoma OK"
9 and shall contain the letters "OMD" followed by the state seal and
10 three numbers or letters as designated by the Adjutant General. The
11 words "Oklahoma Military Department" shall also be included on such
12 license plates;

13 7. Within the limits prescribed in this section, Service
14 Oklahoma shall design appropriate official license plates for
15 vehicles of the ~~Oklahoma~~ Department of Corrections. Such license
16 plates shall contain the letters "DOC" followed by the Department of
17 Corrections badge and three numbers or letters or combination of
18 both as designated by the Director of the agency. The words
19 "Department of Corrections" shall also be included on such license
20 plates; and

21 8. Within the limits prescribed in this section, the Oklahoma
22 Tourism and Recreation Department shall design any license plates
23 required by the initiation of a license plate reissuance by Service
24 Oklahoma at the request of the Department of Public Safety pursuant
25

1 to the provisions of Section 1113.2 of this title. Any such new
2 designs shall be submitted by the Oklahoma Tourism and Recreation
3 Department to the Department of Public Safety for its approval prior
4 to being issued by Service Oklahoma.

5 C. Where the applicant has satisfactorily shown that the
6 applicant owns the vehicle sought to be registered but is unable to
7 produce documentary evidence of the ownership, a license plate may
8 be issued upon approval by Service Oklahoma or the Corporation
9 Commission, as applicable. In such instances the reason for not
10 issuing a certificate of title shall be indicated on the receipt
11 given to the applicant. It shall still be the duty of the applicant
12 to immediately take all necessary steps to obtain the Oklahoma
13 certificate of title and it shall be unlawful for the applicant to
14 sell the vehicle until the certificate has been obtained in the
15 applicant's name.

16 D. The certificate of registration provided for in this section
17 shall be in convenient form, and the certificate of registration, or
18 a certified copy or photostatic copy thereof, duly authenticated by
19 Service Oklahoma or the Corporation Commission, as applicable, shall
20 be carried at all times in or upon all vehicles so registered, in
21 such manner as to permit a ready examination thereof upon demand by
22 any peace officer of the state or duly authorized employee of the
23 Department of Public Safety. Any such officer or agent may seize
24 and hold such vehicle when the operator of the same does not have

1 the registration certificate in the operator's possession or when
2 any such officer or agent determines that the registration
3 certificate has been obtained by misrepresentation of any essential
4 or material fact or when any number or identifying information
5 appearing on such certificate has been changed, altered, obliterated
6 or concealed in any way, until the proper registration or
7 identification of such vehicle has been made or produced by the
8 owner thereof.

9 E. The purchaser of a new or used manufactured home shall,
10 within thirty (30) days of the date of purchase, register the home
11 with Service Oklahoma or a licensed operator pursuant to the
12 provisions of Section 1117 of this title. For a new manufactured
13 home, it shall be the responsibility of the dealer selling the home
14 to place a temporary license plate on the home in the same manner as
15 provided in Section 1128 of this title for other new motor vehicles.
16 For the first year that any manufactured home is registered in this
17 state, Service Oklahoma shall issue a metal license plate which
18 shall be affixed to the manufactured home. The temporary dealer
19 license plate or the metal license plate shall be displayed on the
20 manufactured home at all times when upon a public roadway; provided,
21 a repossession affidavit issued pursuant to Sections 1110 and 1126
22 of this title shall be permissible in lieu of a current license
23 plate and decal for the purposes of removing a repossessed
24 manufactured home to a secure location. Manufactured homes

1 previously registered and subject to ad valorem taxation as provided
2 by law shall have a decal affixed at the time ad valorem taxes are
3 paid for such manufactured home; provided, for a manufactured home
4 permanently affixed to real estate, no decal or license plate shall
5 be required to be affixed and the owner thereof shall be given a
6 receipt upon payment of ad valorem taxes due on the home. Service
7 Oklahoma shall make sufficient plates and decals available to the
8 various licensed operators of the state in order for an owner of a
9 manufactured home to acquire the plate or decal. A one-dollar fee
10 shall be charged for issuance of any plate or decal. The fee shall
11 be apportioned each month to the General Revenue Fund of the State
12 Treasury.

13 F. The decal shall be easily visible for purposes of
14 verification by a county assessor that the manufactured home is
15 properly assessed for ad valorem taxation. In the first year of
16 registration, a decal shall be issued for placement on the license
17 plate indicating payment of applicable registration fees and excise
18 taxes. A duplicate manufactured home registration decal shall be
19 affixed inside the window nearest the front door of the manufactured
20 home. In the second and all subsequent years for which the
21 manufactured home is subject to ad valorem taxation, an annual decal
22 shall be affixed inside the window nearest the front door as
23 evidence of payment of ad valorem taxes. Service Oklahoma shall
24 issue decals to the various county treasurers of the state in order

1 for a manufactured home owner to obtain such decal each year. Upon
2 presentation of a valid ad valorem tax receipt, the manufactured
3 home owner shall be issued the annual decal.

4 G. Upon the registration of a manufactured home in this state
5 for the first time or upon discovery of a manufactured home
6 previously registered within this state for which the information
7 required by this subsection is not known, Service Oklahoma shall
8 obtain:

- 9 1. The name of the owner of the manufactured home;
- 10 2. The serial number or identification number of the
11 manufactured home;
- 12 3. A legal description or address of the location for the home;
- 13 4. The actual retail selling price of the manufactured home
14 excluding Oklahoma taxes;
- 15 5. The certificate of title number for the home; and
- 16 6. Any other information which Service Oklahoma deems to be
17 necessary.

18 The application for registration shall also include the school
19 district in which the manufactured home is located or is to be
20 located. The information shall be entered into a computer data
21 system which shall be used by Service Oklahoma to provide
22 information to county assessors upon request by the assessor. The
23 assessor may request any information from the system in order to
24 properly assess a manufactured home for ad valorem taxation.

1 SECTION 68. REPEALER 47 O.S. 2021, Section 1113, as last
2 amended by Section 8, Chapter 236, O.S.L. 2024 (47 O.S. Supp. 2025,
3 Section 1113), is hereby repealed.

4 SECTION 69. AMENDATORY 47 O.S. 2021, Section 1132, as
5 last amended by Section 10, Chapter 236, O.S.L. 2024 (47 O.S. Supp.
6 2025, Section 1132), is amended to read as follows:

7 Section 1132. A. For all vehicles, unless otherwise
8 specifically provided by the Oklahoma Vehicle License and
9 Registration Act, a registration fee shall be assessed at the time
10 of initial registration by the owner and annually thereafter, for
11 the use of the avenues of public access within this state in the
12 following amounts:

13 1. For the first through the fourth year of registration in
14 this state or any other state, Eighty-five Dollars (\$85.00);

15 2. For the fifth through the eighth year of registration in
16 this state or any other state, Seventy-five Dollars (\$75.00);

17 3. For the ninth through the twelfth year of registration in
18 this state or any other state, Fifty-five Dollars (\$55.00);

19 4. For the thirteenth through the sixteenth year of
20 registration in this state or any other state, Thirty-five Dollars
21 (\$35.00); and

22 5. For the seventeenth and any following year of registration
23 in this state or any other state, Fifteen Dollars (\$15.00).
24
25

1 The registration fee provided for in this subsection shall be in
2 lieu of all other taxes, general or local, unless otherwise
3 specifically provided.

4 On and after January 1, 2022, if a physically disabled license
5 plate is issued pursuant to paragraph 3 of subsection B of Section
6 1135.1 of this title, any registration fee required for such license
7 plate and the fee required pursuant to this subsection shall be
8 remitted at the same time and subject to a single registration
9 period. Upon receipt of a physically disabled license plate, the
10 standard-issue license plate must be surrendered to Service Oklahoma
11 or the licensed operator. The physically disabled license plate
12 must be properly displayed as required for a standard-issue license
13 plate and will be the sole license plate issued and assigned to the
14 vehicle. Service Oklahoma shall determine, by rule, a method for
15 making required fee adjustments when a physically disabled license
16 plate is obtained during a twelve-month period for which a
17 registration fee has already been remitted pursuant to this
18 subsection. The combination of fees in a single remittance shall
19 not alter the apportionment otherwise provided for by law.

20 B. For all-terrain vehicles and motorcycles used exclusively
21 for use off roads or highways purchased on or after July 1, 2005,
22 and for all-terrain vehicles and motorcycles used exclusively for
23 use off roads or highways purchased prior to July 1, 2005, which the
24 owner chooses to register pursuant to the provisions of Section

1 1115.3 of this title, an initial and nonrecurring registration fee
2 of Eleven Dollars (\$11.00) shall be assessed at the time of initial
3 registration by the owner. Nine Dollars (\$9.00) of the registration
4 fee shall be deposited in the Tax Commission Reimbursement Fund
5 through December 31, 2022, and beginning January 1, 2023, this fee
6 shall be deposited in the Service Oklahoma Reimbursement Fund. Two
7 Dollars (\$2.00) of the registration fee shall be retained by the
8 licensed operator. The fees required by subsection A of this
9 section shall not be required for all-terrain vehicles or
10 motorcycles used exclusively off roads and highways.

11 C. For utility vehicles used exclusively for use off roads or
12 highways purchased on or after July 1, 2008, and for utility
13 vehicles used exclusively for use off roads or highways purchased
14 prior to July 1, 2008, which the owner chooses to register pursuant
15 to the provisions of Section 1115.3 of this title, an initial and
16 nonrecurring registration fee of Eleven Dollars (\$11.00) shall be
17 assessed at the time of initial registration by the owner. Nine
18 Dollars (\$9.00) of the registration fee shall be deposited in the
19 Tax Commission Reimbursement Fund through December 31, 2022, and
20 beginning January 1, 2023, this fee shall be deposited in the
21 Service Oklahoma Reimbursement Fund. Two Dollars (\$2.00) of the
22 registration fee shall be retained by the licensed operator. The
23 fees required by subsection A of this section shall not be required
24 for utility vehicles used exclusively off roads and highways.

1 D. There shall be a credit allowed with respect to the fee for
2 registration of a new vehicle which is a replacement for:

3 1. A new original vehicle which is stolen from the
4 purchaser/registrant within ninety (90) days of the date of purchase
5 of the original vehicle as certified by a police report or other
6 documentation as required by Service Oklahoma; or

7 2. A defective new original vehicle returned by the
8 purchaser/registrant to the seller within six (6) months of the date
9 of purchase of the defective new original vehicle as certified by
10 the manufacturer.

11 The credit shall be in the amount of the fee for registration
12 which was paid for the new original vehicle and shall be applied to
13 the registration fee for the replacement vehicle. In no event will
14 the credit be refunded.

15 E. Upon every transfer or change of ownership of a vehicle, the
16 new owner shall obtain title for and, except in the case of salvage
17 vehicles and manufactured homes, register the vehicle within two (2)
18 months of change of ownership and pay a transfer fee of Fifteen
19 Dollars (\$15.00) in addition to any other fees provided for in the
20 Oklahoma Vehicle License and Registration Act. Additionally, within
21 two (2) business days of the date of the sale or transfer of the
22 motor vehicle, the parties must submit the requisite documentation
23 to Service Oklahoma or a licensed operator identifying the motor
24 vehicle subject to the sale or transfer, purchaser information, and

1 any associated license plate on the vehicle, pursuant to the
2 requirements of Section 1112.2 of this title. No new decal shall be
3 issued to the registrant for an existing license plate. Thereafter,
4 the owner shall register the vehicle annually on the anniversary
5 date of its initial registration in this state and shall pay the
6 fees provided in subsection A of this section and receive a decal
7 evidencing such payment. Provided, used motor vehicle dealers shall
8 be exempt from the provisions of this section.

9 F. In the event a new or used vehicle is not registered,
10 titled, and tagged within two (2) months from the date of transfer
11 of ownership, the penalty for the failure of the owner of the
12 vehicle to register the vehicle within two (2) months shall be One
13 Dollar (\$1.00) per day, provided that in no event shall the penalty
14 exceed One Hundred Dollars (\$100.00). No penalty shall be waived by
15 Service Oklahoma or any licensed operator except as provided in
16 subsection C of Section 1127 of this title, or when it can be shown
17 the vehicle was stolen as certified by a police report or other
18 documentation as required by the Oklahoma Tax Commission. Of each
19 one-dollar penalty collected pursuant to this subsection:

20 1. Twenty-one cents (\$0.21) shall be apportioned as provided in
21 Section 1104 of this title;

22 2. Twenty-one cents (\$0.21) shall be retained by the licensed
23 operator; and
24

1 3. Fifty-eight cents (\$0.58) shall be deposited in the General
2 Revenue Fund.

3 SECTION 70. REPEALER 47 O.S. 2021, Section 1132, as last
4 amended by Section 75, Chapter 452, O.S.L. 2024 (47 O.S. Supp. 2025,
5 Section 1132), is hereby repealed.

6 SECTION 71. REPEALER 51 O.S. 2021, Section 6, as amended
7 by Section 1, Chapter 303, O.S.L. 2025 (51 O.S. Supp. 2025, Section
8 6), is hereby repealed.

9 SECTION 72. AMENDATORY 51 O.S. 2021, Section 24A.5, as
10 last amended by Section 2, Chapter 404, O.S.L. 2025 (51 O.S. Supp.
11 2025, Section 24A.5), is amended to read as follows:

12 Section 24A.5. All records of public bodies and public
13 officials shall be open to any person for inspection, copying, or
14 mechanical reproduction during regular business hours; provided:

15 1. The Oklahoma Open Records Act, Sections 24A.1 through 24A.34
16 of this title, does not apply to records specifically required by
17 law to be kept confidential including:

18 a. records protected by a state evidentiary privilege
19 such as the attorney-client privilege, the work
20 product immunity from discovery and the identity of
21 informer privileges,

22 b. records of what transpired during meetings of a public
23 body lawfully closed to the public such as executive
24
25

1 sessions authorized under the Oklahoma Open Meeting
2 Act,

3 c. personal information within driver records as defined
4 by the Driver's Privacy Protection Act, 18 U.S.C.,
5 Sections 2721 through 2725,

6 d. information in the files of the Board of Medicolegal
7 Investigations obtained pursuant to Sections 940 and
8 941 of Title 63 of the Oklahoma Statutes that may be
9 hearsay, preliminary unsubstantiated investigation-
10 related findings, or confidential medical information,

11 e. any test forms, question banks and answer keys
12 developed for state licensure examinations, but
13 specifically excluding test preparation materials or
14 study guides,

15 f. last names, addresses, Social Security numbers or tax
16 identification numbers, and proof of identification
17 submitted to the Oklahoma Lottery Commission by
18 persons claiming a lottery prize,

19 g. unless public disclosure is required by other laws or
20 regulations, vehicle movement records of the Oklahoma
21 Transportation Authority obtained in connection with
22 the Authority's electronic toll collection system,

23 h. personal financial information, credit reports, or
24 other financial data obtained by or submitted to a
25

1 public body for the purpose of evaluating credit
2 worthiness, obtaining a license, permit, or for the
3 purpose of becoming qualified to contract with a
4 public body,

5 i. any digital audio/video recordings of the toll
6 collection and safeguarding activities of the Oklahoma
7 Transportation Authority,

8 j. any personal information provided by a guest at any
9 facility owned or operated by the Oklahoma Tourism and
10 Recreation Department to obtain any service at the
11 facility or by a purchaser of a product sold by or
12 through the Oklahoma Tourism and Recreation
13 Department,

14 k. a United States Department of Defense Form 214 (DD
15 Form 214) filed with a county clerk, including any DD
16 Form 214 filed before July 1, 2002,

17 l. except as provided for in Section 2-110 of Title 47 of
18 the Oklahoma Statutes:

19 (1) any record in connection with a Motor Vehicle
20 Report issued by the Department of Public Safety,
21 as prescribed in Section 6-117 of Title 47 of the
22 Oklahoma Statutes, or

23 (2) personal information within driver records, as
24 defined by the Driver's Privacy Protection Act,

1 18 U.S.C., Sections 2721 through 2725, which are
2 stored and maintained by the Department of Public
3 Safety,

4 m. any portion of any document or information provided to
5 an agency or entity of the state or a political
6 subdivision to obtain licensure under the laws of this
7 state or a political subdivision that contains an
8 applicant's personal address, personal phone number,
9 personal email address, any government-issued
10 identification numbers, or other contact information;
11 provided, however, lists of persons licensed, the
12 existence of a license of a person, or a business or
13 commercial address, or other business or commercial
14 information disclosable under state law submitted with
15 an application for licensure shall be public record,
16 unless the business or commercial address is the same
17 as the applicant's personal address, except when the
18 applicant permits in writing the disclosure of the
19 address,

20 n. an investigative file obtained during an investigation
21 conducted by the State Department of Health into
22 violations of the Long-Term Care Administrator
23 Licensing Act under Title 63 of the Oklahoma Statutes,
24 or

1 o. documents, evidence, materials, records, reports,
2 complaints, or other information in the possession or
3 control of the Attorney General or Insurance
4 Department pertaining to an evaluation, examination,
5 investigation, or review made pursuant to the
6 provisions of the Patient's Right to Pharmacy Choice
7 Act, the Pharmacy Audit Integrity Act, or Sections 357
8 through 360 of Title 59 of the Oklahoma Statutes;

9 2. All Social Security numbers included in a record may be
10 confidential regardless of the person's status as a public employee
11 or private individual and may be redacted or deleted prior to
12 release of the record by the public body;

13 3. Any reasonably segregable portion of a record containing
14 exempt material shall be provided after deletion of the exempt
15 portions; provided, however, ~~the Department of Public Safety Service~~
16 Oklahoma shall not be required to assemble for the requesting person
17 specific information, in any format, from driving records relating
18 to any person whose name and date of birth or whose driver license
19 number is not furnished by the requesting person.

20 The Oklahoma State Bureau of Investigation shall not be required
21 to assemble for the requesting person any criminal history records
22 relating to persons whose names, dates of birth, and other
23 identifying information required by the Oklahoma State Bureau of
24

1 Investigation pursuant to administrative rule are not furnished by
2 the requesting person;

3 4. Any request for a record which contains individual records
4 of persons, and the cost of copying, reproducing or certifying each
5 individual record is otherwise prescribed by state law, the cost may
6 be assessed for each individual record, or portion thereof requested
7 as prescribed by state law. Otherwise, a public body may charge a
8 fee only for recovery of the reasonable, direct costs of record
9 copying, or mechanical reproduction. Notwithstanding any state or
10 local provision to the contrary, in no instance shall the record
11 copying fee exceed twenty-five cents (\$0.25) per page for records
12 having the dimensions of eight and one-half (8 1/2) by fourteen (14)
13 inches or smaller, or a maximum of One Dollar (\$1.00) per copied
14 page for a certified copy. However, if the request:

15 a. is solely for commercial purpose, or

16 b. would clearly cause excessive disruption of the
17 essential functions of the public body,

18 then the public body may charge a reasonable fee to recover the
19 direct cost of record search and copying; however, publication in a
20 newspaper or broadcast by news media for news purposes shall not
21 constitute a resale or use of a record for trade or commercial
22 purpose and charges for providing copies of electronic data to the
23 news media for a news purpose shall not exceed the direct cost of
24 making the copy. The fee charged by the Department of Public Safety

1 for a copy in a computerized format of a record of the Department
2 shall not exceed the direct cost of making the copy unless the fee
3 for the record is otherwise set by law. A public body may require
4 advance payment of the estimated fees authorized under this section
5 when the estimated cost exceeds Seventy-five Dollars (\$75.00) or if
6 the requestor has outstanding fees from previous requests. Any
7 portion of an advance payment that exceeds the costs of responding
8 to the request shall be returned to the requestor.

9 Any public body establishing fees under the Oklahoma Open
10 Records Act shall post a written schedule of the fees at its
11 principal office and with the county clerk.

12 In no case shall a search fee be charged when the release of
13 records is in the public interest, including, but not limited to,
14 release to the news media, scholars, authors and taxpayers seeking
15 to determine whether those entrusted with the affairs of the
16 government are honestly, faithfully, and competently performing
17 their duties as public servants.

18 The fees shall not be used for the purpose of discouraging
19 requests for information or as obstacles to disclosure of requested
20 information;

21 5. The land description tract index of all recorded instruments
22 concerning real property required to be kept by the county clerk of
23 any county shall be available for inspection or copying in
24 accordance with the provisions of the Oklahoma Open Records Act;

1 provided, however, the index shall not be copied or mechanically
2 reproduced for the purpose of sale of the information;

3 6. A public body must provide prompt, reasonable access to its
4 records but may establish reasonable procedures which protect the
5 integrity and organization of its records and to prevent excessive
6 disruptions of its essential functions. A delay in providing access
7 to records shall be limited solely to the time required for
8 preparing the requested documents and the avoidance of excessive
9 disruptions of the public body's essential functions. In no event
10 may production of a current request for records be unreasonably
11 delayed until after completion of a prior records request that will
12 take substantially longer than the current request. Any public body
13 which makes the requested records available on the Internet shall
14 meet the obligation of providing prompt, reasonable access to its
15 records as required by this paragraph;

16 7. A public body may require a requestor to complete a records
17 request form. If a records request does not describe the requested
18 records with reasonable specificity, a public body may ask the
19 requestor to clarify the request. To have reasonable specificity, a
20 request shall:

- 21 a. specify a general time frame within which the
22 requested records would have been created or
23 transmitted,

- 1 b. seek identifiable records, rather than general
2 information without any qualifiers or other
3 specifications, and
4 c. include search terms that are sufficiently specific to
5 assist the public body in identifying the requested
6 records.

7 If a public body has engaged with the requestor to seek the
8 information needed to fulfill the request and to identify the
9 records sought by the requestor, including providing the requestor
10 with general topics or a specific list of records related to the
11 request, the request may be denied if it is still not reasonably
12 specific; and

13 8. A public body shall designate certain persons who are
14 authorized to release records of the public body for inspection,
15 copying, or mechanical reproduction. At least one person shall be
16 available at all times to release records during the regular
17 business hours of the public body.

18 SECTION 73. REPEALER 51 O.S. 2021, Section 24A.5, as
19 last amended by Section 14, Chapter 11, O.S.L. 2024 (51 O.S. Supp.
20 2025, Section 24A.5), is hereby repealed.

21 SECTION 74. AMENDATORY 51 O.S. 2021, Section 154, as
22 amended by Section 2, Chapter 314, O.S.L. 2025 (51 O.S. Supp. 2025,
23 Section 154), is amended to read as follows:
24
25

1 Section 154. A. The total liability of the state and its
2 political subdivisions on claims within the scope of The
3 Governmental Tort Claims Act, arising out of an accident or
4 occurrence happening after October 1, 1985, Section 151 et seq. of
5 this title, shall not exceed:

6 1. Seventy-five Thousand Dollars (\$75,000.00) for any claim or
7 to any claimant who has more than one claim for loss of property
8 arising out of a single act, accident, or occurrence;

9 2. a. Two Hundred Twenty-five Thousand Dollars (\$225,000.00)
10 to any claimant for any number of claims for
11 inconvenience, annoyance, or discomfort in nuisance
12 claims arising out of a single act, accident, or
13 occurrence in a county with a population of less than
14 one hundred fifty thousand (150,000) according to the
15 latest Federal Decennial Census, or

16 b. Two Hundred Seventy-five Thousand Dollars
17 (\$275,000.00) to any claimant for any number of claims
18 for inconvenience, annoyance, or discomfort in
19 nuisance claims arising out of a single act, accident,
20 or occurrence in a county with a population of one
21 hundred fifty thousand (150,000) or more according to
22 the latest Federal Decennial Census;

23 3. a. In no event shall the total liability of the state and
24 its political subdivisions for a claim for nuisance
25

1 exceed Two Hundred Seventy-five Thousand Dollars
2 (\$275,000.00) per occurrence.

3 b. In no event shall the total liability of the state and
4 its political subdivisions for a claim arising from
5 municipal sewer overflow exceed Two Hundred Seventy-
6 five Thousand Dollars (\$275,000.00) per occurrence;

7 4. Except as otherwise provided in this paragraph, Two Hundred
8 Fifty Thousand Dollars (\$250,000.00) to any claimant for a claim for
9 any other loss arising out of a single act, accident, or occurrence.
10 The limit of liability for the state or any city or county with a
11 population of one hundred fifty thousand (150,000) or more according
12 to the latest Federal Decennial Census, or a political subdivision
13 as defined in subparagraph s of paragraph 12 of Section 152 of this
14 title, shall not exceed Three Hundred Seventy-five Thousand Dollars
15 (\$375,000.00). Except, however, the limits of liability for the
16 University Hospitals and state mental health hospitals operated by
17 the Department of Mental Health and Substance Abuse Services for
18 claims arising from medical negligence shall be Three Hundred
19 Thousand Dollars (\$300,000.00). For claims arising from medical
20 negligence by any licensed physician, osteopathic physician or
21 Certified Nurse-Midwife rendering prenatal, delivery or infant care
22 services from September 1, 1991, through June 30, 1996, pursuant to
23 a contract authorized by subsection C of Section 1-106 of Title 63
24 of the Oklahoma Statutes and in conformity with the requirements of

1 Section 1-233 of Title 63 of the Oklahoma Statutes, the limits of
2 liability shall be Two Hundred Thousand Dollars (\$200,000.00);

3 5. One Million Dollars (\$1,000,000.00) for any number of claims
4 for indemnification pursuant to Section 162 of this title arising
5 out of a single occurrence or accident; or

6 6. Two Million Dollars (\$2,000,000.00) in the aggregate for any
7 number of claims arising out of a single occurrence or accident.

8 B. 1. Beginning on ~~May 28, 2003~~ July 1, 2025, claims shall be
9 allowed for wrongful criminal felony conviction resulting in
10 imprisonment if the claimant has received a full pardon on the basis
11 of a written finding by the Governor of actual innocence for the
12 crime for which the claimant was sentenced or has been granted
13 judicial relief absolving the claimant of guilt on the basis of
14 actual innocence of the crime for which the claimant was sentenced.
15 The Governor or the court shall specifically state, in the pardon or
16 order, the evidence or basis on which the finding of actual
17 innocence is based.

18 2. As used in paragraph 1 of this subsection, for a claimant to
19 recover based on "actual innocence", the individual must meet the
20 following criteria:

- 21 a. the individual was charged, by indictment or
22 information, with the commission of a public offense
23 classified as a felony,
24
25

- 1 ~~b. the individual did not plead guilty to the offense~~
2 ~~charged, or to any lesser included offense, but was~~
3 ~~convicted of the offense,~~
- 4 ~~e.~~ the individual was sentenced to incarceration for a
5 term of imprisonment as a result of the conviction,
- 6 ~~d.~~ c. the individual was imprisoned solely on the basis of
7 the conviction for the offense, and
- 8 ~~e.~~ d. (1) in the case of a pardon, a determination was made
9 by either the Pardon and Parole Board or the
10 Governor that the offense for which the
11 individual was convicted, sentenced and
12 imprisoned, including any lesser offenses, was
13 not committed by the individual, or
- 14 (2) in the case of judicial relief, a court of
15 competent jurisdiction found by clear and
16 convincing evidence that the offense for which
17 the individual was convicted, sentenced and
18 imprisoned, including any lesser included
19 offenses, was not committed by the individual and
20 issued an order vacating, dismissing or reversing
21 the conviction and sentence and providing that no
22 further proceedings can be or will be held
23 against the individual on any facts and
24

1 circumstances alleged in the proceedings which
2 had resulted in the conviction.

3 3. A claimant shall not be entitled to compensation for any
4 part of a sentence in prison during which the claimant was also
5 serving a concurrent sentence for a crime not covered by this
6 subsection.

7 4. The total liability of the state and its political
8 subdivisions on any claim within the scope of The Governmental Tort
9 Claims Act arising out of wrongful criminal felony conviction
10 resulting in imprisonment shall ~~not exceed One Hundred Seventy-five~~
11 ~~Thousand Dollars (\$175,000.00)~~ be in an amount equal to Fifty
12 Thousand Dollars (\$50,000.00) multiplied by the number of years
13 served in prison, expressed as a fraction to reflect partial years.

14 5. In addition to the award of damages provided for in
15 paragraph 4 of this subsection, a claimant who served his or her
16 time on death row shall be entitled to receive supplemental
17 compensation in the amount of Fifty Thousand Dollars (\$50,000.00)
18 multiplied by the number of years the person served on death row,
19 expressed as a fraction to reflect partial years.

20 6. In addition to the award of damages provided for in
21 paragraph 4 of this subsection, a claimant who was released on
22 parole or released under conditions of probation shall be entitled
23 to receive supplemental compensation in the amount of Twenty-five
24 Thousand Dollars (\$25,000.00) multiplied by the number of years the

1 person was on parole or under probation, expressed as a fraction to
2 reflect partial years.

3 7. A claimant entitled to compensation under the provisions of
4 this subsection shall be entitled to an award of damages under this
5 subsection of One Million Dollars (\$1,000,000.00) or less which
6 shall be paid to the claimant in a lump sum. If an award of damages
7 under this subsection exceeds One Million Dollars (\$1,000,000.00),
8 then One Million Dollars (\$1,000,000.00) of the award shall be paid
9 to the claimant in a lump sum and the remainder shall be paid
10 annually in equal payments over a period of three (3) years.

11 8. A claimant entitled to compensation under the provisions of
12 this subsection shall be eligible to obtain group health benefit
13 plan coverage through the Department of Corrections as if the person
14 were an employee of the Department. The provisions of this
15 paragraph shall not entitle the spouse or other dependent or family
16 member to group health benefit plan coverage. Coverage may be
17 obtained under the provisions of this paragraph for a period of time
18 equal to the total period the claimant served for the crime for
19 which the claimant was wrongfully incarcerated, including any period
20 during which the claimant was released on parole or released under
21 conditions of probation. A claimant who elects to obtain coverage
22 under the provisions of this paragraph shall pay a monthly
23 contribution equal to the total amount of the monthly contribution
24 for that coverage that an employee of the Department would pay. The

1 Legislature shall appropriate funds to the Tort Claims Liability
2 Revolving Fund for costs associated with providing group health
3 benefit plan coverage by the Department to a claimant under the
4 provisions of this paragraph. The Department may seek reimbursement
5 from the Tort Claims Liability Revolving Fund for all expenditures
6 related to providing said coverage.

7 9. The provisions of this subsection shall apply to ~~convictions~~
8 ~~exonerations~~ occurring on ~~or before May 28, 2003, as well as~~
9 ~~convictions occurring and after May 28, 2003. If a court of~~
10 ~~competent jurisdiction finds that retroactive application of this~~
11 ~~subsection is unconstitutional, the prospective application of this~~
12 ~~subsection shall remain valid July 1, 2025.~~

13 C. No award for damages in an action or any claim against the
14 state or a political subdivision shall include punitive or exemplary
15 damages.

16 D. When the amount awarded to or settled upon multiple
17 claimants exceeds the limitations of this section, any party may
18 apply to the district court which has jurisdiction of the cause to
19 apportion to each claimant the claimant's proper share of the total
20 amount as limited herein. The share apportioned to each claimant
21 shall be in the proportion that the ratio of the award or settlement
22 made to each claimant bears to the aggregate awards and settlements
23 for all claims against the state or its political subdivisions
24 arising out of the occurrence. When the amount of the aggregate

1 losses presented by a single claimant exceeds the limits of
2 paragraph 1, 2, 3, or 4 of subsection A of this section, each person
3 suffering a loss shall be entitled to that person's proportionate
4 share.

5 E. The total liability of resident physicians and interns while
6 participating in a graduate medical education program of the
7 University of Oklahoma College of Medicine, its affiliated
8 institutions and the Oklahoma State University College of
9 Osteopathic Medicine shall not exceed One Hundred Fifty Thousand
10 Dollars (\$150,000.00).

11 F. The total liability of a public trust hospital and physician
12 for the acts of a physician who provides medical services on the
13 premises of a public trust hospital, as provided by Section 152 of
14 this title, that is located in a county with a population of fewer
15 than seventy-five thousand (75,000) according to the latest Federal
16 Decennial Census, but who is not employed by such hospital, shall
17 not exceed One Million Dollars (\$1,000,000.00). If the physician is
18 employed by another group or entity not under the sole or majority
19 control of the physician, the total limit of liability of the
20 physician and hospital shall be the higher coverage afforded by the
21 liability policy, self-insurance, or assets of that group or entity.

22 G. For claims within the scope of The Governmental Tort Claims
23 Act, the liability limits in this section for claims on or after the
24 effective date of this act shall be adjusted beginning January 1,

1 2031, and every five (5) years thereafter for inflation to reflect
2 the lesser of the percentage change in the Consumer Price Index
3 published by the Bureau of Labor Statistics of the United States
4 Department of Labor for such period or four percent (4%) in any
5 five-year period.

6 H. The state or a political subdivision may petition the court
7 that all parties and actions arising out of a single accident or
8 occurrence shall be joined as provided by law, and upon order of the
9 court the proceedings upon good cause shown shall be continued for a
10 reasonable time or until such joinder has been completed. The state
11 or political subdivision shall be allowed to interplead in any
12 action which may impose on it any duty or liability pursuant to The
13 Governmental Tort Claims Act.

14 I. The liability of the state or political subdivision under
15 The Governmental Tort Claims Act shall be several from that of any
16 other person or entity, and the state or political subdivision shall
17 only be liable for that percentage of total damages that corresponds
18 to its percentage of total negligence. Nothing in this section
19 shall be construed as increasing the liability limits imposed on the
20 state or political subdivision under The Governmental Tort Claims
21 Act.

22 SECTION 75. REPEALER 51 O.S. 2021, Section 154, as
23 amended by Section 2, Chapter 292, O.S.L. 2025 (51 O.S. Supp. 2025,
24 Section 154), is hereby repealed.

1 SECTION 76. AMENDATORY 57 O.S. 2021, Section 37, as
2 amended by Section 9, Chapter 187, O.S.L. 2025 (57 O.S. Supp. 2025,
3 Section 37), is amended to read as follows:

4 Section 37. A. If all correctional facilities reach maximum
5 capacity and the Department of Corrections is required to contract
6 for bed space to house state inmates:

7 1. The Pardon and Parole Board shall consider all nonviolent
8 offenders for parole who are within six (6) months of their
9 scheduled release from a penal facility; and

10 2. Prior to contracting with a private prison operator to
11 provide housing for state inmates, the Department shall send
12 notification to all county jails in this state that bed space is
13 required to house the overflow population of state inmates. Upon
14 receiving notification, the sheriff or jail trust administrator of a
15 county jail is authorized to enter into agreements with the
16 Department to provide housing for the inmates. Reimbursement for
17 the cost of housing the inmates shall be a negotiated per diem rate
18 for each inmate as contracted but shall in no event be less than the
19 per diem rate provided for in Section 38 of this title.

20 B. No inmate may be received by a penal facility from a county
21 jail without first scheduling a transfer with the Department.
22 Within five (5) business days after the court orders the judgment
23 and sentence, the court clerk shall transmit to the Department by
24

1 facsimile, electronic mail, or actual delivery a certified copy of
2 the judgment and sentence.

3 C. The receipt of the certified copy of the judgment and
4 sentence shall be certification that the sentencing court has
5 entered a judgment and sentence and all other necessary commitment
6 documents. The Department of Corrections is authorized to determine
7 the appropriate method of delivery from each county based on
8 electronic or other capabilities, and establish a method for issuing
9 receipts certifying that the Department has received the judgment
10 and sentence document. The Department shall establish a dedicated
11 electronic address location for receipt of all electronically
12 submitted judgment and sentence documents. The electronic address
13 location shall provide written receipt verification of each received
14 judgment and sentence document. Once an appropriate judgment and
15 sentence document is received by the Department of Corrections, the
16 Department shall contact the sheriff or jail trust administrator
17 when bed space is available to schedule the transfer and reception
18 of the inmate into the Department.

19 D. If the Department receives a judgment and sentence document
20 from a county that includes inaccurate information from the
21 sentencing court the Department shall notify the county within a
22 timely manner. If the Department receives a judgment and sentence
23 document from a county that is missing the classification level of
24 the felony crime, the Department shall default to the lowest

1 possible classification level for that offense. If the Department
2 receives a judgment and sentence document from a county that is
3 missing the required amount of the minimum time to be served, the
4 Department shall default to the lowest possible amount of the
5 minimum time to be served for that offense.

6 E. When a county jail has reached its capacity of inmates as
7 provided in the standards set forth in ~~Section 192 of Title 74 of~~
8 ~~the Oklahoma Statutes~~ the Oklahoma Jail Standards Act, then the
9 county sheriff or jail trust administrator shall notify the Director
10 of the Oklahoma Department of Corrections, or the Director's
11 designated representative, by facsimile, electronic mail, or actual
12 delivery, that the county jail has reached or exceeded its capacity
13 to hold inmates. The notification shall include copies of any
14 judgment and sentences not previously delivered as required by
15 subsection B of this section. ~~Then within~~ Within seventy-two (72)
16 hours following such notification, the county sheriff or jail trust
17 administrator shall transport the designated excess inmate or
18 inmates to a penal facility designated by the Department. The
19 sheriff or jail trust administrator shall notify the Department of
20 the transport of the inmate prior to the reception of the inmate.
21 The Department shall schedule the reception date and receive the
22 inmate within seventy-two (72) hours of notification that the county
23 jail is at capacity, unless other arrangements can be made with the
24 sheriff or jail trust administrator.

1 F. The Department ~~will~~ shall be responsible for the cost of
2 housing the inmate in the county jail including costs of medical
3 care provided from the date the judgment and sentence was ordered by
4 the court until the date of transfer of the inmate from the county
5 jail. The Department shall implement a policy for determination of
6 scheduled dates on which an inmate or multiple inmates are to be
7 transferred from county jails. The policy shall allow for no less
8 than three alternative dates from which the sheriff or jail trust
9 administrator of a county jail may select and shall provide for
10 weather-related occurrences or other emergencies that may prevent or
11 delay transfers on the scheduled date. The policy shall be
12 available for review upon request by any sheriff or jail trust
13 administrator of a county jail. The cost of housing shall be the
14 per diem rate specified in Section 38 of this title. In the event
15 the inmate has one or more criminal charges pending in the same
16 Oklahoma jurisdiction and the county jail refuses to transfer the
17 inmate to the Department because of the pending charges, the
18 Department shall not be responsible for the housing costs of the
19 inmate while the inmate remains in the county jail with pending
20 charges. Once the inmate no longer has pending charges in the
21 jurisdiction, the Department shall be responsible for the housing
22 costs of the inmate for the period beginning on the date the
23 judgment and sentence or final order was ordered by the Court. In
24 the event the inmate has other criminal charges pending in another

1 Oklahoma jurisdiction, the Department shall be responsible for the
2 housing costs while the inmate remains in the county jail awaiting
3 transfer to another jurisdiction or until the date the inmate is
4 scheduled to be transferred to the Department, whichever is earlier.
5 Once the inmate is transferred to another jurisdiction, the
6 Department is not responsible for the housing cost of the inmate
7 until such time that another judgment and sentence is received by
8 the Department from another Oklahoma jurisdiction.

9 The sheriff or jail trust administrator may submit invoices for
10 the cost of housing the inmate on a monthly basis. Final payment
11 for housing an offender will be made only after the official
12 judgment and sentence is received by the Department of Corrections.

13 SECTION 77. REPEALER 57 O.S. 2021, Section 37, as
14 amended by Section 11, Chapter 11, O.S.L. 2025 (57 O.S. Supp. 2025,
15 Section 37), is hereby repealed.

16 SECTION 78. REPEALER 57 O.S. 2021, Section 138, as
17 amended by Section 38, Chapter 59, O.S.L. 2024 (57 O.S. Supp. 2025,
18 Section 138), is hereby repealed.

19 SECTION 79. REPEALER 57 O.S. 2021, Section 571, as last
20 amended by Section 40, Chapter 59, O.S.L. 2024 (57 O.S. Supp. 2025,
21 Section 571), is hereby repealed.

22 SECTION 80. AMENDATORY 59 O.S. 2021, Section 46.4, as
23 last amended by Section 2, Chapter 147, O.S.L. 2024 (59 O.S. Supp.
24 2025, Section 46.4), is amended to read as follows:

1 Section 46.4. There is hereby re-created, to continue until
2 July 1, 2026, in accordance with the provisions of the Oklahoma
3 Sunset Law, a board to be known as the "Board of Governors of the
4 ~~Licensed~~ Architects, Landscape Architects and ~~Registered Commercial~~
5 Licensed Interior Designers of Oklahoma", hereinafter referred to as
6 the Board. The Board shall be composed of eleven (11) members
7 including six persons who are duly licensed to practice architecture
8 and are in good standing in this state, two persons who are duly
9 licensed to practice landscape architecture and are in good standing
10 in this state, two persons who are ~~registered commercial~~ duly
11 licensed interior designers and who are active and in good standing
12 and one lay member. Each member of the Board shall be a qualified
13 elector of this state, and the architect, landscape architect and
14 ~~registered commercial~~ licensed interior designer members shall have
15 had five (5) years' licensing ~~or registration~~ experience as the
16 professional position requires in this state. Re-creation of the
17 Board shall not alter existing staggered terms. Board members,
18 other than the lay member, shall be appointed for a period of five
19 (5) years. A member may be reappointed to succeed themselves. The
20 ~~licensed~~ architect, landscape architect or the ~~registered commercial~~
21 licensed interior designer members may be appointed by the Governor
22 from a list of nominees submitted by respective professional
23 societies of this state. Membership in a professional society shall
24 not be a prerequisite to appointment to the Board. The lay member

1 of the Board shall be appointed by the Governor to a term
2 coterminous with that of the Governor. The lay member shall serve
3 at the pleasure of the Governor. All board members, including the
4 lay member, may continue to serve after the expiration of their term
5 until such time as a successor is appointed. Vacancies which may
6 occur in the membership of the Board shall be filled by appointment
7 by the Governor. Each person who has been appointed to fill a
8 vacancy shall serve for the remainder of the term for which the
9 member the person shall succeed was appointed and until a successor,
10 in turn, has been appointed and shall have qualified. Each member
11 of the Board, before entering upon the discharge of the duties of
12 the member, shall make and file with the Secretary of State a
13 written oath or affirmation for the faithful discharge of official
14 duties. Each member of the Board shall be reimbursed for travel
15 expenses pursuant to the State Travel Reimbursement Act.

16 SECTION 81. REPEALER 59 O.S. 2021, Section 46.4, as last
17 amended by Section 4, Chapter 138, O.S.L. 2024 (59 O.S. Supp. 2025,
18 Section 46.4), is hereby repealed.

19 SECTION 82. AMENDATORY 59 O.S. 2021, Section 46.7, as
20 amended by Section 5, Chapter 138, O.S.L. 2024 (59 O.S. Supp. 2025,
21 Section 46.7), is amended to read as follows:

22 Section 46.7. A. In addition to the other powers and duties
23 imposed by law, the Board of Governors of the Architects, Landscape
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25

1 Architects and Licensed Interior Designers of Oklahoma shall have
2 the power and duty to:

3 1. Prescribe such rules and to make such orders, as it may deem
4 necessary or expedient in the performance of its duties;

5 2. Prepare, conduct, and grade examinations of persons who
6 shall apply for the issuance of licenses to them, and to promulgate
7 such rules with reference thereto as it may deem proper as a portion
8 used to determine competency for the issuance of licenses;

9 3. Work with nationally recognized licensing organizations to
10 prepare, conduct, and grade examinations, written or oral, of
11 persons who shall apply for the issuance of licenses;

12 4. Determine the satisfactory passing score on examinations and
13 issue licenses to persons who shall have passed examinations, or who
14 shall otherwise be entitled thereto;

15 5. Determine eligibility for licenses and certificates of
16 authority and issue them;

17 6. Promulgate rules to govern the issuing of reciprocal
18 licenses;

19 7. Upon good cause shown, as hereinafter provided, deny the
20 issuance of a license or certificate of authority or suspend,
21 revoke, refuse to renew or issue probation orders for licenses,
22 and/or require additional educational coursework and determine when
23 the objectives have been met;

1 8. Upon proper showing, reinstate or conditionally reinstate
2 licenses or certificates of authority previously issued;

3 9. Review, affirm, reverse, vacate or modify its order with
4 respect to any such denial, suspension, revocation, probation and/or
5 educational coursework requirements or refusal to renew;

6 10. Prescribe rules governing proceedings for the denial of
7 issuance of a license or certificate of authority, suspension,
8 revocation or refusal to renew, to issue probation orders and/or
9 require additional educational coursework and determine when the
10 objectives have been met for cause, and reinstate them;

11 11. Prescribe such penalties, as it may deem proper, to be
12 assessed against holders of licenses or certificates of authority
13 for the failure to pay the biennial fee hereinafter provided for;

14 12. Levy civil penalties plus the legal costs incurred by the
15 Board to prosecute the case against any person or entity who shall
16 violate any of the provisions of the State Architectural and
17 Licensed Interior Designers Act, or any rule promulgated pursuant
18 thereto;

19 13. Obtain an office, secure such facilities, and employ,
20 direct, discharge and define the duties and set the salaries of such
21 office personnel and set the salaries of such unclassified and
22 exempt office personnel as deemed necessary by the Board;

23 14. Initiate disciplinary action, prosecute and seek
24 injunctions against any person or entity who has violated any of the

1 provisions of the State Architectural and Licensed Interior
2 Designers Act or any rule of the Board promulgated pursuant to said
3 act and against the owner/developer of the building type not exempt;

4 15. Investigate alleged violations of the State Architectural
5 and Licensed Interior Designers Act or of the rules, orders or final
6 decisions of the Board;

7 16. Promulgate rules of conduct governing the practice of
8 architects, landscape architects and licensed interior designers;

9 17. Keep accurate and complete records of proceedings, and
10 certify the same as may be appropriate;

11 18. Whenever it deems it appropriate, confer with the Attorney
12 General or the Attorney General's assistants in connection with all
13 legal matters and questions. The Board may also retain an attorney
14 who is licensed to practice law in this state. The attorney shall
15 serve at the pleasure of the Board for such compensation as may be
16 provided by the Board. The attorney shall advise the Board and
17 perform legal services for the Board with respect to any matters
18 properly before the Board. In addition to the above, the Board may
19 employ hearing examiners to conduct administrative hearings under
20 the provisions of the Administrative Procedures Act;

21 19. Prescribe by rules, fees to be charged as required by this
22 act;

23 20. Adopt rules providing for a program of continuing education
24 in order to ensure that all architects, landscape architects, and
25

1 licensed interior designers remain informed of those technical and
2 professional subjects that the Board deems appropriate. The Board
3 may by rule describe the methods by which the requirements of such
4 program may be satisfied. Failure to meet such requirements of
5 continuing education shall result in nonrenewal of the license
6 issued to the architect, landscape architect, or licensed interior
7 designer;

8 21. Adopt rules regarding requirements for intern development
9 as a prerequisite for licensure;

10 22. Give scholarships, as determined by the Board, to an
11 individual or individuals advancing toward obtaining an accredited
12 National Architectural Accreditation Board, Landscape Architectural
13 Accreditation Board or Council for Interior Design Accreditation
14 degree in one of these three professions in an Oklahoma higher
15 education institution; and

16 23. Take such other action as may be reasonably necessary or
17 appropriate to effectuate the State Architectural and Licensed
18 Interior Designers Act. The Board may, at its discretion, contract
19 with other state agencies and nonprofit corporations for the
20 endowment, management, and administration of scholarships. The
21 requirements of such scholarships shall be determined by the Board.
22 However, nothing contained herein shall be construed as requiring
23 the Board to endow or award any scholarship.

1 B. The Board may use its funds to establish and conduct
2 instructional programs for persons who are currently licensed under
3 this act, and persons seeking licensure, as well as refresher
4 courses for persons interested in obtaining adequate instruction or
5 programs of study to qualify them for licensure to practice. The
6 Board may expend its funds for these purposes and may conduct,
7 sponsor, and arrange for instructional programs and may carry out
8 instructional programs through extension courses or other media.
9 The Board may enter into plans or agreements with community
10 colleges, public or private institutions of higher learning, the
11 State Board of Education, the Oklahoma Department of Career and
12 Technology Education, or nonprofit organizations for the purpose of
13 planning, scheduling or arranging courses, instruction, extension
14 courses, or assisting in obtaining courses of study or programs in
15 the fields of architecture, landscape architecture, or commercial
16 interior design. The Board shall encourage the educational
17 institutions in Oklahoma to offer courses necessary to complete the
18 educational requirements of Section 46.1 et seq. of this title. For
19 the purpose of carrying out these objectives, the Board may adopt
20 rules as may be necessary for educational programs, instruction,
21 extension services or for entering into plans or contracts with
22 persons or educational institutions and the Oklahoma Department of
23 Career and Technology Education.
24

1 SECTION 83. REPEALER 59 O.S. 2021, Section 46.7, as
2 amended by Section 3, Chapter 147, O.S.L. 2024 (59 O.S. Supp. 2025,
3 Section 46.7), is hereby repealed.

4 SECTION 84. AMENDATORY 59 O.S. 2021, Section 46.9, as
5 amended by Section 6, Chapter 138, O.S.L. 2024 (59 O.S. Supp. 2025,
6 Section 46.9), is amended to read as follows:

7 Section 46.9. A. The practice of architecture, landscape
8 architecture, or licensed interior design or offering to practice
9 these professions for others by persons licensed under this act
10 through a partnership, ~~firm, association,~~ corporation, limited
11 liability company or limited liability partnership as directors,
12 partners, officers, shareholders, ~~employees,~~ managers, members or
13 principals is permitted, subject to the provisions of the State
14 Architectural and Licensed Interior Designers Act, provided:

15 1. One or more of the directors, partners, officers,
16 shareholders, managers, members or principals of said partnership,
17 ~~firm, association,~~ corporation, limited liability company or limited
18 liability partnership is ~~designated as being responsible for the~~
19 ~~entity's activities and decisions~~ legally responsible for the entity
20 of said partnership, ~~firm, association,~~ corporation, limited
21 liability company or limited liability partnership;

22 2. Such director, partner, officer, shareholder, manager,
23 member or principal is duly licensed under the State Architectural
24 and Licensed Interior Designers Act; and

1 3. ~~All personnel of said partnership, firm, association,~~
2 ~~corporation, limited liability company or limited liability~~
3 ~~partnership who act on behalf of the entity for these professions in~~
4 ~~the state are licensed under the State Architectural and Licensed~~
5 ~~Interior Designers Act; and~~

6 4. Said partnership, ~~firm, association,~~ corporation, limited
7 liability company or limited liability partnership has been issued a
8 certificate of authority by the Board.

9 B. The Board shall have the power to issue, revoke, deny, or
10 refuse to renew a certificate of authority for a partnership, ~~firm,~~
11 ~~association,~~ corporation, limited liability company or limited
12 liability partnership as provided for in the State Architectural and
13 Licensed Interior Designers Act.

14 C. A partnership, ~~firm, association,~~ corporation, limited
15 liability company or limited liability partnership desiring to
16 practice architecture, landscape architecture, or licensed interior
17 design shall file with the Board an application for a certificate of
18 authority, and pay all fees, for each office location performing
19 work on Oklahoma projects on a form approved by the Board which
20 shall include the names, addresses, state of licensure and license
21 number of all partners, directors, officers, members, managers or
22 principals of the partnership, ~~firm, association,~~ corporation,
23 limited liability company or limited liability partnership legally
24 responsible for the entity's practice. The form shall name an

1 individual having the practice of architecture in such person's
2 charge who is a director, partner, officer, member, manager or
3 principal. The person shall be duly licensed as an architect to
4 practice architecture or licensed as a landscape architect to
5 practice landscape architecture, or as a licensed interior designer
6 to practice licensed interior design in this state through said
7 partnership, ~~firm, association,~~ corporation, limited liability
8 company or limited liability partnership legally responsible for the
9 entity's practice or services offered and other information required
10 by the Board. In the event there shall be a change in any of these
11 persons during the term of the certification, such change shall be
12 filed with the Board within thirty (30) days after the effective
13 date of said change. If all of the requirements of this section and
14 the Board's current rules have been met, the Board shall issue a
15 certificate of authority to such partnership, ~~firm, association,~~
16 corporation, limited liability company or limited liability
17 partnership.

18 D. Any other person licensed pursuant to the State
19 Architectural and Licensed Interior Designers Act, not practicing
20 these professions as a partnership, ~~firm, association,~~ corporation,
21 limited liability company or limited liability partnership, shall
22 practice as an individual.

23 E. No such partnership, ~~firm, association,~~ corporation, limited
24 liability company or limited liability partnership shall be relieved
25

1 of responsibility for the conduct or acts of its agents, employees,
2 partners, directors, officers, managers, members or principals by
3 reason of its compliance with the provisions of this section, or
4 shall any individual practicing these professions be relieved of
5 responsibility for professional services performed as an individual
6 by reason of such person's employment or relationship with such
7 partnership, ~~firm, association,~~ corporation, limited liability
8 company or limited liability partnership.

9 F. The Secretary of State shall not issue a certificate of
10 incorporation or register a foreign corporation or any other entity
11 which includes among the objectives for which it is established any
12 of the words "Architect", "Architectural", "Architecture",
13 "Landscape Architect", "Landscape Architecture", "Licensed Interior
14 Designer", or "Licensed Interior Design", or any modification or
15 derivation of these words, unless the Board has issued for said
16 applicant either a certificate of authority for an entity, or a
17 letter indicating eligibility for an exemption pursuant to the State
18 Architectural and Licensed Interior Designers Act. The entity
19 applying shall supply such certificate or letter from the Board with
20 its application for incorporation or registration.

21 G. The Secretary of State shall not register any trade name or
22 service mark which includes such words, as set forth in subsection F
23 of this section, or modifications or derivatives thereof in its firm
24 name or logotype except those entities or individuals holding

1 certificates of authority issued under the provisions of this
2 section or letters of eligibility issued by the Board.

3 H. Upon application for renewal and upon compliance with the
4 provisions of the State Architectural and Licensed Interior
5 Designers Act and the rules of the Board, a certificate of authority
6 shall be renewed as provided in this act.

7 SECTION 85. REPEALER 59 O.S. 2021, Section 46.9, as
8 amended by Section 4, Chapter 147, O.S.L. 2024 (59 O.S. Supp. 2025,
9 Section 46.9), is hereby repealed.

10 SECTION 86. AMENDATORY 59 O.S. 2021, Section 46.10, as
11 amended by Section 5, Chapter 147, O.S.L. 2024 (59 O.S. Supp. 2025,
12 Section 46.10), is amended to read as follows:

13 Section 46.10. A. Every licensed architect, landscape
14 architect, ~~registered commercial~~ licensed interior designer,
15 partnership, corporation, limited liability company, or limited
16 liability partnership shall pay to the Board a renewal fee as
17 prescribed by the rules of the Board prior to or on June 30 of odd
18 years. No license, registration, certificate of authority, or
19 certificate of title shall be issued or renewed for longer than two
20 (2) years. Upon receipt of the fee, the Board shall issue a
21 renewal, which shall authorize the person, partnership, corporation,
22 limited liability company, or limited liability partnership to
23 practice architecture, landscape architecture or ~~use the title~~
24

1 ~~registered commercial~~ licensed interior ~~designer~~ design, as the case
2 may be, in this state.

3 B. The license of an architect ~~or~~, landscape architect, or the
4 registration of a ~~registered commercial~~ licensed interior designer
5 which has been canceled by the Board for nonpayment of dues may be
6 renewed at any time within three (3) years from the date of the
7 cancellation, upon payment to the Board of the fees and any
8 penalties prescribed by the Board. If a license ~~or registration~~,
9 initially granted by the State of Oklahoma that was the sole license
10 of a professional, remains canceled for a period exceeding three (3)
11 consecutive years, it may be reinstated subject to Board review.
12 Upon review, the Board may prescribe a test or an examination in
13 order to determine continued competency of the licensee ~~or~~
14 ~~registrant~~. An individual who is licensed in another jurisdiction
15 and whose Oklahoma license has been canceled for a period exceeding
16 three (3) consecutive years may reapply as prescribed in the rules
17 of the Board. A partnership, corporation, limited liability company
18 or limited liability partnership may reinstate a certificate of
19 authority or a certificate of title canceled for a period exceeding
20 three (3) years in the manner provided by the rules of the Board.

21 SECTION 87. REPEALER 59 O.S. 2021, Section 46.10, as
22 amended by Section 7, Chapter 138, O.S.L. 2024 (59 O.S. Supp. 2025,
23 Section 46.10), is hereby repealed.
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25

1 SECTION 88. AMENDATORY 59 O.S. 2021, Section 46.21, as
2 amended by Section 15, Chapter 138, O.S.L. 2024 (59 O.S. Supp. 2025,
3 Section 46.21), is amended to read as follows:

4 Section 46.21. A. The State Architectural and Licensed
5 Interior Designers Act shall not apply to any persons, firms,
6 corporations, limited liability companies or limited liability
7 partnerships that do not hold a license or certification in any
8 jurisdiction for exempted Code Use Groups defined by the State
9 Architectural and Licensed Interior Designers Act, providing such
10 persons and/or entities shall not represent such person or entity to
11 be an architect, licensed interior designer, or other title of
12 profession or business using a form of the words, "Architect" or
13 "Licensed Interior Designer". This act shall not prevent such
14 persons and/or entities from advertising or selling their services.

15 Any architect, landscape architect or licensed interior designer
16 from any jurisdiction who contracts, provides or holds out to the
17 public that he or she is able to provide professional services in
18 Oklahoma is required to hold a license or certificate of authority
19 as needed from the Board, even on exempt Code Use Groups, and an
20 architect, landscape architect, or licensed interior designer is
21 required to sign, seal and date all construction documents and
22 technical submissions.

23 B. Nothing in this act shall be construed to prevent the
24 preparation of technical submissions or the administration of

1 construction contracts by employees of a person or entity lawfully
2 engaged in the practice of architecture when such employees are
3 acting under the responsible control of an architect.

4 C. The following shall govern design competitions in the state:

5 1. Nothing in this act shall prohibit a person or firm from
6 participating in an architectural design competition involving only
7 architectural programming, planning, schematic design or design
8 development information provided to a sponsor; and

9 2. The competition winner, prior to seeking the commission for
10 architectural services on the proposed project, shall apply for
11 licensing in this state within ten (10) days of notification of
12 winning the competition and complete the process within thirty (30)
13 days.

14 D. Nothing in this act shall prohibit an officer or employee of
15 the United States Armed Forces or an employee of the United States
16 government from practicing within the scope of their authority and
17 employment.

18 SECTION 89. REPEALER 59 O.S. 2021, Section 46.21, as
19 amended by Section 6, Chapter 147, O.S.L. 2024 (59 O.S. Supp. 2025,
20 Section 46.21), is hereby repealed.

21 SECTION 90. AMENDATORY 59 O.S. 2021, Section 46.21b, as
22 last amended by Section 1, Chapter 208, O.S.L. 2025 (59 O.S. Supp.
23 2025, Section 46.21b), is amended to read as follows:

1 Section 46.21b. A. An architect shall be required to plan,
2 design, and prepare plans and specifications for the following Code
3 Use Groups except where specifically exempt from the provisions of
4 the State Architectural and Licensed Interior Designers Act. All
5 Code Use Groups in this section are defined by the current
6 International Building Code.

7 B. The construction, addition, or alteration of a building of
8 any size or occupancy in the following Code Use Groups shall be
9 subject to the provisions of the State Architectural and Licensed
10 Interior Designers Act:

- 11 1. Code Use Group I - Institutional;
- 12 2. Code Use Group R-2 - Residential, limited to dormitories,
13 fraternities and sororities, and monasteries and convents;
- 14 3. Code Use Group A-1 - Assembly and theaters;
- 15 4. Code Use Group A-4 - Assembly, arenas and courts;
- 16 5. Code Use Group A-5 - Assembly, bleachers and grandstands;
- 17 6. Code Use Group H - High hazard; and
- 18 7. Buildings for which the designated Code Use Group changes
19 are not exempt from the State Architectural and Licensed Interior
20 Designers Act.

21 C. The following shall be exempt from the provisions of the
22 State Architectural and Licensed Interior Designers Act; provided
23 that, for the purposes of this subsection, a basement is not to be
24

counted as a story for the purpose of counting stories of a building for height regulations:

1. The construction, addition, or alteration of a building no more than two stories in height and with a code-defined occupancy of no more than fifty (50) persons for the Code Use Groups A-2 and A-3 - Assembly and Code Use Group E - Education;

2. The construction, addition, or alteration of a building no more than two stories in height and no more than sixty-four transient lodging units per building for the Code Use Group R1 - Residential, including, but not limited to, hotels and motels;

3. The construction, addition, or alteration of a building no more than two stories in height and with a gross square footage not exceeding one hundred thousand (100,000) in the Code Use Group B - Business;

4. The construction, addition, or alteration of a building no more than two stories in height and with a gross square footage not exceeding two hundred thousand (200,000) in the Code Use Group M - Mercantile; and

5. The construction, addition, or alteration of a building no more than two stories in height in the following Code Use Groups or buildings:

a. Code Use Group U - Utility,

b. Code Use Group F - Factory and Industrial,

c. Code Use Group S - Storage,

- 1 d. Code Use Group R2 - Residential, including apartments
2 containing no more than thirty-two dwelling units or
3 thirty-two guest units per building,
4 e. Code Use Groups R3 and R4 - Residential,
5 f. all buildings used by a municipality, county, state,
6 public trust, public agency, or the federal government
7 with a construction value under Three Hundred Thousand
8 Dollars (\$300,000.00),
9 g. incidental buildings or appurtenances associated with
10 paragraphs 1 through 5 of this subsection, and
11 h. all uninhabitable, privately owned agricultural
12 buildings; and

13 6. Single or two-family residential dwellings, as defined by
14 the International Residential Code adopted by the Oklahoma Uniform
15 Building Code Commission.

16 D. The addition, renovation, or alteration of buildings where
17 the use was exempt as new construction shall remain exempt if the
18 Code Use Group does not change.

19 E. Upgrades, repairs, replacements, and changes made on
20 projects in Code Use Groups found in this title requiring an
21 architect are exempt from hiring an architect if the upgrades,
22 repairs, replacements, or changes do not affect the existing primary
23 structural, mechanical, or electrical systems, life safety systems,
24

1 fire codes, or exit passageways or egress as determined by the
2 ~~applicable~~ building official having jurisdiction.

3 F. Nonstructural interior construction projects in Code Use
4 Groups requiring an architect are exempt from hiring an architect if
5 the services are performed by a licensed interior designer.

6 SECTION 91. REPEALER 59 O.S. 2021, Section 46.21b, as
7 amended by Section 7, Chapter 147, O.S.L. 2024 (59 O.S. Supp. 2025,
8 Section 46.21b), is hereby repealed.

9 SECTION 92. AMENDATORY 59 O.S. 2021, Section 46.38, as
10 amended by Section 22, Chapter 138, O.S.L. 2024 (59 O.S. Supp. 2025,
11 Section 46.38), is amended to read as follows:

12 Section 46.38. A. Except as otherwise provided in the State
13 Architectural and Licensed Interior Designers Act, no license shall
14 be issued to any person to represent that the person is a "licensed
15 interior designer" nor shall any person be allowed to use the term
16 or practice licensed interior design unless the person pays to the
17 Board the required fees and/or penalties if applicable as
18 established by the rules of the Board and:

19 1. Holds an accredited professional degree in interior design
20 from an interior design program accredited by the Council for
21 Interior Design Accreditation or its successor, or from an interior
22 design program determined by the Board to be substantially
23 equivalent to an accredited program;

1 2. Provides proof of a minimum of two (2) years of full-time
2 diversified and appropriate experience within established standards
3 as the Board shall prescribe; and

4 3. Provides to the Board proof of passage of the examination
5 administered by the Council for Interior Design Qualification or its
6 successor or an equivalent examination as determined by the Board.

7 B. The Board may waive the requirements of the State
8 Architectural and Licensed Interior Designers Act for an individual
9 who holds a current valid registration or license from another
10 state, jurisdiction or foreign country where the requirements for
11 registration or licensure are substantially equivalent to those
12 required for licensure in this state and pays the required fees
13 and/or penalties, if applicable, to the Board.

14 C. This section does not apply to a person licensed to practice
15 architecture pursuant to the laws of this state.

16 D. Nothing in this act shall be construed to authorize the
17 Board to regulate or prohibit persons who are rendering interior
18 design services and are not licensed interior designers under the
19 provisions of this act or to adopt regulations that would exceed the
20 powers and responsibilities expressly authorized under this act.

21 E. Certificate of authority shall be subject to the following:

22 1. The use of the title "Licensed Interior Designer" by a
23 partnership, ~~firm, association,~~ corporation, limited liability
24

1 company or limited liability partnership is allowed to those
2 entities listed, provided:

- 3 a. one or more of the directors, partners, officers,
4 shareholders, members, managers, or principals is a
5 licensed interior designer and is in good standing
6 with the Board, and
7 b. the partnership, ~~firm, association,~~ corporation,
8 limited liability company or limited liability
9 partnership has been issued a certificate of authority
10 by the Board;

11 2. The Board shall have the power to issue, revoke, deny or
12 refuse to renew a certificate of authority for a partnership, ~~firm,~~
13 ~~association,~~ corporation, limited liability company or limited
14 liability partnership as provided for in this act;

15 3. A partnership, ~~firm, association,~~ corporation, limited
16 liability company or limited liability partnership shall file with
17 the Board an application for a certificate of authority on a form
18 approved by the Board which shall include the names, addresses,
19 state of registration or licensure and registration or license
20 number of all directors, partners, officers, shareholders, members,
21 managers or principals of the partnership, ~~firm, association,~~
22 corporation, limited liability company or limited liability
23 partnership. In the event there shall be a change in any of these
24 persons during the term of certification, the change shall be filed

1 with the Board within thirty (30) days after the effective date of
2 the change. If all the requirements of this section and the Board's
3 current rules have been met, the Board shall issue a certificate of
4 authority to the partnership, ~~firm, association,~~ corporation,
5 limited liability company or limited liability partnership;

6 4. The Secretary of State shall not issue a certificate of
7 incorporation or register a foreign corporation or any other entity
8 which includes among the objectives for which it is established the
9 words "Licensed Interior Designer" or any modification or derivation
10 of these words, unless the Board has issued for the applicant either
11 a certificate of title for an entity, or a letter indicating the
12 eligibility for an exemption pursuant to the requirements of this
13 act. The firm applying shall supply the certificate of authority or
14 letter from the Board with its application for incorporation or
15 registration;

16 5. The Secretary of State shall not register any trade name or
17 service mark which includes the words as set forth in paragraph 4 of
18 this subsection in its firm name or logotype except those entities
19 or individuals holding certificates of authority issued under the
20 provisions of this section or letters of eligibility issued by the
21 Board; and

22 6. Upon application for renewal and upon compliance with the
23 provisions of this act and the rules of the Board, a certificate of
24 authority shall be renewed as provided by this act.

1 F. No license for licensed interior designers or a certificate
2 of authority for a partnership, ~~firm, association,~~ corporation,
3 limited liability company or limited liability partnership, shall be
4 issued or renewed for longer than two (2) years. A license or
5 certificate of authority may be renewed upon application, compliance
6 with the rules of the Board and payment of fees prior to or on June
7 30 of alternate years. A new license to replace a lost, destroyed
8 or mutilated license shall be issued by the Board upon payment of a
9 fee established in accordance with the rules of the Board.

10 SECTION 93. REPEALER 59 O.S. 2021, Section 46.38, as
11 amended by Section 8, Chapter 147, O.S.L. 2024 (59 O.S. Supp. 2025,
12 Section 46.38), is hereby repealed.

13 SECTION 94. REPEALER 59 O.S. 2021, Section 328.49, as
14 amended by Section 530, Chapter 486, O.S.L. 2025 (59 O.S. Supp.
15 2025, Section 328.49), is hereby repealed.

16 SECTION 95. AMENDATORY 59 O.S. 2021, Section 353.1, as
17 last amended by Section 5, Chapter 340, O.S.L. 2025 (59 O.S. Supp.
18 2025, Section 353.1), is amended to read as follows:

19 Section 353.1. For the purposes of the Oklahoma Pharmacy Act:

20 1. "Accredited program" means those seminars, classes,
21 meetings, work projects, and other educational courses approved by
22 the State Board of Pharmacy for purposes of continuing professional
23 education;

24 2. "Act" means the Oklahoma Pharmacy Act;

1 3. "Administer" means the direct application of a drug, whether
2 by injection, inhalation, ingestion, or any other means, to the body
3 of a patient;

4 4. "Assistant pharmacist" means any person presently licensed
5 as an assistant pharmacist in this state by the Board pursuant to
6 Section 353.10 of this title and for the purposes of the Oklahoma
7 Pharmacy Act shall be considered the same as a pharmacist, except
8 where otherwise specified;

9 5. "Board" or "State Board" means the State Board of Pharmacy;

10 6. "Certify" or "certification of a prescription" means the
11 review of a filled prescription by a licensed pharmacist or a
12 licensed practitioner with dispensing authority to confirm that the
13 medication, labeling, and packaging of the filled prescription are
14 accurate and meet all requirements prescribed by state and federal
15 law. For the purposes of this paragraph, "licensed practitioner"
16 shall not include optometrists with dispensing authority;

17 7. "Chemical" means any medicinal substance, whether simple or
18 compound or obtained through the process of the science and art of
19 chemistry, whether of organic or inorganic origin;

20 8. "Compounding" means the combining, admixing, mixing,
21 diluting, pooling, reconstituting, or otherwise altering of a drug
22 or bulk drug substance to create a drug. Compounding includes the
23 preparation of drugs or devices in anticipation of prescription drug
24 orders based on routine, regularly observed prescribing patterns;

1 9. "Continuing professional education" means professional,
2 pharmaceutical education in the general areas of the socioeconomic
3 and legal aspects of health care; the properties and actions of
4 drugs and dosage forms; and the etiology, characteristics, and
5 therapeutics of the diseased state;

6 10. "Dangerous drug", "legend drug", "prescription drug", or
7 "Rx Only" means a drug:

8 a. for human use subject to 21 U.S.C., Section 353(b)(1),
9 or

10 b. is labeled "Prescription Only", or labeled with the
11 following statement: "Caution: Federal law restricts
12 this drug to use by or on the order of a licensed
13 veterinarian.";

14 11. "Director" means the Executive Director of the State Board
15 of Pharmacy unless context clearly indicates otherwise;

16 12. "Dispense" or "dispensing" means the interpretation,
17 evaluation, and implementation of a prescription drug order
18 including the preparation and delivery of a drug or device to a
19 patient or a patient's agent in a suitable container appropriately
20 labeled for subsequent administration to, or use by, a patient.
21 Dispense includes sell, distribute, leave with, give away, dispose
22 of, deliver, or supply;

23 13. "Dispenser" means a retail pharmacy, hospital pharmacy, a
24 group of chain pharmacies under common ownership and control that do

1 not act as a wholesale distributor, or any other person authorized
2 by law to dispense or administer prescription drugs, and the
3 affiliated warehouses or distributions of such entities under common
4 ownership and control that do not act as a wholesale distributor.
5 For the purposes of this paragraph, dispenser does not mean a person
6 who dispenses only products to be used in animals in accordance with
7 21 U.S.C., Section 360b(a) (5);

8 14. "Distribute" or "distribution" means the sale, purchase,
9 trade, delivery, handling, storage, or receipt of a product, and
10 does not include the dispensing of a product pursuant to a
11 prescription executed in accordance with 21 U.S.C., Section
12 353(b) (1) or the dispensing of a product approved under 21 U.S.C.,
13 Section 360b(b); provided, taking actual physical possession of a
14 product or title shall not be required;

15 15. "Doctor of Pharmacy" means a person licensed by the Board
16 to engage in the practice of pharmacy. The terms "pharmacist",
17 "D.Ph.", and "Doctor of Pharmacy" shall be interchangeable and shall
18 have the same meaning wherever they appear in the Oklahoma Statutes
19 and the rules promulgated by the Board;

20 16. "Drug outlet" means all manufacturers, repackagers,
21 outsourcing facilities, wholesale distributors, third-party
22 logistics providers, pharmacies, and all other facilities which are
23 engaged in dispensing, delivery, distribution, or storage of
24 dangerous drugs;

1 17. "Drugs" means all medicinal substances and preparations
2 recognized by the United States Pharmacopeia and National Formulary,
3 or any revision thereof, and all substances and preparations
4 intended for external and/or internal use in the cure, diagnosis,
5 mitigation, treatment, or prevention of disease in humans or animals
6 and all substances and preparations, other than food, intended to
7 affect the structure or any function of the body of a human or
8 animals;

9 18. "Drug sample" means a unit of a prescription drug packaged
10 under the authority and responsibility of the manufacturer that is
11 not intended to be sold and is intended to promote the sale of the
12 drug;

13 19. "Durable medical equipment" has the same meaning as
14 provided by Section 375.2 of this title;

15 20. "Filled prescription" means a packaged prescription
16 medication to which a label has been affixed which contains such
17 information as is required by the Oklahoma Pharmacy Act;

18 21. "Hospital" means any institution licensed as a hospital by
19 this state for the care and treatment of patients, or a pharmacy
20 operated by the Oklahoma Department of Veterans Affairs;

21 22. "Licensed practitioner" means:

- 22 a. an allopathic physician,
- 23 b. an osteopathic physician,
- 24 c. a podiatric physician,

- d. a dentist,
- e. a veterinarian,
- f. an optometrist, ~~or~~
- g. an Advanced Practice Registered Nurse, or
- h. a physician assistant,

licensed to practice and authorized to prescribe dangerous drugs within the scope of practice of such practitioner;

23. "Manufacturer" or "virtual manufacturer" means with respect to a product:

- a. a person that holds an application approved under 21 U.S.C., Section 355 or a license issued under 42 U.S.C., Section 262 for such product, or if such product is not the subject of an approved application or license, the person who manufactured the product,
- b. a co-licensed partner of the person described in subparagraph a of this paragraph that obtains the product directly from a person described in this subparagraph or subparagraph a of this paragraph,
- c. an affiliate of a person described in subparagraph a or b of this paragraph who receives the product directly from a person described in this subparagraph or in subparagraph a or b of this paragraph, or
- d. a person who contracts with another to manufacture a product;

1 24. "Manufacturing" means the production, preparation,
2 propagation, compounding, conversion, or processing of a device or a
3 drug, either directly or indirectly by extraction from substances of
4 natural origin or independently by means of chemical or biological
5 synthesis and includes any packaging or repackaging of the
6 substances or labeling or relabeling of its container, and the
7 promotion and marketing of such drugs or devices. The term
8 manufacturing also includes the preparation and promotion of
9 commercially available products from bulk compounds for resale by
10 licensed pharmacies, licensed practitioners, or other persons;

11 25. "Medical gas" means those gases including those in liquid
12 state upon which the manufacturer or distributor has placed one of
13 several cautions, such as "Rx Only", in compliance with federal law;

14 26. "Medical gas order" means an order for medical gas issued
15 by a licensed prescriber;

16 27. "Medical gas distributor" means a person licensed to
17 distribute, transfer, wholesale, deliver, or sell medical gases on
18 drug orders to suppliers or other entities licensed to use,
19 administer, or distribute medical gas and may also include a patient
20 or ultimate user;

21 28. "Medical gas supplier" means a person who dispenses medical
22 gases on drug orders only to a patient or ultimate user;

1 29. "Medicine" means any drug or combination of drugs which has
2 the property of curing, preventing, treating, diagnosing, or
3 mitigating diseases, or which is used for that purpose;

4 30. "Nonprescription drugs" means medicines or drugs which are
5 sold without a prescription and which are prepackaged for use by the
6 consumer and labeled in accordance with the requirements of the
7 statutes and regulations of this state and the federal government.
8 Such items shall also include medical and dental supplies and
9 bottled or nonbulk chemicals which are sold or offered for sale to
10 the general public if such articles or preparations meet the
11 requirements of the Federal Food, Drug, and Cosmetic Act, 21
12 U.S.C.A., Section 321 et seq.;

13 31. "Outsourcing facility" including "virtual outsourcing
14 facility" means a facility at one geographic location or address
15 that:

- 16 a. is engaged in the compounding of sterile drugs,
- 17 b. has elected to register as an outsourcing facility,
- 18 and
- 19 c. complies with all requirements of 21 U.S.C., Section
20 353b;

21 32. "Package" means the smallest individual saleable unit of
22 product for distribution by a manufacturer or repackager that is
23 intended by the manufacturer for ultimate sale to the dispenser of
24 such product. For the purposes of this paragraph, "individual
25

1 saleable unit" means the smallest container of a product introduced
2 into commerce by the manufacturer or repackager that is intended by
3 the manufacturer or repackager for individual sale to a dispenser;

4 33. "Person" means an individual, partnership, limited
5 liability company, corporation, or association, unless the context
6 otherwise requires;

7 34. "Pharmacist-in-charge" or "PIC" means the pharmacist
8 licensed in this state responsible for the management control of a
9 pharmacy and all other aspects of the practice of pharmacy in a
10 licensed pharmacy as provided by Section 353.18 of this title;

11 35. "Pharmacy" means a place regularly licensed by the State
12 Board of Pharmacy in which prescriptions, drugs, medicines,
13 chemicals, and poisons are compounded or dispensed or such place
14 where pharmacists practice the profession of pharmacy, or a pharmacy
15 operated by the Oklahoma Department of Veterans Affairs;

16 36. "Pharmacy technician", "technician", "Rx tech", or "tech"
17 means a person issued a technician permit by the State Board of
18 Pharmacy to assist the pharmacist and perform nonjudgmental,
19 technical, manipulative, non-discretionary functions in the
20 prescription department under the immediate and direct supervision
21 of a pharmacist;

22 37. "Poison" means any substance which when introduced into the
23 body, either directly or by absorption, produces violent, morbid, or
24

1 fatal changes, or which destroys living tissue with which such
2 substance comes into contact;

3 38. "Practice of pharmacy" means:

- 4 a. the interpretation and evaluation of prescription
5 orders,
- 6 b. the compounding, dispensing, administering, and
7 labeling of drugs and devices, except labeling by a
8 manufacturer, repackager, or distributor of
9 nonprescription drugs and commercially packaged legend
10 drugs and devices,
- 11 c. the participation in drug selection and drug
12 utilization reviews,
- 13 d. the proper and safe storage of drugs and devices and
14 the maintenance of proper records thereof,
- 15 e. the responsibility for advising by counseling and
16 providing information, where professionally necessary
17 or where regulated, of therapeutic values, content,
18 hazards, and use of drugs and devices,
- 19 f. the offering or performing of those acts, services,
20 operations, or transactions necessary in the conduct,
21 operation, management, and control of a pharmacy, or
22 g. the provision of those acts or services that are
23 necessary to provide pharmaceutical care;

1 39. "Preparation" means an article which may or may not contain
2 sterile products compounded in a licensed pharmacy pursuant to the
3 order of a licensed prescriber;

4 40. "Prescriber" means a person licensed in this state who is
5 authorized to prescribe dangerous drugs within the scope of practice
6 of the person's profession;

7 41. "Prescription" means and includes any order for drug or
8 medical supplies written or signed, or transmitted by word of mouth,
9 telephone, or other means of communication:

10 a. by a licensed prescriber,

11 b. by a physician assistant pursuant to a practice
12 agreement,

13 c. (1) under the supervision of a supervising physician,
14 by a Certified Nurse Practitioner, Clinical Nurse
15 Specialist, or Certified Nurse-Midwife licensed
16 in this state who has not obtained independent
17 prescriptive authority under Section 1 of this
18 act, or

19 (2) by a Certified Nurse Practitioner, Clinical Nurse
20 Specialist, or Certified Nurse-Midwife licensed
21 in this state who has obtained independent
22 prescriptive authority under Section 1 of this
23 act, or

1 d. by an Oklahoma licensed wholesaler or distributor as
2 authorized in Section 353.29.1 of this title;

3 42. "Product" means a prescription drug in a finished dosage
4 form for administration to a patient without substantial further
5 manufacturing, such as capsules, tablets, and lyophilized products
6 before reconstitution. Product does not include blood components
7 intended for transfusion, radioactive drugs or biologics and medical
8 gas;

9 43. "Repackager", including "virtual repackager", means a
10 person who owns or operates an establishment that repacks and
11 relabels a product or package for further sale or distribution
12 without further transaction;

13 44. "Sterile drug" means a drug that is intended for parenteral
14 administration, an ophthalmic or oral inhalation drug in aqueous
15 format, or a drug that is required to be sterile under state and
16 federal law;

17 45. "Supervising physician" means an individual holding a
18 current license to practice as a physician from the State Board of
19 Medical Licensure and Supervision, pursuant to the provisions of the
20 Oklahoma Allopathic Medical and Surgical Licensure and Supervision
21 Act, or the State Board of Osteopathic Examiners, pursuant to the
22 provisions of the Oklahoma Osteopathic Medicine Act, who supervises
23 a Certified Nurse Practitioner, Clinical Nurse Specialist, or
24 Certified Nurse-Midwife as defined in Section 567.3a of this title

1 who has not obtained independent prescriptive authority under
2 Section 1 of this act, and who is not in training as an intern,
3 resident, or fellow. The supervising physician shall remain in
4 compliance with the rules promulgated by the State Board of Medical
5 Licensure and Supervision or the State Board of Osteopathic
6 Examiners;

7 46. "Supportive personnel" means technicians and auxiliary
8 supportive persons who are regularly paid employees of a pharmacy
9 who work and perform tasks in the pharmacy as authorized by Section
10 353.18A of this title;

11 47. "Third-party logistics provider" including "virtual third-
12 party logistics provider" means an entity that provides or
13 coordinates warehousing, or other logistics services of a product in
14 interstate commerce on behalf of a manufacturer, wholesale
15 distributor, or dispenser of a product but does not take ownership
16 of the product, nor have responsibility to direct the sale or
17 disposition of the product. For the purposes of this paragraph,
18 third-party logistics provider does not include shippers and the
19 United States Postal Service;

20 48. "Wholesale distributor" including "virtual wholesale
21 distributor" means a person other than a manufacturer, a
22 manufacturer's co-licensed partner, a third-party logistics
23 provider, or repackager engaged in wholesale distribution as defined
24

1 by 21 U.S.C., Section 353(e)(4) as amended by the Drug Supply Chain
2 Security Act;

3 49. "County jail" means a facility operated by a county for the
4 physical detention and correction of persons charged with, or
5 convicted of, criminal offenses or ordinance violations or persons
6 found guilty of civil or criminal contempt;

7 50. "State correctional facility" means a facility or
8 institution that houses a prisoner population under the jurisdiction
9 of the Department of Corrections;

10 51. "Unit dose package" means a package that contains a single
11 dose drug with the name, strength, control number, and expiration
12 date of that drug on the label; and

13 52. "Unit of issue package" means a package that provides
14 multiple doses of the same drug, but each drug is individually
15 separated and includes the name, lot number, and expiration date.

16 SECTION 96. REPEALER 59 O.S. 2021, Section 353.1, as
17 last amended by Section 1, Chapter 343, O.S.L. 2025 (59 O.S. Supp.
18 2025, Section 353.1), is hereby repealed.

19 SECTION 97. AMENDATORY 59 O.S. 2021, Section 356.2, as
20 last amended by Section 2, Chapter 300, O.S.L. 2025 (59 O.S. Supp.
21 2025, Section 356.2), is amended to read as follows:

22 Section 356.2. A. The entity conducting an audit of a pharmacy
23 shall:

1 1. Identify and specifically describe the audit and appeal
2 procedures in the pharmacy contract. Prescription claim
3 documentation and recordkeeping requirements shall not exceed the
4 requirements set forth by the Oklahoma Pharmacy Act or other
5 applicable state or federal laws or regulations;

6 2. Give the pharmacy written notice by certified letter to the
7 pharmacy and the pharmacy's contracting agent, including
8 identification of specific prescription numbers, fill dates, drug
9 names, and National Drug Code (NDC) numbers to be audited, at least
10 fourteen (14) calendar days prior to conducting the audit,
11 including, but not limited to, an on-site audit, a desk audit, or a
12 wholesale purchase audit, request for documentation related to the
13 dispensing of a prescription drug, or any reimbursed activity by a
14 pharmacy provider; provided, however, that wholesale purchase audits
15 shall require a minimum of thirty (30) calendar days' written
16 notice. For an on-site audit, the audit date shall be the date the
17 on-site audit occurs. For all other audit types, the audit date
18 shall be the date the pharmacy provides the documentation requested
19 in the audit notice. The pharmacy shall have the opportunity to
20 reschedule the audit no more than seven (7) calendar days from the
21 date designated on the original audit notification;

22 3. Not interfere with the delivery of pharmacist services to a
23 patient and shall utilize every reasonable effort to minimize
24

1 inconvenience and disruption to pharmacy operations during the audit
2 process;

3 4. Conduct any audit involving clinical or professional
4 judgment by means of or in consultation with a licensed pharmacist;

5 5. Not consider as fraud any clerical or recordkeeping error,
6 such as a typographical error, scrivener's error or computer error,
7 including, but not limited to, a miscalculated day supply,
8 incorrectly billed prescription written date or prescription origin
9 code, and such errors shall not be subject to recoupment. The
10 pharmacy shall have the right to submit amended claims
11 electronically to correct clerical or recordkeeping errors in lieu
12 of recoupment. To the extent that an audit results in the
13 identification of any clerical or recordkeeping errors such as
14 typographical errors, scrivener's errors or computer errors in a
15 required document or record, the pharmacy shall not be subject to
16 recoupment of funds by the pharmacy benefits manager unless the
17 pharmacy benefits manager can provide proof of intent to commit
18 fraud. A person shall not be subject to criminal penalties for
19 errors provided for in this paragraph without proof of intent to
20 commit fraud;

21 6. Permit a pharmacy to use the records of a hospital,
22 physician, or other authorized practitioner of the healing arts for
23 drugs or medicinal supplies written or transmitted by any means of
24

1 communication for purposes of validating the pharmacy record with
2 respect to orders or refills of a legend or narcotic drug;

3 7. Permit a pharmacy to use drug purchase records without
4 limitation of date or source to validate the dispensing of a
5 prescription drug or a controlled dangerous substance, provided the
6 drug purchase was done in accordance with the state or federal law;

7 8. Not include the dispensing fee amount or the actual invoice
8 cost of the prescription dispensed in a finding of an audit
9 recoupment unless a prescription was not actually dispensed or a
10 physician denied authorization of a dispensing order;

11 ~~8.~~ 9. Audit each pharmacy under identical standards, regularity
12 and parameters as other similarly situated pharmacies and all
13 pharmacies owned or managed by the pharmacy benefits manager
14 conducting or having conducted the audit;

15 ~~9.~~ 10. Not exceed one (1) year from the date the claim was
16 submitted to or adjudicated by a managed care company, nonprofit
17 hospital or medical service organization, insurance company, third-
18 party payor, pharmacy benefits manager, a health program
19 administered by a department of this state, or any entity that
20 represents the companies, groups, or departments for the period
21 covered by an audit;

22 ~~10.~~ 11. Not schedule or initiate an audit during the first
23 seven (7) calendar days of any month unless otherwise consented to
24 by the pharmacy;

1 ~~11.~~ 12. Disclose to any plan sponsor whose claims were included
2 in the audit any money recouped in the audit;

3 ~~12.~~ 13. Not require pharmacists to break open packaging labeled
4 "for single-patient-use only". Packaging labeled "for single-
5 patient-use only" shall be deemed to be the smallest package size
6 available;

7 ~~13.~~ 14. Upon recoupment of funds from a pharmacy, refund first
8 to the patient the portion of the recovered funds that were
9 originally paid by the patient, provided such funds were part of the
10 recoupment; and

11 ~~14.~~ 15. Not assess a fine, penalty, or any other financial
12 requirement on the pharmacy or pharmacist for any prescription
13 audited unless there is a valid recoupment under the Pharmacy Audit
14 Integrity Act.

15 B. 1. Any entity that conducts wholesale purchase review
16 during an audit of a pharmacist or pharmacy shall not require the
17 pharmacist or pharmacy to provide a full dispensing report.

18 Wholesaler invoice reviews shall be limited to verification of
19 purchase inventory specific to the pharmacy claims paid by the
20 health benefits plan or pharmacy benefits manager conducting the
21 audit without limitation to date or source of purchase.

22 2. Any entity conducting an audit shall not identify or label a
23 prescription claim as an audit discrepancy when:
24

- a. the National Drug Code for the dispensed drug is in a quantity that is a subunit or multiple of the drug purchased by the pharmacist or pharmacy as supported by a wholesale invoice,
- b. the pharmacist or pharmacy dispensed the correct quantity of the drug according to the prescription, and
- c. the drug dispensed by the pharmacist or pharmacy shares all but the last two digits of the National Drug Code of the drug reflected on the supplier invoice.

3. An entity conducting an audit shall accept as evidence, without limitation to date or source of purchase, subject to validation, to support the validity of a pharmacy claim related to a dispensed drug:

- a. redacted copies of supplier invoices in the pharmacist's or pharmacy's possession, or
- b. invoices and any supporting documents from any supplier as authorized by federal or state law to transfer ownership of the drug acquired by the pharmacist or pharmacy.

4. An entity conducting an audit shall provide, no later than five (5) calendar days after the date of a request by the pharmacist or pharmacy, all supporting documents the pharmacist's or pharmacy's

1 purchase suppliers provided to the health benefits plan issuer or
2 pharmacy benefits manager.

3 C. A pharmacy shall be allowed to provide the pharmacy's
4 computerized patterned medical records or the records of a hospital,
5 physician, or other authorized practitioner of the healing arts for
6 drugs or medicinal supplies written or transmitted by any means of
7 communication for purposes of supporting the pharmacy record with
8 respect to orders or refills of a legend or narcotic drug.

9 D. The PBM or its agent shall not exceed an annual limit of
10 fifty prescription claims with a specific prescription number and
11 date of fill per calendar year. The annual limit to the number of
12 prescription claims audited shall be inclusive of all audits by a
13 PBM or its agent, including any prescription-related documentation
14 requests from the health insurer, pharmacy benefits manager or any
15 third-party company conducting audits on behalf of any health
16 insurer or pharmacy benefits manager during a calendar year.

17 E. If paper copies of records are requested by the entity
18 conducting the audit, the entity shall pay twenty-five cents (\$0.25)
19 per page to cover the costs incurred by the pharmacy. The entity
20 conducting the audit shall provide the pharmacy with accurate
21 instructions, including any required form for obtaining
22 reimbursement for the copied records.

23 F. The entity conducting the audit shall:
24
25

1 1. Deliver a preliminary audit findings report to the pharmacy
2 and the pharmacy's contracting agent within forty-five (45) calendar
3 days of conducting the audit;

4 2. Allow the pharmacy at least ninety (90) calendar days
5 following receipt of the preliminary audit findings report in which
6 to produce documentation to address any discrepancy found during the
7 audit; provided, however, a pharmacy may request an extension, not
8 to exceed an additional forty-five (45) calendar days;

9 3. Deliver a final audit findings report to the pharmacy and
10 the pharmacy's contracting agent signed by the auditor within ten
11 (10) calendar days after receipt of additional documentation
12 provided by the pharmacy, as provided for in Section 356.3 of this
13 title;

14 4. Allow the pharmacy to reverse and resubmit claims
15 electronically within thirty (30) calendar days of receipt of the
16 final audit report in lieu of the auditing entity recouping
17 discrepant claim amounts from the pharmacy;

18 5. Not recoup any disputed funds until after final disposition
19 of the audit findings, including the appeals process as provided for
20 in Section 356.3 of this title;

21 6. Not accrue interest during the audit and appeal period;

22 7. Ensure that each preliminary audit findings report required
23 by this section includes:
24
25

- a. specific prescription numbers, fill dates, drug names, and NDC numbers, and
- b. the date of receipt of documents from the pharmacy, the pharmacy's contracting agent, or any other source associated with the audit.

In addition to the requirements for a preliminary audit findings report in this paragraph, the final audit findings report shall include any additional documentation that was submitted to the auditing entity;

8. Provide the plan sponsor a copy of the final audit results within thirty (30) calendar days of the final disposition of the audit; and

9. At the request of the plan sponsor, provide a copy of the final audit findings report within thirty (30) calendar days of the request.

G. 1. The full amount of any recoupment on an audit shall be refunded to the plan sponsor. Except as provided for in paragraph 2 of this subsection, a charge or assessment for an audit shall not be based, directly or indirectly, on amounts recouped.

2. This subsection does not prevent the entity conducting the audit from charging or assessing the responsible party, directly or indirectly, based on amounts recouped if both of the following conditions are met:

- a. the plan sponsor and the entity conducting the audit have a contract that explicitly states the percentage charge or assessment to the plan sponsor, and
- b. a commission to an agent or employee of the entity conducting the audit is not based, directly or indirectly, on amounts recouped.

H. Unless superseded by state or federal law, auditors shall only have access to previous audit reports on a particular pharmacy conducted by the auditing entity for the same pharmacy benefits manager, health plan or insurer. An auditing vendor contracting with multiple pharmacy benefits managers or health insurance plans shall not use audit reports or other information gained from an audit on a pharmacy to conduct another audit for a different pharmacy benefits manager or health insurance plan.

I. Paragraph 2 of subsection A of this section through subsection D of this section, and paragraph 1 through paragraph 7 of subsection F of this section shall not apply to any audit initiated based on suspicion of fraud, willful misrepresentation, or abuse.

J. If the Attorney General, after notice and opportunity for hearing, finds that the entity conducting the audit failed to follow any of the requirements pursuant to the Pharmacy Audit Integrity Act, the audit shall be considered null and void. Any monies recouped from a null and void audit shall be returned to the affected pharmacy within fourteen (14) calendar days. Any violation

1 of this section by a pharmacy benefits manager or auditing entity
2 shall be deemed a violation of the Pharmacy Audit Integrity Act.

3 SECTION 98. REPEALER 59 O.S. 2021, Section 356.2, as
4 last amended by Section 1, Chapter 414, O.S.L. 2025 (59 O.S. Supp.
5 2025, Section 356.2), is hereby repealed.

6 SECTION 99. AMENDATORY 59 O.S. 2021, Section 357, as
7 last amended by Section 2, Chapter 414, O.S.L. 2025 (59 O.S. Supp.
8 2025, Section 357), is amended to read as follows:

9 Section 357. A. As used in Sections 357 through 360 of this
10 title and Section 360.1 of this title:

11 1. "Covered entity" means a nonprofit hospital or medical
12 service organization, for-profit hospital or medical service
13 organization, insurer, health benefit plan, health maintenance
14 organization, health program administered by the state in the
15 capacity of providing health coverage, or an employer, labor union,
16 or other group of persons that provides health coverage to persons
17 in this state. This term does not include a health benefit plan
18 that provides coverage only for accidental injury, specified
19 disease, hospital indemnity, disability income, or other limited
20 benefit health insurance policies and contracts that do not include
21 prescription drug coverage;

22 2. "Covered individual" means a member, participant, enrollee,
23 contract holder or policy holder or beneficiary of a covered entity
24 who is provided health coverage by the covered entity. A covered
25

1 individual includes any dependent or other person provided health
2 coverage through a policy, contract or plan for a covered
3 individual;

4 3. "Department" means the Insurance Department;

5 4. "Effective rate contracting" means any agreement or
6 arrangement between a pharmacy or contracting agent acting on behalf
7 of a pharmacy and a pharmacy benefits manager for pharmaceuticals
8 based on the effective rate of payment rather than a predetermined
9 fixed price or fixed discount percentage;

10 5. "Maximum allowable cost", "MAC", or "MAC list" means the
11 list of drug products delineating the maximum per-unit reimbursement
12 for multiple-source prescription drugs, medical product, or device;

13 6. "Multisource drug product reimbursement" (reimbursement)
14 means the total amount paid to a pharmacy inclusive of any reduction
15 in payment to the pharmacy, excluding prescription dispense fees and
16 professional fees;

17 7. "Office" means the Office of the Attorney General;

18 8. "Pharmacy benefits management" means a service provided to
19 covered entities to facilitate the provision of prescription drug
20 benefits to covered individuals within the state, including
21 negotiating pricing and other terms with drug manufacturers and
22 providers. Pharmacy benefits management may include any or all of
23 the following services:
24

- a. claims processing, retail network management and payment of claims to pharmacies for prescription drugs dispensed to covered individuals,
- b. clinical formulary development and management services, or
- c. rebate contracting and administration;

9. "Pharmacy benefits manager" or "PBM" means a person, business, or other entity that performs pharmacy benefits management. The term shall include any business or entity licensed by the Insurance Department to perform PBM services, or a person or entity acting on behalf of a PBM in a contractual or employment relationship in the performance of pharmacy benefits management for a managed care company, nonprofit hospital, medical service organization, insurance company, third-party payor, or a health program administered by an agency or department of this state;

10. "Plan sponsor" means the employers, insurance companies, unions and health maintenance organizations or any other entity responsible for establishing, maintaining, or administering a health benefit plan on behalf of covered individuals; and

11. "Provider" means a pharmacy licensed by the State Board of Pharmacy, or an agent or representative of a pharmacy, including, but not limited to, the pharmacy's contracting agent, which dispenses prescription drugs or devices to covered individuals.

1 B. Nothing in the definition of pharmacy benefits management or
2 pharmacy benefits manager in the Patient's Right to Pharmacy Choice
3 Act, Pharmacy Audit Integrity Act, or Sections 357 through 360 of
4 this title, or Section 360.1 of this title shall deem an employer a
5 ~~"pharmacy benefits manager"~~ pharmacy benefits manager of its own
6 self-funded health benefit plan, except, to the extent permitted by
7 applicable law, where the employer, without the utilization of a
8 third party and unrelated to the employer's own pharmacy:

9 a. ~~negotiates~~ 1. Negotiates directly with drug
10 manufacturers;i

11 b. ~~processes~~ 2. Processes claims on behalf of its members;i
12 or

13 c. ~~manages~~ 3. Manages its own retail network of pharmacies.

14 SECTION 100. REPEALER 59 O.S. 2021, Section 357, as last
15 amended by Section 6, Chapter 300, O.S.L. 2025 (59 O.S. Supp. 2025,
16 Section 357), is hereby repealed.

17 SECTION 101. AMENDATORY 59 O.S. 2021, Section 360, as
18 last amended by Section 3, Chapter 414, O.S.L. 2025 (59 O.S. Supp.
19 2025, Section 360), is amended to read as follows:

20 Section 360. A. The pharmacy benefits manager shall, with
21 respect to contracts between a pharmacy benefits manager and a
22 provider, including a pharmacy service administrative organization:

23 1. Include in such contracts the specific sources utilized to
24 determine the maximum allowable cost (MAC) pricing of the pharmacy,

1 update MAC pricing at least every seven (7) calendar days, and
2 establish a process for providers to readily access the MAC list
3 specific to that provider;

4 2. In order to place a drug on the MAC list, ensure that the
5 drug is listed as "A" or "B" rated in the most recent version of the
6 ~~FDA's~~ United States Food and Drug Administration (FDA) Approved Drug
7 Products with Therapeutic Equivalence Evaluations, also known as the
8 Orange Book, and the drug is generally available for purchase by
9 pharmacies in the state from national or regional wholesalers and is
10 not obsolete;

11 3. Ensure dispensing fees are not included in the calculation
12 of MAC price reimbursement to pharmacy providers;

13 4. Provide a reasonable administration appeals procedure to
14 allow a provider, a provider's representative and a pharmacy service
15 administrative organization to contest reimbursement amounts within
16 fourteen (14) calendar days of the final adjusted payment date. The
17 pharmacy benefits manager shall not prevent the pharmacy or the
18 pharmacy service administrative organization from filing
19 reimbursement appeals in an electronic batch format. The pharmacy
20 benefits manager must respond to a provider, a provider's
21 representative and a pharmacy service administrative organization
22 who have contested a reimbursement amount through this procedure
23 within ten (10) calendar days. The pharmacy benefits manager must
24 respond in an electronic batch format to reimbursement appeals filed

1 in an electronic batch format. The pharmacy benefits manager shall
2 not require a pharmacy or pharmacy services administrative
3 organization to log into a system to upload individual claim appeals
4 or to download individual appeal responses. If a price update is
5 warranted, the pharmacy benefits manager shall make the change in
6 the reimbursement amount, permit the dispensing pharmacy to reverse
7 and rebill the claim in question, and make the reimbursement amount
8 change retroactive and effective for all contracted providers; and

9 5. If a below-cost reimbursement appeal is denied, the PBM
10 shall provide the reason for the denial, including the National Drug
11 Code (NDC) number from, and the name of, the specific national or
12 regional wholesalers doing business in this state where the drug is
13 currently in stock and available for purchase by the dispensing
14 pharmacy at a price below the PBM's reimbursement price. The PBM
15 shall include documented proof from the specific national or
16 regional wholesalers doing business in this state showing that the
17 drug is currently in stock and available for purchase by the
18 dispensing pharmacy at a price below the PBM's reimbursement price.

19 If the NDC number provided by the pharmacy benefits manager is not
20 available below the acquisition cost obtained from the
21 pharmaceutical wholesaler from whom the dispensing pharmacy
22 purchases the majority of the prescription drugs that are dispensed,
23 the pharmacy benefits manager shall immediately adjust the
24 reimbursement amount, permit the dispensing pharmacy to reverse and

1 rebill the claim in question, and make the reimbursement amount
2 adjustment retroactive and in effect for all contracted providers
3 for future claims billed;

4 6. Any appeal that results in an increase in the reimbursement
5 from the PBM that continues to be below the pharmacy's acquisition
6 cost shall be considered a denial under this section. Any denial of
7 an appeal shall follow the requirements of paragraph 5 of this
8 subsection; and

9 7. The PBM shall not require a pharmacy to collect additional
10 monies following a successful below-cost reimbursement appeal from
11 any person or entity other than the PBM who adjudicated the drug
12 claim, including the patient or plan sponsor.

13 B. The reimbursement appeal requirements in this section shall
14 apply to all drugs, medical products, or devices reimbursed
15 according to any payment methodology, including, but not limited to:

16 1. Average acquisition cost, including the National Average
17 Drug Acquisition Cost;

18 2. Average manufacturer price;

19 3. Average wholesale price;

20 4. Brand effective rate or generic effective rate;

21 5. Discount indexing;

22 6. Federal upper limits;

23 7. Wholesale acquisition cost; and
24
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1 8. Any other term that a pharmacy benefits manager or an
2 insurer of a health benefit plan may use to establish reimbursement
3 rates to a pharmacist or pharmacy for pharmacist services.

4 C. The pharmacy benefits manager shall not place a drug on a
5 MAC list, unless there are at least two therapeutically equivalent,
6 multiple-source drugs, generally available for purchase by
7 dispensing retail pharmacies from national or regional wholesalers.

8 D. In the event that a drug is placed on the FDA Drug Shortages
9 Database, pharmacy benefits managers shall reimburse claims to
10 pharmacies at no less than the wholesale acquisition cost for the
11 specific NDC number being dispensed.

12 E. The pharmacy benefits manager shall not require
13 accreditation or licensing of providers, or any entity licensed or
14 regulated by the State Board of Pharmacy, other than by the State
15 Board of Pharmacy or federal government entity as a condition for
16 participation as a network provider.

17 F. A pharmacy or pharmacist may decline to provide the
18 pharmacist clinical or dispensing services to a patient or pharmacy
19 benefits manager if the pharmacy or pharmacist is to be paid less
20 than the pharmacy's cost for providing the pharmacist clinical or
21 dispensing services.

22 G. The pharmacy benefits manager shall provide a dedicated
23 telephone number, email address and names of the personnel with
24 decision-making authority regarding MAC appeals and pricing.

1 H. Any pharmacy benefits manager (PBM) that leases, rents, or
2 otherwise makes its provider network or contracts available to
3 another pharmacy benefits manager shall:

4 1. Provide notice to all contracted providers of the lease
5 arrangement and the responsibilities of each party involved; and

6 2. Provide contact information in each paid or rejected claim
7 response that notifies the provider which contract the claim is
8 adjudicating against, who is processing the claim, and a phone
9 number to address provider issues; and

10 3. Transmit the network reimbursement identification
11 information with each claim response in NCPDP field 545-2F.

12 I. Any pharmacy benefits manager (PBM) that leases, rents, or
13 otherwise makes its provider network or contracts available to
14 another pharmacy benefits manager shall not combine any Employee
15 Retirement Income Security Act (ERISA) or government plans with any
16 non-ERISA or nongovernment plans.

17 J. 1. Effective rate contracting is hereby prohibited in all
18 agreements between pharmacies or contracting agents acting on behalf
19 of a pharmacy and a PBM or third-party payors. No PBM or third-
20 party payor shall enter into any contract that establishes payment
21 for services or medications based on an effective rate of
22 reimbursement.

23 2. Any PBM or third-party payor found to be in violation of
24 this section shall be subject to penalties, including, but not
25

1 limited to, fines, revocation of licensure, or other disciplinary
2 actions.

3 K. The provisions of this section shall not be waived, voided,
4 or nullified by contract.

5 SECTION 102. REPEALER 59 O.S. 2021, Section 360, as last
6 amended by Section 8, Chapter 300, O.S.L. 2025 (59 O.S. Supp. 2025,
7 Section 360), is hereby repealed.

8 SECTION 103. AMENDATORY 59 O.S. 2021, Section 481, as
9 amended by Section 1, Chapter 227, O.S.L. 2024 (59 O.S. Supp. 2025,
10 Section 481), is amended to read as follows:

11 Section 481. A. A State Board of Medical Licensure and
12 Supervision hereinafter referred to as the "Board", is hereby re-
13 created, to continue until ~~July 1, 2024~~ July 1, 2030, in accordance
14 with the provisions of the Oklahoma Sunset Law. The Board shall be
15 composed of seven (7) allopathic physicians licensed to practice
16 medicine in this state and represent the public and four (4) lay
17 members.

18 B. The physician members of the Board shall be graduates of
19 legally chartered medical schools recognized by the Oklahoma State
20 Regents for Higher Education or the Liaison Committee on Medical
21 Education or foreign medical schools recognized by the State Board
22 of Medical Licensure and Supervision. The physician members shall:
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1 1. Be currently licensed physicians who have actively practiced
2 as licensed physicians continuously in this state for the three (3)
3 years immediately preceding their appointment to the Board; or

4 2. Be retired physicians; provided, that such physicians must
5 demonstrate satisfactorily to the Board that since retirement they
6 have remained in compliance with, and are currently in compliance
7 with, continuing medical education requirements of the Board.

8 C. All members of the Board shall be residents of this state
9 and shall be appointed by the Governor as provided for in Section
10 482 of this title. All present members of the Board shall continue
11 to serve for the remainder of their current terms.

12 SECTION 104. REPEALER 59 O.S. 2021, Section 481, as last
13 amended by Section 1, Chapter 14, O.S.L. 2025 (59 O.S. Supp. 2025,
14 Section 481), is hereby repealed.

15 SECTION 105. AMENDATORY 59 O.S. 2021, Section 493.2, as
16 amended by Section 1, Chapter 61, O.S.L. 2025 (59 O.S. Supp. 2025,
17 Section 493.2), is amended to read as follows:

18 Section 493.2. A. Unless otherwise provided by this section,
19 foreign applicants and international medical school graduate
20 applicants shall otherwise meet all requirements for full and
21 unrestricted licensure as provided in Sections 492.1 and 493.1 of
22 this title.

23 B. 1. A foreign applicant for full and unrestricted licensure
24 shall possess the degree of Doctor of Medicine or ~~a Board-approved~~

1 an equivalent approved by the State Board of Medical Licensure and
2 Supervision based on satisfactory completion of educational programs
3 from a foreign medical school as evidenced by the Educational
4 Commission for Foreign Medical Graduates (ECFMG).

5 2. In the event the foreign medical school utilized clerkships
6 in the United States, its territories or possessions, such
7 clerkships shall have been performed in hospitals and schools that
8 have programs accredited by the Accreditation Council for Graduate
9 Medical Education (ACGME).

10 C. 1. An international medical school graduate may apply for
11 limited licensure. The Board may issue a limited license of defined
12 duration to an international medical school graduate upon finding
13 sufficient evidence that the international medical school graduate
14 has:

- 15 a. graduated from a medical school which meets the
16 requirements of the Educational Commission for Foreign
17 Medical Graduates (ECFMG), and
- 18 b. paid any application fee as set by the Board.

19 2. The Board shall also find sufficient evidence of the
20 competency of the international medical school graduate through the
21 following:

- 22 a. verification of successful completion of a three-year
23 postgraduate training program in the graduate's
24 licensing country, or

1 b. verification that the applicant otherwise practiced as
2 a medical professional performing the duties of a
3 physician for at least three (3) of the last five (5)
4 years outside the United States verified by the
5 employer or health care provider.

6 3. An applicant under subparagraphs a and b of paragraph 1 of
7 this subsection shall submit sufficient evidence that the applicant
8 is an international medical school graduate and has an offer for
9 employment as a physician at a health care provider that operates in
10 this state and has a postgraduate training program accredited by the
11 Accreditation Council for Graduate Medical Education (ACGME) in
12 place.

13 4. During the term of the limited license, an international
14 medical school graduate who is granted a limited license under
15 subparagraphs a and b of paragraph 1 of this subsection shall only
16 provide medical services at a health care provider that has in place
17 postgraduate training program accredited by the Accreditation
18 Council for Graduate Medical Education (ACGME) .

19 5. An international medical school graduate who is granted a
20 limited license shall be supervised by the chair of the department
21 within the applicant's intended practice during the term of the
22 limited license.

23 6. Three (3) years after the first date the limited licensee
24 begins to practice medicine at a health care provider in this state,

1 the Board may grant a full and unrestricted license to practice
2 medicine to a limited licensee under subparagraphs a and b of
3 paragraph 1 of this subsection who:

4 a. is in good standing without disciplinary actions or
5 investigations pending from his or her limited
6 licensure period, and

7 b. provides documentation of a passing score for United
8 States Medical Licensing Examination (USMLE) Step 1, 2
9 CK, and 3.

10 7. A limited licensee who obtains a full and unrestricted
11 license is not thereafter subject to the restriction of practicing
12 at a health care provider with a postgraduate training program.

13 8. As used in this subsection, "health care provider" means a
14 facility that will be employing the licensee within an academic
15 health system or the Oklahoma State University College of
16 Osteopathic Medicine.

17 D. Any foreign applicant or international medical school
18 graduate shall have a command of the English language that is
19 satisfactory to the State Board of Medical Licensure and
20 Supervision, determined by certification by the Educational
21 Commission for Foreign Medical Graduates (ECFMG).

22 E. The Board may promulgate rules requiring all foreign
23 applicants to satisfactorily complete at least twelve (12) months
24 and up to twenty-four (24) months of Board-approved progressive

graduate medical training as determined necessary by the Board for the protection of the public health, safety, and welfare.

F. All credentials, diplomas and other required documentation in a foreign language submitted to the Board by such applicants shall be accompanied by notarized English translations performed by an institution accredited by the North Central Association of Colleges and Schools.

G. Foreign applicants and international medical school graduates shall provide satisfactory evidence of having met the requirements for permanent residence or temporary nonimmigrant status as set forth by the United States ~~Immigration and Naturalization Service~~ Department of Homeland Security.

H. The Board requires original source verification of the Educational Commission for Foreign Medical Graduates (ECFMG) Certification or Medical Council of Canada Qualifying Examination (MCCQE) Certification.

I. The applicant shall not have committed or been found guilty by a competent authority, United States or foreign, of any conduct that would constitute grounds for disciplinary action under this act or rules by the Board. The Board may modify this restriction for cause.

J. If the applicant has not been practicing medicine for more than two (2) years, the applicant shall be subject to Section 495h of this title.

1 SECTION 106. REPEALER 59 O.S. 2021, Section 493.2, as
2 amended by Section 3, Chapter 350, O.S.L. 2025 (59 O.S. Supp. 2025,
3 Section 493.2), is hereby repealed.

4 SECTION 107. REPEALER 59 O.S. 2021, Section 1000.2, as
5 amended by Section 1, Chapter 292, O.S.L. 2013, is hereby repealed.

6 SECTION 108. AMENDATORY 59 O.S. 2021, Section 1873, as
7 last amended by Section 1, Chapter 235, O.S.L. 2025 (59 O.S. Supp.
8 2025, Section 1873), is amended to read as follows:

9 Section 1873. A. There is hereby re-created, to continue until
10 ~~July 1, 2025~~ July 1, 2028, in accordance with the provisions of the
11 Oklahoma Sunset Law, the Oklahoma Board of Licensed Alcohol and Drug
12 Counselors, consisting of seven (7) members, to be appointed by the
13 Governor, with the advice and consent of the Senate, as provided by
14 subsection B of this section.

15 B. 1. Five members shall be licensed alcohol and drug
16 counselors, and one member shall be certified as an alcohol and drug
17 counselor. Each such member shall be licensed or certified in good
18 standing and shall have at least three (3) years of experience in
19 the practice of alcohol and drug counseling in this state. Of the
20 members appointed under the provisions of this paragraph, the
21 Governor shall appoint:

- 22 a. four members from a list of names submitted by the
23 Oklahoma Drug and Alcohol Professional Counselor
24 Association,

- 1 b. one member from a list of names submitted by the
2 Oklahoma Behavioral Health Association, and
3 c. one member from a list of names submitted by the
4 Oklahoma Citizen Advocates for Recovery and
5 Transformation Association.

6 2. One member shall be appointed from and shall represent the
7 general public. Such member shall be a resident of this state who
8 has attained the age of majority and shall not be, nor shall ever
9 have been, a licensed or certified alcohol and drug counselor, or
10 the spouse of a licensed or certified alcohol and drug counselor, or
11 a person who has ever had any material financial interest in the
12 provision of alcohol and drug counseling services or has engaged in
13 any activity directly related to the practice of alcohol and drug
14 counseling.

15 C. The terms of all members shall be five (5) years.

16 D. A vacancy on the Board shall be filled in the same manner as
17 the original appointment for the balance of the unexpired term.
18 Members may succeed themselves but shall serve no more than two
19 consecutive terms. Each member shall serve until a successor is
20 appointed and qualified.

21 E. Members of the Board may be removed from office for one or
22 more of the following reasons:
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1 1. The refusal or inability for any reason to perform the
2 duties of a Board member in an efficient, responsible and
3 professional manner;

4 2. The misuse of office for pecuniary or material gain or for
5 personal advantage for self or another;

6 3. A violation of the laws or rules governing the practice of
7 alcohol and drug counseling; or

8 4. Conviction of a felony as verified by a certified copy of
9 the record of the court of conviction.

10 F. Members of the Board shall serve without compensation, but
11 shall be reimbursed for actual and necessary travel expenses as
12 provided in the State Travel Reimbursement Act.

13 SECTION 109. REPEALER 59 O.S. 2021, Section 1873, as
14 last amended by Section 1, Chapter 266, O.S.L. 2025 (59 O.S. Supp.
15 2025, Section 1873), is hereby repealed.

16 SECTION 110. AMENDATORY 63 O.S. 2021, Section 1-106, as
17 last amended by Section 3, Chapter 377, O.S.L. 2025 (63 O.S. Supp.
18 2025, Section 1-106), is amended to read as follows:

19 Section 1-106. A. The State Commissioner of Health shall serve
20 at the pleasure of the Governor, and shall have skill and experience
21 in public health duties and sanitary sciences and shall meet at
22 least one of the following qualifications:

23 1. Possession of a Doctor of Medicine Degree and a license to
24 practice medicine in this state;

1 2. Possession of an Osteopathic Medicine Degree and a license
2 to practice medicine in this state;

3 3. Possession of a Doctoral degree in Public Health or Public
4 Health Administration; or

5 4. Possession of a Master of Science Degree and a minimum of
6 five (5) years of supervisory experience in the administration of
7 health services.

8 B. The Commissioner shall be exempt from all qualifications
9 enumerated in subsection A of this section if the Commissioner
10 possesses at least a master's degree and has experience in
11 management of state agencies or large projects.

12 C. The Commissioner shall have the following powers and duties,
13 unless otherwise directed by the Governor:

14 1. Have general supervision of the health of the citizens of
15 the state; make investigations, inquiries and studies concerning the
16 causes of disease and injury, and especially of epidemics, and the
17 causes of mortality, and the effects of localities, employment,
18 conditions and circumstances on the public health; investigate
19 conditions as to health, sanitation and safety of schools, prisons,
20 public institutions, mines, public conveyances, camps, places of
21 group abode, and all buildings and places of public resort, and
22 recommend, prescribe and enforce such measures of health, sanitation
23 and safety for them as the Commissioner deems advisable; take such
24 measures as deemed necessary by the Commissioner to control or

1 suppress, or to prevent the occurrence or spread of, any
2 communicable, contagious or infectious disease, and provide for the
3 segregation and isolation of persons having or suspected of having
4 any such disease; designate places of quarantine or isolation;
5 advise state and local governments on matters pertaining to health,
6 sanitation and safety; and abate any nuisance affecting injuriously
7 the health of the public or any community. Any health information
8 or data acquired by the Commissioner from any public agency, which
9 information or data is otherwise confidential by state or federal
10 law, shall remain confidential notwithstanding the acquisition of
11 this information by the Commissioner-; i

12 2. Be the executive officer and supervise the activities of the
13 State Department of Health, and act for the Department in all
14 matters except as may be otherwise provided in this Code; administer
15 oaths at any hearing or investigation conducted pursuant to this
16 Code; and enforce rules and standards adopted by the Commissioner.
17 All rules adopted by the Commissioner are subject to the terms and
18 conditions of the Administrative Procedures Act-; i

19 3. Appoint an Assistant State Commissioner of Health and fix
20 the qualifications, duties and compensation of the Assistant State
21 Commissioner of Health; and employ, appoint and contract with, and
22 fix the qualifications, duties and compensation of, such other
23 assistants, doctors, engineers, attorneys, sanitarians, nurses,
24 laboratory personnel, administrative, clerical and technical help,
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1 investigators, aides and other personnel and help, either on a full-
2 time, part-time, fee or contractual basis, as shall be deemed by the
3 Commissioner necessary, expedient, convenient or appropriate to the
4 performance or carrying out of any of the purposes, objectives or
5 provisions of this Code, or to assist the Commissioner in the
6 performance of official duties and functions-;

7 4. Cause investigations, inquiries and inspections to be made,
8 and hold hearings and issue orders pursuant to the provisions of the
9 Administrative Procedures Act, to enforce and make effective the
10 provisions of this Code, and all rules and standards adopted by the
11 Commissioner pursuant to law and the Commissioner or the
12 representative of the Commissioner shall have the right of access to
13 any premises for such purpose at any reasonable time, upon
14 presentation of identification-;

15 5. Authorize persons in the State Department of Health to
16 conduct investigations, inquiries and hearings, and to perform other
17 acts that the Commissioner is authorized or required to conduct or
18 perform personally-;

19 6. Except as otherwise provided by law, all civil and criminal
20 proceedings under this Code shall be initiated and prosecuted by the
21 district attorney where the violation takes place-;

22 7. Issue subpoenas for the attendance of witnesses and the
23 production of books and records at any hearing to be conducted by
24 the Commissioner and issue subpoenas for the testimony of

1 individuals or for the production of records in connection with an
2 investigation conducted by the Office of Client Advocacy within the
3 State Department of Health; and if a person disobeys any such
4 subpoena, or refuses to give evidence before, or to allow books and
5 records to be examined by, the Commissioner after such person is
6 directed to do so, the Commissioner may file a contempt proceeding
7 in the district court of the county in which the premises involved
8 are situated, or, if no premises are involved, of the county in
9 which such person resides or has a principal place of business, and
10 a judge of such court, after a trial de novo, may punish the
11 offending person for contempt-i

12 8. Unless otherwise required by the terms of a federal grant,
13 sell, exchange or otherwise dispose of personal property that has
14 been acquired by the State Department of Health, or any of its
15 components, when such property becomes obsolete or is no longer
16 needed; any money derived therefrom shall be deposited in the Public
17 Health Special Fund-i

18 9. Sell films, educational materials, biological products and
19 other items produced by the State Department of Health; and all
20 proceeds therefrom shall be deposited in the Public Health Special
21 Fund-i

22 10. Revoke or cancel, or suspend for any period up to one (1)
23 year, any license or permit issued under or pursuant to this Code,
24 or by the Commissioner, when the Commissioner determines that ground

1 therefor as prescribed by this Code exists, or that the holder of
2 such license or permit has violated any law, or any of the
3 provisions of this Code, or any rules or standards of the
4 Commissioner filed with the Secretary of State, but the Commissioner
5 shall first afford the holder an opportunity to show cause why the
6 license or permit should not be revoked, canceled or suspended,
7 notice of such opportunity to be given by certified United States
8 Mail to the holder of the license or permit at the last-known
9 address of such holder-;

10 11. Accept, use, disburse and administer grants, allotments,
11 gifts, devises, bequests, appropriations and other monies and
12 property offered or given to the State Department of Health, or any
13 component or agency thereof, by any agency of the federal
14 government, or any corporation or individual-;

15 12. Be the official agency of the State of Oklahoma in all
16 matters relating to public health which require or authorize
17 cooperation of the State of Oklahoma with the federal government or
18 any agency thereof; coordinate the activities of the State
19 Department of Health with those of the federal government or any
20 department or agency thereof, and with other states, on matters
21 pertaining to public health, and enter into agreements for such
22 purpose, and may accept, use, disburse and administer, for the
23 office of the Commissioner or for the State Department of Health,
24 for any purpose designated and on the terms and conditions thereof,

1 grants of money, personnel and property from the federal government
2 or any department or agency thereof, or from any state or state
3 agency, or from any other source, to promote and carry on in this
4 state any program relating to the public health or the control of
5 disease, and enter into agreements for such purposes-;

6 13. ~~The State Commissioner of Health may appoint~~ Appoint
7 commissioned peace officers, certified by the Council on Law
8 Enforcement Education and Training, to investigate violations of the
9 Public Health Code and to provide security to Department
10 facilities-;

11 14. Pursuant to Section 1-106 of this title, ~~the State~~
12 ~~Commissioner of Health shall~~ appoint a Chief Medical Officer who
13 reports directly to the ~~State Commissioner of Health.~~ Commissioner;
14 and

15 15. The State Commissioner of Health shall, in consultation
16 with local and national organizations that provide education or
17 services related to epilepsy conditions, provide guidance to medical
18 doctors, osteopathic physicians, nurse practitioners, and physician
19 assistants who have the primary responsibility for treatment of a
20 person with epilepsy to assist in determining whether a patient is
21 at elevated risk for sudden unexpected death in epilepsy (SUDEP),
22 including, but not limited to, whether the patient has had
23 convulsive seizures, the frequency and recency of such seizures, and
24 whether the patient's symptoms have subsided in response to

1 medicinal or surgical treatment. The Chief Medical Examiner shall
2 provide to all employees of the Chief Medical Examiner's Office
3 information about sudden unexpected death in epilepsy (SUDEP).

4 SECTION 111. REPEALER 63 O.S. 2021, Section 1-106, as
5 last amended by Section 13, Chapter 215, O.S.L. 2025 (63 O.S. Supp.
6 2025, Section 1-106), is hereby repealed.

7 SECTION 112. AMENDATORY 63 O.S. 2021, Section 2-312, as
8 last amended by Section 10, Chapter 340, O.S.L. 2025 (63 O.S. Supp.
9 2025, Section 2-312), is amended to read as follows:

10 Section 2-312. A. A physician, podiatrist, optometrist, or a
11 dentist who has complied with the registration requirements of the
12 Uniform Controlled Dangerous Substances Act, in good faith and in
13 the course of such person's professional practice only, may
14 prescribe and administer controlled dangerous substances, or may
15 cause the same to be administered by medical or paramedical
16 personnel acting under the direction and supervision of the
17 physician, podiatrist, optometrist, or dentist, and only may
18 dispense controlled dangerous substances pursuant to the provisions
19 of Sections 355.1 and 355.2 of Title 59 of the Oklahoma Statutes.

20 B. A veterinarian who has complied with the registration
21 requirements of the Uniform Controlled Dangerous Substances Act, in
22 good faith and in the course of the professional practice of the
23 veterinarian only, and not for use by a human being, may prescribe,
24 administer, and dispense controlled dangerous substances and may

1 cause them to be administered by an assistant or orderly under the
2 direction and supervision of the veterinarian.

3 C. An Advanced Practice Registered Nurse who is recognized to
4 prescribe by the Oklahoma Board of Nursing as a Certified Nurse
5 Practitioner, Clinical Nurse Specialist, or Certified Nurse-Midwife
6 and who has complied with the registration requirements of the
7 Uniform Controlled Dangerous Substances Act, in good faith and in
8 the course of professional practice only, may prescribe and
9 administer Schedule III, IV, and V controlled dangerous substances.
10 If the Advanced Practice Registered Nurse has not obtained
11 independent prescriptive authority under Section 1 of this act, he
12 or she may only prescribe and administer such controlled dangerous
13 substances under the supervision of a supervising physician in
14 accordance with the Oklahoma Nursing Practice Act and Section 4 of
15 this act and shall not prescribe or administer any controlled
16 dangerous substance in a schedule that the supervising physician is
17 not registered to prescribe and administer.

18 D. An Advanced Practice Registered Nurse who is recognized to
19 order, select, obtain, and administer drugs by the Oklahoma Board of
20 Nursing as a Certified Registered Nurse Anesthetist pursuant to
21 Section 353.1b of Title 59 of the Oklahoma Statutes and who has
22 complied with the registration requirements of the Uniform
23 Controlled Dangerous Substances Act, in good faith and in the course
24 of such practitioner's professional practice only, may order,

1 select, obtain, and administer Schedules II through V controlled
2 dangerous substances in a preanesthetic preparation or evaluation;
3 anesthesia induction, maintenance, or emergence; or postanesthesia
4 care setting only. A Certified Registered Nurse Anesthetist may
5 order, select, obtain, and administer such drugs only during the
6 perioperative or periobstetrical period.

7 E. A physician assistant who is recognized to prescribe by the
8 State Board of Medical Licensure and Supervision under ~~the medical~~
9 ~~direction of a supervising physician, pursuant to~~ Section 519.6 of
10 Title 59 of the Oklahoma Statutes, and who has complied with the
11 registration requirements of the Uniform Controlled Dangerous
12 Substances Act, in good faith and in the course of professional
13 practice only, may prescribe and administer Schedule II through V
14 controlled dangerous substances subject to the restrictions in
15 Section 519.6 of Title 59 of the Oklahoma Statutes.

16 SECTION 113. REPEALER 63 O.S. 2021, Section 2-312, as
17 last amended by Section 9, Chapter 343, O.S.L. 2025 (63 O.S. Supp.
18 2025, Section 2-312), is hereby repealed.

19 SECTION 114. AMENDATORY 63 O.S. 2021, Section 427.17, as
20 last amended by Section 4, Chapter 447, O.S.L. 2024 (63 O.S. Supp.
21 2025, Section 427.17), is amended to read as follows:

22 Section 427.17. A. There is hereby created a medical marijuana
23 testing laboratory license as a category of the medical marijuana
24 business license. The Oklahoma Medical Marijuana Authority, the

1 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the
2 Oklahoma State Bureau of Investigation, and the Attorney General are
3 hereby enabled to monitor, inspect and audit a licensed testing
4 laboratory under the Oklahoma Medical Marijuana and Patient
5 Protection Act.

6 B. The Authority is hereby authorized to operate a quality
7 assurance laboratory or to contract with a private laboratory for
8 the purpose of conducting compliance testing of medical marijuana
9 testing laboratories licensed in this state. Any such laboratory
10 under contract for compliance testing shall be prohibited from
11 conducting any other commercial medical marijuana testing in this
12 state. If the Authority contracts with a private laboratory to
13 implement the requirements of this section:

14 1. The laboratory shall not employ, or be owned by, the
15 following:

- 16 a. any individual that has a direct or indirect interest
17 in a licensed medical marijuana business, or
- 18 b. any individual or his or her spouse, parent, child,
19 spouse of a child, sibling or spouse of a sibling that
20 has an application for a medical marijuana business
21 license pending before the Authority or is a member of
22 the board of directors of a medical marijuana
23 business, or is an individual financially interested
24

1 in any licensee or medical marijuana business located
2 within this state; and

3 2. The laboratory and a board or committee comprised of
4 licensed Oklahoma medical marijuana laboratories currently
5 accredited by the International Organization for Standardization
6 (ISO) shall provide to the Authority its recommendations for all
7 equipment and standards to be utilized by licensed medical marijuana
8 testing laboratories when testing samples of medical marijuana,
9 medical marijuana concentrate, and medical marijuana products as
10 well as standard operating procedures when extracting and testing
11 medical marijuana, medical marijuana concentrate, and medical
12 marijuana products. The recommendations shall be submitted to the
13 Authority no later than June 1, 2023. The Authority shall have
14 ninety (90) days from the date it receives the recommendations to
15 promulgate new rules or modify its current rules for laboratory
16 standards and testing. Beginning June 1, 2024, medical marijuana
17 testing laboratories renewing their medical marijuana business
18 license shall be subject to and comply with any new or modified
19 rules relating to the testing of medical marijuana, medical
20 marijuana concentrate, and medical marijuana products. The refusal
21 or failure of a medical marijuana testing laboratory licensee to
22 comply with new or modified rules relating to laboratory standards
23 and testing procedures promulgated under the provisions of this
24

1 paragraph shall result in the permanent revocation of the medical
2 marijuana testing laboratory license.

3 C. The Authority shall develop acceptable testing practices
4 including, but not limited to, testing, standards, quality control
5 analysis, equipment certification and calibration, process
6 validation, and chemical identification and substances used.

7 D. A person who is a direct beneficial owner of a medical
8 marijuana dispensary, medical marijuana commercial grower or medical
9 marijuana processor shall not be an owner of a laboratory.

10 E. A laboratory and a laboratory applicant shall comply with
11 all applicable local ordinances including, but not limited to,
12 zoning, occupancy, licensing and building codes.

13 F. A separate license shall be required for each specific
14 laboratory.

15 G. A medical marijuana testing laboratory license may be issued
16 to a person who performs testing on medical marijuana and medical
17 marijuana products for medical marijuana businesses, medical
18 marijuana research facilities, medical marijuana education
19 facilities, and testing on marijuana and marijuana products grown or
20 produced by a patient or caregiver on behalf of a patient, upon
21 verification of registration. A medical marijuana testing
22 laboratory may also conduct research related to the development and
23 improvement of its testing practices and procedures. No state-
24

1 approved medical marijuana testing facility shall operate unless a
2 medical laboratory director is on site during operational hours.

3 H. Laboratory applicants and licensees shall comply with the
4 application requirements of this section and shall submit such other
5 information as required for a medical marijuana business applicant,
6 in addition to any information the Authority may request for initial
7 approval and periodic evaluations during the approval period.

8 I. A medical marijuana testing laboratory may accept samples of
9 medical marijuana, medical marijuana concentrate or medical
10 marijuana product from a medical marijuana business, medical
11 marijuana research facility or medical marijuana education facility
12 for testing purposes only, which purposes may include the provision
13 of testing services for samples submitted by a medical marijuana
14 business for product development. The Authority may require a
15 medical marijuana business to submit a sample of medical marijuana,
16 medical marijuana concentrate or medical marijuana product to a
17 medical marijuana testing or quality assurance laboratory upon
18 demand.

19 J. A medical marijuana testing laboratory may accept samples of
20 medical marijuana, medical marijuana concentrate or medical
21 marijuana product from an individual person for testing only under
22 the following conditions:

23 1. The individual person is a patient or caregiver pursuant to
24 the Oklahoma Medical Marijuana and Patient Protection Act or is a
25

1 participant in an approved clinical or observational study conducted
2 by a research facility; and

3 2. The medical marijuana testing laboratory shall require the
4 patient or caregiver to produce a valid patient license and current
5 and valid photo identification.

6 K. A medical marijuana testing laboratory may transfer samples
7 to another medical marijuana testing laboratory for testing. All
8 laboratory reports provided to or by a medical marijuana business or
9 to a patient or caregiver shall identify the medical marijuana
10 testing laboratory that actually conducted the test.

11 L. A medical marijuana testing laboratory may utilize a
12 licensed medical marijuana transporter to transport samples of
13 medical marijuana, medical marijuana concentrate and medical
14 marijuana product for testing, in accordance with the Oklahoma
15 Medical Marijuana and Patient Protection Act and the rules adopted
16 pursuant thereto, between the originating medical marijuana business
17 requesting testing services and the destination laboratory
18 performing testing services.

19 M. The medical marijuana testing laboratory shall establish
20 policies to prevent the existence of or appearance of undue
21 commercial, financial or other influences that may diminish the
22 competency, impartiality and integrity of the testing processes or
23 results of the laboratory, or that may diminish public confidence in
24 the competency, impartiality and integrity of the testing processes

1 or results of the laboratory. At a minimum, employees, owners or
2 agents of a medical marijuana testing laboratory who participate in
3 any aspect of the analysis and results of a sample are prohibited
4 from improperly influencing the testing process, improperly
5 manipulating data or improperly benefiting from any ongoing
6 financial, employment, personal or business relationship with the
7 medical marijuana business that provided the sample. A medical
8 marijuana testing laboratory shall not test samples for any medical
9 marijuana business in which an owner, employee or agent of the
10 medical marijuana testing laboratory has any form of ownership or
11 financial interest in the medical marijuana business.

12 N. The Authority, pursuant to rules promulgated by the
13 Executive Director of the Authority, shall develop standards,
14 policies and procedures as necessary for:

15 1. The cleanliness and orderliness of a laboratory premises and
16 the location of the laboratory in a secure location, and inspection,
17 cleaning and maintenance of any equipment or utensils used for the
18 analysis of test samples;

19 2. Testing procedures, testing standards for cannabinoid and
20 terpenoid potency and safe levels of contaminants, process
21 validation, and remediation procedures. Process validation shall be
22 voluntary, and no licensee shall be required to validate their
23 process. The Authority shall develop standards and requirements for
24 a licensee to achieve process validation by January 1, 2024. The

1 standards, policies, and procedures for process validation shall
2 include, but not be limited to:

- 3 a. initial requirements to achieve process validation and
4 ongoing minimum testing requirements once a licensee
5 has achieved process validation,
- 6 b. requiring licensees to track their marijuana and
7 marijuana product inventory with the Authority's
8 designated seed-to-sale system provided the Authority
9 has selected a seed-to-sale system. This requirement
10 for compliance with the seed-to-sale system shall be
11 mandatory for licensees seeking to achieve process
12 validation whether or not compliance with a seed-to-
13 sale system is mandatory for all licensees,
- 14 c. requiring licensees that are utilizing process
15 validation to use a laboratory that is certified as a
16 certified process validation testing laboratory,
- 17 d. requiring licensees to record and document retention
18 policies, which at a minimum shall require licensees
19 to retain all documents and records related to process
20 validation. Such records shall be maintained by the
21 licensee for as long as the licensee is continuing to
22 operate under that validated process. Licensees shall
23 retain all such documents and records for at least
24 four (4) years after the licensee has stopped using

1 the validated process or after the licensee has made a
2 significant process change to a validated process.
3 Any significant process change to the validated
4 processes of a licensee is subject to the same
5 document retention requirements and shall be retained
6 for as long as the significant process change is part
7 of an ongoing validated process, and for at least four
8 (4) years after the licensee has stopped using the
9 validated process or after the licensee has made a
10 subsequent significant process change to the validated
11 process. The Authority shall promulgate rules for any
12 modifications to the validated processes,

13 e. requiring licensees to keep all records and documents
14 related to their process validation ready and
15 accessible at the address listed on their marijuana
16 business license for inspection or audit by the
17 Authority without any notice from the Authority,

18 f. a process for biannual inspections by the Authority
19 that, at a minimum, includes random testing of
20 products being produced under process validation. The
21 Authority shall be the entity that obtains the random
22 sample during the biannual inspections and shall have
23 access to all products being produced or grown under

1 process validation. The Authority shall take samples
2 to the quality assurance laboratory,

3 g. a process to revoke the authority of licensees to
4 operate under process validation,

5 h. punishment for violations of process validation that,
6 at a minimum, would prohibit a licensee from operating
7 under process validation for five (5) years and the
8 assessment of a fine not to exceed Fifty Thousand
9 Dollars (\$50,000.00). Any such fine levied against a
10 licensee found to have violated the laws or rules of
11 process validation shall be remitted to the Department
12 of Mental Health and Substance Abuse Services,

13 i. punishment for violations if an adulterated product
14 that was produced under process validation fails
15 testing and the batch or lot has been sold to a
16 dispensary, the first violation shall be the
17 assessment of a fine not to exceed Ten Thousand
18 Dollars (\$10,000.00) and a public recall of the
19 product. The licensee shall further be required to
20 revalidate the process. A second violation within two
21 (2) years of a previous violation shall be the
22 assessment of a fine not to exceed Seventy-five
23 Thousand Dollars (\$75,000.00) and a public recall of
24 the product. The licensee shall further be prohibited

1 from utilizing process validation for a minimum of
2 five (5) years. A third violation within two (2)
3 years of a previous violation shall be the assessment
4 of a fine of Two Hundred Fifty Thousand Dollars
5 (\$250,000.00) and a public recall of the product. The
6 licensee shall further be prohibited from utilizing
7 process validation,

8 j. any willful violation of process validation shall
9 result in the assessment of a fine of Two Hundred
10 Fifty Thousand Dollars (\$250,000.00) and a license
11 revocation hearing. A second willful violation of
12 process validation shall result in the assessment of a
13 fine of One Million Dollars (\$1,000,000.00) and a
14 hearing to permanently revoke the license,

15 k. an annual registration fee of Five Thousand Dollars
16 (\$5,000.00) per licensee, in addition to any other
17 fees due by the licensee, to be deposited in the
18 Oklahoma Medical Marijuana Authority Revolving Fund
19 for the enforcement of the laws and regulations of the
20 Authority,

21 l. establishing criteria for eligibility of testing
22 laboratories to be certified as a Certified Process
23 Validation Testing Laboratory and to conduct testing
24 for licensees pursuing or operating under process

1 validation. The criteria shall, at a minimum, pass
2 five (5) consecutive blind proficiency tests without a
3 failure over the course of six (6) months. The
4 proficiency tests shall be administered by the quality
5 assurance laboratory,

6 m. punishment for violations by a Certified Process
7 Validation Testing Laboratory that has been found to
8 have been falsifying data, providing misinformation,
9 or any unethical practices related to process
10 validation at a minimum shall prohibit a licensee from
11 operating under process validation for up to twenty-
12 five (25) years and the assessment of a fine not to
13 exceed One Million Dollars (\$1,000,000.00). Any such
14 fine levied against a licensee shall be remitted to
15 the Authority for deposit into the Oklahoma Medical
16 Marijuana Authority Revolving Fund. In addition to
17 this fine, in response to a finding of a willful
18 violation of process validation by the Authority, the
19 Authority shall also be authorized to collect, levy,
20 or impose any other fee, fine, penalty, or action as
21 allowed by law, and

22 n. a process to revoke the certification of a testing
23 laboratory that is seeking to be a Certified Process
24 Validation Testing Laboratory;

1 3. Controlled access areas for storage of medical marijuana and
2 medical marijuana product test samples, waste and reference
3 standards;

4 4. Records to be retained and computer systems to be utilized
5 by the laboratory;

6 5. The possession, storage and use by the laboratory of
7 reagents, solutions and reference standards;

8 6. A certificate of analysis (COA) for each lot of reference
9 standard;

10 7. The transport and disposal of unused marijuana, marijuana
11 products and waste;

12 8. The mandatory use by a laboratory of an inventory tracking
13 system to ensure all harvest and production batches or samples
14 containing medical marijuana, medical marijuana concentrate or
15 medical marijuana products are identified and tracked from the point
16 they are transferred from a medical marijuana business, a patient or
17 a caregiver through the point of transfer, destruction or disposal.
18 The inventory tracking system reporting shall include the results of
19 any tests that are conducted on medical marijuana, medical marijuana
20 concentrate or medical marijuana product;

21 9. Standards of performance;

22 10. The employment of laboratory personnel;

23 11. A written standard operating procedure manual to be
24 maintained and updated by the laboratory;

1 12. The successful participation in a proficiency testing
2 program approved by the Executive Director for each testing category
3 listed in this section, in order to obtain and maintain
4 certification;

5 13. The establishment of and adherence to a quality assurance
6 and quality control program to ensure sufficient monitoring of
7 laboratory processes and quality of results reported;

8 14. The immediate recall of medical marijuana or medical
9 marijuana products that test above allowable thresholds or are
10 otherwise determined to be unsafe;

11 15. The establishment by the laboratory of a system to document
12 the complete chain of custody for samples from receipt through
13 disposal;

14 16. The establishment by the laboratory of a system to retain
15 and maintain all required records, including business records, and
16 processes to ensure results are reported in a timely and accurate
17 manner; and

18 17. Any other aspect of laboratory testing of medical marijuana
19 or medical marijuana product deemed necessary by the Executive
20 Director.

21 O. A medical marijuana testing laboratory shall promptly
22 provide the Authority or designee of the Authority access to a
23 report of a test and any underlying data that is conducted on a
24 sample at the request of a medical marijuana business or qualified

1 patient. A medical marijuana testing laboratory shall also provide
2 access to the Authority or designee of the Authority to laboratory
3 premises and to any material or information requested by the
4 Authority to determine compliance with the requirements of this
5 section.

6 P. A medical marijuana testing laboratory shall retain all
7 results of laboratory tests conducted on marijuana or products for a
8 period of at least seven (7) years and shall make them available to
9 the Authority upon request.

10 Q. A medical marijuana testing laboratory shall test samples
11 from each final product harvest batch or final product batch, or
12 samples consistent with the rules promulgated for process
13 validation, as appropriate, of medical marijuana, medical marijuana
14 concentrate and medical marijuana product for each of the following
15 categories of testing, consistent with standards developed by the
16 Executive Director:

- 17 1. Microbials;
 - 18 2. Mycotoxins;
 - 19 3. Residual solvents;
 - 20 4. Pesticides;
 - 21 5. Tetrahydrocannabinol (THC) and other cannabinoid potency;
 - 22 6. Terpenoid type and concentration; and
 - 23 7. Heavy metals.
- 24
25

1 R. A licensed medical marijuana testing laboratory shall test
2 each final product batch. A grower shall separate each harvest of
3 usable marijuana into final harvest batches containing no more than
4 fifteen (15) pounds, with the exception of any plant material to be
5 sold to a licensed processor for the purposes of turning the plant
6 material into concentrate which may be separated into final harvest
7 batches of no more than fifty (50) pounds. A processor shall
8 separate each medical marijuana production lot into final production
9 batches containing no more than four (4) liters of concentrate or
10 nine (9) pounds for nonliquid products, and for final edible
11 products, the Oklahoma Medical Marijuana Authority shall be
12 authorized to promulgate rules on final products as necessary.
13 Provided, however, the Authority shall not require testing of final
14 products less often than every one thousand (1,000) grams of THC.
15 As used in this subsection, "final edible products" shall include,
16 but not be limited to, cookies, brownies, candies, gummies,
17 beverages and chocolates.

18 S. Medical marijuana testing laboratory licensure shall be
19 contingent upon successful on-site inspection, successful
20 participation in proficiency testing and ongoing compliance with the
21 applicable requirements in this section.

22 T. A medical marijuana testing laboratory shall be inspected
23 prior to initial licensure and up to two (2) times per year
24 thereafter by an inspector approved by the Authority. The Authority

1 may enter the licensed premises of a testing laboratory to conduct
2 investigations and additional inspections when the Authority
3 believes an investigation or additional inspection is necessary due
4 to a possible violation of applicable laws, rules or regulations.

5 U. Medical marijuana testing laboratories shall obtain
6 accreditation by an accrediting body approved by the Executive
7 Director or the Authority's quality assurance laboratory within one
8 (1) year of the date the initial license is issued. Renewal of any
9 medical marijuana testing laboratory license shall be contingent
10 upon accreditation in accordance with this subsection. All medical
11 marijuana testing laboratories shall obtain accreditation prior to
12 applying for and receiving a medical marijuana testing laboratory
13 license.

14 V. Unless authorized by the provisions of this section, a
15 commercial grower shall not transfer or sell medical marijuana and a
16 processor shall not transfer, sell or process into a concentrate or
17 product any medical marijuana, medical marijuana concentrate or
18 medical marijuana product unless samples from each final harvest
19 batch or final production batch, or samples consistent with the
20 rules promulgated for process validation, from which that medical
21 marijuana, medical marijuana concentrate or medical marijuana
22 product was derived has been tested by a medical marijuana testing
23 laboratory and passed all contaminant tests required by the Oklahoma
24 Medical Marijuana and Patient Protection Act and applicable laws,

1 rules and regulations. A licensed commercial grower may transfer
2 medical marijuana that has failed testing to a licensed processor in
3 accordance with the provisions of the Oklahoma Medical Marijuana and
4 Patient Protection Act and the rules and regulations promulgated by
5 the Executive Director.

6 W. Kief shall not be transferred or sold except as authorized
7 in the rules and regulations promulgated by the Executive Director.

8 X. A licensed commercial grower or licensed processor shall not
9 transfer any product to a licensed medical marijuana dispensary
10 until the product has undergone final product testing. Laboratory
11 testing that meets all contaminant tests and applicable laws, rules,
12 and regulations required by the Oklahoma Medical Marijuana and
13 Patient Protection Act shall only be required when the final product
14 is completed and prior to transfer to a licensed medical marijuana
15 dispensary, licensed medical marijuana patient, or licensed medical
16 marijuana caregiver.

17 SECTION 115. REPEALER 63 O.S. 2021, Section 427.17, as
18 last amended by Section 142, Chapter 452, O.S.L. 2024 (63 O.S. Supp.
19 2025, Section 427.17), is hereby repealed.

20 SECTION 116. AMENDATORY 66 O.S. 2021, Section 304, as
21 amended by Section 1, Chapter 31, O.S.L. 2025 (66 O.S. Supp. 2025,
22 Section 304), is amended to read as follows:

23 Section 304. A. The Department of Transportation is hereby
24 authorized and empowered:

1 1. To acquire, construct, reconstruct, repair, replace,
2 operate, and maintain railroad rights-of-way and trackage projects
3 at such locations and on such routes as it shall determine to be
4 feasible and economically sound;

5 2. To enter into agreements with the owners of operating
6 railroads for the acquisition or use of railroad rights-of-way and
7 trackage on such terms, conditions, rates, or rentals as the
8 Department may consider to be in the best interests of the state;

9 3. To enter directly into agreements with owners of operating
10 railroads or persons intending to operate as common carriers by rail
11 to sell, lease, or sell by lease-purchase agreement any state-owned
12 railroad property on such terms, conditions, or amounts as the
13 Department may consider to be in the best interests of the state and
14 to promote the purposes of the Railroad Revitalization Act. If the
15 operator under a lease-purchase agreement exercises the purchase
16 option, the purchase shall be subject to the approval of the
17 Transportation Commission;

18 4. Prior to the sale of any railroad asset owned by this state
19 or the Department of Transportation, a process of request for
20 proposal shall be initiated by the Department of Transportation.
21 Upon the issue date of a request for proposal regarding the sale of
22 any railroad asset owned by this state or the Department of
23 Transportation, interested parties will have no less than one
24 hundred twenty (120) days to provide a response. Following the

1 close of the one-hundred-twenty-day response period, the Department
2 of Transportation will conduct an evaluation of all submitted
3 proposals, and the Department may conduct an economic impact or
4 activity study of all proposals. The Director of the Department of
5 Transportation shall be responsible for preparing a recommendation
6 to the Transportation Commission, based on its evaluation of all
7 submitted proposals including, if available, the results of an
8 economic impact or activity study, provided the recommendation meets
9 all other statutory requirements needed for action by the
10 Commission. The Director shall have up to ninety (90) days, upon
11 the closing date of the request for proposal, to present his or her
12 recommendation to the Transportation Commission. The Transportation
13 Commission will be responsible for determining if the sale of
14 railroad assets within its jurisdiction is in the best interests of
15 this state and for authorizing the sale of such assets. All
16 proceeds from the sale shall be deposited into the Oklahoma Railroad
17 Maintenance Revolving Fund;

18 5. To acquire and hold real or personal property in the
19 exercise of its powers for the performance of its duties as
20 authorized by Section 302.1 et seq. of this title. Surplus property
21 may be disposed of by the Department;

22 6. To acquire in the name of the Department, by purchase or
23 otherwise on such terms and conditions and in such manner as it may
24 deem proper, or by exercise of the right of condemnation, such

1 public or private lands and personalty, including public parks,
2 playgrounds, or reservations, or parts thereof or rights therein,
3 rights-of-way, trackage, property, rights, easements, and interests
4 as it may deem necessary for carrying out the provisions of the
5 Railroad Revitalization Act;

6 7. To make and enter into all contracts and agreements
7 necessary or incidental to the performance of its duties and the
8 execution of its powers under the Railroad Revitalization Act, and
9 to employ rail planning and management consultants, consulting
10 engineers, attorneys, accountants, construction and financial
11 consultants, superintendents, managers, and such other employees and
12 agents as may be necessary in its judgment, and to fix their
13 compensation; provided, that all such expenses shall be payable
14 solely from funds made available under and pursuant to the
15 provisions of the Railroad Revitalization Act or from revenues;
16 provided further, no attorney employed by the Department, nor any
17 member of any law firm of which the member may be connected, shall
18 ever be paid any fee or compensation for any special or
19 extraordinary services;

20 8. To receive, accept, and expend funds from the state, any
21 federal agency, or from private sources, for rail planning and for
22 administration of railroad assistance projects, and for or in aid of
23 the acquisition, construction, reconstruction, replacement, repair,
24 maintenance, and operation of railroad rights-of-way and trackage

1 and for rail service continuation payments to railroad companies for
2 operating losses sustained by reasons of continuing service on a
3 line which may otherwise be abandoned or which may experience a
4 reduced level of service not in the public interest, where such
5 continuation of service is carried out under a written agreement
6 with the Department establishing the terms and conditions for such
7 payments, and to receive and accept funds, aid or contributions from
8 any source of either money, property, labor, or other things of
9 value, to be held, used, and applied only for the purposes for which
10 such funds, aid, or contributions may be made;

11 9. To adopt such rules and to do any and all things necessary
12 to comply with rules, regulations, or requirements of the United
13 States Department of Transportation, any successor thereof, the
14 Surface Transportation Board or any federal agency administering any
15 law enacted by the United States Congress or having funds available
16 for the purpose of the Department that are not inconsistent with or
17 contrary to the prohibitions and restrictions of Oklahoma law or
18 public interest;

19 10. To expend, not to exceed twenty percent (20%) of the funds
20 available in the Oklahoma Railroad Maintenance Revolving Fund during
21 any one (1) year, at locations approved by the Corporation
22 Commission, such Oklahoma Railroad Maintenance Revolving Fund monies
23 as may be budgeted by the Department of Transportation for the
24 purposes of installing signal lights, gate arms, or other active
25

1 warning devices where any public road, street, or highway crosses a
2 railroad right-of-way; provided, however, nothing in the Railroad
3 Revitalization Act shall negate, change, or otherwise modify any
4 existing statutory or common law duty of a railroad company;

5 11. To expend income and funds from the Oklahoma Railroad
6 Maintenance Revolving Fund in the exercise of any or all of the
7 foregoing powers; and

8 12. To do all things necessary or convenient to carry out the
9 powers expressly granted in Section 302.1 et seq. of this title.

10 B. It shall be unlawful for any member, officer, or employee of
11 the Department to transact with the Department, either directly or
12 indirectly, any business for profit of such member, officer, or
13 employee; and any person, firm, or corporation knowingly
14 participating therein shall be equally liable for a violation of
15 this provision.

16 The term "business for profit" shall include, but not be limited
17 to, the acceptance or payment of any fee, commission, gift, or
18 consideration to such member, officer, or employee.

19 Violation of this provision shall constitute a Class D1 felony
20 offense and upon conviction shall be punishable by incarceration ~~in~~
21 ~~the Oklahoma State Penitentiary for a term not to exceed five (5)~~
22 ~~years~~ as provided for in subsections B through F of Section 20N of
23 Title 21 of the Oklahoma Statutes, or by a fine not less than Five
24

1 Hundred Dollars (\$500.00) and not more than Five Thousand Dollars
2 (\$5,000.00), or by both such imprisonment and fine.

3 C. All meetings of the Department shall be open public
4 meetings, and all records shall be public records, except when
5 considering personnel.

6 SECTION 117. REPEALER 66 O.S. 2021, Section 304, as
7 amended by Section 556, Chapter 486, O.S.L. 2025 (66 O.S. Supp.
8 2025, Section 304), is hereby repealed.

9 SECTION 118. AMENDATORY 68 O.S. 2021, Section 1353, as
10 last amended by Section 4, Chapter 441, O.S.L. 2024 (68 O.S. Supp.
11 2025, Section 1353), is amended to read as follows:

12 Section 1353. A. It is hereby declared to be the purpose of
13 the Oklahoma Sales Tax Code to provide funds for the financing of
14 the program provided for by the Oklahoma Social Security Act and to
15 provide revenues for the support of the functions of the state
16 government of Oklahoma, and for this purpose it is hereby expressly
17 provided that, revenues derived pursuant to the provisions of the
18 Oklahoma Sales Tax Code, subject to the apportionment requirements
19 for the Oklahoma Tax Commission and Office of Management and
20 Enterprise Services Joint Computer Enhancement Fund provided by
21 Section 265 of this title, and further subject to the apportionment
22 requirement provided in subsection D of this section, shall be
23 apportioned as follows:
24

1 1. Except as provided in subsection C, D, and E of this
2 section, the following amounts shall be paid to the State Treasurer
3 to be placed to the credit of the General Revenue Fund to be paid
4 out pursuant to direct appropriation by the Legislature:

5 Fiscal Year	Amount
6 FY 2003 and FY 2004	86.04%
7 FY 2005	85.83%
8 FY 2006	85.54%
9 FY 2007	85.04%
10 FY 2008 through FY 2022	83.61%
11 FY 2023 through FY 2027	83.36%
12 FY 2028 and each fiscal year thereafter	83.61%;

13 2. The following amounts shall be paid to the State Treasurer
14 to be placed to the credit of the Education Reform Revolving Fund of
15 the State Department of Education:

16 a. for FY 2003, FY 2004 and FY 2005, ten and forty-two
17 one-hundredths percent (10.42%),

18 b. for FY 2006 through FY 2020, ten and forty-six one-
19 hundredths percent (10.46%),

20 c. for FY 2021:

21 (1) for the month beginning July 1, 2020, through the
22 month ending August 31, 2020, ten and forty-six
23 one-hundredths percent (10.46%), and

- (2) for the month beginning September 1, 2020,
through the month ending June 30, 2021, eleven
and ninety-six one-hundredths percent (11.96%),
d. for FY 2022 and each fiscal year thereafter, ten and
forty-six one-hundredths percent (10.46%);

3. The following amounts shall be paid to the State Treasurer
to be placed to the credit of the Teachers' Retirement System
Dedicated Revenue Revolving Fund:

Fiscal Year	Amount
FY 2003 and FY 2004	3.54%
FY 2005	3.75%
FY 2006	4.0%
FY 2007	4.5%
FY 2008 through FY 2020	5.0%
FY 2021:	
a. for the month beginning July 1, 2020, through the month ending August 31, 2020	5.0%
b. for the month beginning September 1, 2020, through the month ending June 30, 2021	3.5%
FY 2022	5.0%
FY 2023 through FY 2027	5.25%

FY 2028 and each fiscal year thereafter 5.0%;

4. a. except as otherwise provided in subparagraph b of this paragraph, for the fiscal year beginning July 1, 2022, and for each fiscal year thereafter, eighty-seven one-hundredths percent (0.87%) shall be paid to the State Treasurer to be further apportioned as follows:

(1) twenty-four percent (24%) shall be placed to the credit of the Oklahoma Tourism Promotion Revolving Fund, but in no event shall such apportionment exceed Five Million Dollars (\$5,000,000.00) in any fiscal year,

(2) forty-four percent (44%) shall be placed to the credit of the Oklahoma Tourism Capital Improvement Revolving Fund, but in no event shall such apportionment exceed Nine Million Dollars (\$9,000,000.00) in any fiscal year, and

(3) thirty-two percent (32%) shall be placed to the credit of the Oklahoma Route 66 Commission Revolving Fund, but in no event shall such apportionment exceed Six Million Six Hundred Thousand Dollars (\$6,600,000.00) in any fiscal year, and

1 b. any amounts which exceed the limitations of
2 subparagraph a of this paragraph shall be placed to
3 the credit of the General Revenue Fund; and

4 5. For the fiscal year beginning July 1, 2015, and for each
5 fiscal year thereafter, six one-hundredths percent (0.06%) shall be
6 placed to the credit of the Oklahoma Historical Society Capital
7 Improvement and Operations Revolving Fund, but in no event shall
8 such apportionment exceed the total amount apportioned pursuant to
9 this paragraph for the fiscal year ending on June 30, 2015. Any
10 amounts which exceed the limitations of this paragraph shall be
11 placed to the credit of the General Revenue Fund.

12 B. Provided, for the fiscal year beginning July 1, 2007, and
13 every fiscal year thereafter, an amount of revenue shall be
14 apportioned to each municipality or county which levies a sales tax
15 subject to the provisions of Section 1357.10 of this title and
16 subsection F of Section 2701 of this title equal to the amount of
17 sales tax revenue of such municipality or county exempted by the
18 provisions of Section 1357.10 of this title and subsection F of
19 Section 2701 of this title. The Oklahoma Tax Commission shall
20 promulgate and adopt rules necessary to implement the provisions of
21 this subsection.

22 C. From the monies that would otherwise be apportioned to the
23 General Revenue Fund pursuant to subsection A of this section, there
24 shall be apportioned the following amounts:

1. For the month ending August 31, 2019:

- a. Nine Million Six Hundred Thousand Dollars (\$9,600,000.00) to the credit of the State Highway Construction and Maintenance Fund created in Section 1501 of Title 69 of the Oklahoma Statutes, and
- b. Two Million Dollars (\$2,000,000.00) to the credit of the Oklahoma Railroad Maintenance Revolving Fund created in Section 309 of Title 66 of the Oklahoma Statutes;

2. For the month ending September 30, 2019:

- a. Twenty Million Dollars (\$20,000,000.00) to the credit of the State Highway Construction and Maintenance Fund created in Section 1501 of Title 69 of the Oklahoma Statutes, and
- b. Two Million Dollars (\$2,000,000.00) to the credit of the Oklahoma Railroad Maintenance Revolving Fund created in Section 309 of Title 66 of the Oklahoma Statutes;

3. For the month ending October 31, 2019:

- a. Twenty Million Dollars (\$20,000,000.00) to the credit of the State Highway Construction and Maintenance Fund created in Section 1501 of Title 69 of the Oklahoma Statutes, and

1 b. Two Million Dollars (\$2,000,000.00) to the credit of
2 the Oklahoma Railroad Maintenance Revolving Fund
3 created in Section 309 of Title 66 of the Oklahoma
4 Statutes;

5 4. For the month ending November 30, 2019:

6 a. Twenty Million Dollars (\$20,000,000.00) to the credit
7 of the State Highway Construction and Maintenance Fund
8 created in Section 1501 of Title 69 of the Oklahoma
9 Statutes, and

10 b. Two Million Dollars (\$2,000,000.00) to the credit of
11 the Oklahoma Railroad Maintenance Revolving Fund
12 created in Section 309 of Title 66 of the Oklahoma
13 Statutes; and

14 5. For the month ending December 31, 2019:

15 a. Twenty Million Dollars (\$20,000,000.00) to the credit
16 of the State Highway Construction and Maintenance Fund
17 created in Section 1501 of Title 69 of the Oklahoma
18 Statutes, and

19 b. Two Million Dollars (\$2,000,000.00) to the credit of
20 the Oklahoma Railroad Maintenance Revolving Fund
21 created in Section 309 of Title 66 of the Oklahoma
22 Statutes.

23 D. For fiscal year 2029, and each subsequent fiscal year, Fifty
24 Million Dollars (\$50,000,000.00) shall be placed to the credit of
25

1 the Oklahoma Capital Assets Maintenance and Protection Fund created
2 in Section 2 of this act.

3 E. For the fiscal year ending June 30, 2023, and for each
4 fiscal year thereafter, after the apportionment required by
5 subsection D of this section, but before any other apportionment to
6 the General Revenue Fund is made, there shall be apportioned to the
7 Municipal Road Drilling Activity Revolving Fund created pursuant to
8 Section 37-501 of Title 11 of the Oklahoma Statutes the amount of
9 Five Million Dollars (\$5,000,000.00) for use by municipalities to
10 repair roads as prescribed pursuant to the requirements of Section
11 37-501 of Title 11 of the Oklahoma Statutes.

12 SECTION 119. REPEALER 68 O.S. 2021, Section 1353, as
13 amended by Section 1, Chapter 240, O.S.L. 2022 (68 O.S. Supp. 2025,
14 Section 1353), is hereby repealed.

15 SECTION 120. AMENDATORY 68 O.S. 2021, Section 1356, as
16 last amended by Section 1, Chapter 392, O.S.L. 2025 (68 O.S. Supp.
17 2025, Section 1356), is amended to read as follows:

18 Section 1356. Exemptions - Governmental and nonprofit entities.

19 There are hereby specifically exempted from the tax levied by
20 Section 1350 et seq. of this title:

21 1. ~~sale~~ Sales of tangible personal property or services to the
22 United States government or to this state, any political subdivision
23 of this state, or any agency of a political subdivision of this
24 state; provided, all sales to contractors in connection with the

1 performance of any contract with the United States government, this
2 state, or any of its political subdivisions shall not be exempted
3 from the tax levied by Section 1350 et seq. of this title, except as
4 hereinafter provided;

5 2. Sales of property to agents appointed by or under contract
6 with agencies or instrumentalities of the United States government
7 if ownership and possession of such property transfers immediately
8 to the United States government;

9 3. Sales of property to agents appointed by or under contract
10 with a political subdivision of this state if the sale of such
11 property is associated with the development of a qualified federal
12 facility, as provided in the Oklahoma Federal Facilities Development
13 Act, and if ownership and possession of such property transfers
14 immediately to the political subdivision or the state;

15 4. Sales made directly by county, district, or state fair
16 authorities of this state, upon the premises of the fair authority,
17 for the sole benefit of the fair authority or sales of admission
18 tickets to such fairs or fair events at any location in the state
19 authorized by county, district, or state fair authorities; provided,
20 the exemption provided by this paragraph for admission tickets to
21 fair events shall apply only to any portion of the admission price
22 that is retained by or distributed to the fair authority. As used
23 in this paragraph, "fair event" shall be limited to an event held on
24

1 the premises of the fair authority in conjunction with and during
2 the time period of a county, district, or state fair;

3 5. ~~sale~~ Sales of food in cafeterias or lunchrooms of elementary
4 schools, high schools, colleges, or universities which are operated
5 primarily for teachers and pupils and are not operated primarily for
6 the public or for profit;

7 6. Dues paid to fraternal, religious, civic, charitable, or
8 educational societies or organizations by regular members thereof,
9 provided, such societies or organizations operate under what is
10 commonly termed the lodge plan or system, and provided such
11 societies or organizations do not operate for a profit which inures
12 to the benefit of any individual member or members thereof to the
13 exclusion of other members and dues paid monthly or annually to
14 privately owned scientific and educational libraries by members
15 sharing the use of services rendered by such libraries with students
16 interested in the study of geology, petroleum engineering, or
17 related subjects;

18 7. ~~sale~~ Sales of tangible personal property or services to or
19 by churches, except sales made in the course of business for profit
20 or savings, competing with other persons engaged in the same, or a
21 similar business or ~~sale~~ sales of tangible personal property or
22 services by an organization exempt from federal income tax pursuant
23 to Section 501(c)(3) of the Internal Revenue Code of 1986, as
24 amended, made on behalf of or at the request of a church or churches

1 if the sale of such property is conducted not more than once each
2 calendar year for a period not to exceed three (3) days by the
3 organization and proceeds from the sale of such property are used by
4 the church or churches or by the organization for charitable
5 purposes;

6 8. The amount of proceeds received from the ~~sale~~ sales of
7 admission tickets which is separately stated on the ticket of
8 admission for the repayment of money borrowed by any accredited
9 state-supported college or university or any public trust of which a
10 county in this state is the beneficiary, for the purpose of
11 constructing or enlarging any facility to be used for the staging of
12 an athletic event, a theatrical production, or any other form of
13 entertainment, edification or cultural cultivation to which entry is
14 gained with a paid admission ticket. Such facilities include, but
15 are not limited to, athletic fields, athletic stadiums, field
16 houses, amphitheaters, and theaters. To be eligible for this sales
17 tax exemption, the amount separately stated on the admission ticket
18 shall be a surcharge which is imposed, collected, and used for the
19 sole purpose of servicing or aiding in the servicing of debt
20 incurred by the college or university to effect the capital
21 improvements hereinbefore described;

22 9. Sales of tangible personal property or services to the
23 council organizations or similar state supervisory organizations of
24 the Boy Scouts of America, Girl Scouts of the U.S.A., and Camp Fire;

1 10. ~~sale~~ Sales of tangible personal property or services to any
2 county, municipality, rural water district, public school district,
3 city-county library system, the institutions of The Oklahoma State
4 System of Higher Education, the Grand River Dam Authority, the
5 Northeast Oklahoma Public Facilities Authority, the Oklahoma
6 Municipal Power Authority, City of Tulsa-Rogers County Port
7 Authority, Muskogee City-County Port Authority, the Oklahoma
8 Department of Veterans Affairs, the Broken Bow Economic Development
9 Authority, Ardmore Development Authority, Durant Industrial
10 Authority, Oklahoma Ordnance Works Authority, Central Oklahoma
11 Master Conservancy District, Arbuckle Master Conservancy District,
12 Fort Cobb Reservoir Master Conservancy District, Foss Reservoir
13 Master Conservancy District, Mountain Park Master Conservancy
14 District, Waurika Lake Master Conservancy District and the Office of
15 Management and Enterprise Services only when carrying out a public
16 construction contract on behalf of the Oklahoma Department of
17 Veterans Affairs, the Oklahoma State University Medical Authority
18 and Trust, the Oklahoma State University Veterinary Medicine
19 Authority and Trust, and effective July 1, 2022, the University
20 Hospitals Trust, or to any person with whom any of the above-named
21 subdivisions or agencies of this state has duly entered into a
22 public contract pursuant to law, necessary for carrying out such
23 public contract or to any subcontractor to such a public contract.
24 Any person making purchases on behalf of such subdivision or agency

1 of this state shall certify, in writing, on the copy of the invoice
2 or sales ticket to be retained by the vendor that the purchases are
3 made for and on behalf of such subdivision or agency of this state
4 and set out the name of such public subdivision or agency. Any
5 person who wrongfully or erroneously certifies that purchases are
6 for any of the above-named subdivisions or agencies of this state or
7 who otherwise violates this section shall be guilty of a misdemeanor
8 and upon conviction thereof shall be fined an amount equal to double
9 the amount of sales tax involved or incarcerated for not more than
10 sixty (60) days or both;

11 11. Sales of tangible personal property or services to private
12 institutions of higher education and private elementary and
13 secondary institutions of education accredited by the State
14 Department of Education or registered by the State Board of
15 Education for purposes of participating in federal programs or
16 accredited as defined by the Oklahoma State Regents for Higher
17 Education which are exempt from taxation pursuant to the provisions
18 of the Internal Revenue Code of 1986, as amended, 26 U.S.C., Section
19 501(c) (3) including materials, supplies, and equipment used in the
20 construction and improvement of buildings and other structures owned
21 by the institutions and operated for educational purposes.

22 Any person, firm, agency, or entity making purchases on behalf
23 of any institution, agency or subdivision in this state, shall
24 certify in writing, on the copy of the invoice or sales ticket the

1 nature of the purchases, and violation of this paragraph shall be a
2 misdemeanor as set forth in paragraph 10 of this section;

3 12. Tuition and educational fees paid to private institutions
4 of higher education and private elementary and secondary
5 institutions of education accredited by the State Department of
6 Education or registered by the State Board of Education for purposes
7 of participating in federal programs or accredited as defined by the
8 Oklahoma State Regents for Higher Education which are exempt from
9 taxation pursuant to the provisions of the Internal Revenue Code of
10 1986, as amended, 26 U.S.C., Section 501(c)(3);

11 13. a. Sales of tangible personal property made by:

- 12 (1) a public school,
- 13 (2) a private school offering instruction for grade
14 levels kindergarten through twelfth grade,
- 15 (3) a public school district,
- 16 (4) a public or private school board,
- 17 (5) a public or private school student group or
18 organization,
- 19 (6) a parent-teacher association or organization
20 other than as specified in subparagraph b of this
21 paragraph, or
- 22 (7) public or private school personnel for purposes
23 of raising funds for the benefit of a public or
24 private school, public school district, public or

private school board, or public or private school
student group or organization, or

- b. Sales of tangible personal property made by or to
nonprofit parent-teacher associations or organizations
exempt from taxation pursuant to the provisions of the
Internal Revenue Code of 1986, as amended, 26 U.S.C.,
Section 501(c)(3), nonprofit local public or private
school foundations which solicit money or property in
the name of any public or private school or public
school district.

The exemption provided by this paragraph for sales made by a
public or private school shall be limited to those public or private
schools accredited by the State Department of Education or
registered by the State Board of Education for purposes of
participating in federal programs. ~~Sale~~ Sales of tangible personal
property in this paragraph shall include ~~sale~~ sales of admission
tickets and concessions at athletic events;

14. Sales of tangible personal property by:

- a. local 4-H clubs,
b. county, regional or state 4-H councils,
c. county, regional or state 4-H committees,
d. 4-H leader associations,
e. county, regional or state 4-H foundations, and
f. authorized 4-H camps and training centers.

1 The exemption provided by this paragraph shall be limited to
2 sales for the purpose of raising funds for the benefit of such
3 organizations. ~~Sale~~ Sales of tangible personal property exempted by
4 this paragraph shall include ~~sale~~ sales of admission tickets;

5 15. The first Seventy-five Thousand Dollars (\$75,000.00) each
6 year from ~~sale~~ sales of tickets and concessions at athletic events
7 by each organization exempt from taxation pursuant to the provisions
8 of the Internal Revenue Code of 1986, as amended, 26 U.S.C., Section
9 501(c) (4);

10 16. Sales of tangible personal property or services to any
11 person with whom the Oklahoma Tourism and Recreation Department has
12 entered into a public contract and which is necessary for carrying
13 out such contract to assist the Department in the development and
14 production of advertising, promotion, publicity, and public
15 relations programs;

16 17. Sales of tangible personal property or services to fire
17 departments organized pursuant to Section 592 of Title 18 of the
18 Oklahoma Statutes, which items are to be used for the purposes of
19 the fire department. Any person making purchases on behalf of any
20 such fire department shall certify, in writing, on the copy of the
21 invoice or sales ticket to be retained by the vendor that the
22 purchases are made for and on behalf of such fire department and set
23 out the name of such fire department. Any person who wrongfully or
24 erroneously certifies that the purchases are for any such fire
25

1 department or who otherwise violates the provisions of this section
2 shall be deemed guilty of a misdemeanor and upon conviction thereof,
3 shall be fined an amount equal to double the amount of sales tax
4 involved or incarcerated for not more than sixty (60) days, or both;

5 18. Complimentary or free tickets for admission to places of
6 amusement, sports, entertainment, exhibition, display, or other
7 recreational events or activities which are issued through a box
8 office or other entity which is operated by a state institution of
9 higher education with institutional employees or by a municipality
10 with municipal employees;

11 19. The first Fifteen Thousand Dollars (\$15,000.00) each year
12 from sales of tangible personal property by fire departments
13 organized pursuant to Title 11, 18, or 19 of the Oklahoma Statutes
14 for the purposes of raising funds for the benefit of the fire
15 department. Fire departments selling tangible personal property for
16 the purposes of raising funds shall be limited to no more than six
17 (6) days each year to raise such funds in order to receive the
18 exemption granted by this paragraph;

19 20. Sales of tangible personal property or services to any Boys
20 & Girls Clubs of America affiliate in this state which is not
21 affiliated with the Salvation Army and which is exempt from taxation
22 pursuant to the provisions of the Internal Revenue Code of 1986, as
23 amended, 26 U.S.C., Section 501(c)(3);

1 21. Sales of tangible personal property or services to any
2 organization, which takes court-adjudicated juveniles for purposes
3 of rehabilitation, and which is exempt from taxation pursuant to the
4 provisions of the Internal Revenue Code of 1986, as amended, 26
5 U.S.C., Section 501(c)(3), provided that at least fifty percent
6 (50%) of the juveniles served by such organization are court
7 adjudicated and the organization receives state funds in an amount
8 less than ten percent (10%) of the annual budget of the
9 organization;

10 22. Sales of tangible personal property or services to:

- 11 a. any health center as defined in Section 254b of Title
12 42 of the United States Code,
- 13 b. any clinic receiving disbursements of state monies
14 from the Indigent Health Care Revolving Fund pursuant
15 to the provisions of Section 66 of Title 56 of the
16 Oklahoma Statutes,
- 17 c. any community-based health center which meets all of
18 the following criteria:
 - 19 (1) provides primary care services at no cost to the
20 recipient, and
 - 21 (2) is exempt from taxation pursuant to the
22 provisions of Section 501(c)(3) of the Internal
23 Revenue Code of 1986, as amended, 26 U.S.C.,
24 Section 501(c)(3), and

1 d. any community mental health center as defined in
2 Section 3-302 of Title 43A of the Oklahoma Statutes;

3 23. Dues or fees including free or complimentary dues or fees
4 which have a value equivalent to the charge that could have
5 otherwise been made, to YMCAs, YWCAs, or municipally-owned
6 recreation centers for the use of facilities and programs;

7 24. The first Fifteen Thousand Dollars (\$15,000.00) each year
8 from sales of tangible personal property or services to or by a
9 cultural organization established to sponsor and promote
10 educational, charitable, and cultural events for disadvantaged
11 children, and which organization is exempt from taxation pursuant to
12 the provisions of the Internal Revenue Code of 1986, as amended, 26
13 U.S.C., Section 501(c) (3);

14 25. Sales of tangible personal property or services to museums
15 or other entities which have been accredited by the American
16 Alliance of Museums. Any person making purchases on behalf of any
17 such museum or other entity shall certify, in writing, on the copy
18 of the invoice or sales ticket to be retained by the vendor that the
19 purchases are made for and on behalf of such museum or other entity
20 and set out the name of such museum or other entity. Any person who
21 wrongfully or erroneously certifies that the purchases are for any
22 such museum or other entity or who otherwise violates the provisions
23 of this paragraph shall be deemed guilty of a misdemeanor and, upon
24 conviction thereof, shall be fined an amount equal to double the

1 amount of sales tax involved or incarcerated for not more than sixty
2 (60) days, or by both such fine and incarceration;

3 26. Sales of tickets for admission by any museum accredited by
4 the American Alliance of Museums. In order to be eligible for the
5 exemption provided by this paragraph, an amount equivalent to the
6 amount of the tax which would otherwise be required to be collected
7 pursuant to the provisions of Section 1350 et seq. of this title
8 shall be separately stated on the admission ticket and shall be
9 collected and used for the sole purpose of servicing or aiding in
10 the servicing of debt incurred by the museum to effect the
11 construction, enlarging or renovation of any facility to be used for
12 entertainment, edification, or cultural cultivation to which entry
13 is gained with a paid admission ticket;

14 27. Sales of tangible personal property or services occurring
15 on or after June 1, 1995, to children's homes which are supported or
16 sponsored by one or more churches, members of which serve as
17 trustees of the home;

18 28. Sales of tangible personal property or services to the
19 organization known as the Disabled American Veterans, Department of
20 Oklahoma, ~~Inc.~~, and subordinate chapters thereof;

21 29. Sales of tangible personal property or services to youth
22 camps which are supported or sponsored by one or more churches,
23 members of which serve as trustees of the organization;

1 30. a. Until July 1, 2022, transfer of tangible personal
2 property made pursuant to Section 3226 of Title 63 of
3 the Oklahoma Statutes by the University Hospitals
4 Trust, and

5 b. Effective July 1, 2022, transfer of tangible personal
6 property or services to or by:

7 (1) the University Hospitals Trust created pursuant
8 to Section 3224 of Title 63 of the Oklahoma
9 Statutes, or

10 (2) nonprofit entities which are exempt from taxation
11 pursuant to the provisions of the Internal
12 Revenue Code of 1986, as amended, of the United
13 States, 26 U.S.C., Section 501(c)(3), which have
14 entered into a joint operating agreement with the
15 University Hospitals Trust;

16 31. Sales of tangible personal property or services to a
17 municipality, county, or school district pursuant to a lease or
18 lease-purchase agreement executed between the vendor and a
19 municipality, county, or school district. A copy of the lease or
20 lease-purchase agreement shall be retained by the vendor;

21 32. Sales of tangible personal property or services to any
22 spaceport user, as defined in the Oklahoma Space Industry
23 Development Act;

1 33. The sale, use, storage, consumption, or distribution in
2 this state, whether by the importer, exporter, or another person, of
3 any satellite or any associated launch vehicle including components
4 of, and parts and motors for, any such satellite or launch vehicle,
5 imported or caused to be imported into this state for the purpose of
6 export by means of launching into space. This exemption provided by
7 this paragraph shall not be affected by:

- 8 a. the destruction in whole or in part of the satellite
- 9 or launch vehicle,
- 10 b. the failure of a launch to occur or be successful, or
- 11 c. the absence of any transfer or title to, or possession
- 12 of, the satellite or launch vehicle after launch;

13 34. The sale, lease, use, storage, consumption, or distribution
14 in this state of any space facility, space propulsion system or
15 space vehicle, satellite, or station of any kind possessing space
16 flight capacity including components thereof;

17 35. The sale, lease, use, storage, consumption, or distribution
18 in this state of tangible personal property, placed on or used
19 aboard any space facility, space propulsion system or space vehicle,
20 satellite, or station possessing space flight capacity, which is
21 launched into space, irrespective of whether such tangible property
22 is returned to this state for subsequent use, storage, or
23 consumption in any manner;

1 36. The sale, lease, use, storage, consumption, or distribution
2 in this state of tangible personal property meeting the definition
3 of "section 38 property" as defined in Sections 48(a)(1)(A) and
4 (B)(i) of the Internal Revenue Code of 1986, as amended, that is an
5 integral part of and used primarily in support of space flight;
6 however, section 38 property used in support of space flight shall
7 not include general office equipment, any boat, mobile home, motor
8 vehicle, or other vehicle of a class or type required to be
9 registered, licensed, titled or documented in this state or by the
10 United States government, or any other property not specifically
11 suited to supporting space activity. The term "in support of space
12 flight", for purposes of this paragraph, means the altering,
13 monitoring, controlling, regulating, adjusting, servicing, or
14 repairing of any space facility, space propulsion systems or space
15 vehicle, satellite, or station possessing space flight capacity
16 including the components thereof;

17 37. The purchase or lease of machinery and equipment for use at
18 a fixed location in this state, which is used exclusively in the
19 manufacturing, processing, compounding, or producing of any space
20 facility, space propulsion system or space vehicle, satellite, or
21 station of any kind possessing space flight capacity. Provided, the
22 exemption provided for in this paragraph shall not be allowed unless
23 the purchaser or lessee signs an affidavit stating that the item or
24 items to be exempted are for the exclusive use designated herein.

1 Any person furnishing a false affidavit to the vendor for the
2 purpose of evading payment of any tax imposed by Section 1354 of
3 this title shall be subject to the penalties provided by law. As
4 used in this paragraph, "machinery and equipment" means "section 38
5 property" as defined in Sections 48(a)(1)(A) and (B)(i) of the
6 Internal Revenue Code of 1986, as amended, which is used as an
7 integral part of the manufacturing, processing, compounding, or
8 producing of items of tangible personal property. Such term
9 includes parts and accessories only to the extent that the exemption
10 thereof is consistent with the provisions of this paragraph;

11 38. The amount of a surcharge or any other amount which is
12 separately stated on an admission ticket which is imposed, collected
13 and used for the sole purpose of constructing, remodeling, or
14 enlarging facilities of a public trust having a municipality or
15 county as its sole beneficiary;

16 39. Sales of tangible personal property or services which are
17 directly used in or for the benefit of a state park in this state,
18 which are made to an organization which is exempt from taxation
19 pursuant to the provisions of the Internal Revenue Code of 1986, as
20 amended, 26 U.S.C., Section 501(c)(3) and which is organized
21 primarily for the purpose of supporting one or more state parks
22 located in this state;

23 40. The sale, lease, or use of parking privileges by an
24 institution of The Oklahoma State System of Higher Education;

1 41. Sales of tangible personal property or services for use on
2 campus or school construction projects for the benefit of
3 institutions of The Oklahoma State System of Higher Education,
4 private institutions of higher education accredited by the Oklahoma
5 State Regents for Higher Education, or any public school or school
6 district when such projects are financed by or through the use of
7 nonprofit entities which are exempt from taxation pursuant to the
8 provisions of the Internal Revenue Code of 1986, as amended, 26
9 U.S.C., Section 501(c) (3);

10 42. Sales of tangible personal property or services by an
11 organization which is exempt from taxation pursuant to the
12 provisions of the Internal Revenue Code of 1986, as amended, 26
13 U.S.C., Section 501(c) (3), in the course of conducting a national
14 championship sports event, but only if all or a portion of the
15 payment in exchange therefor would qualify as the receipt of a
16 qualified sponsorship payment described in Internal Revenue Code of
17 1986, as amended, 26 U.S.C., Section 513(i). Sales exempted
18 pursuant to this paragraph shall be exempt from all Oklahoma sales,
19 use, excise, and gross receipts taxes;

20 43. Sales of tangible personal property or services to or by an
21 organization which:

- 22 a. is exempt from taxation pursuant to the provisions of
23 the Internal Revenue Code of 1986, as amended, 26
24 U.S.C., Section 501(c) (3),

- 1 b. is affiliated with a comprehensive university within
2 The Oklahoma State System of Higher Education, and
3 c. has been organized primarily for the purpose of
4 providing education and teacher training and
5 conducting events relating to robotics;

6 44. The first Fifteen Thousand Dollars (\$15,000.00) each year
7 from sales of tangible personal property to or by youth athletic
8 teams which are part of an athletic organization exempt from
9 taxation pursuant to the provisions of the Internal Revenue Code of
10 1986, as amended, 26 U.S.C., Section 501(c)(4), for the purposes of
11 raising funds for the benefit of the team;

12 45. Sales of tickets for admission to a collegiate athletic
13 event that is held in a facility owned or operated by a municipality
14 or a public trust of which the municipality is the sole beneficiary
15 and that actually determines or is part of a tournament or
16 tournament process for determining a conference tournament
17 championship, a conference championship, or a national championship;

18 46. Sales of tangible personal property or services to or by an
19 organization which is exempt from taxation pursuant to the
20 provisions of the Internal Revenue Code of 1986, as amended, 26
21 U.S.C., Section 501(c)(3) and is operating the Oklahoma City
22 National Memorial and Museum, an affiliate of the National Park
23 System;

1 47. Sales of tangible personal property or services to
2 organizations which are exempt from federal taxation pursuant to the
3 provisions of Section 501(c)(3) of the Internal Revenue Code of
4 1986, as amended, 26 U.S.C., Section 501(c)(3), the memberships of
5 which are limited to honorably discharged veterans, and which
6 furnish financial support to area veterans' organizations to be used
7 for the purpose of constructing a memorial or museum;

8 48. Sales of tangible personal property or services on or after
9 January 1, 2003, to an organization which is exempt from taxation
10 pursuant to the provisions of the Internal Revenue Code of 1986, as
11 amended, 26 U.S.C., Section 501(c)(3) that is expending monies
12 received from a private foundation grant in conjunction with
13 expenditures of local sales tax revenue to construct a local public
14 library;

15 49. Sales of tangible personal property or services to a state
16 that borders this state or any political subdivision of that state,
17 but only to the extent that the other state or political subdivision
18 exempts or does not impose a tax on similar sales of items to this
19 state or a political subdivision of this state;

20 50. Effective July 1, 2005, sales of tangible personal property
21 or services to the career technology student organizations under the
22 direction and supervision of the Oklahoma Department of Career and
23 Technology Education;
24
25

1 51. Sales of tangible personal property to a public trust
2 having either a single city, town or county or multiple cities,
3 towns or counties, or combination thereof as beneficiary or
4 beneficiaries or a nonprofit organization which is exempt from
5 taxation pursuant to the provisions of the Internal Revenue Code of
6 1986, as amended, 26 U.S.C., Section 501(c)(3) for the purpose of
7 constructing improvements to or expanding a hospital or nursing home
8 owned and operated by any such public trust or nonprofit entity
9 prior to July 1, 2008, in counties with a population of less than
10 one hundred thousand (100,000) persons, according to the most recent
11 Federal Decennial Census. As used in this paragraph, "constructing
12 improvements to or expanding" shall not mean any expense for routine
13 maintenance or general repairs and shall require a project cost of
14 at least One Hundred Thousand Dollars (\$100,000.00). For purposes
15 of this paragraph, sales made to a contractor or subcontractor that
16 enters into a contractual relationship with a public trust or
17 nonprofit entity as described by this paragraph shall be considered
18 sales made to the public trust or nonprofit entity. The exemption
19 authorized by this paragraph shall be administered in the form of a
20 refund from the sales tax revenues apportioned pursuant to Section
21 1353 of this title and the vendor shall be required to collect the
22 sales tax otherwise applicable to the transaction. The purchaser
23 may apply for a refund of the sales tax paid in the manner
24 prescribed by this paragraph. Within thirty (30) days after the end

1 of each fiscal year, any purchaser that is entitled to make
2 application for a refund based upon the exempt treatment authorized
3 by this paragraph may file an application for refund of the sales
4 taxes paid during such preceding fiscal year. The Oklahoma Tax
5 Commission shall prescribe a form for purposes of making the
6 application for refund. The Tax Commission shall determine whether
7 or not the total amount of sales tax exemptions claimed by all
8 purchasers is equal to or less than Six Hundred Fifty Thousand
9 Dollars (\$650,000.00). If such claims are less than or equal to
10 that amount, the Tax Commission shall make refunds to the purchasers
11 in the full amount of the documented and verified sales tax amounts.
12 If such claims by all purchasers are in excess of Six Hundred Fifty
13 Thousand Dollars (\$650,000.00), the Tax Commission shall determine
14 the amount of each purchaser's claim, the total amount of all claims
15 by all purchasers, and the percentage each purchaser's claim amount
16 bears to the total. The resulting percentage determined for each
17 purchaser shall be multiplied by Six Hundred Fifty Thousand Dollars
18 (\$650,000.00) to determine the amount of refundable sales tax to be
19 paid to each purchaser. The pro rata refund amount shall be the
20 only method to recover sales taxes paid during the preceding fiscal
21 year and no balance of any sales taxes paid on a pro rata basis
22 shall be the subject of any subsequent refund claim pursuant to this
23 paragraph;

1 52. Effective July 1, 2006, sales of tangible personal property
2 or services to any organization which assists, trains, educates, and
3 provides housing for physically and mentally disabled persons and
4 which is exempt from taxation pursuant to the provisions of the
5 Internal Revenue Code of 1986, as amended, 26 U.S.C., Section
6 501(c)(3) and that receives at least eighty-five percent (85%) of
7 its annual budget from state or federal funds. In order to receive
8 the benefit of the exemption authorized by this paragraph, the
9 taxpayer shall be required to make payment of the applicable sales
10 tax at the time of sale to the vendor in the manner otherwise
11 required by law. Notwithstanding any other provision of the Uniform
12 Tax Procedure Code to the contrary, the taxpayer shall be authorized
13 to file a claim for refund of sales taxes paid that qualify for the
14 exemption authorized by this paragraph for a period of one (1) year
15 after the date of the sale transaction. The taxpayer shall be
16 required to provide documentation as may be prescribed by the
17 Oklahoma Tax Commission in support of the refund claim. The total
18 amount of sales tax qualifying for exempt treatment pursuant to this
19 paragraph shall not exceed One Hundred Seventy-five Thousand Dollars
20 (\$175,000.00) each fiscal year. Claims for refund shall be
21 processed in the order in which such claims are received by the
22 Oklahoma Tax Commission. If a claim otherwise timely filed exceeds
23 the total amount of refunds payable for a fiscal year, such claim
24 shall be barred;

1 53. The first Two Thousand Dollars (\$2,000.00) each year of
2 sales of tangible personal property or services to, by, or for the
3 benefit of a qualified neighborhood watch organization that is
4 endorsed or supported by or working directly with a law enforcement
5 agency with jurisdiction in the area in which the neighborhood watch
6 organization is located. As used in this paragraph, "qualified
7 neighborhood watch organization" means an organization that is a
8 not-for-profit corporation under the laws of this state that was
9 created to help prevent criminal activity in an area through
10 community involvement and interaction with local law enforcement and
11 which is one of the first two thousand organizations which makes
12 application to the Oklahoma Tax Commission for the exemption after
13 March 29, 2006;

14 54. Sales of tangible personal property to a nonprofit
15 organization, exempt from taxation pursuant to the provisions of the
16 Internal Revenue Code of 1986, as amended, 26 U.S.C., Section
17 501(c)(3), organized primarily for the purpose of providing services
18 to homeless persons during the day and located in a metropolitan
19 area with a population in excess of five hundred thousand (500,000)
20 persons according to the latest Federal Decennial Census. The
21 exemption authorized by this paragraph shall be applicable to sales
22 of tangible personal property to a qualified entity occurring on or
23 after January 1, 2005;

1 55. Sales of tangible personal property or services to or by an
2 organization which is exempt from taxation pursuant to the
3 provisions of the Internal Revenue Code of 1986, as amended, 26
4 U.S.C., Section 501(c) (3) for events the principal purpose of which
5 is to provide funding for the preservation of wetlands and habitat
6 for wild ducks;

7 56. Sales of tangible personal property or services to or by an
8 organization which is exempt from taxation pursuant to the
9 provisions of the Internal Revenue Code of 1986, as amended, 26
10 U.S.C., Section 501(c) (3) for events the principal purpose of which
11 is to provide funding for the preservation and conservation of wild
12 turkeys;

13 57. Sales of tangible personal property or services to an
14 organization which:

15 a. is exempt from taxation pursuant to the provisions of
16 the Internal Revenue Code of 1986, as amended, 26
17 U.S.C., Section 501(c) (3), and

18 b. is part of a network of community-based, autonomous
19 member organizations that meets the following
20 criteria:

21 (1) serves people with workplace disadvantages and
22 disabilities by providing job training and
23 employment services, as well as job placement
24 opportunities and post-employment support,

- (2) has locations in the United States and at least twenty other countries,
- (3) collects donated clothing and household goods to sell in retail stores and provides contract labor services to business and government, and
- (4) provides documentation to the Oklahoma Tax Commission that over seventy-five percent (75%) of its revenues are channeled into employment, job training and placement programs, and other critical community services;

58. Sales of tickets made on or after September 21, 2005, and complimentary or free tickets for admission issued on or after September 21, 2005, which have a value equivalent to the charge that would have otherwise been made, for admission to a professional athletic event in which a team in the National Basketball Association is a participant, which is held in a facility owned or operated by a municipality, a county, or a public trust of which a municipality or a county is the sole beneficiary, and sales of tickets made on or after July 1, 2007, and complimentary or free tickets for admission issued on or after July 1, 2007, which have a value equivalent to the charge that would have otherwise been made, for admission to a professional athletic event in which a team in the National Hockey League is a participant, which is held in a

1 facility owned or operated by a municipality, a county, or a public
2 trust of which a municipality or a county is the sole beneficiary;

3 59. Sales of tickets for admission and complimentary or free
4 tickets for admission which have a value equivalent to the charge
5 that would have otherwise been made to a professional sporting event
6 involving ice hockey, baseball, basketball, football or arena
7 football, or soccer. As used in this paragraph, "professional
8 sporting event" means an organized athletic competition between
9 teams that are members of an organized league or association with
10 centralized management, other than a national league or national
11 association, that imposes requirements for participation in the
12 league upon the teams, the individual athletes, or both, and which
13 uses a salary structure to compensate the athletes;

14 60. Sales of tickets for admission to an annual event sponsored
15 by an educational and charitable organization of women which is
16 exempt from taxation pursuant to the provisions of the Internal
17 Revenue Code of 1986, as amended, 26 U.S.C., Section 501(c)(3) and
18 has as its mission promoting volunteerism, developing the potential
19 of women and improving the community through the effective action
20 and leadership of trained volunteers;

21 61. Sales of tangible personal property or services to an
22 organization, which is exempt from taxation pursuant to the
23 provisions of the Internal Revenue Code of 1986, as amended, 26
24 U.S.C., Section 501(c)(3), and which is itself a member of an
25

1 organization which is exempt from taxation pursuant to the
2 provisions of the Internal Revenue Code of 1986, as amended, 26
3 U.S.C., Section 501(c)(3), if the membership organization is
4 primarily engaged in advancing the purposes of its member
5 organizations through fundraising, public awareness, or other
6 efforts for the benefit of its member organizations, and if the
7 member organization is primarily engaged either in providing
8 educational services and programs concerning health-related diseases
9 and conditions to individuals suffering from such health-related
10 diseases and conditions or their caregivers and family members or
11 support to such individuals, or in health-related research as to
12 such diseases and conditions, or both. In order to qualify for the
13 exemption authorized by this paragraph, the member nonprofit
14 organization shall be required to provide proof to the Oklahoma Tax
15 Commission of its membership status in the membership organization;

16 62. Sales of tangible personal property or services to or by an
17 organization which is part of a national volunteer women's service
18 organization dedicated to promoting patriotism, preserving American
19 history, and securing better education for children and which has at
20 least one hundred sixty-eight thousand members in three thousand
21 chapters across the United States;

22 63. Sales of tangible personal property or services to or by a
23 YWCA or YMCA organization which is part of a national nonprofit
24

1 community service organization working to meet the health and social
2 service needs of its members across the United States;

3 64. Sales of tangible personal property or services to or by a
4 veteran's organization which is exempt from taxation pursuant to the
5 provisions of the Internal Revenue Code of 1986, as amended, 26
6 U.S.C., Section 501(c)(19) and which is known as the Veterans of
7 Foreign Wars ~~of the United States, Oklahoma Chapters~~ Department of
8 Oklahoma;

9 65. Sales of boxes of food by a church or by an organization,
10 which is exempt from taxation pursuant to the provisions of the
11 Internal Revenue Code of 1986, as amended, 26 U.S.C., Section
12 501(c)(3). To qualify under the provisions of this paragraph, the
13 organization must be organized for the primary purpose of feeding
14 needy individuals or to encourage volunteer service by requiring
15 such service in order to purchase food. These boxes shall only
16 contain edible staple food items;

17 66. Sales of tangible personal property or services to any
18 person with whom a church has duly entered into a construction
19 contract, necessary for carrying out such contract or to any
20 subcontractor to such a construction contract;

21 67. Sales of tangible personal property or services used
22 exclusively for charitable or educational purposes, to or by an
23 organization which:
24
25

- a. is exempt from taxation pursuant to the provisions of the Internal Revenue Code of 1986, as amended, 26 U.S.C., Section 501(c)(3),
- b. has filed a Not-for-Profit Certificate of Incorporation in this state, and
- c. is organized for the purpose of:
 - (1) providing training and education to developmentally disabled individuals,
 - (2) educating the community about the rights, abilities, and strengths of developmentally disabled individuals, and
 - (3) promoting unity among developmentally disabled individuals in their community and geographic area;

68. Sales of tangible personal property or services to any organization which is a shelter for abused, neglected, or abandoned children and which is exempt from taxation pursuant to the provisions of the Internal Revenue Code of 1986, as amended, 26 U.S.C., Section 501(c)(3); provided, until July 1, 2008, such exemption shall apply only to eligible shelters for children from birth to age twelve (12) and after July 1, 2008, such exemption shall apply to eligible shelters for children from birth to age eighteen (18);

1 69. Sales of tangible personal property or services to a child
2 care center which is licensed pursuant to the Oklahoma Child Care
3 Facilities Licensing Act and which:

- 4 a. possesses a 3-star rating from the Department of Human
5 Services Reaching for the Stars Program or a national
6 accreditation, and
- 7 b. allows on-site universal prekindergarten education to
8 be provided to four-year-old children through a
9 contractual agreement with any public school or school
10 district.

11 For the purposes of this paragraph, sales made to any person,
12 firm, agency, or entity that has entered previously into a
13 contractual relationship with a child care center for construction
14 and improvement of buildings and other structures owned by the child
15 care center and operated for educational purposes shall be
16 considered sales made to a child care center. Any such person,
17 firm, agency, or entity making purchases on behalf of a child care
18 center shall certify, in writing, on the copy of the invoice or
19 sales ticket the nature of the purchase. Any such person, or person
20 acting on behalf of a firm, agency, or entity making purchases on
21 behalf of a child care center in violation of this paragraph shall
22 be guilty of a misdemeanor and upon conviction thereof shall be
23 fined an amount equal to double the amount of sales tax involved or
24 incarcerated for not more than sixty (60) days or both;

1 70. a. Sales of tangible personal property to a service
2 organization of mothers who have children who are
3 serving or who have served in the military, which
4 service organization is exempt from taxation pursuant
5 to the provisions of the Internal Revenue Code of
6 1986, as amended, 26 U.S.C., Section 501(c)(19) and
7 which is known as the Blue Star Mothers of America,
8 Inc. The exemption provided by this paragraph shall
9 only apply to the purchase of tangible personal
10 property actually sent to United States military
11 personnel overseas who are serving in a combat zone
12 and not to any other tangible personal property
13 purchased by the organization. Provided, this
14 exemption shall not apply to any sales tax levied by a
15 city, town, county, or any other jurisdiction in this
16 state.

17 b. The exemption authorized by this paragraph shall be
18 administered in the form of a refund from the sales
19 tax revenues apportioned pursuant to Section 1353 of
20 this title, and the vendor shall be required to
21 collect the sales tax otherwise applicable to the
22 transaction. The purchaser may apply for a refund of
23 the state sales tax paid in the manner prescribed by
24 this paragraph. Within sixty (60) days after the end

1 of each calendar quarter, any purchaser that is
2 entitled to make application for a refund based upon
3 the exempt treatment authorized by this paragraph may
4 file an application for refund of the state sales
5 taxes paid during such preceding calendar quarter.
6 The Tax Commission shall prescribe a form for purposes
7 of making the application for refund.

8 c. A purchaser who applies for a refund pursuant to this
9 paragraph shall certify that the items were actually
10 sent to military personnel overseas in a combat zone.
11 Any purchaser that applies for a refund for the
12 purchase of items that are not authorized for
13 exemption under this paragraph shall be subject to a
14 penalty in the amount of Five Hundred Dollars
15 (\$500.00);

16 71. Sales of food and snack items to or by an organization
17 which is exempt from taxation pursuant to the provisions of the
18 Internal Revenue Code of 1986, as amended, 26 U.S.C., Section
19 501(c)(3), whose primary and principal purpose is providing funding
20 for scholarships in the medical field;

21 72. Sales of tangible personal property or services for use
22 solely on construction projects for organizations which are exempt
23 from taxation pursuant to the provisions of the Internal Revenue
24 Code of 1986, as amended, 26 U.S.C., Section 501(c)(3) and whose
25

1 purpose is providing end-of-life care and access to hospice services
2 to low-income individuals who live in a facility owned by the
3 organization. The exemption provided by this paragraph applies to
4 sales to the organization as well as to sales to any person with
5 whom the organization has duly entered into a construction contract,
6 necessary for carrying out such contract or to any subcontractor to
7 such a construction contract. Any person making purchases on behalf
8 of such organization shall certify, in writing, on the copy of the
9 invoice or sales ticket to be retained by the vendor that the
10 purchases are made for and on behalf of such organization and set
11 out the name of such organization. Any person who wrongfully or
12 erroneously certifies that purchases are for any of the above-named
13 organizations or who otherwise violates this section shall be guilty
14 of a misdemeanor and upon conviction thereof shall be fined an
15 amount equal to double the amount of sales tax involved or
16 incarcerated for not more than sixty (60) days or both;

17 73. Sales of tickets for admission to events held by
18 organizations exempt from taxation pursuant to the provisions of the
19 Internal Revenue Code of 1986, as amended, 26 U.S.C., Section
20 501(c)(3) that are organized for the purpose of supporting general
21 hospitals licensed by the State Department of Health;

22 74. Sales of tangible personal property or services:

- 23 a. to a foundation which is exempt from taxation pursuant
24 to the provisions of the Internal Revenue Code of

1 1986, as amended, 26 U.S.C., Section 501(c)(3) and
2 which raises tax-deductible contributions in support
3 of a wide range of firearms-related public interest
4 activities of the National Rifle Association of
5 America and other organizations that defend and foster
6 Second Amendment rights, and

7 b. to or by a grassroots fundraising program for sales
8 related to events to raise funds for a foundation
9 meeting the qualifications of subparagraph a of this
10 paragraph;

11 75. Sales by an organization or entity which is exempt from
12 taxation pursuant to the provisions of the Internal Revenue Code of
13 1986, as amended, 26 U.S.C., Section 501(c)(3) which are related to
14 a fundraising event sponsored by the organization or entity when the
15 event does not exceed any five (5) consecutive days and when the
16 sales are not in the organization's or the entity's regular course
17 of business. Provided, the exemption provided in this paragraph
18 shall be limited to tickets sold for admittance to the fundraising
19 event and items which were donated to the organization or entity for
20 sale at the event;

21 76. Effective November 1, 2017, sales of tangible personal
22 property or services to an organization which is exempt from
23 taxation pursuant to the provisions of the Internal Revenue Code of
24 1986, as amended, 26 U.S.C., Section 501(c)(3) and operates as a
25

1 collaborative model which connects community agencies in one
2 location to serve individuals and families affected by violence and
3 where victims have access to services and advocacy at no cost to the
4 victim;

5 77. Effective July 1, 2018, sales of tangible personal property
6 or services to or by an association which is exempt from taxation
7 pursuant to the provisions of the Internal Revenue Code of 1986, as
8 amended, 26 U.S.C., Section 501(c)(19) and which is known as the
9 National Guard Association of Oklahoma;

10 78. Effective July 1, 2018, sales of tangible personal property
11 or services to or by an association which is exempt from taxation
12 pursuant to the provisions of the Internal Revenue Code of 1986, as
13 amended, 26 U.S.C., Section 501(c)(4) and which is known as the
14 Marine Corps League Department of Oklahoma;

15 79. Sales of tangible personal property or services to the
16 American Legion, whether the purchase is made by the entity
17 chartered by the United States Congress or is an entity organized
18 under the laws of this or another state pursuant to the authority of
19 the national American Legion organization;

20 80. Sales of tangible personal property or services to or by an
21 organization which is:

- 22 a. exempt from taxation pursuant to the provisions of the
23 Internal Revenue Code of 1986, as amended, 26 U.S.C.,
24 Section 501(c)(3),
25

- 1 b. verified with a letter from the MIT Fab Foundation as
2 an official member of the Fab Lab Network in
3 compliance with the Fab Charter, and
- 4 c. able to provide documentation that its primary and
5 principal purpose is to provide community access to
6 advanced 21st century manufacturing and digital
7 fabrication tools for science, technology,
8 engineering, art and math (STEAM) learning skills,
9 developing inventions, creating and sustaining
10 businesses, and producing personalized products;

11 81. Effective November 1, 2021, sales of tangible personal
12 property or services used solely for construction and remodeling
13 projects to an organization which is exempt from taxation pursuant
14 to the provisions of the Internal Revenue Code of 1986, as amended,
15 26 U.S.C., Section 501(c)(3), and which meets the following
16 requirements:

- 17 a. its primary purpose is to construct or remodel and
18 sell affordable housing and provide homeownership
19 education to residents of Oklahoma that have an income
20 that is below one hundred percent (100%) of the Family
21 Median Income guidelines as defined by the U.S.
22 Department of Housing and Urban Development,

- b. it conducts its activities in a manner that serves public or charitable purposes, rather than commercial purposes,
- c. it receives funding and revenue and charges fees in a manner that does not incentivize it or its employees to act other than in the best interests of its clients, and
- d. it compensates its employees in a manner that does not incentivize employees to act other than in the best interests of its clients;

82. Effective November 1, 2021, sales of tangible personal property or services to a nonprofit entity, organized pursuant to Oklahoma law before January 1, 2022, exempt from federal income taxation pursuant to Section 501(c) of the Internal Revenue Code of 1986, as amended, the principal functions of which are to provide assistance to natural persons following a disaster, with program emphasis on repair or restoration to single-family residential dwellings or the construction of a replacement single-family residential dwelling. As used in this paragraph, "disaster" means damage to property with or without accompanying injury to persons from heavy rain, high winds, tornadic winds, drought, wildfire, snow, ice, geologic disturbances, explosions, chemical accidents or spills, and other events causing damage to property on a large scale. For purposes of this paragraph, an entity that expended at

1 least seventy-five percent (75%) of its funds on the restoration to
2 single-family housing following a disaster including related general
3 and administrative expenses, shall be eligible for the exemption
4 authorized by this paragraph;

5 83. Effective November 1, 2021, through December 31, 2024,
6 sales of tangible personal property or services to a museum that:

- 7 a. operates as a part of an organization which is exempt
8 from taxation pursuant to the provisions of the
9 Internal Revenue Code of 1986, as amended, 26 U.S.C.,
10 Section 501(c)(3),
- 11 b. is not accredited by the American Alliance of Museums,
12 and
- 13 c. operates on an annual budget of less than One Million
14 Dollars (\$1,000,000.00);

15 84. Until July 1, 2022, sales of tangible personal property or
16 services for use in a clinical practice or medical facility operated
17 by an organization which is exempt from taxation pursuant to the
18 provisions of the Internal Revenue Code of 1986, as amended, of the
19 United States, 26 U.S.C., Section 501(c)(3), and which has entered
20 into a joint operating agreement with the University Hospitals Trust
21 created pursuant to Section 3224 of Title 63 of the Oklahoma
22 Statutes. The exemption provided by this paragraph shall be limited
23 to the purchase of tangible personal property and services for use
24 in clinical practices or medical facilities acquired or leased by

1 the organization from the University Hospitals Authority, University
2 Hospitals Trust, or the University of Oklahoma on or after June 1,
3 2021;

4 85. Sales of tangible personal property or services to or by a
5 women's veterans organization, and its subchapters in this state,
6 that is exempt from taxation pursuant to the provisions of the
7 Internal Revenue Code of 1986, as amended, 26 U.S.C., Section
8 501(c)(19) and is known as the Oklahoma Women Veterans Organization;

9 86. Sales of tangible personal property or services to a
10 nonprofit entity, organized pursuant to Oklahoma law before January
11 1, 2019, exempt from federal income taxation pursuant to Section
12 501(c) of the Internal Revenue Code of 1986, as amended, the
13 principal functions of which are to provide assistance to natural
14 persons following a disaster, with program emphasis on repair or
15 restoration to single-family residential dwellings or the
16 construction of a replacement single-family residential dwelling.
17 For purposes of this paragraph, an entity operated exclusively for
18 charitable and educational purposes through the coordination of
19 volunteers for the disaster recovery of homes (as derived from Part
20 III, Statement of Program Services, of Internal Revenue Service Form
21 990) and which offers its services free of charge to disaster
22 survivors statewide who are low income with no or limited means of
23 recovery on their own for the restoration to single-family housing
24 following a disaster including related general and administrative

1 expenses, shall be eligible for the exemption authorized by this
2 paragraph. The exemption provided by this paragraph shall only be
3 applicable to sales made on or after July 1, 2022. As used in this
4 paragraph, "disaster" means damage to property with or without
5 accompanying injury to persons from heavy rain, high winds, tornadic
6 winds, drought, wildfire, snow, ice, geologic disturbances,
7 explosions, chemical accidents or spills and other events causing
8 damage to property on a large scale;

9 87. Sales of tangible personal property or services to or by a
10 women's veterans organization, and its subchapters in this state,
11 that is exempt from taxation pursuant to the provisions of the
12 Internal Revenue Code, 26 U.S.C., Section 501(c)(19) and is known as
13 the Oklahoma Women Veterans Organization;

14 ~~87.~~ 88. Effective July 1, 2022, sales of tangible personal
15 property or services to an organization which is exempt from
16 taxation pursuant to the provisions of the Internal Revenue Code of
17 1986, as amended, 26 U.S.C., Section 501(c)(3) and which provides
18 support to veterans, active duty members of the Armed Forces,
19 reservists, and members of the National Guard to assist with the
20 transition to civilian life and which provides documentation to the
21 Oklahoma Tax Commission that over seventy percent (70%) of its
22 revenue is expended on support for transition to civilian life; and

23 ~~88.~~ 89. Sales of tangible personal property or services to or
24 by an organization in this state which:

1 a. is exempt from taxation pursuant to the provisions of
2 the Internal Revenue Code of 1986, as amended, 26
3 U.S.C., Section 501(c)(3), and

4 b. provides documentation to the Oklahoma Tax Commission
5 showing the organization's principal purpose is to
6 provide school supplies or articles of clothing for
7 underserved students attending grades prekindergarten
8 through twelve at public schools in this state.

9 SECTION 121. REPEALER 68 O.S. 2021, Section 1356, as
10 last amended by Section 1, Chapter 444, O.S.L. 2024 (68 O.S. Supp.
11 2025, Section 1356), is hereby repealed.

12 SECTION 122. AMENDATORY 68 O.S. 2021, Section 1357, as
13 last amended by Section 1, Chapter 391, O.S.L. 2025 (68 O.S. Supp.
14 2025, Section 1357), is amended to read as follows:

15 Section 1357. Exemptions - General. There are hereby
16 specifically exempted from the tax levied by the Oklahoma Sales Tax
17 Code:

18 1. Transportation of school pupils to and from elementary
19 schools or high schools in motor or other vehicles;

20 2. Transportation of persons where the fare of each person does
21 not exceed One Dollar (\$1.00), or local transportation of persons
22 within the corporate limits of a municipality except by taxicabs;

23 3. Sales for resale to persons engaged in the business of
24 reselling the articles purchased, whether within or without the
25

1 state, provided that such sales to residents of this state are made
2 to persons to whom sales tax permits have been issued as provided in
3 the Oklahoma Sales Tax Code. This exemption shall not apply to the
4 sales of articles made to persons holding permits when such persons
5 purchase items for their use and which they are not regularly
6 engaged in the business of reselling; neither shall this exemption
7 apply to sales of tangible personal property to peddlers, solicitors
8 and other salespersons who do not have an established place of
9 business and a sales tax permit. The exemption provided by this
10 paragraph shall apply to sales of motor fuel or diesel fuel to a
11 Group Five vendor, but the use of such motor fuel or diesel fuel by
12 the Group Five vendor shall not be exempt from the tax levied by the
13 Oklahoma Sales Tax Code. The purchase of motor fuel or diesel fuel
14 is exempt from sales tax when the motor fuel is for shipment outside
15 this state and consumed by a common carrier by rail in the conduct
16 of its business. The sales tax shall apply to the purchase of motor
17 fuel or diesel fuel in Oklahoma by a common carrier by rail when
18 such motor fuel is purchased for fueling, within this state, of any
19 locomotive or other motorized flanged wheel equipment;

20 4. Sales of advertising space in newspapers and periodicals;

21 5. Sales of programs relating to sporting and entertainment
22 events, and sales of advertising on billboards (including signage,
23 posters, panels, marquees or on other similar surfaces, whether
24 indoors or outdoors) or in programs relating to sporting and
25

1 entertainment events, and sales of any advertising, to be displayed
2 at or in connection with a sporting event, via the Internet,
3 electronic display devices or through public address or broadcast
4 systems. The exemption authorized by this paragraph shall be
5 effective for all sales made on or after January 1, 2001;

6 6. Sales of any advertising, other than the advertising
7 described by paragraph 5 of this section, via the Internet,
8 electronic display devices or through the electronic media including
9 radio, public address or broadcast systems, television (whether
10 through closed circuit broadcasting systems or otherwise), and cable
11 and satellite television, and the servicing of any advertising
12 devices;

13 7. Eggs, feed, supplies, machinery, and equipment purchased by
14 persons regularly engaged in the business of raising worms, fish,
15 any insect, or any other form of terrestrial or aquatic animal life
16 and used for the purpose of raising same for marketing. This
17 exemption shall only be granted and extended to the purchaser when
18 the items are to be used and in fact are used in the raising of
19 animal life as set out above. Each purchaser shall certify, in
20 writing, on the invoice or sales ticket retained by the vendor that
21 the purchaser is regularly engaged in the business of raising such
22 animal life and that the items purchased will be used only in such
23 business. The vendor shall certify to the Oklahoma Tax Commission
24 that the price of the items has been reduced to grant the full

1 benefit of the exemption. Violation hereof by the purchaser or
2 vendor shall be a misdemeanor;

3 8. Sale of natural or artificial gas and electricity, and
4 associated delivery or transmission services, when sold exclusively
5 for residential use. Provided, this exemption shall not apply to
6 any sales tax levied by a city or town, or a county or any other
7 jurisdiction in this state;

8 9. In addition to the exemptions authorized by Section 1357.6
9 of this title, sales of drugs sold pursuant to a prescription
10 written for the treatment of human beings by a person licensed to
11 prescribe the drugs, and sales of insulin and medical oxygen.
12 Provided, this exemption shall not apply to over-the-counter drugs;

13 10. Transfers of title or possession of empty, partially
14 filled, or filled returnable oil and chemical drums to any person
15 who is not regularly engaged in the business of selling, reselling
16 or otherwise transferring empty, partially filled or filled
17 returnable oil drums;

18 11. Sales of one-way utensils, paper napkins, paper cups,
19 disposable hot containers, and other one-way carry out materials to
20 a vendor of meals or beverages;

21 12. Sales of food or food products for home consumption which
22 are purchased in whole or in part with coupons issued pursuant to
23 the federal food stamp program as authorized by Sections 2011
24 through 2036d of Title 7 of the United States Code, as to that

1 portion purchased with such coupons. The exemption provided for
2 such sales shall be inapplicable to such sales upon the effective
3 date of any federal law that removes the requirement of the
4 exemption as a condition for participation by the state in the
5 federal food stamp program;

6 13. Sales of food or food products, or any equipment or
7 supplies used in the preparation of the food or food products to or
8 by an organization which:

9 a. is exempt from taxation pursuant to the provisions of
10 Section 501(c)(3) of the Internal Revenue Code of
11 1986, as amended, 26 U.S.C., Section 501(c)(3), and
12 which provides and delivers prepared meals for home
13 consumption to elderly or homebound persons as part of
14 a program commonly known as "Meals on Wheels" or
15 "Mobile Meals", or

16 b. is exempt from taxation pursuant to the provisions of
17 Section 501(c)(3) of the Internal Revenue Code of
18 1986, as amended, 26 U.S.C., Section 501(c)(3), and
19 which receives federal funding pursuant to the Older
20 Americans Act of 1965, as amended, for the purpose of
21 providing nutrition programs for the care and benefit
22 of elderly persons;

23 14. a. Sales of tangible personal property or services to or
24 by organizations which are exempt from taxation
25

1 pursuant to the provisions of Section 501(c)(3) of the
2 Internal Revenue Code of 1986, as amended, 26 U.S.C.,
3 Section 501(c)(3), and:

4 (1) are primarily involved in the collection and
5 distribution of food and other household products
6 to other organizations that facilitate the
7 distribution of such products to the needy and
8 such distributee organizations are exempt from
9 taxation pursuant to the provisions of Section
10 501(c)(3) of the Internal Revenue Code of 1986,
11 as amended, 26 U.S.C., Section 501(c)(3), or

12 (2) facilitate the distribution of such products to
13 the needy.

14 b. Sales made in the course of business for profit or
15 savings, competing with other persons engaged in the
16 same or similar business shall not be exempt under
17 this paragraph;

18 15. Sales of tangible personal property or services to
19 children's homes which are located on church-owned property and are
20 operated by organizations exempt from taxation pursuant to the
21 provisions of the Internal Revenue Code of 1986, as amended, 26
22 U.S.C., Section 501(c)(3);

23 16. Sales of computers, data processing equipment, related
24 peripherals, and telephone, telegraph or telecommunications service

1 and equipment for use in a qualified aircraft maintenance or
2 manufacturing facility. For purposes of this paragraph, "qualified
3 aircraft maintenance or manufacturing facility" means a new or
4 expanding facility primarily engaged in aircraft repair, building or
5 rebuilding, whether or not on a factory basis, whose total cost of
6 construction exceeds the sum of Five Million Dollars (\$5,000,000.00)
7 and which employs at least two hundred fifty new full-time-
8 equivalent employees, as certified by the Oklahoma Employment
9 Security Commission, upon completion of the facility. In order to
10 qualify for the exemption provided for by this paragraph, the cost
11 of the items purchased by the qualified aircraft maintenance or
12 manufacturing facility shall equal or exceed the sum of Two Million
13 Dollars (\$2,000,000.00);

14 17. Sales of tangible personal property consumed or
15 incorporated in the construction or expansion of a qualified
16 aircraft maintenance or manufacturing facility as defined in
17 paragraph 16 of this section. For purposes of this paragraph, sales
18 made to a contractor or subcontractor that has previously entered
19 into a contractual relationship with a qualified aircraft
20 maintenance or manufacturing facility for construction or expansion
21 of such a facility shall be considered sales made to a qualified
22 aircraft maintenance or manufacturing facility;

23 18. Sales of the following telecommunications services:
24
25

1 a. interstate and international 800 service. "800
2 service" means a telecommunications service that
3 allows a caller to dial a toll-free number without
4 incurring a charge for the call. The service is
5 typically marketed under the name "800", "855", "866",
6 "877" and "888" toll-free calling, and any subsequent
7 numbers designated by the Federal Communications
8 Commission,

9 b. interstate and international 900 service. "900
10 service" means an inbound toll telecommunications
11 service purchased by a subscriber that allows the
12 subscriber's customers to call in to the subscriber's
13 prerecorded announcement or live service. 900 service
14 does not include the charge for: collection services
15 provided by the seller of the telecommunications
16 services to the subscriber, or service or product sold
17 by the subscriber to the subscriber's customer. The
18 service is typically marketed under the name "900"
19 service, and any subsequent numbers designated by the
20 Federal Communications Commission,

21 c. interstate and international private communications
22 service. "Private communications service" means a
23 telecommunications service that entitles the customer
24 to exclusive or priority use of a communications
25

- 1 channel or group of channels between or among
2 termination points, regardless of the manner in which
3 such channel or channels are connected, and includes
4 switching capacity, extension lines, stations and any
5 other associated services that are provided in
6 connection with the use of such channel or channels,
- 7 d. value-added nonvoice data service. "Value-added
8 nonvoice data service" means a service that otherwise
9 meets the definition of telecommunications services in
10 which computer processing applications are used to act
11 on the form, content, code or protocol of the
12 information or data primarily for a purpose other than
13 transmission, conveyance, or routing,
- 14 e. interstate and international telecommunications
15 service which is:
- 16 (1) rendered by a company for private use within its
17 organization, or
- 18 (2) used, allocated or distributed by a company to
19 its affiliated group,
- 20 f. regulatory assessments and charges including charges
21 to fund the Oklahoma Universal Service Fund, the
22 Oklahoma Lifeline Fund and the Oklahoma High Cost
23 Fund, and
24

1 g. telecommunications nonrecurring charges including but
2 not limited to the installation, connection, change,
3 or initiation of telecommunications services which are
4 not associated with a retail consumer sale;

5 19. Sales of railroad track spikes manufactured and sold for
6 use in this state in the construction or repair of railroad tracks,
7 switches, sidings, and turnouts;

8 20. Sales of aircraft and aircraft parts provided such sales
9 occur at a qualified aircraft maintenance facility. As used in this
10 paragraph, "qualified aircraft maintenance facility" means a
11 facility operated by an air common carrier including one or more
12 component overhaul support buildings or structures in an area owned,
13 leased, or controlled by the air common carrier, at which there were
14 employed at least two thousand full-time-equivalent employees in the
15 preceding year as certified by the Oklahoma Employment Security
16 Commission and which is primarily related to the fabrication,
17 repair, alteration, modification, refurbishing, maintenance,
18 building, or rebuilding of commercial aircraft or aircraft parts
19 used in air common carriage. For purposes of this paragraph, "air
20 common carrier" shall also include members of an affiliated group as
21 defined by Section 1504 of the Internal Revenue Code of 1986, as
22 amended, 26 U.S.C., Section 1504. Beginning July 1, 2012, the
23 exemption shall include sales of machinery, tools, supplies,
24 equipment, and related tangible personal property and services used

1 or consumed in the repair, remodeling, or maintenance of aircraft,
2 aircraft engines or aircraft component parts which occur at a
3 qualified aircraft maintenance facility;

4 21. Sales of machinery and equipment purchased and used by
5 persons and establishments primarily engaged in computer services
6 and data processing:

7 a. as defined under Industry Group Numbers 7372 and 7373
8 of the Standard Industrial Classification (SIC)
9 Manual, latest version, which derive at least fifty
10 percent (50%) of their annual gross revenues from the
11 sale of a product or service to an out-of-state buyer
12 or consumer, and

13 b. as defined under Industry Group Number 7374 of the SIC
14 Manual, latest version, which derive at least eighty
15 percent (80%) of their annual gross revenues from the
16 sale of a product or service to an out-of-state buyer
17 or consumer.

18 Eligibility for the exemption set out in this paragraph shall be
19 established, subject to review by the Tax Commission, by annually
20 filing an affidavit with the Tax Commission stating that the
21 facility so qualifies and such information as required by the Tax
22 Commission. For purposes of determining whether annual gross
23 revenues are derived from sales to out-of-state buyers or consumers,
24

1 all sales to the federal government shall be considered to be to an
2 out-of-state buyer or consumer;

3 22. Sales of prosthetic devices to an individual for use by
4 such individual. For purposes of this paragraph, "prosthetic
5 device" shall have the same meaning as provided in Section 1357.6 of
6 this title, but shall not include corrective eye glasses, contact
7 lenses, or hearing aids;

8 23. Sales of tangible personal property or services to a motion
9 picture or television production company to be used or consumed in
10 connection with an eligible production. For purposes of this
11 paragraph, "eligible production" means a documentary, special, music
12 video or a television commercial or television program that will
13 serve as a pilot for or be a segment of an ongoing dramatic or
14 situation comedy series filmed or taped for network or national or
15 regional syndication or a feature-length motion picture intended for
16 theatrical release or for network or national or regional
17 syndication or broadcast. The provisions of this paragraph shall
18 apply to sales occurring on or after July 1, 1996. In order to
19 qualify for the exemption, the motion picture or television
20 production company shall file any documentation and information
21 required to be submitted pursuant to rules promulgated by the Tax
22 Commission;

23 24. Sales of diesel fuel sold for consumption by commercial
24 vessels, barges and other commercial watercraft;

1 25. Sales of tangible personal property or services to tax-
2 exempt independent nonprofit biomedical research foundations that
3 provide educational programs for Oklahoma science students and
4 teachers and to tax-exempt independent nonprofit community blood
5 banks headquartered in this state;

6 26. Effective May 6, 1992, sales of wireless telecommunications
7 equipment to a vendor who subsequently transfers the equipment at no
8 charge or for a discounted charge to a consumer as part of a
9 promotional package or as an inducement to commence or continue a
10 contract for wireless telecommunications services;

11 27. Effective January 1, 1991, leases of rail transportation
12 cars to haul coal to coal-fired plants located in this state which
13 generate electric power;

14 28. Beginning July 1, 2005, sales of aircraft engine repairs,
15 modification, and replacement parts, sales of aircraft frame repairs
16 and modification, aircraft interior modification, and paint, and
17 sales of services employed in the repair, modification, and
18 replacement of parts of aircraft engines, aircraft frame and
19 interior repair and modification, and paint;

20 29. Sales of materials and supplies to the owner or operator of
21 a ship, motor vessel, or barge that is used in interstate or
22 international commerce if the materials and supplies:
23
24
25

- a. are loaded on the ship, motor vessel, or barge and used in the maintenance and operation of the ship, motor vessel, or barge, or
- b. enter into and become component parts of the ship, motor vessel, or barge;

30. Sales of tangible personal property made at estate sales at which such property is offered for sale on the premises of the former residence of the decedent by a person who is not required to be licensed pursuant to the Transient Merchant Licensing Act, or who is not otherwise required to obtain a sales tax permit for the sale of such property pursuant to the provisions of Section 1364 of this title; provided:

- a. such sale or event may not be held for a period exceeding three (3) consecutive days,
- b. the sale must be conducted within six (6) months of the date of death of the decedent, and
- c. the exemption allowed by this paragraph shall not be allowed for property that was not part of the decedent's estate;

31. Beginning January 1, 2004, sales of electricity and associated delivery and transmission services, when sold exclusively for use by an oil and gas operator for reservoir dewatering projects and associated operations commencing on or after July 1, 2003, in which the initial water-to-oil ratio is greater than or equal to

1 five-to-one water-to-oil, and such oil and gas development projects
2 have been classified by the Corporation Commission as a reservoir
3 dewatering unit;

4 32. Sales of prewritten computer software that is delivered
5 electronically. For purposes of this paragraph, "delivered
6 electronically" means delivered to the purchaser by means other than
7 tangible storage media;

8 33. Sales of modular dwelling units when built at a production
9 facility and moved in whole or in parts, to be assembled on-site,
10 and permanently affixed to the real property and used for
11 residential or commercial purposes. The exemption provided by this
12 paragraph shall equal forty-five percent (45%) of the total sales
13 price of the modular dwelling unit. For purposes of this paragraph,
14 "modular dwelling unit" means a structure that is not subject to the
15 motor vehicle excise tax imposed pursuant to Section 2103 of this
16 title;

17 34. Sales of tangible personal property or services to:

- 18 a. persons who are residents of Oklahoma and have been
19 honorably discharged from active service in any branch
20 of the Armed Forces of the United States or Oklahoma
21 National Guard and who have been certified by the
22 United States Department of Veterans Affairs or its
23 successor to be in receipt of disability compensation
24 at the one-hundred-percent rate and the disability

1 shall be permanent and have been sustained through
2 military action or accident or resulting from disease
3 contracted while in such active service and registered
4 with the veterans registry created by the Oklahoma
5 Department of Veterans Affairs; provided, that if the
6 veteran has previously received the sales tax
7 exemption pursuant to this subparagraph, no
8 registration with the veterans registry shall be
9 required, or

- 10 b. the surviving spouse of the person in subparagraph a
11 of this paragraph if the person is deceased and the
12 spouse has not remarried and the surviving spouse of a
13 person who is determined by the United States
14 Department of Defense or any branch of the United
15 States military to have died while in the line of duty
16 if the spouse has not remarried. Sales for the
17 benefit of an eligible person to a spouse of the
18 eligible person or to a member of the household in
19 which the eligible person resides and who is
20 authorized to make purchases on the person's behalf,
21 when such eligible person is not present at the sale,
22 shall also be exempt for purposes of this paragraph.
23 The Oklahoma Tax Commission shall issue a separate
24 exemption card to a spouse of an eligible person or to

1 a member of the household in which the eligible person
2 resides who is authorized to make purchases on the
3 person's behalf, if requested by the eligible person.
4 Sales qualifying for the exemption authorized by this
5 paragraph shall not exceed Twenty-five Thousand
6 Dollars (\$25,000.00) per year per individual while the
7 disabled veteran is living. Sales qualifying for the
8 exemption authorized by this paragraph shall not
9 exceed One Thousand Dollars (\$1,000.00) per year for
10 an unremarried surviving spouse. Upon request of the
11 Tax Commission, a person asserting or claiming the
12 exemption authorized by this paragraph shall provide a
13 statement, executed under oath, that the total sales
14 amounts for which the exemption is applicable have not
15 exceeded Twenty-five Thousand Dollars (\$25,000.00) per
16 year per living disabled veteran or One Thousand
17 Dollars (\$1,000.00) per year for an unremarried
18 surviving spouse. If the amount of such exempt sales
19 exceeds such amount, the sales tax in excess of the
20 authorized amount shall be treated as a direct sales
21 tax liability and may be recovered by the Tax
22 Commission in the same manner provided by law for
23 other taxes including penalty and interest. The Tax
24 Commission shall promulgate any rules necessary to

1 implement the provisions of this paragraph, which
2 shall include rules providing for the disclosure of
3 information about persons eligible for the exemption
4 authorized in this paragraph to the Oklahoma
5 Department of Veterans Affairs, as authorized in
6 Section 205 of this title. For purposes of the
7 exemption authorized by this subparagraph, if the
8 disability determination that would have been made
9 while the disabled veteran was still living is not
10 made final until after the death of the disabled
11 veteran, the exemption authorized by this subparagraph
12 may still be claimed by the surviving spouse;

13 35. Sales of electricity to the operator, specifically
14 designated by the Corporation Commission, of a spacing unit or lease
15 from which oil is produced or attempted to be produced using
16 enhanced recovery methods including, but not limited to, increased
17 pressure in a producing formation through the use of water or
18 saltwater if the electrical usage is associated with and necessary
19 for the operation of equipment required to inject or circulate
20 fluids in a producing formation for the purpose of forcing oil or
21 petroleum into a wellbore for eventual recovery and production from
22 the wellhead. In order to be eligible for the sales tax exemption
23 authorized by this paragraph, the total content of oil recovered
24 after the use of enhanced recovery methods shall not exceed one

1 percent (1%) by volume. The exemption authorized by this paragraph
2 shall be applicable only to the state sales tax rate and shall not
3 be applicable to any county or municipal sales tax rate;

4 36. Sales of intrastate charter and tour bus transportation.
5 As used in this paragraph, "intrastate charter and tour bus
6 transportation" means the transportation of persons from one
7 location in this state to another location in this state in a motor
8 vehicle which has been constructed in such a manner that it may
9 lawfully carry more than eighteen persons, and which is ordinarily
10 used or rented to carry persons for compensation. Provided, this
11 exemption shall not apply to regularly scheduled bus transportation
12 for the general public;

13 37. Sales of vitamins, minerals, and dietary supplements by a
14 licensed chiropractor to a person who is the patient of such
15 chiropractor at the physical location where the chiropractor
16 provides chiropractic care or services to such patient. The
17 provisions of this paragraph shall not be applicable to any drug,
18 medicine, or substance for which a prescription by a licensed
19 physician is required;

20 38. Sales of goods, wares, merchandise, tangible personal
21 property, machinery, and equipment to a web search portal located in
22 this state which derives at least eighty percent (80%) of its annual
23 gross revenue from the sale of a product or service to an out-of-
24 state buyer or consumer. For purposes of this paragraph, "web
25

1 search portal" means an establishment classified under North
2 American Industry Classification System (NAICS) code 519130 which
3 operates websites that use a search engine to generate and maintain
4 extensive databases of Internet addresses and content in an easily
5 searchable format;

6 39. Sales of tangible personal property consumed or
7 incorporated in the construction or expansion of a facility for a
8 corporation organized under Section 437 et seq. of Title 18 of the
9 Oklahoma Statutes as a rural electric cooperative. For purposes of
10 this paragraph, sales made to a contractor or subcontractor that has
11 previously entered into a contractual relationship with a rural
12 electric cooperative for construction or expansion of a facility
13 shall be considered sales made to a rural electric cooperative;

14 40. Sales of tangible personal property or services to a
15 business primarily engaged in the repair of consumer electronic
16 goods including, but not limited to, cell phones, compact disc
17 players, personal computers, MP3 players, digital devices for the
18 storage and retrieval of information through hard-wired or wireless
19 computer or Internet connections, if the devices are sold to the
20 business by the original manufacturer of such devices and the
21 devices are repaired, refitted or refurbished for sale by the entity
22 qualifying for the exemption authorized by this paragraph directly
23 to retail consumers or if the devices are sold to another business
24 entity for sale to retail consumers;

1 41. On or after July 1, 2019, and prior to ~~July 1, 2024~~ July 1,
2 2029, sales or leases of rolling stock ~~when sold or leased by the~~
3 ~~manufacturer~~, regardless of whether the purchaser is a public
4 services corporation engaged in business as a common carrier of
5 property or passengers by railway, for use or consumption by a
6 common carrier directly in the rendition of public service. For
7 purposes of this paragraph, "rolling stock" means locomotives,
8 autocars, and railroad cars and "sales or leases" includes railroad
9 car maintenance and retrofitting of railroad cars for their further
10 use only on the railways;

11 42. Sales of gold, silver, platinum, palladium or other bullion
12 items such as coins and bars and legal tender of any nation, which
13 legal tender is sold according to its value as precious metal or as
14 an investment. As used in the paragraph, "bullion" means any
15 precious metal including, but not limited to, gold, silver,
16 platinum, and palladium, that is in such a state or condition that
17 its value depends upon its precious metal content and not its form.
18 The exemption authorized by this paragraph shall not apply to
19 fabricated metals that have been processed or manufactured for
20 artistic use or as jewelry;

21 43. Subject to the other requirements of this paragraph and the
22 requirements of Section 1357.21 of this title, sale, lease, rental,
23 storage, use or other consumption of qualifying broadband equipment
24 by providers of Internet service or subsidiaries if the property is
25

1 directly used or consumed by the provider or subsidiary in or during
2 the distribution of broadband Internet service. The Legislature
3 finds that pursuant to the provisions of subsection H of Section
4 1357.21 of this title, the provisions of this paragraph were
5 originally made contingent upon the enactment of an incentive award
6 formula. Notwithstanding the failure to fulfill the condition as
7 prescribed by subsection H of Section 1357.21 of this title, as
8 originally enacted, the provisions of this paragraph shall be
9 operative on and after June 2, 2023;

10 44. Until January 2027, sales of commercial forestry service
11 equipment, limited to forwarders, fellers, bunchers, track skidders,
12 wheeled skidders, hydraulic excavators, delimbers, soil compactors
13 and skid steer loaders, to businesses engaged in logging, timber and
14 tree farming;

15 45. Recovery fees on the rental charge from any item of heavy
16 equipment property rental as provided for in Section 2807.11 of this
17 title; and

18 ~~44.~~ 46. Sales of firearm safety devices and gun safety devices.
19 As used in this paragraph:

- 20 a. "firearm safety device" means a gun safe, gun case,
21 gun lock box, trigger lock, barrel lock, or other
22 device that is designed to be used to store a firearm
23 and that is designed to be unlocked only by means of a
24 key, combination, or other similar means, and

1 b. “gun safety device” means any integral device to be
2 equipped or installed on a firearm that permits a user
3 to program the firearm to operate only for specified
4 persons designated by the user through computerized
5 locking devices or other means integral to and
6 permanently part of the firearm.

7 SECTION 123. REPEALER 68 O.S. 2021, Section 1357, as
8 amended by Section 10, Chapter 229, O.S.L. 2017, is hereby repealed.

9 SECTION 124. REPEALER 68 O.S. 2021, Section 1357, as
10 amended by Section 1, Chapter 68, O.S.L. 2021, is hereby repealed.

11 SECTION 125. REPEALER 68 O.S. 2021, Section 1357, as
12 last amended by Section 1, Chapter 193, O.S.L. 2023 (68 O.S. Supp.
13 2025, Section 1357), is hereby repealed.

14 SECTION 126. REPEALER 68 O.S. 2021, Section 1357, as
15 amended by Section 1, Chapter 44, 1st Extraordinary Session, O.S.L.
16 2023 (68 O.S. Supp. 2025, Section 1357), is hereby repealed.

17 SECTION 127. AMENDATORY 68 O.S. 2021, Section 2357.22,
18 as last amended by Section 1, Chapter 143, O.S.L. 2024 (68 O.S.
19 Supp. 2025, Section 2357.22), is amended to read as follows:

20 Section 2357.22. A. For tax years 2028 and before, there shall
21 be allowed a one-time credit against the income tax imposed by
22 Section 2355 of this title for investments in qualified clean-
23 burning motor vehicle fuel property placed in service on or after
24

1 January 1, 1991, or with respect to a hydrogen fuel cell, on or
2 after July 1, 2023.

3 B. As used in this section, "qualified clean-burning motor
4 vehicle fuel property" means:

5 1. Equipment installed to modify a motor vehicle which is
6 propelled by gasoline or diesel fuel so that the vehicle may be
7 propelled by compressed natural gas, a hydrogen fuel cell, liquefied
8 natural gas, or liquefied petroleum gas. The equipment covered by
9 this paragraph must:

- 10 a. be new, not previously used to modify or retrofit any
11 vehicle propelled by gasoline or diesel fuel and be
12 installed by an alternative fuels equipment technician
13 who is certified in accordance with the Alternative
14 Fuels Technician Certification Act,
15 b. meet all Federal Motor Vehicle Safety Standards set
16 forth in 49 CFR 571, or
17 c. for any commercial motor vehicle (CMV), follow the
18 Federal Motor Carrier Safety Regulations or Oklahoma
19 Intrastate Motor Carrier Regulations;

20 2. A motor vehicle originally equipped so that the vehicle may
21 be propelled by compressed natural gas, a hydrogen fuel cell, or
22 liquefied natural gas or liquefied petroleum gas but only to the
23 extent of the portion of the basis of such motor vehicle which is
24 attributable to the storage of such fuel, the delivery to the engine

1 of such motor vehicle of such fuel, and the exhaust of gases from
2 combustion of such fuel;

3 3. Property, not including a building and its structural
4 components, which is:

- 5 a. directly related to the delivery of compressed natural
6 gas, liquefied natural gas or liquefied petroleum gas,
7 or hydrogen for commercial purposes or for a fee or
8 charge, into the fuel tank of a motor vehicle
9 propelled by such fuel including compression equipment
10 and storage tanks for such fuel at the point where
11 such fuel is so delivered but only if such property is
12 not used to deliver such fuel into any other type of
13 storage tank or receptacle and such fuel is not used
14 for any purpose other than to propel a motor vehicle,
15 or
- 16 b. a metered-for-fee, public access recharging system for
17 motor vehicles propelled in whole or in part by
18 electricity. The property covered by this paragraph
19 must be new, and must not have been previously
20 installed or used to refuel vehicles powered by
21 compressed natural gas, liquefied natural gas or
22 liquefied petroleum gas, hydrogen, or electricity.

~~Any property covered by this paragraph which is related to the delivery of hydrogen into the fuel tank of a motor vehicle shall only be eligible for tax years 2010 and 2023 through 2028;~~

4. Property which is directly related to the compression and delivery of natural gas from a private home or residence, for noncommercial purposes, into the fuel tank of a motor vehicle propelled by compressed natural gas. The property covered by this paragraph must be new and must not have been previously installed or used to refuel vehicles powered by natural gas; or

5. For tax years 2010 and 2023 through 2028, a motor vehicle originally equipped so that the vehicle may be propelled by a hydrogen fuel cell electric fueling system.

C. As used in this section, "motor vehicle" means a motor vehicle originally designed by the manufacturer to operate lawfully and principally on streets and highways.

D. The credit provided for in subsection A of this section shall be as follows:

1. For the qualified clean-burning motor vehicle fuel property defined in paragraphs 1, 2, or 5 of subsection B of this section, the amount of the credit shall be as follows based upon gross vehicle weight of the qualified vehicle:

- a. for vehicles up to or below six thousand (6,000) pounds, the credit shall be a maximum of Five Thousand Five Hundred Dollars (\$5,500.00),

- 1 b. for vehicles between six thousand one (6,001) pounds
2 to ten thousand (10,000) pounds, the credit shall be a
3 maximum amount of Nine Thousand Dollars (\$9,000.00),
4 c. for vehicles of ten thousand one (10,001) pounds, but
5 not in excess of twenty-six thousand five hundred
6 (26,500) pounds, the credit shall be a maximum amount
7 of Twenty-six Thousand Dollars (\$26,000.00), and
8 d. for vehicles in excess of twenty-six thousand five
9 hundred one (26,501) pounds, the credit shall be a
10 maximum amount of One Hundred Thousand Dollars
11 (\$100,000.00);

12 2. For qualified clean-burning motor vehicle fuel property
13 defined in paragraph 3 of subsection B of this section, a per-
14 location credit of forty-five percent (45%) of the cost of the
15 qualified clean-burning motor vehicle fuel property; and

16 3. For qualified clean-burning motor vehicle fuel property
17 defined in paragraph 4 of subsection B of this section, a per-
18 location credit of the lesser of fifty percent (50%) of the cost of
19 the qualified clean-burning motor vehicle fuel property or Two
20 Thousand Five Hundred Dollars (\$2,500.00).

21 E. In cases where no credit has been claimed pursuant to
22 paragraph 1 of subsection D of this section by any prior owner and
23 in which a motor vehicle is purchased by a taxpayer with qualified
24 clean-burning motor vehicle fuel property installed by the

1 manufacturer of such motor vehicle and the taxpayer is unable or
2 elects not to determine the exact basis which is attributable to
3 such property, the taxpayer may claim a credit in an amount not
4 exceeding the lesser of ten percent (10%) of the cost of the motor
5 vehicle or One Thousand Five Hundred Dollars (\$1,500.00).

6 F. If the tax credit allowed pursuant to subsection A of this
7 section exceeds the amount of income taxes due or if there are no
8 state income taxes due on the income of the taxpayer, the amount of
9 the credit not used as an offset against the income taxes of a
10 taxable year may be carried forward, in order, as a credit against
11 subsequent income tax liability for a period not to exceed five (5)
12 years. The tax credit authorized pursuant to the provisions of this
13 section shall not be used to reduce the tax liability of the
14 taxpayer to less than zero (0).

15 G. A husband and wife who file separate returns for a taxable
16 year in which they could have filed a joint return may each claim
17 only one-half (1/2) of the tax credit that would have been allowed
18 for a joint return.

19 H. The Oklahoma Tax Commission is herein empowered to
20 promulgate rules by which the purpose of this section shall be
21 administered including the power to establish and enforce penalties
22 for violations thereof.

23 I. Notwithstanding the provisions of Section 2352 of this
24 title, for the fiscal year beginning on July 1, 2014, through fiscal
25

1 year 2023, the Tax Commission shall calculate an amount that equals
2 five percent (5%) of the cost of qualified clean-burning motor
3 vehicle fuel property as provided for in paragraph 1 of subsection D
4 of this section for tax year 2012. For each subsequent fiscal year
5 thereafter, the Tax Commission shall perform the same computation
6 with respect to the second tax year preceding the beginning of each
7 subsequent fiscal year. For fiscal year 2024, the Tax Commission
8 shall calculate an amount that equals twelve percent (12%) of the
9 credit for qualified clean-burning motor vehicle fuel property as
10 provided in paragraph 1 of subsection D of this section for tax year
11 2021. For each subsequent fiscal year, the Tax Commission shall
12 perform the same calculation for credits claimed in the second
13 preceding tax year. The Tax Commission shall then transfer an
14 amount equal to the amount calculated in this subsection from the
15 revenue derived pursuant to the provisions of subsections A, B and E
16 of Section 2355 of this title to the Compressed Natural Gas
17 Conversion Safety and Regulation Fund created in Section 130.25 of
18 Title 74 of the Oklahoma Statutes.

19 J. For the tax years 2020 through 2022, the total amount of
20 credits authorized by this section used to offset tax shall be
21 adjusted annually to limit the annual amount of credits to Twenty
22 Million Dollars (\$20,000,000.00). The Tax Commission shall annually
23 calculate and publish by the first day of the affected taxable year
24 a percentage by which the credits authorized by this section shall

1 be reduced so the total amount of credits used to offset tax does
2 not exceed Twenty Million Dollars (\$20,000,000.00) per year. The
3 formula to be used for the percentage adjustment shall be Twenty
4 Million Dollars (\$20,000,000.00) divided by the credits claimed in
5 the second preceding year, with respect to any changes to the future
6 of the credit.

7 K. Pursuant to subsection J of this section, in the event the
8 total tax credits authorized by this section exceed Twenty Million
9 Dollars (\$20,000,000.00) in any calendar year, the Tax Commission
10 shall permit any excess over Twenty Million Dollars (\$20,000,000.00)
11 but shall factor such excess into the percentage adjustment formula
12 for subsequent years with respect to any changes to the future of
13 the credit.

14 L. Except as otherwise provided by this subsection, for the tax
15 years 2023 through 2028, the total amount of credits authorized by
16 this section used to offset tax shall be adjusted annually to limit
17 the annual amount of credits to:

18 1. Ten Million Dollars (\$10,000,000.00) for qualified clean
19 burning fuel property propelled by compressed natural gas, liquefied
20 natural gas, or liquefied petroleum gas, property related to the
21 delivery of compressed natural gas, liquefied natural gas or
22 liquefied petroleum gas, and property directly related to the
23 compression and delivery of natural gas;

1 2. Ten Million Dollars (\$10,000,000.00) for property originally
2 equipped so that the vehicle may be propelled by a hydrogen fuel
3 cell electric fueling system and property directly related to the
4 delivery of hydrogen; and

5 3. Ten Million Dollars (\$10,000,000.00) for property which is a
6 metered-for-fee, public access recharging system for motor vehicles
7 propelled in whole or in part by electricity.

8 If one of the tax credit pools as described in paragraphs 1
9 through 3 of this subsection is not fully utilized for the
10 applicable tax year, the remaining balance of that pool shall be
11 allocated to each of the two remaining tax credit pools in equal
12 amounts. If two of the tax credit pools as described in paragraphs
13 1 through 3 of this subsection are not fully utilized for the
14 applicable tax year, the remaining balances in both pools shall be
15 added together and the sum of those amounts shall be allocated to
16 the remaining tax credit pool.

17 The Tax Commission shall annually calculate and publish by the
18 first day of the affected taxable year a percentage by which the
19 credits authorized by this section shall be reduced so the total
20 amount of credits used to offset tax does not exceed each of the
21 limits provided in paragraphs 1 through 3 of this subsection. The
22 formula to be used for the percentage adjustment shall be Ten
23 Million Dollars (\$10,000,000.00) divided by the credits claimed in
24

1 the second preceding year, with respect to any changes to the future
2 of the credit.

3 M. Pursuant to subsection L of this section, in the event the
4 tax credits authorized by this section exceed any of the limits
5 provided in paragraphs 1 through 3 of subsection L of this section
6 in any year, the Tax Commission shall permit any excess over Ten
7 Million Dollars (\$10,000,000.00) but shall factor such excess into
8 the percentage adjustment formula for subsequent years with respect
9 to any changes to the future of the credit.

10 N. The Tax Commission shall notify the Office of the State
11 Secretary of Energy and Environment at any time when the amount of
12 claims for credits allowed pursuant to this section reaches eighty
13 percent (80%) of the total annual limit provided in subsection J of
14 this section. Upon such notification, the Secretary shall provide
15 notice to the Governor, President Pro Tempore of the Senate and
16 Speaker of the House of Representatives.

17 SECTION 128. REPEALER 68 O.S. 2021, Section 2357.22, as
18 last amended by Section 153, Chapter 452, O.S.L. 2024 (68 O.S. Supp.
19 2025, Section 2357.22), is hereby repealed.

20 SECTION 129. AMENDATORY 68 O.S. 2021, Section 2358, as
21 last amended by Section 155, Chapter 452, O.S.L. 2024 (68 O.S. Supp.
22 2025, Section 2358), is amended to read as follows:

23 Section 2358. For all tax years beginning after December 31,
24 1981, taxable income and adjusted gross income shall be adjusted to

1 arrive at Oklahoma taxable income and Oklahoma adjusted gross income
2 as required by this section.

3 A. The taxable income of any taxpayer shall be adjusted to
4 arrive at Oklahoma taxable income for corporations and Oklahoma
5 adjusted gross income for individuals, as follows:

6 1. There shall be added interest income on obligations of any
7 state or political subdivision thereto which is not otherwise
8 exempted pursuant to other laws of this state, to the extent that
9 such interest is not included in taxable income and adjusted gross
10 income.

11 2. There shall be deducted amounts included in such income that
12 the state is prohibited from taxing because of the provisions of the
13 Federal Constitution, the State Constitution, federal laws or laws
14 of Oklahoma.

15 3. The amount of any federal net operating loss deduction shall
16 be adjusted as follows:

17 a. For carryovers and carrybacks to taxable years
18 beginning before January 1, 1981, the amount of any
19 net operating loss deduction allowed to a taxpayer for
20 federal income tax purposes shall be reduced to an
21 amount which is the same portion thereof as the loss
22 from sources within this state, as determined pursuant
23 to this section and Section 2362 of this title, for
24

1 the taxable year in which such loss is sustained is of
2 the total loss for such year;

- 3 b. For carryovers and carrybacks to taxable years
4 beginning after December 31, 1980, the amount of any
5 net operating loss deduction allowed for the taxable
6 year shall be an amount equal to the aggregate of the
7 Oklahoma net operating loss carryovers and carrybacks
8 to such year. Oklahoma net operating losses shall be
9 separately determined by reference to Section 172 of
10 the Internal Revenue Code, 26 U.S.C., Section 172, as
11 modified by the Oklahoma Income Tax Act, Section 2351
12 et seq. of this title, and shall be allowed without
13 regard to the existence of a federal net operating
14 loss. For tax years beginning after December 31,
15 2000, and ending before January 1, 2008, the years to
16 which such losses may be carried shall be determined
17 solely by reference to Section 172 of the Internal
18 Revenue Code, 26 U.S.C., Section 172, with the
19 exception that the terms "net operating loss" and
20 "taxable income" shall be replaced with "Oklahoma net
21 operating loss" and "Oklahoma taxable income". For
22 tax years beginning after December 31, 2007, and
23 ending before January 1, 2009, years to which such
24 losses may be carried back shall be limited to two (2)

1 years. For tax years beginning after December 31,
2 2008, the years to which such losses may be carried
3 back shall be determined solely by reference to
4 Section 172 of the Internal Revenue Code, 26 U.S.C.,
5 Section 172, with the exception that the terms "net
6 operating loss" and "taxable income" shall be replaced
7 with "Oklahoma net operating loss" and "Oklahoma
8 taxable income".

9 4. Items of the following nature shall be allocated as
10 indicated. Allowable deductions attributable to items separately
11 allocable in subparagraphs a, b and c of this paragraph, whether or
12 not such items of income were actually received, shall be allocated
13 on the same basis as those items:

14 a. Income from real and tangible personal property, such
15 as rents, oil and mining production or royalties, and
16 gains or losses from sales of such property, shall be
17 allocated in accordance with the situs of such
18 property;

19 b. Income from intangible personal property, such as
20 interest, dividends, patent or copyright royalties,
21 and gains or losses from sales of such property, shall
22 be allocated in accordance with the domiciliary situs
23 of the taxpayer, except that:
24

1 (1) where such property has acquired a nonunitary
2 business or commercial situs apart from the
3 domicile of the taxpayer such income shall be
4 allocated in accordance with such business or
5 commercial situs; interest income from
6 investments held to generate working capital for
7 a unitary business enterprise shall be included
8 in apportionable income; a resident trust or
9 resident estate shall be treated as having a
10 separate commercial or business situs insofar as
11 undistributed income is concerned, but shall not
12 be treated as having a separate commercial or
13 business situs insofar as distributed income is
14 concerned,

15 (2) for taxable years beginning after December 31,
16 2003, capital or ordinary gains or losses from
17 the sale of an ownership interest in a publicly
18 traded partnership, as defined by Section 7704(b)
19 of the Internal Revenue Code, shall be allocated
20 to this state in the ratio of the original cost
21 of such partnership's tangible property in this
22 state to the original cost of such partnership's
23 tangible property everywhere, as determined at
24 the time of the sale; if more than fifty percent
25

(50%) of the value of the partnership's assets consists of intangible assets, capital or ordinary gains or losses from the sale of an ownership interest in the partnership shall be allocated to this state in accordance with the sales factor of the partnership for its first full tax period immediately preceding its tax period during which the ownership interest in the partnership was sold; the provisions of this division shall only apply if the capital or ordinary gains or losses from the sale of an ownership interest in a partnership do not constitute qualifying gain receiving capital treatment as defined in subparagraph a of paragraph 2 of subsection F of this section,

(3) income from such property which is required to be allocated pursuant to the provisions of paragraph 5 of this subsection shall be allocated as herein provided;

c. Net income or loss from a business activity which is not a part of business carried on within or without the state of a unitary character shall be separately allocated to the state in which such activity is conducted;

1 d. In the case of a manufacturing or processing
2 enterprise the business of which in ~~Oklahoma~~ this
3 state consists solely of marketing its products by:

4 (1) sales having a situs without this state, shipped
5 directly to a point from without the state to a
6 purchaser within the state, commonly known as
7 interstate sales,

8 (2) sales of the product stored in public warehouses
9 within the state pursuant to "in transit"
10 tariffs, as prescribed and allowed by the
11 Interstate Commerce Commission, to a purchaser
12 within the state,

13 (3) sales of the product stored in public warehouses
14 within the state where the shipment to such
15 warehouses is not covered by "in transit"
16 tariffs, as prescribed and allowed by the
17 Interstate Commerce Commission, to a purchaser
18 within or without the state,

19 the Oklahoma net income shall, at the option of the
20 taxpayer, be that portion of the total net income of
21 the taxpayer for federal income tax purposes derived
22 from the manufacture and/or processing and sales
23 everywhere as determined by the ratio of the sales
24 defined in this section made to the purchaser within

1 the state to the total sales everywhere. The term
2 "public warehouse" as used in this subparagraph means
3 a licensed public warehouse, the principal business of
4 which is warehousing merchandise for the public;

5 e. In the case of insurance companies, Oklahoma taxable
6 income shall be taxable income of the taxpayer for
7 federal tax purposes, as adjusted for the adjustments
8 provided pursuant to the provisions of paragraphs 1
9 and 2 of this subsection, apportioned as follows:

10 (1) except as otherwise provided by division (2) of
11 this subparagraph, taxable income of an insurance
12 company for a taxable year shall be apportioned
13 to this state by multiplying such income by a
14 fraction, the numerator of which is the direct
15 premiums written for insurance on property or
16 risks in this state, and the denominator of which
17 is the direct premiums written for insurance on
18 property or risks everywhere. For purposes of
19 this subsection, the term "direct premiums
20 written" means the total amount of direct
21 premiums written, assessments and annuity
22 considerations as reported for the taxable year
23 on the annual statement filed by the company with
24 the Insurance Commissioner in the form approved

1 by the National Association of Insurance
2 Commissioners, or such other form as may be
3 prescribed in lieu thereof,

- 4 (2) if the principal source of premiums written by an
5 insurance company consists of premiums for
6 reinsurance accepted by it, the taxable income of
7 such company shall be apportioned to this state
8 by multiplying such income by a fraction, the
9 numerator of which is the sum of (a) direct
10 premiums written for insurance on property or
11 risks in this state, plus (b) premiums written
12 for reinsurance accepted in respect of property
13 or risks in this state, and the denominator of
14 which is the sum of (c) direct premiums written
15 for insurance on property or risks everywhere,
16 plus (d) premiums written for reinsurance
17 accepted in respect of property or risks
18 everywhere. For purposes of this paragraph,
19 premiums written for reinsurance accepted in
20 respect of property or risks in this state,
21 whether or not otherwise determinable, may at the
22 election of the company be determined on the
23 basis of the proportion which premiums written
24 for insurance accepted from companies

1 commercially domiciled in ~~Oklahoma~~ this state
2 bears to premiums written for reinsurance
3 accepted from all sources, or alternatively in
4 the proportion which the sum of the direct
5 premiums written for insurance on property or
6 risks in this state by each ceding company from
7 which reinsurance is accepted bears to the sum of
8 the total direct premiums written by each such
9 ceding company for the taxable year.

10 5. The net income or loss remaining after the separate
11 allocation in paragraph 4 of this subsection, being that which is
12 derived from a unitary business enterprise, shall be apportioned to
13 this state on the basis of the arithmetical average of three factors
14 consisting of property, payroll and sales or gross revenue
15 enumerated as subparagraphs a, b and c of this paragraph. Net
16 income or loss as used in this paragraph includes that derived from
17 patent or copyright royalties, purchase discounts, and interest on
18 accounts receivable relating to or arising from a business activity,
19 the income from which is apportioned pursuant to this subsection,
20 including the sale or other disposition of such property and any
21 other property used in the unitary enterprise. Deductions used in
22 computing such net income or loss shall not include taxes based on
23 or measured by income. Provided, for corporations whose property
24 for purposes of the tax imposed by Section 2355 of this title has an

1 initial investment cost equaling or exceeding Two Hundred Million
2 Dollars (\$200,000,000.00) and such investment is made on or after
3 July 1, 1997, or for corporations which expand their property or
4 facilities in this state and such expansion has an investment cost
5 equaling or exceeding Two Hundred Million Dollars (\$200,000,000.00)
6 over a period not to exceed three (3) years, and such expansion is
7 commenced on or after January 1, 2000, the three factors shall be
8 apportioned with property and payroll, each comprising twenty-five
9 percent (25%) of the apportionment factor and sales comprising fifty
10 percent (50%) of the apportionment factor. The apportionment
11 factors shall be computed as follows:

12 a. The property factor is a fraction, the numerator of
13 which is the average value of the taxpayer's real and
14 tangible personal property owned or rented and used in
15 this state during the tax period and the denominator
16 of which is the average value of all the taxpayer's
17 real and tangible personal property everywhere owned
18 or rented and used during the tax period.

19 (1) Property, the income from which is separately
20 allocated in paragraph 4 of this subsection,
21 shall not be included in determining this
22 fraction. The numerator of the fraction shall
23 include a portion of the investment in
24 transportation and other equipment having no

1 fixed situs, such as rolling stock, buses, trucks
2 and trailers, including machinery and equipment
3 carried thereon, airplanes, salespersons'
4 automobiles and other similar equipment, in the
5 proportion that miles traveled in ~~Oklahoma~~ this
6 state by such equipment bears to total miles
7 traveled,

8 (2) Property owned by the taxpayer is valued at its
9 original cost. Property rented by the taxpayer
10 is valued at eight times the net annual rental
11 rate. Net annual rental rate is the annual
12 rental rate paid by the taxpayer, less any annual
13 rental rate received by the taxpayer from
14 subrentals,

15 (3) The average value of property shall be determined
16 by averaging the values at the beginning and
17 ending of the tax period but the Oklahoma Tax
18 Commission may require the averaging of monthly
19 values during the tax period if reasonably
20 required to reflect properly the average value of
21 the taxpayer's property;

22 b. The payroll factor is a fraction, the numerator of
23 which is the total compensation for services rendered
24 in the state during the tax period, and the

denominator of which is the total compensation for services rendered everywhere during the tax period. "Compensation", as used in this subsection means those paid-for services to the extent related to the unitary business but does not include officers' salaries, wages and other compensation.

(1) In the case of a transportation enterprise, the numerator of the fraction shall include a portion of such expenditure in connection with employees operating equipment over a fixed route, such as railroad employees, airline pilots, or bus drivers, in this state only a part of the time, in the proportion that mileage traveled in ~~Oklahoma~~ this state bears to total mileage traveled by such employees,

(2) In any case the numerator of the fraction shall include a portion of such expenditures in connection with itinerant employees, such as traveling salespersons, in this state only a part of the time, in the proportion that time spent in ~~Oklahoma~~ this state bears to total time spent in furtherance of the enterprise by such employees;

c. The sales factor is a fraction, the numerator of which is the total sales or gross revenue of the taxpayer in

1 this state during the tax period, and the denominator
2 of which is the total sales or gross revenue of the
3 taxpayer everywhere during the tax period. "Sales",
4 as used in this subsection does not include sales or
5 gross revenue which are separately allocated in
6 paragraph 4 of this subsection.

7 (1) Sales of tangible personal property have a situs
8 in this state if the property is delivered or
9 shipped to a purchaser other than the United
10 States government, within this state regardless
11 of the FOB point or other conditions of the sale;
12 or the property is shipped from an office, store,
13 warehouse, factory or other place of storage in
14 this state and (a) the purchaser is the United
15 States government or (b) the taxpayer is not
16 doing business in the state of the destination of
17 the shipment.

18 (2) In the case of a railroad or interurban railway
19 enterprise, the numerator of the fraction shall
20 not be less than the allocation of revenues to
21 this state as shown in its annual report to the
22 Corporation Commission.

23 (3) In the case of an airline, truck or bus
24 enterprise or freight car, tank car, refrigerator

1 car or other railroad equipment enterprise, the
2 numerator of the fraction shall include a portion
3 of revenue from interstate transportation in the
4 proportion that interstate mileage traveled in
5 Oklahoma bears to total interstate mileage
6 traveled.

7 (4) In the case of an oil, gasoline or gas pipeline
8 enterprise, the numerator of the fraction shall
9 be either the total of traffic units of the
10 enterprise within Oklahoma or the revenue
11 allocated to Oklahoma based upon miles moved, at
12 the option of the taxpayer, and the denominator
13 of which shall be the total of traffic units of
14 the enterprise or the revenue of the enterprise
15 everywhere as appropriate to the numerator. A
16 "traffic unit" is hereby defined as the
17 transportation for a distance of one (1) mile of
18 one (1) barrel of oil, one (1) gallon of gasoline
19 or one thousand (1,000) cubic feet of natural or
20 casinghead gas, as the case may be.

21 (5) In the case of a telephone or telegraph or other
22 communication enterprise, the numerator of the
23 fraction shall include that portion of the
24 interstate revenue as is allocated pursuant to
25

1 the accounting procedures prescribed by the
2 Federal Communications Commission; provided that
3 in respect to each corporation or business entity
4 required by the Federal Communications Commission
5 to keep its books and records in accordance with
6 a uniform system of accounts prescribed by such
7 Commission, the intrastate net income shall be
8 determined separately in the manner provided by
9 such uniform system of accounts and only the
10 interstate income shall be subject to allocation
11 pursuant to the provisions of this subsection.
12 Provided further, that the gross revenue factors
13 shall be those as are determined pursuant to the
14 accounting procedures prescribed by the Federal
15 Communications Commission.

16 In any case where the apportionment of the three factors
17 prescribed in this paragraph attributes to ~~Oklahoma~~ this state a
18 portion of net income of the enterprise out of all appropriate
19 proportion to the property owned and/or business transacted within
20 this state, because of the fact that one or more of the factors so
21 prescribed are not employed to any appreciable extent in furtherance
22 of the enterprise; or because one or more factors not so prescribed
23 are employed to a considerable extent in furtherance of the
24 enterprise; or because of other reasons, the Tax Commission is

1 empowered to permit, after a showing by taxpayer that an excessive
2 portion of net income has been attributed to ~~Oklahoma~~ this state, or
3 require, when in its judgment an insufficient portion of net income
4 has been attributed to ~~Oklahoma~~ this state, the elimination,
5 substitution, or use of additional factors, or reduction or increase
6 in the weight of such prescribed factors. Provided, however, that
7 any such variance from such prescribed factors which has the effect
8 of increasing the portion of net income attributable to ~~Oklahoma~~
9 this state must not be inherently arbitrary, and application of the
10 recomputed final apportionment to the net income of the enterprise
11 must attribute to ~~Oklahoma~~ this state only a reasonable portion
12 thereof.

13 6. For calendar years 1997 and 1998, the owner of a new or
14 expanded agricultural commodity processing facility in this state
15 may exclude from Oklahoma taxable income, or in the case of an
16 individual, the Oklahoma adjusted gross income, fifteen percent
17 (15%) of the investment by the owner in the new or expanded
18 agricultural commodity processing facility. For calendar year 1999,
19 and all subsequent years, the percentage, not to exceed fifteen
20 percent (15%), available to the owner of a new or expanded
21 agricultural commodity processing facility in this state claiming
22 the exemption shall be adjusted annually so that the total estimated
23 reduction in tax liability does not exceed One Million Dollars
24 (\$1,000,000.00) annually. The Tax Commission shall promulgate rules

1 for determining the percentage of the investment which each eligible
2 taxpayer may exclude. The exclusion provided by this paragraph
3 shall be taken in the taxable year when the investment is made. In
4 the event the total reduction in tax liability authorized by this
5 paragraph exceeds One Million Dollars (\$1,000,000.00) in any
6 calendar year, the Tax Commission shall permit any excess over One
7 Million Dollars (\$1,000,000.00) and shall factor such excess into
8 the percentage for subsequent years. Any amount of the exemption
9 permitted to be excluded pursuant to the provisions of this
10 paragraph but not used in any year may be carried forward as an
11 exemption from income pursuant to the provisions of this paragraph
12 for a period not exceeding six (6) years following the year in which
13 the investment was originally made.

14 For purposes of this paragraph:

- 15 a. "Agricultural commodity processing facility" means
16 ~~building~~ buildings, structures, fixtures and
17 improvements used or operated primarily for the
18 processing or production of marketable products from
19 agricultural commodities. The term shall also mean a
20 dairy operation that requires a depreciable investment
21 of at least Two Hundred Fifty Thousand Dollars
22 (\$250,000.00) and which produces milk from dairy cows.
23 The term does not include a facility that provides
24

- 1 only, and nothing more than, storage, cleaning, drying
2 or transportation of agricultural commodities, and
3 b. "Facility" means each part of the facility which is
4 used in a process primarily for:
5 (1) the processing of agricultural commodities,
6 including receiving or storing agricultural
7 commodities, or the production of milk at a dairy
8 operation,
9 (2) transporting the agricultural commodities or
10 product before, during or after the processing,
11 or
12 (3) packaging or otherwise preparing the product for
13 sale or shipment.

14 7. Despite any provision to the contrary in paragraph 3 of this
15 subsection, for taxable years beginning after December 31, 1999, in
16 the case of a taxpayer which has a farming loss, such farming loss
17 shall be considered a net operating loss carryback in accordance
18 with and to the extent of the Internal Revenue Code, 26 U.S.C.,
19 Section 172(b)(G). However, the amount of the net operating loss
20 carryback shall not exceed the lesser of:

- 21 a. Sixty Thousand Dollars (\$60,000.00), or
22 b. the loss properly shown on Schedule F of the Internal
23 Revenue Service Form 1040 reduced by one-half (1/2) of
24

1 the income from all other sources other than reflected
2 on Schedule F.

3 8. In taxable years beginning after December 31, 1995, all
4 qualified wages equal to the federal income tax credit set forth in
5 26 U.S.C.A., Section 45A, shall be deducted from taxable income.
6 The deduction allowed pursuant to this paragraph shall only be
7 permitted for the tax years in which the federal tax credit pursuant
8 to 26 U.S.C.A., Section 45A, is allowed. For purposes of this
9 paragraph, "qualified wages" means those wages used to calculate the
10 federal credit pursuant to 26 U.S.C.A., Section 45A.

11 9. In taxable years beginning after December 31, 2005, an
12 employer that is eligible for and utilizes the Safety Pays OSHA
13 Consultation Service provided by the Oklahoma Department of Labor
14 shall receive an exemption from taxable income in the amount of One
15 Thousand Dollars (\$1,000.00) for the tax year that the service is
16 utilized.

17 10. For taxable years beginning on or after January 1, 2010,
18 there shall be added to Oklahoma taxable income an amount equal to
19 the amount of deferred income not included in such taxable income
20 pursuant to Section 108(i)(1) of the Internal Revenue Code of 1986
21 as amended by Section 1231 of the American Recovery and Reinvestment
22 Act of 2009 (P.L. No. 111-5). There shall be subtracted from
23 Oklahoma taxable income an amount equal to the amount of deferred
24 income included in such taxable income pursuant to Section 108(i)(1)

1 of the Internal Revenue Code by Section 1231 of the American
2 Recovery and Reinvestment Act of 2009 (P.L. No. 111-5).

3 11. For taxable years beginning on or after January 1, 2019,
4 there shall be subtracted from Oklahoma taxable income or adjusted
5 gross income any item of income or gain, and there shall be added to
6 Oklahoma taxable income or adjusted gross income any item of loss or
7 deduction that in the absence of an election pursuant to the
8 provisions of the Pass-Through Entity Tax Equity Act of 2019 would
9 be allocated to a member or to an indirect member of an electing
10 pass-through entity pursuant to Section 2351 et seq. of this title,
11 if (i) the electing pass-through entity has accounted for such item
12 in computing its Oklahoma net entity income or loss pursuant to the
13 provisions of the Pass-Through Entity Tax Equity Act of 2019, and
14 (ii) the total amount of tax attributable to any resulting Oklahoma
15 net entity income has been paid. The Oklahoma Tax Commission shall
16 promulgate rules for the reporting of such exclusion to direct and
17 indirect members of the electing pass-through entity. As used in
18 this paragraph, "electing pass-through entity", "indirect member",
19 and "member" shall be defined in the same manner as prescribed by
20 Section 2355.1P-2 of this title. Notwithstanding the application of
21 this paragraph, the adjusted tax basis of any ownership interest in
22 a pass-through entity for purposes of Section 2351 et seq. of this
23 title shall be equal to its adjusted tax basis for federal income
24 tax purposes.

1 12. For tax year 2025 and subsequent tax years, an employer
2 providing paid leave to an employee for the purpose of volunteering
3 as a poll worker with a county election board in this state shall
4 receive an exemption from taxable income in the amount of One
5 Hundred Dollars (\$100.00) for each day of leave provided in the tax
6 year. The employer shall provide documentation from the applicable
7 county election board showing the employee volunteered, upon request
8 of the Oklahoma Tax Commission.

9 B. 1. The taxable income of any corporation shall be further
10 adjusted to arrive at Oklahoma taxable income, except those
11 corporations electing treatment as provided in subchapter S of the
12 Internal Revenue Code, 26 U.S.C., Section 1361 et seq., and Section
13 2365 of this title, deductions pursuant to the provisions of the
14 Accelerated Cost Recovery System as defined and allowed in the
15 Economic Recovery Tax Act of 1981, Public Law 97-34, 26 U.S.C.,
16 Section 168, for depreciation of assets placed into service after
17 December 31, 1981, shall not be allowed in calculating Oklahoma
18 taxable income. Such corporations shall be allowed a deduction for
19 depreciation of assets placed into service after December 31, 1981,
20 in accordance with provisions of the Internal Revenue Code, 26
21 U.S.C., Section 1 et seq., in effect immediately prior to the
22 enactment of the Accelerated Cost Recovery System. The Oklahoma tax
23 basis for all such assets placed into service after December 31,
24 1981, calculated in this section shall be retained and utilized for

1 all Oklahoma income tax purposes through the final disposition of
2 such assets.

3 Notwithstanding any other provisions of the Oklahoma Income Tax
4 Act, Section 2351 et seq. of this title, or of the Internal Revenue
5 Code to the contrary, this subsection shall control calculation of
6 depreciation of assets placed into service after December 31, 1981,
7 and before January 1, 1983.

8 For assets placed in service and held by a corporation in which
9 ~~accelerated cost recovery system~~ the Accelerated Cost Recovery
10 System was previously disallowed, an adjustment to taxable income is
11 required in the first taxable year beginning after December 31,
12 1982, to reconcile the basis of such assets to the basis allowed in
13 the Internal Revenue Code. The purpose of this adjustment is to
14 equalize the basis and allowance for depreciation accounts between
15 that reported to the Internal Revenue Service and that reported to
16 ~~Oklahoma~~ this state.

17 2. For tax years beginning on or after January 1, 2009, and
18 ending on or before December 31, 2009, there shall be added to
19 Oklahoma taxable income any amount in excess of One Hundred Seventy-
20 five Thousand Dollars (\$175,000.00) which has been deducted as a
21 small business expense under Internal Revenue Code, Section 179 as
22 provided in the American Recovery and Reinvestment Act of 2009.

23 C. 1. For taxable years beginning after December 31, 1987, the
24 taxable income of any corporation shall be further adjusted to
25

1 arrive at Oklahoma taxable income for transfers of technology to
2 qualified small businesses located in ~~Oklahoma~~ this state. Such
3 transferor corporation shall be allowed an exemption from taxable
4 income of an amount equal to the amount of royalty payment received
5 as a result of such transfer; provided, however, such amount shall
6 not exceed ten percent (10%) of the amount of gross proceeds
7 received by such transferor corporation as a result of the
8 technology transfer. Such exemption shall be allowed for a period
9 not to exceed ten (10) years from the date of receipt of the first
10 royalty payment accruing from such transfer. No exemption may be
11 claimed for transfers of technology to qualified small businesses
12 made prior to January 1, 1988.

13 2. For purposes of this subsection:

14 a. "Qualified small business" means an entity, whether
15 organized as a corporation, partnership, or
16 proprietorship, organized for profit with its
17 principal place of business located within this state
18 and which meets the following criteria:

- 19 (1) Capitalization of not more than Two Hundred Fifty
20 Thousand Dollars (\$250,000.00),
21 (2) Having at least fifty percent (50%) of its
22 employees and assets located in ~~Oklahoma~~ this
23 state at the time of the transfer, and
24

1 (3) Not a subsidiary or affiliate of the transferor
2 corporation;

3 b. "Technology" means a proprietary process, formula,
4 pattern, device or compilation of scientific or
5 technical information which is not in the public
6 domain;

7 c. "Transferor corporation" means a corporation which is
8 the exclusive and undisputed owner of the technology
9 at the time the transfer is made; and

10 d. "Gross proceeds" means the total amount of
11 consideration for the transfer of technology, whether
12 the consideration is in money or otherwise.

13 D. 1. For taxable years beginning after December 31, 2005, the
14 taxable income of any corporation, estate or trust, shall be further
15 adjusted for qualifying gains receiving capital treatment. Such
16 corporations, estates or trusts shall be allowed a deduction from
17 Oklahoma taxable income for the amount of qualifying gains receiving
18 capital treatment earned by the corporation, estate or trust during
19 the taxable year and included in the federal taxable income of such
20 corporation, estate or trust.

21 2. As used in this subsection:

22 a. "qualifying gains receiving capital treatment" means
23 the amount of net capital gains, as defined in Section
24 1222(11) of the Internal Revenue Code, included in the
25

1 federal income tax return of the corporation, estate
2 or trust that result from:

3 (1) the sale of real property or tangible personal
4 property located within ~~Oklahoma~~ this state that
5 has been directly or indirectly owned by the
6 corporation, estate or trust for a holding period
7 of at least five (5) years prior to the date of
8 the transaction from which such net capital gains
9 arise,

10 (2) the sale of stock or on the sale of an ownership
11 interest in an Oklahoma company, limited
12 liability company, or partnership where such
13 stock or ownership interest has been directly or
14 indirectly owned by the corporation, estate or
15 trust for a holding period of at least three (3)
16 years prior to the date of the transaction from
17 which the net capital gains arise, or

18 (3) the sale of real property, tangible personal
19 property or intangible personal property located
20 within Oklahoma as part of the sale of all or
21 substantially all of the assets of an Oklahoma
22 company, limited liability company, or
23 partnership where such property has been directly
24 or indirectly owned by such entity owned by the

owners of such entity, and used in or derived from such entity for a period of at least three (3) years prior to the date of the transaction from which the net capital gains arise,

b. "holding period" means an uninterrupted period of time. The holding period shall include any additional period when the property was held by another individual or entity, if such additional period is included in the taxpayer's holding period for the asset pursuant to the Internal Revenue Code,

c. "Oklahoma company", "limited liability company", or "partnership" means an entity whose primary headquarters have been located in Oklahoma for at least three (3) uninterrupted years prior to the date of the transaction from which the net capital gains arise,

d. "direct" means the taxpayer directly owns the asset, and

e. "indirect" means the taxpayer owns an interest in a pass-through entity (or chain of pass-through entities) that sells the asset that gives rise to the qualifying gains receiving capital treatment.

(1) With respect to sales of real property or tangible personal property located within

1 ~~Oklahoma~~ this state, the deduction described in
2 this subsection shall not apply unless the pass-
3 through entity that makes the sale has held the
4 property for not less than five (5) uninterrupted
5 years prior to the date of the transaction that
6 created the capital gain, and each pass-through
7 entity included in the chain of ownership has
8 been a member, partner, or shareholder of the
9 pass-through entity in the tier immediately below
10 it for an uninterrupted period of not less than
11 five (5) years.

- 12 (2) With respect to sales of stock or ownership
13 interest in or sales of all or substantially all
14 of the assets of an Oklahoma company, limited
15 liability company, or partnership, the deduction
16 described in this subsection shall not apply
17 unless the pass-through entity that makes the
18 sale has held the stock or ownership interest or
19 the assets for not less than three (3)
20 uninterrupted years prior to the date of the
21 transaction that created the capital gain, and
22 each pass-through entity included in the chain of
23 ownership has been a member, partner or
24 shareholder of the pass-through entity in the

1 tier immediately below it for an uninterrupted
2 period of not less than three (3) years.

3 E. The Oklahoma adjusted gross income of any individual
4 taxpayer shall be further adjusted as follows to arrive at Oklahoma
5 taxable income:

6 1. a. In the case of individuals, there shall be added or
7 deducted, as the case may be, the difference necessary
8 to allow personal exemptions of One Thousand Dollars
9 (\$1,000.00) in lieu of the personal exemptions allowed
10 by the Internal Revenue Code.

11 b. There shall be allowed an additional exemption of One
12 Thousand Dollars (\$1,000.00) for each taxpayer or
13 spouse who is blind at the close of the tax year. For
14 purposes of this subparagraph, an individual is blind
15 only if the central visual acuity of the individual
16 does not exceed 20/200 in the better eye with
17 correcting lenses, or if the visual acuity of the
18 individual is greater than 20/200, but is accompanied
19 by a limitation in the fields of vision such that the
20 widest diameter of the visual field subtends an angle
21 no greater than twenty (20) degrees.

22 c. There shall be allowed an additional exemption of One
23 Thousand Dollars (\$1,000.00) for each taxpayer or
24 spouse who is sixty-five (65) years of age or older at
25

1 the close of the tax year based upon the filing status
2 and federal adjusted gross income of the taxpayer.
3 Taxpayers with the following filing status may claim
4 this exemption if the federal adjusted gross income
5 does not exceed:

- 6 (1) Twenty-five Thousand Dollars (\$25,000.00) if
7 married and filing jointly,
- 8 (2) Twelve Thousand Five Hundred Dollars (\$12,500.00)
9 if married and filing separately,
- 10 (3) Fifteen Thousand Dollars (\$15,000.00) if single,
11 and
- 12 (4) Nineteen Thousand Dollars (\$19,000.00) if a
13 qualifying head of household.

14 Provided, for taxable years beginning after December
15 31, 1999, amounts included in the calculation of
16 federal adjusted gross income pursuant to the
17 conversion of a traditional individual retirement
18 account to a Roth individual retirement account shall
19 be excluded from federal adjusted gross income for
20 purposes of the income thresholds provided in this
21 subparagraph.

- 22 2. a. For taxable years beginning on or before December 31,
23 2005, in the case of individuals who use the standard
24 deduction in determining taxable income, there shall

1 be added or deducted, as the case may be, the
2 difference necessary to allow a standard deduction in
3 lieu of the standard deduction allowed by the Internal
4 Revenue Code, in an amount equal to the larger of
5 fifteen percent (15%) of the Oklahoma adjusted gross
6 income or One Thousand Dollars (\$1,000.00), but not to
7 exceed Two Thousand Dollars (\$2,000.00), except that
8 in the case of a married individual filing a separate
9 return such deduction shall be the larger of fifteen
10 percent (15%) of such Oklahoma adjusted gross income
11 or Five Hundred Dollars (\$500.00), but not to exceed
12 the maximum amount of One Thousand Dollars
13 (\$1,000.00).

14 b. For taxable years beginning on or after January 1,
15 2006, and before January 1, 2007, in the case of
16 individuals who use the standard deduction in
17 determining taxable income, there shall be added or
18 deducted, as the case may be, the difference necessary
19 to allow a standard deduction in lieu of the standard
20 deduction allowed by the Internal Revenue Code, in an
21 amount equal to:

22 (1) Three Thousand Dollars (\$3,000.00), if the filing
23 status is married filing joint, head of household
24 or qualifying widow, or

1 (2) Two Thousand Dollars (\$2,000.00), if the filing
2 status is single or married filing separate.

3 c. For the taxable year beginning on January 1, 2007, and
4 ending December 31, 2007, in the case of individuals
5 who use the standard deduction in determining taxable
6 income, there shall be added or deducted, as the case
7 may be, the difference necessary to allow a standard
8 deduction in lieu of the standard deduction allowed by
9 the Internal Revenue Code, in an amount equal to:

10 (1) Five Thousand Five Hundred Dollars (\$5,500.00),
11 if the filing status is married filing joint or
12 qualifying widow, or

13 (2) Four Thousand One Hundred Twenty-five Dollars
14 (\$4,125.00) for a head of household, or

15 (3) Two Thousand Seven Hundred Fifty Dollars
16 (\$2,750.00), if the filing status is single or
17 married filing separate.

18 d. For the taxable year beginning on January 1, 2008, and
19 ending December 31, 2008, in the case of individuals
20 who use the standard deduction in determining taxable
21 income, there shall be added or deducted, as the case
22 may be, the difference necessary to allow a standard
23 deduction in lieu of the standard deduction allowed by
24 the Internal Revenue Code, in an amount equal to:

- (1) Six Thousand Five Hundred Dollars (\$6,500.00), if the filing status is married filing joint or qualifying widow,
- (2) Four Thousand Eight Hundred Seventy-five Dollars (\$4,875.00) for a head of household, or
- (3) Three Thousand Two Hundred Fifty Dollars (\$3,250.00), if the filing status is single or married filing separate.

e. For the taxable year beginning on January 1, 2009, and ending December 31, 2009, in the case of individuals who use the standard deduction in determining taxable income, there shall be added or deducted, as the case may be, the difference necessary to allow a standard deduction in lieu of the standard deduction allowed by the Internal Revenue Code, in an amount equal to:

- (1) Eight Thousand Five Hundred Dollars (\$8,500.00), if the filing status is married filing joint or qualifying widow,
- (2) Six Thousand Three Hundred Seventy-five Dollars (\$6,375.00) for a head of household, or
- (3) Four Thousand Two Hundred Fifty Dollars (\$4,250.00), if the filing status is single or married filing separate.

Oklahoma adjusted gross income shall be increased by any amounts paid for motor vehicle excise taxes which were deducted as allowed by the Internal Revenue Code.

f. For taxable years beginning on or after January 1, 2010, and ending on December 31, 2016, in the case of individuals who use the standard deduction in determining taxable income, there shall be added or deducted, as the case may be, the difference necessary to allow a standard deduction equal to the standard deduction allowed by the Internal Revenue Code, based upon the amount and filing status prescribed by such Code for purposes of filing federal individual income tax returns.

g. For taxable years beginning on or after January 1, 2017, in the case of individuals who use the standard deduction in determining taxable income, there shall be added or deducted, as the case may be, the difference necessary to allow a standard deduction in lieu of the standard deduction allowed by the Internal Revenue Code, as follows:

(1) Six Thousand Three Hundred Fifty Dollars
(\$6,350.00) for single or married filing
separately,

(2) Twelve Thousand Seven Hundred Dollars
(\$12,700.00) for married filing jointly or
qualifying widower with dependent child, and
(3) Nine Thousand Three Hundred Fifty Dollars
(\$9,350.00) for head of household.

3. a. In the case of resident and part-year resident individuals having adjusted gross income from sources both within and without the state, the itemized or standard deductions and personal exemptions shall be reduced to an amount which is the same portion of the total thereof as Oklahoma adjusted gross income is of adjusted gross income. To the extent itemized deductions include allowable moving expense, proration of moving expense shall not be required or permitted but allowable moving expense shall be fully deductible for those taxpayers moving within or into ~~Oklahoma~~ this state and no part of moving expense shall be deductible for those taxpayers moving without or out of ~~Oklahoma~~ this state. All other itemized or standard deductions and personal exemptions shall be subject to proration as provided by law.
- b. For taxable years beginning on or after January 1, 2018, the net amount of itemized deductions allowable on an Oklahoma income tax return, subject to the

1 provisions of paragraph 24 of this subsection, shall
2 not exceed Seventeen Thousand Dollars (\$17,000.00).
3 For purposes of this subparagraph, charitable
4 contributions and medical expenses deductible for
5 federal income tax purposes shall be excluded from the
6 amount of Seventeen Thousand Dollars (\$17,000.00) as
7 specified by this subparagraph.

8 4. A resident individual with a physical disability
9 constituting a substantial handicap to employment may deduct from
10 Oklahoma adjusted gross income such expenditures to modify a motor
11 vehicle, home or workplace as are necessary to compensate for his or
12 her handicap. A veteran certified by the Department of Veterans
13 Affairs of the federal government as having a service-connected
14 disability shall be conclusively presumed to be an individual with a
15 physical disability constituting a substantial handicap to
16 employment. The Tax Commission shall promulgate rules containing a
17 list of combinations of common disabilities and modifications which
18 may be presumed to qualify for this deduction. The Tax Commission
19 shall prescribe necessary requirements for verification.

20 5. a. Before July 1, 2010, the first One Thousand Five
21 Hundred Dollars (\$1,500.00) received by any person
22 from the United States as salary or compensation in
23 any form, other than retirement benefits, as a member
24

1 of any component of the Armed Forces of the United
2 States shall be deducted from taxable income.

3 b. On or after July 1, 2010, one hundred percent (100%)
4 of the income received by any person from the United
5 States as salary or compensation in any form, other
6 than retirement benefits, as a member of any component
7 of the Armed Forces of the United States shall be
8 deducted from taxable income.

9 c. Whenever the filing of a timely income tax return by a
10 member of the Armed Forces of the United States is
11 made impracticable or impossible of accomplishment by
12 reason of:

13 (1) absence from the United States, which term
14 includes only the states and the District of
15 Columbia,

16 (2) absence from ~~the State of Oklahoma~~ this state
17 while on active duty, or

18 (3) confinement in a hospital within the United
19 States for treatment of wounds, injuries or
20 disease,

21 the time for filing a return and paying an income tax
22 shall be and is hereby extended without incurring
23 liability for interest or penalties, to the fifteenth
24 day of the third month following the month in which:

- 1 (a) Such individual shall return to the United
2 States if the extension is granted pursuant
3 to subparagraph a of this paragraph, return
4 to ~~the State of Oklahoma~~ this state if the
5 extension is granted pursuant to
6 subparagraph b of this paragraph or be
7 discharged from such hospital if the
8 extension is granted pursuant to
9 subparagraph c of this paragraph, or
10 (b) An executor, administrator, or conservator
11 of the estate of the taxpayer is appointed,
12 whichever event occurs the earliest.

13 Provided, that the Tax Commission may, in its discretion, grant
14 any member of the Armed Forces of the United States an extension of
15 time for filing of income tax returns and payment of income tax
16 without incurring liabilities for interest or penalties. Such
17 extension may be granted only when in the judgment of the Tax
18 Commission a good cause exists therefor and may be for a period in
19 excess of six (6) months. A record of every such extension granted,
20 and the reason therefor, shall be kept.

21 6. Before July 1, 2010, the salary or any other form of
22 compensation, received from the United States by a member of any
23 component of the Armed Forces of the United States, shall be
24 deducted from taxable income during the time in which the person is

1 detained by the enemy in a conflict, is a prisoner of war or is
2 missing in action and not deceased; provided, after July 1, 2010,
3 all such salary or compensation shall be subject to the deduction as
4 provided pursuant to paragraph 5 of this subsection.

5 7. a. An individual taxpayer, whether resident or
6 nonresident, may deduct an amount equal to the federal
7 income taxes paid by the taxpayer during the taxable
8 year.

9 b. Federal taxes as described in subparagraph a of this
10 paragraph shall be deductible by any individual
11 taxpayer, whether resident or nonresident, only to the
12 extent they relate to income subject to taxation
13 pursuant to the provisions of the Oklahoma Income Tax
14 Act. The maximum amount allowable in the preceding
15 paragraph shall be prorated on the ratio of the
16 Oklahoma adjusted gross income to federal adjusted
17 gross income.

18 c. For the purpose of this paragraph, "federal income
19 taxes paid" shall mean federal income taxes, surtaxes
20 imposed on incomes or excess profits taxes, as though
21 the taxpayer was on the accrual basis. In determining
22 the amount of deduction for federal income taxes for
23 tax year 2001, the amount of the deduction shall not
24 be adjusted by the amount of any accelerated ten

1 percent (10%) tax rate bracket credit or advanced
2 refund of the credit received during the tax year
3 provided pursuant to the federal Economic Growth and
4 Tax Relief Reconciliation Act of 2001, P.L. No. 107-
5 16, and the advanced refund of such credit shall not
6 be subject to taxation.

7 d. The provisions of this paragraph shall apply to all
8 taxable years ending after December 31, 1978, and
9 beginning before January 1, 2006.

10 8. Retirement benefits not to exceed Five Thousand Five Hundred
11 Dollars (\$5,500.00) for the 2004 tax year, Seven Thousand Five
12 Hundred Dollars (\$7,500.00) for the 2005 tax year and Ten Thousand
13 Dollars (\$10,000.00) for the 2006 tax year and all subsequent tax
14 years, which are received by an individual from the civil service of
15 the United States, the Oklahoma Public Employees Retirement System,
16 the Teachers' Retirement System of Oklahoma, the Oklahoma Law
17 Enforcement Retirement System, the Oklahoma Firefighters Pension and
18 Retirement System, the Oklahoma Police Pension and Retirement
19 System, the employee retirement systems created by counties pursuant
20 to Section 951 et seq. of Title 19 of the Oklahoma Statutes, the
21 Uniform Retirement System for Justices and Judges, the Oklahoma
22 Wildlife Conservation Department Retirement Fund, the Oklahoma
23 Employment Security Commission Retirement Plan, or the employee
24 retirement systems created by municipalities pursuant to Section 48-

1 101 et seq. of Title 11 of the Oklahoma Statutes shall be exempt
2 from taxable income.

3 9. In taxable years beginning after December 31, 1984, Social
4 Security benefits received by an individual shall be exempt from
5 taxable income, to the extent such benefits are included in the
6 federal adjusted gross income pursuant to the provisions of Section
7 86 of the Internal Revenue Code, 26 U.S.C., Section 86.

8 10. For taxable years beginning after December 31, 1994, lump-
9 sum distributions from employer plans of deferred compensation,
10 which are not qualified plans within the meaning of Section 401(a)
11 of the Internal Revenue Code, 26 U.S.C., Section 401(a), and which
12 are deposited in and accounted for within a separate bank account or
13 brokerage account in a financial institution within this state,
14 shall be excluded from taxable income in the same manner as a
15 qualifying rollover contribution to an individual retirement account
16 within the meaning of Section 408 of the Internal Revenue Code, 26
17 U.S.C., Section 408. Amounts withdrawn from such bank or brokerage
18 account, including any earnings thereon, shall be included in
19 taxable income when withdrawn in the same manner as withdrawals from
20 individual retirement accounts within the meaning of Section 408 of
21 the Internal Revenue Code.

22 11. In taxable years beginning after December 31, 1995,
23 contributions made to and interest received from a medical savings
24

1 account established pursuant to Sections 2621 through 2623 of Title
2 63 of the Oklahoma Statutes shall be exempt from taxable income.

3 12. For taxable years beginning after December 31, 1996, the
4 Oklahoma adjusted gross income of any individual taxpayer who is a
5 swine or poultry producer may be further adjusted for the deduction
6 for depreciation allowed for new construction or expansion costs
7 which may be computed using the same depreciation method elected for
8 federal income tax purposes except that the useful life shall be
9 seven (7) years for purposes of this paragraph. If depreciation is
10 allowed as a deduction in determining the adjusted gross income of
11 an individual, any depreciation calculated and claimed pursuant to
12 this section shall in no event be a duplication of any depreciation
13 allowed or permitted on the federal income tax return of the
14 individual.

15 13. a. In taxable years beginning before January 1, 2005,
16 retirement benefits not to exceed the amounts
17 specified in this paragraph, which are received by an
18 individual sixty-five (65) years of age or older and
19 whose Oklahoma adjusted gross income is Twenty-five
20 Thousand Dollars (\$25,000.00) or less if the filing
21 status is single, head of household, or married filing
22 separate, or Fifty Thousand Dollars (\$50,000.00) or
23 less if the filing status is married filing joint or
24 qualifying widow, shall be exempt from taxable income.

1 In taxable years beginning after December 31, 2004,
2 retirement benefits not to exceed the amounts
3 specified in this paragraph, which are received by an
4 individual whose Oklahoma adjusted gross income is
5 less than the qualifying amount specified in this
6 paragraph, shall be exempt from taxable income.

7 b. For purposes of this paragraph, the qualifying amount
8 shall be as follows:

- 9 (1) in taxable years beginning after December 31,
10 2004, and prior to January 1, 2007, the
11 qualifying amount shall be Thirty-seven Thousand
12 Five Hundred Dollars (\$37,500.00) or less if the
13 filing status is single, head of household, or
14 married filing separate, or Seventy-five Thousand
15 Dollars (\$75,000.00) or less if the filing status
16 is married filing jointly or qualifying widow,
17 (2) in the taxable year beginning January 1, 2007,
18 the qualifying amount shall be Fifty Thousand
19 Dollars (\$50,000.00) or less if the filing status
20 is single, head of household, or married filing
21 separate, or One Hundred Thousand Dollars
22 (\$100,000.00) or less if the filing status is
23 married filing jointly or qualifying widow,
24

1 (3) in the taxable year beginning January 1, 2008,
2 the qualifying amount shall be Sixty-two Thousand
3 Five Hundred Dollars (\$62,500.00) or less if the
4 filing status is single, head of household, or
5 married filing separate, or One Hundred Twenty-
6 five Thousand Dollars (\$125,000.00) or less if
7 the filing status is married filing jointly or
8 qualifying widow,

9 (4) in the taxable year beginning January 1, 2009,
10 the qualifying amount shall be One Hundred
11 Thousand Dollars (\$100,000.00) or less if the
12 filing status is single, head of household, or
13 married filing separate, or Two Hundred Thousand
14 Dollars (\$200,000.00) or less if the filing
15 status is married filing jointly or qualifying
16 widow, and

17 (5) in the taxable year beginning January 1, 2010,
18 and subsequent taxable years, there shall be no
19 limitation upon the qualifying amount.

20 c. For purposes of this paragraph, "retirement benefits"
21 means the total distributions or withdrawals from the
22 following:
23
24

- (1) an employee pension benefit plan which satisfies the requirements of Section 401 of the Internal Revenue Code, 26 U.S.C., Section 401,
- (2) an eligible deferred compensation plan that satisfies the requirements of Section 457 of the Internal Revenue Code, 26 U.S.C., Section 457,
- (3) an individual retirement account, annuity or trust or simplified employee pension that satisfies the requirements of Section 408 of the Internal Revenue Code, 26 U.S.C., Section 408,
- (4) an employee annuity subject to the provisions of Section 403(a) or (b) of the Internal Revenue Code, 26 U.S.C., Section 403(a) or (b),
- (5) United States Retirement Bonds which satisfy the requirements of Section 86 of the Internal Revenue Code, 26 U.S.C., Section 86, or
- (6) lump-sum distributions from a retirement plan which satisfies the requirements of Section 402(e) of the Internal Revenue Code, 26 U.S.C., Section 402(e).

d. The amount of the exemption provided by this paragraph shall be limited to Five Thousand Five Hundred Dollars (\$5,500.00) for the 2004 tax year, Seven Thousand Five Hundred Dollars (\$7,500.00) for the 2005 tax year and

1 Ten Thousand Dollars (\$10,000.00) for the tax year
2 2006 and for all subsequent tax years. Any individual
3 who claims the exemption provided for in paragraph 8
4 of this subsection shall not be permitted to claim a
5 combined total exemption pursuant to this paragraph
6 and paragraph 8 of this subsection in an amount
7 exceeding Five Thousand Five Hundred Dollars
8 (\$5,500.00) for the 2004 tax year, Seven Thousand Five
9 Hundred Dollars (\$7,500.00) for the 2005 tax year and
10 Ten Thousand Dollars (\$10,000.00) for the 2006 tax
11 year and all subsequent tax years.

12 14. In taxable years beginning after December 31, 1999, for an
13 individual engaged in production agriculture who has filed a
14 Schedule F form with the taxpayer's federal income tax return for
15 such taxable year, there shall be excluded from taxable income any
16 amount which was included as federal taxable income or federal
17 adjusted gross income and which consists of the discharge of an
18 obligation by a creditor of the taxpayer incurred to finance the
19 production of agricultural products.

20 15. In taxable years beginning December 31, 2000, an amount
21 equal to one hundred percent (100%) of the amount of any scholarship
22 or stipend received from participation in the Oklahoma Police Corps
23 Program, as established in Section 2-140.3 of Title 47 of the
24 Oklahoma Statutes shall be exempt from taxable income.

1 16. a. In taxable years beginning after December 31, 2001,
2 and before January 1, 2005, there shall be allowed a
3 deduction in the amount of contributions to accounts
4 established pursuant to the Oklahoma College Savings
5 Plan Act. The deduction shall equal the amount of
6 contributions to accounts, but in no event shall the
7 deduction for each contributor exceed Two Thousand
8 Five Hundred Dollars (\$2,500.00) each taxable year for
9 each account.

10 b. In taxable years beginning after December 31, 2004,
11 each taxpayer shall be allowed a deduction for
12 contributions to accounts established pursuant to the
13 Oklahoma College Savings Plan Act. The maximum annual
14 deduction shall equal the amount of contributions to
15 all such accounts plus any contributions to such
16 accounts by the taxpayer for prior taxable years after
17 December 31, 2004, which were not deducted, but in no
18 event shall the deduction for each tax year exceed Ten
19 Thousand Dollars (\$10,000.00) for each individual
20 taxpayer or Twenty Thousand Dollars (\$20,000.00) for
21 taxpayers filing a joint return. Any amount of a
22 contribution that is not deducted by the taxpayer in
23 the year for which the contribution is made may be
24 carried forward as a deduction from income for the

1 succeeding five (5) years. For taxable years
2 beginning after December 31, 2005, deductions may be
3 taken for contributions and rollovers made during a
4 taxable year and up to April 15 of the succeeding
5 year, or the due date of a taxpayer's state income tax
6 return, excluding extensions, whichever is later.
7 Provided, a deduction for the same contribution may
8 not be taken for two (2) different taxable years.

9 c. In taxable years beginning after December 31, 2006,
10 deductions for contributions made pursuant to
11 subparagraph b of this paragraph shall be limited as
12 follows:

13 (1) for a taxpayer who qualified for the five-year
14 carryforward election and who takes a rollover or
15 nonqualified withdrawal during that period, the
16 tax deduction otherwise available pursuant to
17 subparagraph b of this paragraph shall be reduced
18 by the amount which is equal to the rollover or
19 nonqualified withdrawal, and

20 (2) for a taxpayer who elects to take a rollover or
21 nonqualified withdrawal within the same tax year
22 in which a contribution was made to the
23 taxpayer's account, the tax deduction otherwise
24 available pursuant to subparagraph b of this

paragraph shall be reduced by the amount of the contribution which is equal to the rollover or nonqualified withdrawal.

d. If a taxpayer elects to take a rollover on a contribution for which a deduction has been taken pursuant to subparagraph b of this paragraph within one (1) year of the date of contribution, the amount of such rollover shall be included in the adjusted gross income of the taxpayer in the taxable year of the rollover.

e. If a taxpayer makes a nonqualified withdrawal of contributions for which a deduction was taken pursuant to subparagraph b of this paragraph, such nonqualified withdrawal and any earnings thereon shall be included in the adjusted gross income of the taxpayer in the taxable year of the nonqualified withdrawal.

f. As used in this paragraph:

(1) "non-qualified withdrawal" means a withdrawal from an Oklahoma College Savings Plan account other than one of the following:

(a) a qualified withdrawal,

(b) a withdrawal made as a result of the death or disability of the designated beneficiary of an account,

1 (c) a withdrawal that is made on the account of
2 a scholarship or the allowance or payment
3 described in Section 135(d)(1)(B) or (C) or
4 by the Internal Revenue Code, received by
5 the designated beneficiary to the extent the
6 amount of the refund does not exceed the
7 amount of the scholarship, allowance, or
8 payment, or

9 (d) a rollover or change of designated
10 beneficiary as permitted by subsection F of
11 Section 3970.7 of Title 70 of the Oklahoma
12 Statutes, and

13 (2) "rollover" means the transfer of funds from the
14 Oklahoma College Savings Plan to any other plan
15 under Section 529 of the Internal Revenue Code.

16 17. For tax years 2006 through 2021, retirement benefits
17 received by an individual from any component of the Armed Forces of
18 the United States in an amount not to exceed the greater of seventy-
19 five percent (75%) of such benefits or Ten Thousand Dollars
20 (\$10,000.00) shall be exempt from taxable income but in no case less
21 than the amount of the exemption provided by paragraph 13 of this
22 subsection. For tax year 2022 and subsequent tax years, retirement
23 benefits received by an individual from any component of the Armed
24 Forces of the United States shall be exempt from taxable income.

1 18. For taxable years beginning after December 31, 2006,
2 retirement benefits received by federal civil service retirees,
3 including survivor annuities, paid in lieu of Social Security
4 benefits shall be exempt from taxable income to the extent such
5 benefits are included in the federal adjusted gross income pursuant
6 to the provisions of Section 86 of the Internal Revenue Code, 26
7 U.S.C., Section 86, according to the following schedule:

- 8 a. in the taxable year beginning January 1, 2007, twenty
9 percent (20%) of such benefits shall be exempt,
- 10 b. in the taxable year beginning January 1, 2008, forty
11 percent (40%) of such benefits shall be exempt,
- 12 c. in the taxable year beginning January 1, 2009, sixty
13 percent (60%) of such benefits shall be exempt,
- 14 d. in the taxable year beginning January 1, 2010, eighty
15 percent (80%) of such benefits shall be exempt, and
- 16 e. in the taxable year beginning January 1, 2011, and
17 subsequent taxable years, one hundred percent (100%)
18 of such benefits shall be exempt.

- 19 19. a. For taxable years beginning after December 31, 2007, a
20 resident individual may deduct up to Ten Thousand
21 Dollars (\$10,000.00) from Oklahoma adjusted gross
22 income if the individual, or the dependent of the
23 individual, while living, donates one or more human
24 organs of the individual to another human being for

1 human organ transplantation. As used in this
2 paragraph, "human organ" means all or part of a liver,
3 pancreas, kidney, intestine, lung, or bone marrow. A
4 deduction that is claimed under this paragraph may be
5 claimed in the taxable year in which the human organ
6 transplantation occurs.

7 b. An individual may claim this deduction only once, and
8 the deduction may be claimed only for unreimbursed
9 expenses that are incurred by the individual and
10 related to the organ donation of the individual.

11 c. The Oklahoma Tax Commission shall promulgate rules to
12 implement the provisions of this paragraph which shall
13 contain a specific list of expenses which may be
14 presumed to qualify for the deduction. The Tax
15 Commission shall prescribe necessary requirements for
16 verification.

17 20. For taxable years beginning after December 31, 2009, there
18 shall be exempt from taxable income any amount received by the
19 beneficiary of the death benefit for an emergency medical technician
20 or a registered emergency medical responder provided by Section 1-
21 2505.1 of Title 63 of the Oklahoma Statutes.

22 21. For taxable years beginning after December 31, 2008,
23 taxable income shall be increased by any unemployment compensation
24

1 exempted under Section 85(c) of the Internal Revenue Code, 26
2 U.S.C., Section 85(c) (2009).

3 22. For taxable years beginning after December 31, 2008, there
4 shall be exempt from taxable income any payment in an amount less
5 than Six Hundred Dollars (\$600.00) received by a person as an award
6 for participation in a competitive livestock show event. For
7 purposes of this paragraph, the payment shall be treated as a
8 scholarship amount paid by the entity sponsoring the event and the
9 sponsoring entity shall cause the payment to be categorized as a
10 scholarship in its books and records.

11 23. For taxable years beginning on or after January 1, 2016,
12 taxable income shall be increased by any amount of state and local
13 sales or income taxes deducted under 26 U.S.C., Section 164 of the
14 Internal Revenue Code. If the amount of state and local taxes
15 deducted on the federal return is limited, taxable income on the
16 state return shall be increased only by the amount actually deducted
17 after any such limitations are applied.

18 24. For taxable years beginning after December 31, 2020, each
19 taxpayer shall be allowed a deduction for contributions to accounts
20 established pursuant to the Achieving a Better Life Experience
21 (ABLE) Program as established in Section 4001.1 et seq. of Title 56
22 of the Oklahoma Statutes. For any tax year, the deduction provided
23 for in this paragraph shall not exceed Ten Thousand Dollars
24 (\$10,000.00) for an individual taxpayer or Twenty Thousand Dollars

1 (\$20,000.00) for taxpayers filing a joint return. Any amount of
2 contribution not deducted by the taxpayer in the tax year for which
3 the contribution is made may be carried forward as a deduction from
4 income for up to five (5) tax years. Deductions may be taken for
5 contributions made during the tax year and through April 15 of the
6 succeeding tax year, or through the due date of a taxpayer's state
7 income tax return excluding extensions, whichever is later.
8 Provided, a deduction for the same contribution may not be taken in
9 more than one (1) tax year.

10 25. For tax year 2024 and subsequent tax years, tax credits
11 received pursuant to the Oklahoma Parental Choice Tax Credit Act in
12 Section 28-101 of Title 70 of the Oklahoma Statutes shall be exempt
13 from taxable income.

14 F. 1. For taxable years beginning after December 31, 2004, a
15 deduction from the Oklahoma adjusted gross income of any individual
16 taxpayer shall be allowed for qualifying gains receiving capital
17 treatment that are included in the federal adjusted gross income of
18 such individual taxpayer during the taxable year.

19 2. As used in this subsection:

20 a. "qualifying gains receiving capital treatment" means
21 the amount of net capital gains, as defined in Section
22 1222(11) of the Internal Revenue Code, included in an
23 individual taxpayer's federal income tax return that
24 result from:

- 1 (1) the sale of real property or tangible personal
2 property located within Oklahoma that has been
3 directly or indirectly owned by the individual
4 taxpayer for a holding period of at least five
5 (5) years prior to the date of the transaction
6 from which such net capital gains arise,
- 7 (2) the sale of stock or the sale of a direct or
8 indirect ownership interest in an Oklahoma
9 company, limited liability company, or
10 partnership where such stock or ownership
11 interest has been directly or indirectly owned by
12 the individual taxpayer for a holding period of
13 at least two (2) years prior to the date of the
14 transaction from which the net capital gains
15 arise, or
- 16 (3) the sale of real property, tangible personal
17 property or intangible personal property located
18 within ~~Oklahoma~~ this state as part of the sale of
19 all or substantially all of the assets of an
20 Oklahoma company, limited liability company, or
21 partnership or an Oklahoma proprietorship
22 business enterprise where such property has been
23 directly or indirectly owned by such entity or
24 business enterprise or owned by the owners of

1 such entity or business enterprise for a period
2 of at least two (2) years prior to the date of
3 the transaction from which the net capital gains
4 arise,

5 b. "holding period" means an uninterrupted period of
6 time. The holding period shall include any additional
7 period when the property was held by another
8 individual or entity, if such additional period is
9 included in the taxpayer's holding period for the
10 asset pursuant to the Internal Revenue Code,

11 c. "Oklahoma company," "limited liability company," or
12 "partnership" means an entity whose primary
13 headquarters have been located in ~~Oklahoma~~ this state
14 for at least three (3) uninterrupted years prior to
15 the date of the transaction from which the net capital
16 gains arise,

17 d. "direct" means the individual taxpayer directly owns
18 the asset,

19 e. "indirect" means the individual taxpayer owns an
20 interest in a pass-through entity (or chain of pass-
21 through entities) that sells the asset that gives rise
22 to the qualifying gains receiving capital treatment.

23 (1) With respect to sales of real property or
24 tangible personal property located within
25

1 ~~Oklahoma~~ this state, the deduction described in
2 this subsection shall not apply unless the pass-
3 through entity that makes the sale has held the
4 property for not less than five (5) uninterrupted
5 years prior to the date of the transaction that
6 created the capital gain, and each pass-through
7 entity included in the chain of ownership has
8 been a member, partner, or shareholder of the
9 pass-through entity in the tier immediately below
10 it for an uninterrupted period of not less than
11 five (5) years.

- 12 (2) With respect to sales of stock or ownership
13 interest in or sales of all or substantially all
14 of the assets of an Oklahoma company, limited
15 liability company, partnership or Oklahoma
16 proprietorship business enterprise, the deduction
17 described in this subsection shall not apply
18 unless the pass-through entity that makes the
19 sale has held the stock or ownership interest for
20 not less than two (2) uninterrupted years prior
21 to the date of the transaction that created the
22 capital gain, and each pass-through entity
23 included in the chain of ownership has been a
24 member, partner or shareholder of the pass-

1 through entity in the tier immediately below it
2 for an uninterrupted period of not less than two
3 (2) years. For purposes of this division,
4 uninterrupted ownership prior to July 1, 2007,
5 shall be included in the determination of the
6 required holding period prescribed by this
7 division, and

8 f. "Oklahoma proprietorship business enterprise" means a
9 business enterprise whose income and expenses have
10 been reported on Schedule C or F of an individual
11 taxpayer's federal income tax return, or any similar
12 successor schedule published by the Internal Revenue
13 Service and whose primary headquarters have been
14 located in ~~Oklahoma~~ this state for at least three (3)
15 uninterrupted years prior to the date of the
16 transaction from which the net capital gains arise.

17 G. 1. For purposes of computing its Oklahoma taxable income
18 under this section, the dividends-paid deduction otherwise allowed
19 by federal law in computing net income of a real estate investment
20 trust that is subject to federal income tax shall be added back in
21 computing the tax imposed by this state under this title if the real
22 estate investment trust is a captive real estate investment trust.

23 2. For purposes of computing its Oklahoma taxable income under
24 this section, a taxpayer shall add back otherwise deductible rents
25

1 and interest expenses paid to a captive real estate investment trust
2 that is not subject to the provisions of paragraph 1 of this
3 subsection. As used in this subsection:

4 a. the term "real estate investment trust" or "REIT"
5 means the meaning ascribed to such term in Section 856
6 of the Internal Revenue Code,

7 b. the term "captive real estate investment trust" means
8 a real estate investment trust, the shares or
9 beneficial interests of which are not regularly traded
10 on an established securities market and more than
11 fifty percent (50%) of the voting power or value of
12 the beneficial interests or shares of which are owned
13 or controlled, directly or indirectly, or
14 constructively, by a single entity that is:

- 15 (1) treated as an association taxable as a
16 corporation under the Internal Revenue Code, and
17 (2) not exempt from federal income tax pursuant to
18 the provisions of Section 501(a) of the Internal
19 Revenue Code.

20 The term shall not include a real estate investment
21 trust that is intended to be regularly traded on an
22 established securities market, and that satisfies the
23 requirements of Section 856(a)(5) and (6) of the U.S.
24

1 Internal Revenue Code by reason of Section 856(h) (2)
2 of the Internal Revenue Code,
3 c. the term "association taxable as a corporation" shall
4 not include the following entities:
5 (1) any real estate investment trust as defined in
6 paragraph a of this subsection other than a
7 ~~"captive real estate investment trust"~~ captive
8 real estate investment trust,
9 (2) any qualified real estate investment trust
10 subsidiary under Section 856(i) of the Internal
11 Revenue Code, other than a qualified REIT
12 subsidiary of a ~~"captive real estate investment~~
13 ~~trust"~~ captive real estate investment trust,
14 (3) any ~~Listed~~ listed Australian ~~Property Trust~~
15 property trust (meaning an Australian unit trust
16 registered as a ~~"Managed Investment Scheme"~~
17 "managed investment scheme" under the Australian
18 Corporations Act 2001 in which the principal
19 class of units is listed on a recognized stock
20 exchange in Australia and is regularly traded on
21 an established securities market), or an entity
22 organized as a trust, provided that a ~~Listed~~
23 listed Australian ~~Property Trust~~ property trust
24 owns or controls, directly or indirectly,

1 seventy-five percent (75%) or more of the voting
2 power or value of the beneficial interests or
3 shares of such trust, or

4 (4) any ~~Qualified Foreign Entity~~ qualified foreign
5 entity, meaning a corporation, trust, association
6 or partnership organized outside the laws of the
7 United States and which satisfies the following
8 criteria:

9 (a) at least seventy-five percent (75%) of the
10 entity's total asset value at the close of
11 its taxable year is represented by real
12 estate assets, as defined in Section
13 856(c) (5) (B) of the Internal Revenue Code,
14 thereby including shares or certificates of
15 beneficial interest in any real estate
16 investment trust, cash and cash equivalents,
17 and U.S. Government securities,

18 (b) the entity receives a dividend-paid
19 deduction comparable to Section 561 of the
20 Internal Revenue Code, or is exempt from
21 entity level tax,

22 (c) the entity is required to distribute at
23 least eighty-five percent (85%) of its
24 taxable income, as computed in the

jurisdiction in which it is organized, to the holders of its shares or certificates of beneficial interest on an annual basis,

(d) not more than ten percent (10%) of the voting power or value in such entity is held directly or indirectly or constructively by a single entity or individual, or the shares or beneficial interests of such entity are regularly traded on an established securities market, and

(e) the entity is organized in a country which has a tax treaty with the United States.

3. For purposes of this subsection, the constructive ownership rules of Section 318(a) of the Internal Revenue Code, as modified by Section 856(d)(5) of the Internal Revenue Code, shall apply in determining the ownership of stock, assets, or net profits of any person.

4. A real estate investment trust that does not become regularly traded on an established securities market within one (1) year of the date on which it first becomes a real estate investment trust shall be deemed not to have been regularly traded on an established securities market, retroactive to the date it first became a real estate investment trust, and shall file an amended return reflecting such retroactive designation for any tax year or

1 part year occurring during its initial year of status as a real
2 estate investment trust. For purposes of this subsection, a real
3 estate investment trust becomes a real estate investment trust on
4 the first day it has both met the requirements of Section 856 of the
5 Internal Revenue Code and has elected to be treated as a real estate
6 investment trust pursuant to Section 856(c)(1) of the Internal
7 Revenue Code.

8 SECTION 130. REPEALER 68 O.S. 2021, Section 2358, as
9 last amended by Section 1, Chapter 166, O.S.L. 2024 (68 O.S. Supp.
10 2025, Section 2358), is hereby repealed.

11 SECTION 131. REPEALER 68 O.S. 2021, Section 2358, as
12 last amended by Section 2, Chapter 277, O.S.L. 2024 (68 O.S. Supp.
13 2025, Section 2358), is hereby repealed.

14 SECTION 132. AMENDATORY 68 O.S. 2021, Section 2902, as
15 last amended by Section 1, Chapter 411, O.S.L. 2025 (68 O.S. Supp.
16 2025, Section 2902), is amended to read as follows:

17 Section 2902. A. Except as otherwise provided by subsection H
18 of Section 3658 of this title pursuant to which the exemption
19 authorized by this section may not be claimed, a qualifying
20 manufacturing concern, as defined by Section 6B of Article X of the
21 Oklahoma Constitution, and as further defined herein, shall be
22 exempt from the levy of any ad valorem taxes upon new, expanded or
23 acquired manufacturing facilities including facilities engaged in
24 research and development, for a period of five (5) years. The

1 provisions of Section 6B of Article X of the Oklahoma Constitution
2 requiring an existing facility to have been unoccupied for a period
3 of twelve (12) months prior to acquisition shall be construed as a
4 qualification for a facility to initially receive an exemption, and
5 shall not be deemed to be a qualification for that facility to
6 continue to receive an exemption in each of the four (4) years
7 following the initial year for which the exemption was granted.
8 Such facilities are hereby classified for the purposes of taxation
9 as provided in Section 22 of Article X of the Oklahoma Constitution.

10 B. For purposes of this section, the following definitions
11 shall apply:

12 1. "Manufacturing facilities" means facilities engaged in the
13 mechanical or chemical transformation of materials or substances
14 into new products and except as provided by paragraph 6 of
15 subsection C of this section shall include:

- 16 a. establishments which have received a manufacturer
17 exemption permit pursuant to the provisions of Section
18 1359.2 of this title,
- 19 b. facilities including repair and replacement parts,
20 primarily engaged in aircraft repair, building and
21 rebuilding whether or not on a factory basis,
- 22 c. establishments primarily engaged in computer services
23 and data processing as defined under Industrial Group
24 Numbers 5112 and 5415, and U.S. Industry Number 334611

1 and 519130 of the NAICS Manual, latest revision, and
2 which derive at least fifty percent (50%) of their
3 annual gross revenues from the sale of a product or
4 service to an out-of-state buyer or consumer, and as
5 defined under Industrial Group Number 5182 of the
6 NAICS Manual, latest revision, which derive at least
7 eighty percent (80%) of their annual gross revenues
8 from the sale of a product or service to an out-of-
9 state buyer or consumer. Eligibility as a
10 manufacturing facility pursuant to this subparagraph
11 shall be established, subject to review by the
12 Oklahoma Tax Commission, by annually filing an
13 affidavit with the Tax Commission stating that the
14 facility so qualifies and such other information as
15 required by the Tax Commission. For purposes of
16 determining whether annual gross revenues are derived
17 from sales to out-of-state buyers, all sales to the
18 federal government shall be considered to be an out-
19 of-state buyer,

- 20 d. facilities that the investment cost of the
21 construction, acquisition or expansion is Five Hundred
22 Thousand Dollars (\$500,000.00) or more with respect to
23 assets placed into service during calendar year 2022.
24 For subsequent calendar years, the investment required

1 shall be increased annually by a percentage equal to
2 the previous year's increase in the Consumer Price
3 Index-All Urban Consumers ("CPI-U") and such adjusted
4 amount shall be the required investment cost in order
5 to qualify for the exemption authorized by this
6 section. The Oklahoma Department of Commerce shall
7 determine the amount of the increase, if any, on
8 January 1 of each year. The Oklahoma Tax Commission
9 shall publish on its website at least annually the
10 adjusted dollar amount in order to qualify for the
11 exemption authorized by this section and shall include
12 the adjusted dollar amount in any of its relevant
13 forms or publications with respect to the exemption.
14 Provided, "investment cost" shall not include the cost
15 of direct replacement, refurbishment, repair or
16 maintenance of existing machinery or equipment, except
17 that investment cost shall include capital
18 expenditures for direct replacement, refurbishment,
19 repair or maintenance of existing machinery or
20 equipment that qualifies for depreciation and/or
21 amortization pursuant to the Internal Revenue Code of
22 1986, as amended, and such expenditures shall be
23 eligible as a part of an expansion that otherwise
24 qualifies under this section,

1 e. establishments primarily engaged in distribution as
2 defined under Industry Numbers 49311, 49312, 49313 and
3 49319 and Industry Sector Number 42 of the NAICS
4 Manual, latest revision, and which meet the following
5 qualifications:

- 6 (1) construction with an initial capital investment
7 of at least Five Million Dollars (\$5,000,000.00),
8 (2) employment of at least one hundred (100) full-
9 time-equivalent employees, as certified by the
10 Oklahoma Employment Security Commission,
11 (3) payment of wages or salaries to its employees at
12 a wage which equals or exceeds the average wage
13 requirements in the Oklahoma Quality Jobs Program
14 Act for the year in which the real property was
15 placed into service, and
16 (4) commencement of construction on or after November
17 1, 2007, with construction to be completed within
18 three (3) years from the date of the commencement
19 of construction,

20 f. facilities engaged in the manufacturing, compounding,
21 processing or fabrication of materials into articles
22 of tangible personal property according to the special
23 order of a customer (custom order manufacturing) by
24 manufacturers classified as operating in North
25

American Industry Classification System (NAICS)

Sectors 32 and 33, but does not include such custom order manufacturing by manufacturers classified in other NAICS code sectors, and

- g. with respect to any entity making an application for the exemption authorized by this section on or after January 1, 2023, the establishment making application for exempt treatment of real or personal property acquired or improved beginning January 1, 2022, and for any calendar year thereafter, the entity shall be required to pay new direct jobs, as defined by Section 3603 of this title for purposes of the Oklahoma Quality Jobs Program Act, an average annualized wage which equals or exceeds the average wage requirement in the Oklahoma Quality Jobs Program Act for the year in which the real or personal property was placed into service. The Oklahoma Tax Commission may request verification from the Oklahoma Department of Commerce that an establishment seeking an exemption for real or personal property pays an average annualized wage that equals or exceeds the average wage requirement in effect for the year in which the real or personal property was placed into service. For purposes of this subparagraph, it shall not be necessary for the

1 establishment to qualify for incentive payments
2 pursuant to the Oklahoma Quality Jobs Program Act, but
3 the establishment shall be subject to the wage
4 requirements of the Oklahoma Quality Jobs Program Act
5 with respect to new direct jobs in order to qualify
6 for the exempt treatment authorized by this section.

7 Eligibility as a manufacturing facility pursuant to this
8 subparagraph shall be established, subject to review by the Tax
9 Commission, by annually filing an affidavit with the Tax Commission
10 stating that the facility so qualifies and containing such other
11 information as required by the Tax Commission.

12 Provided, eating and drinking places, as well as other retail
13 establishments, shall not qualify as manufacturing facilities for
14 purposes of this section, nor shall centrally assessed properties.

15 Eligibility as a manufacturing facility pursuant to this
16 subparagraph shall be established, subject to review by the Tax
17 Commission, by annually filing an application with the Tax
18 Commission stating that the facility so qualifies and containing
19 such other information as required by the Tax Commission;

20 2. "Facility" and "facilities", except as otherwise provided by
21 this section, means and includes the land, buildings, structures and
22 improvements used directly and exclusively in the manufacturing
23 process. Effective January 1, 2022, and for each calendar year
24 thereafter, for establishments which have received a manufacturer

1 exemption permit pursuant to the provisions of Section 1359.2 of
2 this title, or facilities engaged in manufacturing activities
3 defined or classified in the NAICS Manual under Industry Nos. 311111
4 through 339999, inclusive, but for no other establishments, facility
5 and facilities means and includes the land, buildings, structures,
6 improvements, machinery, fixtures, equipment and other personal
7 property used directly and exclusively in the manufacturing process;
8 and

9 3. "Research and development" means activities directly related
10 to and conducted for the purpose of discovering, enhancing,
11 increasing or improving future or existing products or processes or
12 productivity.

13 C. The following provisions shall apply:

14 1. A manufacturing concern shall be entitled to the exemption
15 herein provided for each new manufacturing facility constructed,
16 each existing manufacturing facility acquired and the expansion of
17 existing manufacturing facilities on the same site, as such terms
18 are defined by Section 6B of Article X of the Oklahoma Constitution
19 and by this section;

20 2. No manufacturing concern shall receive more than one five-
21 year exemption for any one manufacturing facility unless the
22 expansion which qualifies the manufacturing facility for an
23 additional five-year exemption meets the requirements of paragraph 4
24

1 of this subsection and the employment level established for any
2 previous exemption is maintained;

3 3. Any exemption as to the expansion of an existing
4 manufacturing facility shall be limited to the increase in ad
5 valorem taxes directly attributable to the expansion;

6 4. All initial applications for any exemption for a new,
7 acquired or expanded manufacturing facility shall be granted only
8 if:

- 9 a. there is a net increase in annualized base payroll
10 over the initial payroll of at least Two Hundred Fifty
11 Thousand Dollars (\$250,000.00) if the facility is
12 located in a county with a population of fewer than
13 seventy-five thousand (75,000), according to the most
14 recent Federal Decennial Census, while maintaining or
15 increasing base payroll in subsequent years, or at
16 least One Million Dollars (\$1,000,000.00) if the
17 facility is located in a county with a population of
18 seventy-five thousand (75,000) or more, according to
19 the most recent Federal Decennial Census, while
20 maintaining or increasing base payroll in subsequent
21 years; provided, the payroll requirement of this
22 subparagraph shall be waived for claims for exemptions
23 including claims previously denied or on appeal on
24 March 3, 2010, for all initial applications for

1 exemption filed on or after January 1, 2004, and on or
2 before March 31, 2009, and all subsequent annual
3 exemption applications filed related to the initial
4 application for exemption, for an applicant, if the
5 facility has been located in Oklahoma for at least
6 fifteen (15) years engaged in marine engine
7 manufacturing as defined under U.S. Industry Number
8 333618 of the NAICS Manual, latest revision, and has
9 maintained an average employment of five hundred (500)
10 or more full-time-equivalent employees over a ten-year
11 period. Any applicant that qualifies for the payroll
12 requirement waiver as outlined in the previous
13 sentence and subsequently closes its Oklahoma
14 manufacturing plant prior to January 1, 2012, may be
15 disqualified for exemption and subject to recapture.
16 For an applicant engaged in paperboard manufacturing
17 as defined under U.S. Industry Number 322130 of the
18 NAICS Manual, latest revision, union master payouts
19 paid by the buyer of the facility to specified
20 individuals employed by the facility at the time of
21 purchase, as specified under the purchase agreement,
22 shall be excluded from payroll for purposes of this
23 section.
24

1 In order to provide certainty with respect to
2 investments in manufacturing facilities pertaining to
3 all initial applications for exemption filed on or
4 after January 1, 2016, the following definitions shall
5 apply:

6 (1) "base payroll" shall mean total payroll adjusted
7 for any nonrecurring bonuses, exercise of stock
8 option or stock rights and other nonrecurring,
9 extraordinary items included in total payroll,
10 and

11 (2) "initial payroll" shall mean base payroll for the
12 year immediately preceding the initial
13 construction, acquisition or expansion.

14 The Tax Commission shall verify payroll
15 information through the Oklahoma Employment
16 Security Commission by using reports from the
17 Oklahoma Employment Security Commission for the
18 calendar year immediately preceding the year for
19 which initial application is made for base-line
20 payroll, which must be maintained or increased
21 for each subsequent year; provided, a
22 manufacturing facility shall have the option of
23 excluding from its payroll, for purposes of this
24 section:

- 1 i. payments to sole proprietors, members
2 of a partnership, members of a limited
3 liability company who own at least ten
4 percent (10%) of the capital of the
5 limited liability company or
6 stockholder-employees of a corporation
7 who own at least ten percent (10%) of
8 the stock in the corporation, and
9 ii. any nonrecurring bonuses, exercise of
10 stock option or stock rights or other
11 nonrecurring, extraordinary items
12 included in total payroll numbers as
13 reported by the Oklahoma Employment
14 Security Commission. A manufacturing
15 facility electing either option shall
16 indicate such election upon its
17 application for an exemption under this
18 section. Any manufacturing facility
19 electing either option shall submit
20 such information as the Tax Commission
21 may require in order to verify payroll
22 information. Payroll information
23 submitted pursuant to the provisions of
24 this paragraph shall be submitted to

1 the Tax Commission and shall be subject
2 to the provisions of Section 205 of
3 this title, and

4 b. the facility offers, or will offer within one hundred
5 eighty (180) days of the date of employment, a basic
6 health benefits plan to the full-time-equivalent
7 employees of the facility, which is determined by the
8 Oklahoma Department of Commerce to consist of the
9 elements specified in subparagraph b of paragraph 1 of
10 subsection A of Section 3603 of this title or elements
11 substantially equivalent thereto.

12 For purposes of this section, calculation of the amount of
13 increased base payroll shall be measured from the start of initial
14 construction or expansion to the completion of such construction or
15 expansion or for three (3) years from the start of initial
16 construction or expansion, whichever occurs first. The amount of
17 increased base payroll shall include payroll for full-time-
18 equivalent employees in this state who are employed by an entity
19 other than the facility which has previously or is currently
20 qualified to receive an exemption pursuant to the provisions of this
21 section and who are leased or otherwise provided to the facility, if
22 such employment did not exist in this state prior to the start of
23 initial construction or expansion of the facility. The
24 manufacturing concern shall submit an affidavit to the Tax

1 Commission, signed by an officer, stating that the construction,
2 acquisition or expansion of the facility will result in a net
3 increase in the annualized base payroll as required by this
4 paragraph and that full-time-equivalent employees of the facility
5 are or will be offered a basic health benefits plan as required by
6 this paragraph. If, after the completion of such construction or
7 expansion or after three (3) years from the start of initial
8 construction or expansion, whichever occurs first, the construction,
9 acquisition or expansion has not resulted in a net increase in the
10 amount of annualized base payroll, if required, or any other
11 qualification specified in this paragraph has not been met, the
12 manufacturing concern shall pay an amount equal to the amount of any
13 exemption granted including penalties and interest thereon, to the
14 Tax Commission for deposit to the Ad Valorem Reimbursement Fund;

15 5. Except as otherwise provided by this paragraph, any new,
16 acquired or expanded computer data processing, data preparation or
17 information processing services provider classified in U.S. Industry
18 Number 518210 of the North American Industrial Classification System
19 (NAICS) Manual, 2017 revision, may apply for exemptions under this
20 section for each year in which new, acquired, or expanded capital
21 improvements to the facility are made for assets placed in service
22 not later than December 31, 2021, if:

- 23 a. there is a net increase in annualized payroll of the
24 applicant at any facility or facilities of the
25

1 applicant in this state of at least Two Hundred Fifty
2 Thousand Dollars (\$250,000.00), which is attributable
3 to the capital improvements, or a net increase of
4 Seven Million Dollars (\$7,000,000.00) or more in
5 capital improvements, while maintaining or increasing
6 payroll at the facility or facilities in this state
7 which are included in the application, and

- 8 b. the facility offers, or will offer within one hundred
9 eighty (180) days of the date of employment of new
10 employees attributable to the capital improvements, a
11 basic health benefits plan to the full-time-equivalent
12 employees of the facility, which is determined by the
13 Oklahoma Department of Commerce to consist of the
14 elements specified in subparagraph b of paragraph 1 of
15 subsection A of Section 3603 of this title or elements
16 substantially equivalent thereto.

17 An establishment described by this paragraph, the primary
18 business activity of which is described by Industry No. 518210 of
19 the North American Industry Classification System (NAICS) Manual,
20 2017 revision, that has applied for and been granted an exemption
21 for personal property at any time within five (5) years prior to
22 November 1, 2021, may apply for exemptions for items of eligible
23 personal property to be located within improvements to real property
24 and such real property and improvements having been exempt from ad

1 valorem taxation prior to November 1, 2021, pursuant to the
2 provisions of this section if such personal property is placed in
3 service not later than December 31, 2036. No additional personal
4 property of such establishment placed in service after such date
5 shall qualify for the exempt treatment otherwise authorized pursuant
6 to this paragraph;

7 6. Effective January 1, 2017, an entity engaged in electric
8 power generation by means of wind, as described by the North
9 American Industry Classification System, No. 221119, shall not be
10 defined as a qualifying manufacturing concern for purposes of the
11 exemption otherwise authorized pursuant to Section 6B of Article X
12 of the Oklahoma Constitution or qualify as a manufacturing facility
13 as defined in this section. No initial application for exemption
14 shall be filed by or accepted from an entity engaged in electric
15 power generation by means of wind on or after January 1, 2018;

16 7. An entity or applicant engaged in an industry as defined
17 under U.S. Industry Number 324110 of the NAICS Manual, latest
18 revision, which has applied for or been granted an exemption for a
19 time period which began on or after calendar year 2012 and before
20 calendar year 2016 but which did not meet the payroll requirements
21 of subparagraph a of paragraph 4 of this subsection because of
22 nonrecurring bonuses, exercise of stock option or stock rights or
23 other nonrecurring, extraordinary items included in total payroll in
24 the previous year, shall be allowed an exemption, beginning with
25

1 calendar year 2016, for the number of years including the calendar
2 year for which the exemption was denied, remaining in the entity's
3 five-year exemption period, provided such entity attains or
4 increases payroll at or above the initial or base payroll
5 established for the exemption;

6 8. A facility engaged in manufacturing defined under U.S.
7 Industry Number 327310 of the NAICS Manual shall have the payroll
8 requirements of paragraph 4 of this subsection waived for tax year
9 2021, which is based in part on the 2020 calendar year payroll
10 reported to the Oklahoma Employment Security Commission, and may
11 continue to receive the exemption for the five-year period provided
12 in this section only if all other requirements of this section are
13 met; and

14 9. A facility engaged in manufacturing which otherwise
15 qualifies for the exemption or exemptions pursuant to the provisions
16 of this section shall have the payroll requirements of paragraph 4
17 of this subsection waived for tax year 2021, which is based in part
18 on the 2020 calendar year payroll reported to the Oklahoma
19 Employment Security Commission, and for tax year 2022, which is
20 based in part on the 2021 calendar year payroll reported to the
21 Oklahoma Employment Security Commission, and may continue to receive
22 the exemption for the five-year period provided in this section only
23 if all other requirements of this section are met. Provided, a
24 facility engaged in manufacturing as defined under Industrial Group

1 Number 3364 of the NAICS Manual, latest revision, which otherwise
2 qualifies or qualified to receive the exemption for the five-year
3 period provided in this section, including claims previously denied,
4 shall have the payroll requirements of paragraph 4 of this
5 subsection waived for the five-year exemption period of those
6 initial exemption applications filed after January 1, 2020, and
7 before March 16, 2021.

8 D. 1. Except as provided in paragraph 2 of this subsection,
9 the five-year period of exemption from ad valorem taxes for any
10 qualifying manufacturing facility property shall begin on January 1
11 following the initial qualifying use of the property in the
12 manufacturing process.

13 2. The five-year period of exemption from ad valorem taxes for
14 any qualifying manufacturing facility, as specified in subparagraphs
15 a and b of this paragraph, which is located within a tax incentive
16 district created pursuant to the Local Development Act by a county
17 having a population of at least five hundred thousand (500,000),
18 according to the most recent Federal Decennial Census, shall begin
19 on January 1 following the expiration or termination of the ad
20 valorem exemption, abatement, or other incentive provided through
21 the tax incentive district. Facilities qualifying pursuant to this
22 subsection shall include:

- 23 a. a manufacturing facility as defined in subparagraph c
24 of paragraph 1 of subsection B of this section, and
25

1 b. an establishment primarily engaged in distribution as
2 defined under Industry Number 49311 of the North
3 American Industry Classification System for which the
4 initial capital investment was at least One Hundred
5 Eighty Million Dollars (\$180,000,000.00); provided,
6 that the qualifying job creation and depreciable
7 property investment occurred prior to calendar year
8 2017 but not earlier than calendar year 2013.

9 E. Any person, firm or corporation claiming the exemption
10 herein provided for shall file each year for which exemption is
11 claimed, an application therefor with the county assessor of the
12 county in which the new, expanded or acquired facility is located.
13 The application shall be on a form or forms prescribed by the Tax
14 Commission, and shall be filed on or before March 15, except as
15 provided in Section 2902.1 of this title, of each year in which the
16 facility desires to take the exemption or within thirty (30) days
17 from and after receipt by such person, firm or corporation of notice
18 of valuation increase, whichever is later. In a case where
19 completion of the facility or facilities will occur after January 1
20 of a given year, a facility may apply to claim the ad valorem tax
21 exemption for that year. If such facility is found to be qualified
22 for exemption, the ad valorem tax exemption provided for herein
23 shall be granted for that entire year and shall apply to the ad
24 valorem valuation as of January 1 of that given year. For

1 applicants who qualify under the provisions of subparagraph b of
2 paragraph 1 of subsection B of this section, the application shall
3 include a copy of the affidavit and any other information required
4 to be filed with the Tax Commission.

5 F. The application shall be examined by the county assessor and
6 approved or rejected in the same manner as provided by law for
7 approval or rejection of claims for homestead exemptions. The
8 taxpayer shall have the same right of review by and appeal from the
9 county board of equalization, in the same manner and subject to the
10 same requirements as provided by law for review and appeals
11 concerning homestead exemption claims. Approved applications shall
12 be filed by the county assessor with the Tax Commission no later
13 than June 15, except as provided in Section 2902.1 of this title, of
14 the year in which the facility desires to take the exemption.
15 Incomplete applications and applications filed after June 15 will be
16 declared null and void by the Tax Commission. In the event that a
17 taxpayer qualified to receive an exemption pursuant to the
18 provisions of this section shall make payment of ad valorem taxes in
19 excess of the amount due, the county treasurer shall have the
20 authority to credit the taxpayer's real or personal property tax
21 overpayment against current taxes due. The county treasurer may
22 establish a schedule of up to five (5) years of credit to resolve
23 the overpayment.

1 G. Nothing herein shall in any manner affect, alter or impair
2 any law relating to the assessment of property, and all property,
3 real or personal, which may be entitled to exemption hereunder shall
4 be valued and assessed as is other like property and as provided by
5 law. The valuation and assessment of property for which an
6 exemption is granted hereunder shall be performed by the Tax
7 Commission using one or more of the cost, income and expense and
8 sales comparison approaches to estimate fair cash value in
9 accordance with the Uniform Standards of Professional Appraisal
10 Practice.

11 H. For each year that a new, expanded, or acquired
12 manufacturing facility receives an exemption pursuant to Section 6B
13 of Article X of the Oklahoma Constitution, the entity shall provide
14 to the Tax Commission a report detailing the number of new jobs
15 created and the payroll data for new jobs created since the
16 exemption was provided. The Tax Commission shall provide the data
17 collected pursuant to this subsection to the Incentive Evaluation
18 Commission for only evaluation purposes by the Commission or a
19 designee.

20 I. The Tax Commission shall have the authority and duty to
21 prescribe forms and to promulgate rules as may be necessary to carry
22 out and administer the terms and provisions of this section.
23
24
25

1 SECTION 133. REPEALER 68 O.S. 2021, Section 2902, as
2 last amended by Section 1, Chapter 204, O.S.L. 2025 (68 O.S. Supp.
3 2025, Section 2902), is hereby repealed.

4 SECTION 134. AMENDATORY 70 O.S. 2021, Section 6-194, as
5 last amended by Section 5, Chapter 101, O.S.L. 2025 (70 O.S. Supp.
6 2025, Section 6-194), is amended to read as follows:

7 Section 6-194. A. The district boards of education of this
8 state shall establish professional development programs for the
9 certified teachers and administrators of the district. Programs
10 shall be adopted by each board based upon recommendations of a
11 professional development committee appointed by the board of
12 education for the district.

13 B. Each professional development committee shall include
14 classroom teachers, administrators, school counselors or licensed
15 mental health providers, and parents, guardians, or custodians of
16 children in the school district and shall consult with a higher
17 education faculty. A majority of the members of the professional
18 development committee shall be composed of classroom teachers. The
19 teacher members shall be selected by a designated administrator of
20 the school district from a list of names submitted by the teachers
21 in the school district. The members selected shall be subject to
22 the approval of a majority vote of the teachers in the district.

23 C. In developing program recommendations, each professional
24 development committee shall annually utilize a data-driven approach

1 to analyze student data and determine district and school
2 professional development needs. The professional development
3 programs adopted shall be directed toward development of
4 competencies and instructional strategies in the core curriculum
5 areas for the following goals:

- 6 1. Increasing the academic performance data scores for the
7 district and each school site;
- 8 2. Closing achievement gaps among student subgroups;
- 9 3. Increasing student achievement as demonstrated on state-
10 mandated tests and ~~the ACT~~ nationally norm-referenced college
11 entrance exams;
- 12 4. Increasing high school graduation rates; and
- 13 5. Decreasing college remediation rates.

14 Each program may also include components on classroom management
15 and student discipline strategies, outreach to parents, guardians,
16 or custodians of students, special education, and racial and ethnic
17 education, which all personnel defined as teachers in Section 1-116
18 of this title shall be required to complete at a frequency as
19 determined by the board of education. The State Board of Education
20 shall provide guidelines to assist school districts in developing
21 and implementing racial and ethnic education components into
22 professional development programs.

1 D. A program which includes the following information shall be
2 completed the first year a certified teacher is employed by a school
3 district, and then once every fifth academic year:

4 1. Training on recognition of child abuse and neglect;

5 2. Recognition of child sexual abuse;

6 3. Proper reporting of suspected abuse including the reporting
7 requirements of Section 1-2-101 of Title 10A of the Oklahoma
8 Statutes and Section 1210.163 of this title and associated penalties
9 for failure to report; and

10 4. Available resources.

11 E. One time per year, beginning in the 2009-2010 school year,
12 training in the area of autism shall be offered and all resident
13 teachers of students in early childhood programs through grade three
14 shall be required to complete the autism training during the
15 resident year and at least one time every three (3) years
16 thereafter. All other teachers and education support professionals
17 of students in early childhood programs through grade three shall be
18 required to complete the autism training at least one time every
19 three (3) years. The autism training shall include a minimum
20 awareness of the characteristics of autistic children, resources
21 available and an introduction to positive behavior supports to
22 challenging behavior. Each adopted program shall allow school
23 counselors to receive at least one-third (1/3) of the hours or
24

1 credit required each year through programs or courses specifically
2 designed for school counselors.

3 Districts are authorized to utilize any means for professional
4 development that is not prohibited by law including, but not limited
5 to, professional development provided by the district, any state
6 agency, institution of higher education, or any private entity.

7 F. One time per year, beginning in the 2020-2021 school year, a
8 dyslexia awareness program shall be offered. Beginning in the 2023-
9 2024 school year, the program shall include information and training
10 in dysgraphia. At a minimum, the program shall include:

11 1. Training in awareness of dyslexia characteristics in
12 students;

13 2. Training in effective classroom instruction to meet the
14 needs of students with dyslexia; and

15 3. Available dyslexia resources for teachers, students and
16 parents.

17 G. Except as otherwise provided for in this subsection, each
18 certified teacher in this state shall be required by the district
19 board of education to meet the professional development requirements
20 established by the board, or established through the negotiation
21 process. Except as otherwise provided for in this subsection, the
22 professional development requirements established by each board of
23 education shall require every teacher to annually complete a minimum
24 number of the total number of points required to maintain

1 employment; provided, no more than a total of one hundred fifty
2 (150) hours of local, state, or federal professional development or
3 training shall be required for classroom teachers during any five-
4 year period. Failure of any teacher to meet district board of
5 education professional development requirements may be grounds for
6 nonrenewal of such teacher's contract by the board. Such failure
7 may also be grounds for nonconsideration of salary increments
8 affecting the teacher. Teachers shall maintain written
9 documentation of all their completed professional development.

10 H. Each district shall annually submit a report to the State
11 Department of Education on the district level professional
12 development needs, activities completed, expenditures, and results
13 achieved for each school year by each goal as provided in subsection
14 C of this section. If a school district elects not to adopt and
15 offer a professional development program as provided for in
16 subsection A of this section, the district shall not be required to
17 submit an annual report as required pursuant to this subsection but
18 shall report to the State Department of Education its election not
19 to offer a program and all professional development activities
20 completed by teachers and administrators of the school district.

21 I. Subject to the availability of funds, the Department shall
22 develop an online system for reporting as required in subsection H
23 of this section. The Department shall also make such information
24 available on its website.

1 SECTION 135. REPEALER 70 O.S. 2021, Section 6-194, as
2 last amended by Section 1, Chapter 277, O.S.L. 2025 (70 O.S. Supp.
3 2025, Section 6-194), is hereby repealed.

4 SECTION 136. AMENDATORY 70 O.S. 2021, Section 1210.163,
5 as last amended by Section 3, Chapter 260, O.S.L. 2025 (70 O.S.
6 Supp. 2025, Section 1210.163), is amended to read as follows:

7 Section 1210.163. A. Every school employee having reason to
8 believe that a student under the age of eighteen (18) years is a
9 victim of abuse or neglect shall report the matter immediately to
10 the Department of Human Services and local law enforcement. Reports
11 to the Department shall be made to the hotline provided for in
12 Section 1-2-101 of Title 10A of the Oklahoma Statutes. Any
13 allegation of abuse or neglect reported in any manner to a county
14 office shall immediately be referred to the hotline by the
15 Department.

16 B. Every school employee having reason to believe that a
17 student age eighteen (18) years or older is a victim of abuse or
18 neglect shall report the matter immediately to local law
19 enforcement.

20 C. In reports required by subsection A or B of this section,
21 local law enforcement shall keep confidential and redact any
22 information identifying the reporting school employee unless
23 otherwise ordered by the court. A school employee with knowledge of
24 a report required by subsection A or B of this section shall not

1 disclose information identifying the reporting school employee
2 unless otherwise ordered by the court or as part of an investigation
3 by local law enforcement or the Department.

4 D. Any superintendent or school administrator of a private
5 school or public school district who knowingly and willfully fails
6 to promptly report or interferes with the prompt reporting of abuse
7 or neglect shall be subject to the penalties provided for in Section
8 2 of this act. As used in this subsection, "school administrator"
9 means a principal, assistant principal, or any other person who
10 serves in a supervisory or administrative capacity in a private
11 school or public school district.

12 E. Every school employee shall annually sign an attestation
13 acknowledging his or her responsibility to report suspected child
14 abuse or neglect pursuant to this section and Section 1-2-101 of
15 Title 10A of the Oklahoma Statutes.

16 F. For the purposes of this section, "child abuse and neglect"
17 shall include, but not be limited to:

18 1. Child abuse as defined in Section 843.5 of Title 21 of the
19 Oklahoma Statutes;

20 2. Sexual abuse or sexual exploitation as defined in Section 1-
21 1-105 of Title 10A of the Oklahoma Statutes;

22 3. Contributing to the delinquency of a minor as ~~defined~~
23 described in Section 856 of Title 21 of the Oklahoma Statutes;

1 4. Trafficking in children, as defined in Section 866 of Title
2 21 of the Oklahoma Statutes;

3 5. Incest as described in Section 885 of Title 21 of the
4 Oklahoma Statutes;

5 6. Forcible sodomy, as described in Section 888 of Title 21 of
6 the Oklahoma Statutes;

7 7. Maliciously, forcibly or fraudulently taking or enticing a
8 child away, as described in Section 891 of Title 21 of the Oklahoma
9 Statutes;

10 8. Soliciting or aiding a minor child to perform or showing,
11 exhibiting, loaning or distributing obscene material or child sexual
12 abuse material, as described in Section 1021 of Title 21 of the
13 Oklahoma Statutes;

14 9. Procuring or causing the participation of any minor child in
15 any child sexual abuse material or knowingly possessing, procuring
16 or manufacturing child sexual abuse material, as described in
17 Section 1021.2 of Title 21 of the Oklahoma Statutes;

18 10. Permitting or consenting to the participation of a minor
19 child in any child sexual abuse material, as described in Section
20 1021.3 of Title 21 of the Oklahoma Statutes;

21 11. Facilitating, encouraging, offering or soliciting sexual
22 conduct with a minor, as described in Section 1040.13a of Title 21
23 of the Oklahoma Statutes;

1 12. Offering or offering to secure a minor child for the
2 purposes of prostitution or any other lewd or indecent act, as
3 described in Section 1087 of Title 21 of the Oklahoma Statutes;

4 13. Causing, inducing, persuading or encouraging a minor child
5 to engage or continue to engage in prostitution, as described in
6 Section 1088 of Title 21 of the Oklahoma Statutes;

7 14. Rape or rape by instrumentation, as described in Sections
8 1111.1 and 1114 of Title 21 of the Oklahoma Statutes;

9 15. Making any oral, written or electronically or computer-
10 generated lewd or indecent proposals to a minor child under the age
11 of sixteen (16) as described in Section 1123 of Title 21 of the
12 Oklahoma Statutes; and

13 16. Sexual battery, when committed upon a person who is at
14 least sixteen (16) years of age and is less than twenty (20) years
15 of age and is a student, or in the legal custody or supervision of
16 any public or private elementary or secondary school, or technology
17 center school, by a person who is eighteen (18) years of age or
18 older and is an employee of a private school or public school
19 system.

20 SECTION 137. REPEALER 70 O.S. 2021, Section 1210.163, as
21 last amended by Section 6, Chapter 101, O.S.L. 2025 (70 O.S. Supp.
22 2025, Section 1210.163), is hereby repealed.

SECTION 138. AMENDATORY 70 O.S. 2021, Section 2403, as amended by Section 3, Chapter 482, O.S.L. 2025 (70 O.S. Supp. 2025, Section 2403), is amended to read as follows:

Section 2403. A. No person shall be eligible to participate in the Oklahoma Rising Scholars Award Program unless the person:

1. Has complied with all of the rules promulgated by the Oklahoma State Regents for Higher Education pursuant to the provisions of the Oklahoma Rising Scholars Award Act, Section 2401 et seq. of this title, for the award, regulation, and administration of scholarships; and

2. Qualifies as one of the following:

a. an Individual Applicant Qualified Student, which shall mean a student who is a resident of ~~the State of Oklahoma~~ this state whose ~~American College Testing Program score or whose Scholastic Aptitude Test score~~ on a nationally norm-referenced college entrance exam falls within the 99.5 to 100.0 percentile levels as administered in ~~the State of Oklahoma~~ this state and whose grade point average and/or class rank is exceptional, as determined by the State Regents,

b. a Presidential Scholar, which shall mean a student selected by the Commission on Presidential Scholars administered by the United States Department of Education,

- 1 c. a National Merit Scholar, which shall mean a student
2 designated as a National Merit Scholar by the National
3 Merit Scholarship Corporation,
- 4 d. a National Merit Finalist, which shall mean a student
5 designated as a National Merit Finalist by the
6 National Merit Scholarship Corporation, or
- 7 e. after October 1, 1999, an Institutional Nominee, which
8 shall mean a student nominated by an institution in
9 The Oklahoma State System of Higher Education:
- 10 (1) whose ~~American College Testing Program or~~
11 ~~Scholastic Aptitude Test~~ score on a nationally
12 norm-referenced college entrance exam falls
13 within the 95.0 to 99.49 percentile levels, or
- 14 (2) who shows exceptional academic achievement as
15 evidenced by factors, including, but not limited
16 to, grade point average, class rank, national
17 awards, scholastic achievements, honors, and who
18 shows exceptional promise based on documentation
19 that may include, but not be limited to, teacher
20 recommendations, extracurricular activities, and
21 evidence of overcoming economic and social
22 obstacles as determined by the State Regents.
23 The State Regents shall ensure that standards of
24 high academic ability are documented.

Scholarship awards to Institutional Nominees shall become effective when appropriate documentation is verified by the State Regents.

B. No person shall be eligible to receive a scholarship pursuant to the provisions of the Oklahoma Rising Scholars Award Program unless the person is enrolled as a full-time student at a public or private accredited institution of higher education in Oklahoma.

C. For a student who qualifies pursuant to subparagraphs a through d of paragraph 2 of subsection A of this section and subject to the availability of funds, the Oklahoma Rising Scholars Award Program shall provide a scholarship in an amount not to exceed the costs of all enrollment fees, tuition and other fees, room and board, and all required textbooks or materials for up to five (5) years of undergraduate and/or graduate study at an accredited public or private institution of higher education in Oklahoma. The State Regents may establish separate scholarship award levels for each qualifying category.

1. If the student is attending an institution within The Oklahoma State System of Higher Education, the total funding for the scholarship provided in this subsection, exclusive of any internships, shall not exceed the costs for items specified in this subsection at the institution attended as determined annually by the Oklahoma State Regents for Higher Education.

1 2. If the student is attending a private institution of higher
2 education, the total funding for the scholarship provided in this
3 subsection, exclusive of any internships, shall not exceed the costs
4 for items specified in this subsection at an institution of The
5 Oklahoma State System of Higher Education of comparable type which
6 has the highest general enrollment fees of its type of institution
7 in The Oklahoma State System of Higher Education as determined
8 annually by the Oklahoma State Regents for Higher Education.

9 D. For a student who qualifies pursuant to subparagraph e of
10 paragraph 2 of subsection A of this section and subject to the
11 availability of funds, the Oklahoma Rising Scholars Award Program
12 shall provide a scholarship in an amount not to exceed the average
13 costs of all enrollment fees and other fees, room and board, and all
14 required textbooks or materials for up to five (5) years of
15 undergraduate and/or graduate study at an accredited public or
16 private institution of higher education in Oklahoma. The State
17 Regents may establish separate scholarship award levels for each
18 qualifying category.

19 1. If the student is attending an institution within The
20 Oklahoma State System of Higher Education, the institution shall
21 provide a tuition waiver not to exceed the average cost of tuition.
22 The total funding for the scholarship and waiver provided for
23 students attending an institution within The Oklahoma State System
24 of Higher Education as provided in this subsection, exclusive of any

1 internships, shall not exceed the costs for items specified in this
2 subsection at the institution attended as determined annually by the
3 Oklahoma State Regents for Higher Education.

4 2. If the student is attending a private institution of higher
5 education in Oklahoma, the scholarship shall include an amount not
6 to exceed the average cost of tuition. The total funding for
7 scholarships for students attending a private institution as
8 provided in this subsection, exclusive of any internships, shall not
9 exceed the costs for items specified in this subsection at an
10 institution within The Oklahoma State System of Higher Education of
11 comparable type which has the highest general enrollment fees of its
12 type of institution in The Oklahoma State System of Higher Education
13 as determined annually by the Oklahoma State Regents for Higher
14 Education.

15 E. If a person identifies himself or herself as a student with
16 a disability and requests consideration for a scholarship under the
17 Oklahoma Rising Scholars Award Program by means other than standard
18 testing procedures, the State Regents shall determine what means of
19 assessment are appropriate and upon the basis of ~~said~~ such
20 assessment results, determine what level of award, if any, shall be
21 made.

22 SECTION 139. REPEALER 70 O.S. 2021, Section 2403, as
23 amended by Section 6, Chapter 277, O.S.L. 2025 (70 O.S. Supp. 2025,
24 Section 2403), is hereby repealed.

1 SECTION 140. AMENDATORY 74 O.S. 2021, Section 62.3, as
2 amended by Section 1, Chapter 384, O.S.L. 2025 (74 O.S. Supp. 2025,
3 Section 62.3), is amended to read as follows:

4 Section 62.3. A. The Director of the Office of Management and
5 Enterprise Services shall promulgate rules for use by state agencies
6 and the Office of Management and Enterprise Services to dispose of
7 surplus property. The rules shall include standards for
8 recordkeeping, methods for removal or disposal of surplus property,
9 and acquisition by state agencies and authorized entities of surplus
10 property, and for Office management of surplus property programs.

11 B. A state agency selling, trading, redistributing or otherwise
12 disposing of surplus property shall comply with the rules
13 promulgated by the Director.

14 C. The Office shall make surplus property available to state
15 agencies and authorized entities, which shall include political
16 subdivisions, school districts, and nonprofit entities of this
17 state.

18 D. The provisions of the Oklahoma Surplus Property Act shall
19 not apply to institutions of higher education in this state, the
20 Oklahoma Historical Society, the University Hospitals Authority or
21 University Hospitals Trust or the Northeast Oklahoma Public
22 Facilities Authority. The Grand River Dam Authority shall be exempt
23 from the provisions of the Oklahoma Surplus Property Act for any
24 surplus property disposed of prior to November 1, 2006. ~~CompSource~~

~~Oklahoma shall be exempt from the provisions of the Oklahoma Surplus Property Act if CompSource Oklahoma is operating pursuant to a pilot program authorized by Sections 3316 and 3317 of this title.~~

E. Notwithstanding the provisions of the Oklahoma Surplus Property Act, the Oklahoma State Bureau of Investigation may, pursuant to rules promulgated by the Oklahoma State Bureau of Investigation Commission for that purpose, donate any surplus property, as defined in Section 62.2 of this title, to any law enforcement agency of any political subdivision of the State of Oklahoma. The use of such donated equipment shall be limited to valid and authorized law enforcement efforts by the receiving agency.

F. Notwithstanding the provisions of the Oklahoma Surplus Property Act, the Oklahoma Highway Patrol may, pursuant to rules promulgated by the Director of the Office of Management and Enterprise Services, donate surplus Oklahoma Highway Patrol vehicles driven over ninety thousand (90,000) miles to any law enforcement agency of any political subdivision of the State of Oklahoma in a county with a population of no more than one hundred thousand (100,000) residents. The use of such donated vehicles shall be limited to valid and authorized law enforcement efforts by the receiving agency.

1 SECTION 141. REPEALER 74 O.S. 2021, Section 62.3, as
2 amended by Section 6, Chapter 199, O.S.L. 2025 (74 O.S. Supp. 2025,
3 Section 62.3), is hereby repealed.

4 SECTION 142. REPEALER 74 O.S. 2021, Section 85.58A, as
5 amended by Section 4, Chapter 245, O.S.L. 2024 (74 O.S. Supp. 2025,
6 Section 85.58A), is hereby repealed.

7 SECTION 143. AMENDATORY 74 O.S. 2021, Section 902, as
8 last amended by Section 1, Chapter 139, O.S.L. 2024 (74 O.S. Supp.
9 2025, Section 902), is amended to read as follows:

10 Section 902. As used in Section 901 et seq. of this title:

11 (1) "System" means the Oklahoma Public Employees Retirement
12 System as established by Section 901 et seq. of this title and as it
13 may hereafter be amended;

14 (2) "Accumulated contributions" means the sum of all
15 contributions by a member to the System which shall be credited to
16 the member's account;

17 (3) "Act" means Sections 901 to 932, inclusive, of this title;

18 (4) "Actuarial equivalent" means a deferred income benefit of
19 equal value to the accumulated deposits or benefits when computed
20 upon the basis of the actuarial tables in use by the System;

21 (5) "Actuarial tables" means the actuarial tables approved and
22 in use by the Board at any given time;

23 (6) "Actuary" means the actuary or firm of actuaries employed
24 by the Board at any given time;

1 (7) "Beneficiary" means any person named by a member to receive
2 any benefits as provided for by Section 901 et seq. of this title.
3 If there is no beneficiary living at time of member employee's
4 death, the member's estate shall be the beneficiary;

5 (8) "Board" means the Oklahoma Public Employees Retirement
6 System Board of Trustees;

7 (9) "Compensation" means all salary and wages, as defined by
8 the Board of Trustees, including amounts deferred under deferred
9 compensation agreements entered into between a member and a
10 participating employer. Compensation shall not mean payment for
11 overtime, payable to a member of the System for personal services
12 performed for a participating employer, compensation or
13 reimbursement for traveling, moving expenses, or any compensation in
14 excess of the maximum compensation level, provided:

15 (a) For compensation for service prior to January 1, 1988,
16 the maximum compensation level shall be Twenty-five
17 Thousand Dollars (\$25,000.00) per annum.

18 For compensation for service on or after January 1,
19 1988, through June 30, 1994, the maximum compensation
20 level shall be Forty Thousand Dollars (\$40,000.00) per
21 annum.

22 For compensation for service on or after July 1, 1994,
23 through June 30, 1995, the maximum compensation level
24 shall be Fifty Thousand Dollars (\$50,000.00) per
25

1 annum; for compensation for service on or after July
2 1, 1995, through June 30, 1996, the maximum
3 compensation level shall be Sixty Thousand Dollars
4 (\$60,000.00) per annum; for compensation for service
5 on or after July 1, 1996, through June 30, 1997, the
6 maximum compensation level shall be Seventy Thousand
7 Dollars (\$70,000.00) per annum; and for compensation
8 for service on or after July 1, 1997, through June 30,
9 1998, the maximum compensation level shall be Eighty
10 Thousand Dollars (\$80,000.00) per annum. For
11 compensation for services on or after July 1, 1998,
12 there shall be no maximum compensation level for
13 retirement purposes.

14 (b) Compensation for retirement purposes shall include any
15 amount of elective salary reduction under Section 457
16 of the Internal Revenue Code of 1986 and any amount of
17 nonelective salary reduction under Section 414(h) of
18 the Internal Revenue Code of 1986.

19 (c) Notwithstanding any provision to the contrary, the
20 compensation taken into account for any employee in
21 determining the contribution or benefit accruals for
22 any plan year is subject to the annual compensation
23 limit under Section 401(a)(17) of the federal Internal
24 Revenue Code.

1 (d) Current appointed members of the Oklahoma Tax
2 Commission whose salary is constitutionally limited
3 and is less than the highest salary allowed by law for
4 his or her position shall be allowed, within ninety
5 (90) days from March 21, 2001, to make an election to
6 use the highest salary allowed by law for the position
7 to which the member was appointed for the purposes of
8 making contributions and determination of retirement
9 benefits. Such election shall be irrevocable and in
10 writing. Reappointment to the same office shall not
11 permit a new election. Members appointed to the
12 Oklahoma Tax Commission after March 21, 2001, shall
13 make such election, pursuant to this subparagraph,
14 within ninety (90) days of taking office;

15 (10) "Credited service" means the sum of participating service,
16 prior service and elected service;

17 (11) "Dependent" means a parent, child, or spouse of a member
18 who is dependent upon the member for at least one-half (1/2) of the
19 member's support;

20 (12) "Effective date" means the date upon which the System
21 becomes effective by operation of law;

22 (13) "Eligible employer" means the state and any county, county
23 hospital, city or town, conservation districts, circuit engineering
24 districts and any public or private trust in which a county, city or

1 town participates and is the primary beneficiary, whose employees
2 are covered by Social Security and are not covered by or eligible
3 for another retirement plan authorized under the laws of this state
4 which is in operation on the initial entry date. Emergency medical
5 service districts may join the System upon proper application to the
6 Board. Provided, affiliation by a county hospital shall be in the
7 form of a resolution adopted by the board of control.

8 (a) If a class or several classes of employees of any
9 above-defined employers are covered by Social Security
10 and are not covered by or eligible for and will not
11 become eligible for another retirement plan authorized
12 under the laws of this state, which is in operation on
13 the effective date, such employer shall be deemed an
14 eligible employer, but only with respect to that class
15 or those classes of employees as defined in this
16 section.

17 (b) A class or several classes of employees who are
18 covered by Social Security and are not covered by or
19 eligible for and will not become eligible for another
20 retirement plan authorized under the laws of this
21 state, which is in operation on the effective date,
22 and when the qualifications for employment in such
23 class or classes are set by state law; and when such
24 class or classes of employees are employed by a county

1 or municipal government pursuant to such
2 qualifications; and when the services provided by such
3 employees are of such nature that they qualify for
4 matching by or contributions from state or federal
5 funds administered by an agency of state government
6 which qualifies as a participating employer, then the
7 agency of state government administering the state or
8 federal funds shall be deemed an eligible employer,
9 but only with respect to that class or those classes
10 of employees as defined in this subsection; provided,
11 that the required contributions to the retirement plan
12 may be withheld from the contributions of state or
13 federal funds administered by the state agency and
14 transmitted to the System on the same basis as the
15 employee and employer contributions are transmitted
16 for the direct employees of the state agency. The
17 retirement or eligibility for retirement under the
18 provisions of law providing pensions for service as a
19 volunteer firefighter shall not render any person
20 ineligible for participation in the benefits provided
21 for in Section 901 et seq. of this title. An employee
22 of any public or private trust in which a county, city
23 or town participates and is the primary beneficiary
24

1 shall be deemed to be an eligible employee for the
2 purpose of Section 901 et seq. of this title only.

3 (c) All employees of the George Nigh Rehabilitation
4 Institute who elected to retain membership in the
5 System, pursuant to Section 913.7 of this title, shall
6 continue to be eligible employees for the purposes of
7 Section 901 et seq. of this title. The George Nigh
8 Rehabilitation Institute shall be considered a
9 participating employer only for such employees.

10 (d) All employees of CompSource Mutual Insurance Company
11 who retain membership in the Oklahoma Public Employees
12 Retirement System pursuant to Section 913.9 of this
13 title shall continue to be eligible employees for the
14 purposes of the Oklahoma Public Employees Retirement
15 System. CompSource Mutual Insurance Company shall be
16 considered a participating employer only for such
17 employees.

18 (e) All employees of a successor organization, as defined
19 by Section 5-60.12 of Title 2 of the Oklahoma
20 Statutes, who retain membership in the Oklahoma Public
21 Employees Retirement System pursuant to Section 5-
22 60.35 of Title 2 of the Oklahoma Statutes shall
23 continue to be eligible employees for the purposes of
24 the Oklahoma Public Employees Retirement System. A

1 successor organization shall be considered a
2 participating employer only for such employees.

3 (f) A participating employer of the Teachers' Retirement
4 System of Oklahoma, who has one or more employees who
5 have made an election pursuant to enabling legislation
6 to retain membership in the System as a result of
7 change in administration, shall be considered a
8 participating employer of the Oklahoma Public
9 Employees Retirement System only for such employees;

10 (14) "Employee" means any officer or employee of a
11 participating employer, whose employment is not seasonal or
12 temporary and whose employment requires at least one thousand
13 (1,000) hours of work per year and whose salary or wage is equal to
14 the hourly rate of the monthly minimum wage for state employees.
15 For those eligible employers outlined in Section 910 of this title,
16 the rate shall be equal to the hourly rate of the monthly minimum
17 wage for that employer. Each employer, whose minimum wage is less
18 than the state's minimum wage, shall inform the System of the
19 minimum wage for that employer. This notification shall be by
20 resolution of the governing body.

21 (a) Any employee of the county extension agents who is not
22 currently participating in the Teachers' Retirement
23 System of Oklahoma shall be a member of this System.

1 (b) Eligibility shall not include any employee who is a
2 contributing member of the United States Civil Service
3 Retirement System.

4 (c) It shall be mandatory for an officer, appointee or
5 employee of the office of district attorney to become
6 a member of this System if he or she is not currently
7 participating in a county retirement system. Provided
8 further, that if an officer, appointee or employee of
9 the office of district attorney is currently
10 participating in such county retirement system, he or
11 she is ineligible for this System as long as he or she
12 is eligible for such county retirement system. Any
13 eligible officer, appointee or employee of the office
14 of district attorney shall be given credit for prior
15 service as defined in this section. The provisions
16 outlined in Section 917 of this title shall apply to
17 those employees who have previously withdrawn their
18 contributions.

19 (d) Eligibility shall also not include any officer or
20 employee of the Oklahoma Employment Security
21 Commission, except for those officers and employees of
22 the Commission electing to transfer to this System
23 pursuant to the provisions of Section 910.1 of this
24 title or any other class of officers or employees

1 specifically exempted by the laws of this state,
2 unless there be a consolidation as provided by Section
3 912 of this title. Employees of the Oklahoma
4 Employment Security Commission who are ineligible for
5 enrollment in the Oklahoma Employment Security
6 Commission Retirement Plan, that was in effect on
7 January 1, 1964, shall become members of this System.

8 (e) Any employee employed by the Legislative Service
9 Bureau, Senate or House of Representatives for the
10 full duration of a regular legislative session shall
11 be eligible for membership in the System regardless of
12 classification as a temporary employee and may
13 participate in the System during the regular
14 legislative session at the option of the employee.
15 For purposes of this subparagraph, the determination
16 of whether an employee is employed for the full
17 duration of a regular legislative session shall be
18 made by the Legislative Service Bureau if such
19 employee is employed by the Legislative Service
20 Bureau, the Senate if such employee is employed by the
21 Senate, or by the House of Representatives if such
22 employee is employed by the House of Representatives.
23 Each regular legislative session during which the
24 legislative employee or an employee of the Legislative

1 Service Bureau participates full time shall be counted
2 as six (6) months of full-time participating service.

3 (i) Except as otherwise provided by this
4 subparagraph, once a temporary session employee
5 makes a choice to participate or not, the choice
6 shall be binding for all future legislative
7 sessions during which the employee is employed.

8 (ii) Notwithstanding the provisions of division (i) of
9 this subparagraph, any employee, who is eligible
10 for membership in the System because of the
11 provisions of this subparagraph and who was
12 employed by the Senate or House of
13 Representatives after January 1, 1989, may file
14 an election, in a manner specified by the Board,
15 to participate as a member of the System prior to
16 September 1, 1989.

17 (iii) Notwithstanding the provisions of division (i) of
18 this subparagraph, a temporary legislative
19 session employee who elected to become a member
20 of the System may withdraw from the System
21 effective the day such employee elected to
22 participate in the System upon written request to
23 the Board. Any such request must be received by
24 the Board prior to October 1, 1990. All employee

1 contributions made by the temporary legislative
2 session employee shall be returned to the
3 employee without interest within four (4) months
4 of receipt of the written request.

- 5 (iv) A member of the System who did not initially
6 elect to participate as a member of the System
7 pursuant to this subparagraph shall be able to
8 acquire service performed as a temporary
9 legislative session employee for periods of
10 service performed prior to the date upon which
11 the person became a member of the System if:
- 12 a. the member files an election with the System
13 not later than December 31, 2000, to
14 purchase the prior service; and
 - 15 b. the member makes payment to the System of
16 the actuarial cost of the service credit
17 pursuant to subsection A of Section 913.5 of
18 this title. The provisions of Section 913.5
19 of this title shall be applicable to the
20 purchase of the service credit, including
21 the provisions for determining service
22 credit in the event of incomplete payment
23 due to cessation of payments, death,
24 termination of employment or retirement, but

1 the payment may extend for a period not to
2 exceed ninety-six (96) months;

3 (15) "Entry date" means the date on which an eligible employer
4 joins the System. The first entry date pursuant to Section 901 et
5 seq. of this title shall be January 1, 1964;

6 (16) "Executive Director" means the managing officer of the
7 System employed by the Board under Section 901 et seq. of this
8 title;

9 (17) "Federal Internal Revenue Code" means the federal Internal
10 Revenue Code of 1954 or 1986, as amended and as applicable to a
11 governmental plan as in effect on July 1, 1999;

12 (18) "Final average compensation" means the average annual
13 compensation, including amounts deferred under deferred compensation
14 agreements entered into between a member and a participating
15 employer, up to, but not exceeding the maximum compensation levels
16 as provided in paragraph (9) of this section received during the
17 highest three (3) of the last ten (10) years of participating
18 service immediately preceding retirement or termination of
19 employment and with respect to members whose first participating
20 service occurs on or after July 1, 2013, the compensation received
21 during the highest five (5) of the last ten (10) years of
22 participating service immediately preceding retirement or
23 termination of employment. Provided, no member shall retire with a
24 final average compensation unless the member has made the required

1 contributions on such compensation, as defined by the Board of
2 Trustees;

3 (19) "Fiscal year" means the period commencing July 1 of any
4 year and ending June 30 of the next year. The fiscal year is the
5 plan year for purposes of the federal Internal Revenue Code;
6 however, the calendar year is the limitation year for purposes of
7 Section 415 of the federal Internal Revenue Code;

8 (20) "Fund" means the Oklahoma Public Employees Retirement Fund
9 as created by Section 901 et seq. of this title;

10 (21) "Leave of absence" means a period of absence from
11 employment without pay, authorized and approved by the employer and
12 acknowledged to the Board, and which after the effective date does
13 not exceed two (2) years;

14 (22) "Member" means an eligible employee or elected official
15 who is in the System and is making the required employee or elected
16 official contributions, or any former employee or elected official
17 who shall have made the required contributions to the System and
18 shall have not received a refund or withdrawal;

19 (23) "Military service" means service in the Armed Forces of
20 the United States by an honorably discharged person during the
21 following time periods, as reflected on such person's Defense
22 Department Form 214, not to exceed five (5) years for combined
23 participating and/or prior service, as follows:
24

- (a) during the following periods, including the beginning and ending dates, and only for the periods served, from:
- (i) April 6, 1917, to November 11, 1918, commonly referred to as World War I,
 - (ii) September 16, 1940, to December 7, 1941, as a member of the 45th Division,
 - (iii) December 7, 1941, to December 31, 1946, commonly referred to as World War II,
 - (iv) June 27, 1950, to January 31, 1955, commonly referred to as the Korean Conflict or the Korean War,
 - (v) February 28, 1961, to May 7, 1975, commonly referred to as the Vietnam era, except that:
 - a. for the period from February 28, 1961, to August 4, 1964, military service shall only include service in the Republic of Vietnam during that period, and
 - b. for purposes of determining eligibility for education and training benefits, such period shall end on December 31, 1976, or
 - (vi) August 1, 1990, to December 31, 1991, commonly referred to as the Gulf War, the Persian Gulf War, or Operation Desert Storm, but excluding any

1 person who served on active duty for training
2 only, unless discharged from such active duty for
3 a service-connected disability;

4 (b) during a period of war or combat military operation
5 other than a conflict, war or era listed in
6 subparagraph (a) of this paragraph, beginning on the
7 date of Congressional authorization, Congressional
8 resolution, or Executive Order of the President of the
9 United States, for the use of the Armed Forces of the
10 United States in a war or combat military operation,
11 if such war or combat military operation lasted for a
12 period of ninety (90) days or more, for a person who
13 served, and only for the period served, in the area of
14 responsibility of the war or combat military
15 operation, but excluding a person who served on active
16 duty for training only, unless discharged from such
17 active duty for a service-connected disability, and
18 provided that the burden of proof of military service
19 during this period shall be with the member, who must
20 present appropriate documentation establishing such
21 service.

22 An eligible member under this paragraph shall include only those
23 persons who shall have served during the times or in the areas
24 prescribed in this paragraph, and only if such person provides

1 appropriate documentation in such time and manner as required by the
2 System to establish such military service prescribed in this
3 paragraph, or for service pursuant to subdivision a of division (v)
4 of subparagraph (a) of this paragraph those persons who were awarded
5 service medals, as authorized by the United States Department of
6 Defense as reflected in the veteran's Defense Department Form 214,
7 related to the Vietnam Conflict for service prior to August 5, 1964;

8 (24) "Normal retirement date" means the date on which a member
9 may retire with full retirement benefits as provided in Section 901
10 et seq. of this title, such date being whichever occurs first:

11 (a) the first day of the month coinciding with or
12 following a member's:

13 (1) sixty-second birthday with respect to members
14 whose first participating service occurs prior to
15 November 1, 2011, or

16 (2) sixty-fifth birthday with respect to members
17 whose first participating service occurs on or
18 after November 1, 2011, or with respect to
19 members whose first participating service occurs
20 on or after November 1, 2011, who reach a minimum
21 age of sixty (60) years and who also reach a
22 normal retirement date pursuant to subparagraph c
23 of this paragraph,
24

1 (b) for any person who initially became a member prior to
2 July 1, 1992, and who does not reach a normal
3 retirement date pursuant to division (1) of
4 subparagraph (a) of this paragraph, the first day of
5 the month coinciding with or following the date at
6 which the sum of a member's age and number of years of
7 credited service total eighty (80); such a normal
8 retirement date will also apply to any person who
9 became a member of the sending system as defined in
10 Section 901 et seq. of this title, prior to July 1,
11 1992, regardless of whether there were breaks in
12 service after July 1, 1992,

13 (c) for any person who became a member after June 30,
14 1992, but prior to November 1, 2011, and who does not
15 reach a normal retirement date pursuant to division
16 (1) of subparagraph (a) of this paragraph, the first
17 day of the month coinciding with or following the date
18 at which the sum of a member's age and number of years
19 of credited service total ninety (90),

20 (d) in addition to subparagraphs (a), (b) and (c) of this
21 paragraph, the first day of the month coinciding with
22 or following a member's completion of at least twenty
23 (20) years of full-time-equivalent employment as:
24

1 (i) a correctional or probation and parole officer
2 with the Department of Corrections and at the
3 time of retirement, the member was a correctional
4 or probation and parole officer with the
5 Department of Corrections,

6 (ii) a correctional officer, probation and parole
7 officer or fugitive apprehension agent with the
8 Department of Corrections who is in such position
9 on June 30, 2004, or who is hired after June 30,
10 2004, and who receives a promotion or change in
11 job classification after June 30, 2004, to
12 another position in the Department of
13 Corrections, so long as such officer or agent has
14 at least five (5) years of service as a
15 correctional officer, probation and parole
16 officer or fugitive apprehension agent with the
17 Department, has twenty (20) years of full-time-
18 equivalent employment with the Department and was
19 employed by the Department at the time of
20 retirement,

21 (iii) a firefighter with the Military Department of the
22 State of Oklahoma either employed for the first
23 time on or after July 1, 2002, or who was
24 employed prior to July 1, 2002, in such position

1 and who makes the election authorized by division
2 (2) of subparagraph b of paragraph (9) of
3 subsection A of Section 915 of this title and at
4 the time of retirement, the member was a
5 firefighter with the Military Department of the
6 State of Oklahoma, and such member has at least
7 twenty (20) years of credited service upon which
8 the two and one-half percent (2 1/2%) multiplier
9 will be used in calculating the retirement
10 benefit,

11 (iv) a public safety officer employed by the Grand
12 River Dam Authority for the first time on or
13 after July 1, 2016,

14 (v) a deputy sheriff or jailer employed by any county
15 that is a participating employer in the System
16 for the first time as a deputy sheriff or jailer
17 on or after November 1, 2020, ~~or~~

18 (vi) licensed emergency medical personnel, as defined
19 pursuant to Section 1-2503 of Title 63 of the
20 Oklahoma Statutes, holding a license issued by
21 the State Department of Health pursuant to
22 Section 1-2505 of Title 63 of the Oklahoma
23 Statutes, including emergency medical responders,
24 emergency medical technicians, intermediate
25

1 emergency medical technicians, advanced emergency
2 medical technicians, and paramedics employed by
3 any participating employer as a licensed
4 emergency medical personnel for the first time on
5 or after the effective date of this act, or
6 (vii) beginning November 1, 2024, a deputy sheriff or
7 jailer employed by any county that is a
8 participating employer in the System for the
9 first time as a deputy sheriff or jailer before
10 November 1, 2020, including those who make the
11 election authorized by division (2) of
12 subparagraph b of paragraph (10) of subsection A
13 of Section 915 of this title, and at the time of
14 retirement, if the member was a deputy sheriff or
15 jailer employed by the participating county, and
16 such member has at least twenty (20) years of
17 credited service upon which the two and one-half
18 percent (2 1/2%) multiplier will be used in
19 calculating the retirement benefit,

- 20 (e) for those fugitive apprehension agents who retire on
21 or after July 1, 2002, the first day of the month
22 coinciding with or following a member's completion of
23 at least twenty (20) years of full-time-equivalent
24 employment as a fugitive apprehension agent with the

1 Department of Corrections and at the time of
2 retirement, the member was a fugitive apprehension
3 agent with the Department of Corrections, or

4 (f) for any member who was continuously employed by an
5 entity or institution within The Oklahoma State System
6 of Higher Education and whose initial employment with
7 such entity or institution was prior to July 1, 1992,
8 and who without a break in service of more than thirty
9 (30) days became employed by an employer participating
10 in the Oklahoma Public Employees Retirement System,
11 the first day of the month coinciding with or
12 following the date at which the sum of the member's
13 age and number of years of credited service total
14 eighty (80);

15 (25) "Participating employer" means an eligible employer who
16 has agreed to make contributions to the System on behalf of its
17 employees;

18 (26) "Participating service" means the period of employment
19 after the entry date for which credit is granted a member.

20 Provided, on or after the effective date of this act, military
21 service credit purchased under Section 913.8 of this title shall
22 only be considered "participating service" if such service is
23 immediately preceded by a period of employment with a participating
24 employer and followed by a return to service as an employee with the

1 same or another participating employer within ninety (90) days
2 immediately following discharge from such military service;

3 (27) "Prior service" means the period of employment of a member
4 by an eligible employer prior to the member's entry date for which
5 credit is granted a member under Section 901 et seq. of this title.
6 Provided, on or after the effective date of this act, "prior
7 service" shall also include service purchased under Section 913.8 of
8 this title which does not meet the requirements of paragraph 26 of
9 this section;

10 (28) "Retirant" or "retiree" means a member who has retired
11 under the System;

12 (29) "Retirement benefit" means a monthly income with benefits
13 accruing from the first day of the month coinciding with or
14 following retirement and ending on the last day of the month in
15 which death occurs or the actuarial equivalent thereof paid in such
16 manner as specified by the member pursuant to Section 901 et seq. of
17 this title or as otherwise allowed to be paid at the discretion of
18 the Board;

19 (30) "Retirement coordinator" means the individual designated
20 by each participating employer through whom System transactions and
21 communication shall be directed;

22 (31) "Social Security" means the old-age survivors and
23 disability section of the federal Social Security Act;
24
25

1 (32) "Total disability" means a physical or mental disability
2 accepted for disability benefits by the federal Social Security
3 System;

4 (33) "Service-connected disability benefits" means military
5 service benefits which are for a service-connected disability rated
6 at twenty percent (20%) or more by the Veterans Administration or
7 the Armed Forces of the United States;

8 (34) "Elected official" means a person elected to a state
9 office in the legislative or executive branch of state government or
10 a person elected to a county office for a definite number of years
11 and shall include an individual who is appointed to fill the
12 unexpired term of an elected state official;

13 (35) "Elected service" means the period of service as an
14 elected official;

15 (36) "Limitation year" means the year used in applying the
16 limitations of Section 415 of the Internal Revenue Code of 1986,
17 which year shall be the calendar year; and

18 (37) "Public safety officers of the Grand River Dam Authority"
19 means those persons hired by the Grand River Dam Authority on or
20 after March 21, 2001, who are certified by the Council on Law
21 Enforcement Education and Training or an equivalent certifying
22 entity for law enforcement personnel training and who perform law
23 enforcement functions as part of their regularly assigned duties and
24 responsibilities on a full-time basis. With respect to any public

1 safety officer hired by the Grand River Dam Authority on or after
2 March 21, 2001, any earned benefits or credits toward retirement
3 benefits from previous participation within the Oklahoma Public
4 Employees Retirement System or the Oklahoma Law Enforcement
5 Retirement System shall remain within that system.

6 SECTION 144. REPEALER 74 O.S. 2021, Section 902, as last
7 amended by Section 1, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2025,
8 Section 902), is hereby repealed.

9 SECTION 145. AMENDATORY 74 O.S. 2021, Section 915, as
10 amended by Section 2, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2025,
11 Section 915), is amended to read as follows:

12 Section 915. A. (1) Except as otherwise provided in this
13 subsection and as provided for elected officials in Section 913.4 of
14 this title, any member who shall retire on or after the member's
15 normal retirement date shall be entitled to receive an annual
16 retirement benefit equal to two percent (2%) of the member's final
17 average compensation as determined pursuant to paragraph (18) of
18 Section 902 of this title, multiplied by the number of years of
19 credited service that has been credited to the member in accordance
20 with the provisions of Section 913 of this title other than years
21 credited pursuant to paragraph (2) of this subsection.

22 (2) Effective January 1, 2004, except as otherwise provided for
23 elected officials in Section 913.4 of this title and except for
24 those members making contributions pursuant to paragraphs (c), (d),
25

1 (e) ~~and~~, (f), (g) and (h) of subsection (1) of Section 919.1 of this
2 title, any member who shall retire shall be entitled to receive an
3 annual retirement benefit equal to two and one-half percent (2 1/2%)
4 of the member's final average compensation as determined pursuant to
5 paragraph (18) of Section 902 of this title, multiplied by the
6 number of full years of participating service after January 1, 2004,
7 that have been credited to the member in accordance with the
8 provisions of Section 913 of this title and only for those full
9 years of participating service for which contributions have been
10 made pursuant to paragraph (g) of subsection (1) of Section 919.1 of
11 this title. The two and one-half percent (2 1/2%) multiplier shall
12 not apply to purchased service, purchased or granted military
13 service or transferred service. In order to receive the two and
14 one-half percent (2 1/2%) multiplier in computing retirement
15 benefits, an active member shall make an irrevocable written
16 election to pay the contributions pursuant to paragraph (g) of
17 subsection (1) of Section 919.1 of this title. The two and one-half
18 percent (2 1/2%) multiplier pursuant to this paragraph shall not
19 apply to additional years of service credit attributed to sick leave
20 pursuant to paragraph 7 of subsection B of Section 913 of this title
21 and fractional years pursuant to subsection C of Section 913 of this
22 title and shall be attributable only to the participating service
23 credited after the election of the member.
24

1 (3) The minimum final average compensation for any person who
2 becomes a member of the Oklahoma Public Employees Retirement System
3 on or after July 1, 1995, and who had:

- 4 a. ~~and who had~~ twenty (20) or more years of credited
5 service within the System as of the member's
6 retirement date shall be no less than Thirteen
7 Thousand Eight Hundred Dollars (\$13,800.00) per annum,
8 b. ~~and who had~~ at least fifteen (15) but not more than
9 nineteen (19) years of credited service within the
10 System as of the member's retirement date shall be no
11 less than Six Thousand Nine Hundred Dollars
12 (\$6,900.00) per annum,
13 c. ~~and who had~~ less than fifteen (15) years of credited
14 service within the System as of the member's
15 retirement date shall not be eligible for any minimum
16 amount of final average compensation and the member's
17 final average compensation shall be the final average
18 compensation as defined by paragraph (18) of Section
19 902 of this title.

20 (4) Provided, further, any member who has elected a vested
21 benefit pursuant to Section 917 of this title shall be entitled to
22 receive benefits as outlined in this section except the percent
23 factor and the member's maximum compensation level in effect the
24

1 date the member's employment was terminated with a participating
2 employer shall be applicable.

3 (5) Any member who is a correctional officer or a probation and
4 parole officer employed by the Department of Corrections at the time
5 of retirement and who retires on or before June 30, 2000, shall be
6 entitled to receive an annual retirement benefit equal to two and
7 one-half percent (2 1/2%) of the final average compensation of the
8 member not to exceed Twenty-five Thousand Dollars (\$25,000.00) and
9 two percent (2%) of the final average salary in excess of Twenty-
10 five Thousand Dollars (\$25,000.00) but not exceeding the maximum
11 compensation level as provided in paragraph (9) of Section 902 of
12 this title, multiplied by the number of years of service as a
13 correctional officer or a probation and parole officer; provided,
14 any years accrued prior to July 1, 1990, as a correctional officer
15 or a probation and parole officer by a member who is employed as a
16 correctional officer or a probation and parole officer on July 1,
17 1990, shall be calculated for retirement purposes at two and one-
18 quarter percent (2 1/4%) of the final average compensation of the
19 member not to exceed Twenty-five Thousand Dollars (\$25,000.00) and
20 two percent (2%) of the final average salary in excess of Twenty-
21 five Thousand Dollars (\$25,000.00) but not exceeding the maximum
22 compensation level as provided in paragraph (9) of Section 902 of
23 this title, multiplied by the number of years of such service and
24 any years in excess of twenty (20) years as such an officer or years

1 credited to the member in accordance with the provisions of Section
2 913 of this title shall be calculated for retirement purposes at two
3 percent (2%) of the final average compensation of the member
4 multiplied by the number of years of such service. Any person who
5 contributes to the System as a correctional officer or a probation
6 and parole officer as provided in paragraph (b) or (c) of subsection
7 (1) of Section 919.1 of this title, on or before June 30, 2000, but
8 who does not make such contributions after June 30, 2000, and who
9 does not qualify for normal retirement under subparagraph (c) of
10 paragraph (24) of Section 902 of this title shall have retirement
11 benefits for each year of full-time-equivalent participating service
12 as a correctional or a probation and parole officer after July 1,
13 1990, computed on two and one-half percent (2 1/2%) of the final
14 average compensation based upon those years as a correctional
15 officer or a probation and parole officer. Provided, further, any
16 fugitive apprehension agent shall be entitled to receive benefits as
17 outlined in ~~this act~~ Section 901 et seq. of this title for service
18 as a fugitive apprehension agent prior to July 1, 2002, only upon
19 payment to the System of the employee contributions which would have
20 been paid if such fugitive apprehension agent had been covered by
21 this section prior to ~~the effective date of this act~~ July 1, 2002,
22 plus interest of not to exceed ten percent (10%) as determined by
23 the Oklahoma Public Employees Retirement Board of Trustees. The
24

1 Department of Corrections may make the employee contribution and
2 interest payment on behalf of such member.

3 (6) Any member who is a correctional officer, a probation and
4 parole officer or a fugitive apprehension agent employed by the
5 Department of Corrections at the time of retirement and who retires
6 on or after July 1, 2002, shall be entitled to receive an annual
7 retirement benefit equal to two and one-half percent (2 1/2%) of the
8 final average compensation of the member, but not exceeding the
9 maximum compensation level as provided in paragraph (18) of Section
10 902 of this title, multiplied by the number of years of service as a
11 correctional officer, a probation and parole officer or a fugitive
12 apprehension agent, and any years in excess of twenty (20) years as
13 such an officer or agent, or years credited to the member in
14 accordance with the provisions of Section 913 of this title, shall
15 be calculated for retirement purposes at two percent (2%) of the
16 final average compensation of the member multiplied by the number of
17 years of such service. For purposes of this paragraph, "final
18 average compensation" shall be determined by computing the average
19 annual salary, in the manner prescribed by paragraph (18) of Section
20 902 of this title, for the highest three (3) years of the last ten
21 (10) years of participating service immediately preceding retirement
22 or termination of employment for all years of service performed by
23 such member, both for years of service performed as a correctional
24 officer, probation and parole officer or fugitive apprehension

1 agent, not in excess of twenty (20) years, and for years of service
2 performed in excess of twenty (20) years, whether as a correctional
3 officer, probation and parole officer, fugitive apprehension agent
4 or other position unless the computation of benefits would result in
5 a lower retirement benefit amount than if final average compensation
6 were to be computed as otherwise provided by this paragraph. ~~"Final~~
7 ~~average compensation"~~ Final average compensation shall be determined
8 by computing the average annual salary for the highest five (5) of
9 the last ten (10) years of participating service immediately
10 preceding retirement or termination of employment, with respect to
11 members whose first participating service occurs on or after July 1,
12 2013.

13 (7) Any member who is a correctional officer, a probation and
14 parole officer or a fugitive apprehension agent who has at least
15 five (5) years of service as a correctional officer, a probation and
16 parole officer or a fugitive apprehension agent who is in such
17 position on June 30, 2004, or who is hired after June 30, 2004, in
18 such position, and who receives a promotion or change in job
19 classification after June 30, 2004, to another position in the
20 Department of Corrections, and who is employed by the Department of
21 Corrections at the time of retirement and who retires on or after
22 July 1, 2004, shall be entitled to receive an annual retirement
23 benefit equal to two and one-half percent (2 1/2%) of the final
24 average compensation of the member, but not exceeding the maximum

1 compensation level as provided in paragraph (18) of Section 902 of
2 this title, multiplied by the number of years of service with the
3 Department of Corrections and any years in excess of twenty (20)
4 years with the Department or years credited to the member in
5 accordance with the provisions of Section 913 of this title, shall
6 be calculated for retirement purposes at two percent (2%) of the
7 final average compensation of the member multiplied by the number of
8 years of such service. For purposes of this paragraph, "final
9 average compensation" shall be determined by computing the average
10 annual salary, in the manner prescribed by paragraph (18) of Section
11 902 of this title, for the highest three (3) years of the last ten
12 (10) years of participating service immediately preceding retirement
13 or termination of employment for all years of service performed by
14 such member with the Department. ~~"Final average compensation"~~ Final
15 average compensation shall be determined by computing the average
16 annual salary for the highest five (5) of the last ten (10) years of
17 participating service immediately preceding retirement or
18 termination of employment, with respect to members whose first
19 participating service occurs on or after July 1, 2013.

20 (8) Any person who contributed to the System as a correctional
21 officer, a probation and parole officer or a fugitive apprehension
22 agent as provided in paragraph (b) or (c) of subsection (1) of
23 Section 919.1 of this title, and who retires under normal retirement
24 or early retirement on or after January 1, 2004, under paragraph

1 (24) of Section 902 of this title, and any public safety officer
2 described by paragraph (37) of Section 902 of this title hired on or
3 after ~~the effective date of this act~~ July 1, 2016, by the Grand
4 River Dam Authority and who retires on or after ~~the effective date~~
5 ~~of this act~~ July 1, 2016, shall have retirement benefits for each
6 year of full-time-equivalent participating service as a correctional
7 officer, a probation and parole officer or a fugitive apprehension
8 agent, or Grand River Dam public safety officer computed on two and
9 one-half percent (2 1/2%) of the final average compensation based
10 upon those years as a correctional officer, a probation and parole
11 officer, a fugitive apprehension agent or a Grand River Dam public
12 safety officer. For purposes of this paragraph, "final average
13 compensation" shall be determined by computing the average annual
14 salary, in the manner prescribed by paragraph (18) of Section 902 of
15 this title, for the highest three (3) years of the last ten (10)
16 years of participating service immediately preceding retirement or
17 termination of employment for all years of service performed by such
18 member, both for years of service performed as a correctional
19 officer, probation and parole officer or fugitive apprehension
20 agent, or years of service performed as a Grand River Dam public
21 safety officer, not in excess of twenty (20) years, and for years of
22 service performed in excess of twenty (20) years, whether as a
23 correctional officer, probation and parole officer, fugitive
24 apprehension agent, Grand River Dam public safety officer, or other

1 position unless the computation of benefits would result in a lower
2 retirement benefit amount than if final average compensation were to
3 be computed as otherwise provided by this paragraph. ~~"Final average~~
4 ~~compensation"~~ Final average compensation shall be determined by
5 computing the average annual salary for the highest five (5) of the
6 last ten (10) years of participating service immediately preceding
7 retirement or termination of employment, with respect to members
8 whose first participating service occurs on or after July 1, 2013,
9 or with respect to Grand River Dam public safety officers whose
10 first participating service occurs on or after ~~the effective date of~~
11 ~~this act~~ July 1, 2016.

12 (9) Any member who is:

13 a. initially on or after July 1, 2002, employed as a
14 firefighter for the ~~Oklahoma~~ Military Department of
15 the State of Oklahoma and who retires on or after the
16 member's normal retirement date shall be entitled to
17 receive an annual retirement benefit equal to two and
18 one-half percent (2 1/2%) of the final average
19 compensation of the member multiplied by the number of
20 years of service in such service,

21 b. (1) a firefighter who performs firefighting services
22 for the ~~Oklahoma~~ Military Department of the State
23 of Oklahoma prior to July 1, 2002, and who makes
24 an election in writing on a form prescribed for
25

1 this purpose by the System not later than
2 December 31, 2002, shall be entitled to receive a
3 retirement benefit based upon two and one-half
4 percent (2 1/2%) of the final average
5 compensation of the member multiplied by the
6 number of years of service as a firefighter with
7 the Oklahoma Military Department on or after July
8 1, 2002. The election authorized by this
9 subdivision shall be irrevocable once the
10 election is filed with the System,

- 11 (2) a firefighter who performs firefighting services
12 for the ~~Oklahoma~~ Military Department of the State
13 of Oklahoma prior to July 1, 2002, and who makes
14 the election in division (1) of this subparagraph
15 may also make an election in writing on a form
16 prescribed for this purpose by the System not
17 later than December 31, 2002, to receive a
18 retirement benefit based upon two and one-half
19 percent (2 1/2%) of the final average
20 compensation of the member multiplied by the
21 number of years of service as a firefighter with
22 the ~~Oklahoma~~ Military Department of the State of
23 Oklahoma prior to July 1, 2002. The election
24 authorized by this subdivision shall be

1 irrevocable once the election is filed with the
2 System. Retirement benefits shall be calculated
3 based upon the two and one-half percent (2 1/2%)
4 multiplier upon payment being made pursuant to
5 Section 913.5 of this title.

6 (10) Any person who contributes to the System as a deputy
7 sheriff or county jailer as provided in paragraph (f) of subsection
8 (1) of Section 919.1 of this title, and who was:

9 a. employed by a participating employer in the System
10 for the first time as a deputy sheriff or jailer on
11 or after November 1, 2020, and who retires under
12 normal retirement or early retirement under division
13 (v) of subparagraph (d) of paragraph (24) of Section
14 902 of this title, shall have retirement benefits for
15 each year of full-time-equivalent participating
16 service as a deputy sheriff or county jailer computed
17 on two and one-half percent (2 1/2%) of the final
18 average compensation based upon those years as a
19 deputy sheriff or county jailer, and any years in
20 excess of twenty (20) years as a deputy sheriff or
21 county jailer, or years credited to the member in
22 accordance with the provisions of Section 913 of this
23 title, shall be calculated for retirement purposes at
24 two percent (2%) of the final average compensation of

1 the member multiplied by the number of years of such
2 service, or

3 b. (1) employed by a participating employer in the
4 System for the first time as a deputy sheriff or
5 county jailer before November 1, 2020, and who
6 retires under the normal retirement or early
7 retirement under division (vi) of subparagraph
8 (d) of paragraph (24) of Section 902 of this
9 title, shall be entitled to receive a retirement
10 benefit based on two and one-half percent (2
11 1/2%) of the final average compensation of the
12 member multiplied based on the number of years of
13 service as a deputy sheriff or county jailer with
14 any county participating in the System on or
15 after November 1, 2024,

16 (2) employed by a participating employer in the
17 System for the first time as a deputy sheriff or
18 county jailer before November 1, 2020, and who
19 retires under the normal retirement or early
20 retirement under division (vi) of subparagraph
21 (d) of paragraph (24) of Section 902 of this
22 title, and who makes an election in writing not
23 later than July 1, 2026, on a form prescribed for
24 this purpose by the System, shall be entitled to

1 a retirement benefit based upon two and one-half
2 percent (2 1/2%) of the final average
3 compensation of the member multiplied by the
4 number of years of service prior to November 1,
5 2024, as a deputy sheriff or county jailer
6 employed by any county that is a participating
7 employer in the System. The election authorized
8 by this subparagraph shall be irrevocable once
9 the election is filed with the System.
10 Retirement benefits shall be calculated based
11 upon the two and one-half percent (2 1/2%)
12 multiplier upon payment being made pursuant to
13 Section 913.5 of this title. Any person
14 otherwise qualifying under this subparagraph, but
15 who is not employed as a deputy sheriff or county
16 jailer on November 1, 2024, and who is reemployed
17 as a deputy sheriff or county jailer with a
18 county that is a participating employer in the
19 System after November 1, 2024, shall have six (6)
20 months from the initial date of reemployment to
21 make the election authorized in this
22 subparagraph. The actuarial purchase of any
23 service credit accrued prior to November 1, 2024,
24 as a deputy sheriff or county jailer employed by

1 a county that is a participating employer in the
2 System as set forth in this subparagraph shall
3 cancel such corresponding service and shall not
4 be used to compute the retirement benefit under
5 any other provision except as provided in this
6 subparagraph. In no event shall the service
7 purchased under this subparagraph cause the
8 member to receive a retirement benefit for the
9 same service in any other plan. Any purchased
10 service under this subparagraph shall comply with
11 the applicable provisions of the Internal Revenue
12 Code and rules adopted by the Board of Trustees.

13 c. For purposes of paragraph (10), "final average
14 compensation" shall be determined by computing the
15 average annual salary, in the manner prescribed by
16 paragraph (18) of Section 902 of this title, both for
17 years of service performed as a deputy sheriff or
18 county jailer not in excess of twenty (20) years, and
19 for years of service performed in excess of twenty
20 (20) years, whether as a deputy sheriff or county
21 jailer.

22 (11) Any person who contributes to the System as an emergency
23 medical service personnel as provided in paragraph (h) of subsection
24 (1) of Section 919.1 of this title, and who retires under normal

1 retirement or early retirement under division (vii) of subparagraph
2 (d) of paragraph (24) of Section 902 of this title, shall have
3 retirement benefits for each year of full-time-equivalent
4 participating service as an emergency medical service personnel
5 computed on two and one-half percent (2 1/2%) of the final average
6 compensation based upon those years as an emergency medical service
7 personnel. Any years of full-time-equivalent participating service
8 in excess of twenty (20) years as an emergency medical personnel, or
9 years credited to the member in accordance with the provisions of
10 Section 913 of this title, shall be calculated for retirement
11 purposes at two percent (2%) of the final average compensation of
12 the member multiplied by the number of years of such service. For
13 the purposes of this paragraph, "final average compensation" shall
14 be determined by computing the average annual salary, in the manner
15 prescribed by paragraph 18 of Section 902 of this title, both for
16 years of service performed as an emergency medical personnel not in
17 excess of twenty (20) years, and for years of service performed in
18 excess of twenty (20) years, as an emergency medical service
19 personnel.

20 (12) Upon death of a retiree, there shall be paid to his or her
21 beneficiary an amount equal to the excess, if any, of his or her
22 accumulated contributions over the sum of all retirement benefit
23 payments made.

1 ~~(12)~~ (13) Such annual retirement benefits shall be paid in
2 equal monthly installments, except that the Board may provide for
3 the payment of retirement benefits which total less than Two Hundred
4 Forty Dollars (\$240.00) a year on other than a monthly basis.

5 ~~(13)~~ (14) Pursuant to the rules established by the Board, a
6 retiree receiving monthly benefits from the System may authorize
7 warrant deductions for any products currently offered to active
8 state employees through the ~~Employees Benefits Council~~ Oklahoma
9 Employee Insurance and Benefits Board, provided that product is
10 offered to state retirees as a group and has a minimum participation
11 of five hundred state retirees. The System has no responsibility
12 for the marketing, enrolling or administration of such products, but
13 shall retain a processing fee of two percent (2%) of the gross
14 deductions for the products. Retirement benefit deductions shall be
15 made for membership dues for any statewide association for which
16 payroll deductions are authorized pursuant to subsection B of
17 Section 34.70 of Title 62 of the Oklahoma Statutes for retired
18 members of any state-supported retirement system, upon proper
19 authorization given by the member to the board from which the member
20 or beneficiary is currently receiving retirement benefits.

21 B. A member shall be considered disabled if such member
22 qualifies for the payment of Social Security disability benefits, or
23 the payment of benefits pursuant to the Railroad Retirement Act of
24 1974, Section 231 et seq. of Title 45 of the United States Code, and

1 shall be eligible for benefits hereunder upon proof of such
2 disability, provided such member is an active regularly scheduled
3 employee with a participating employer at the time of injury or
4 inception of illness or disease resulting in subsequent
5 certification of eligibility for Social Security disability benefits
6 by reason of such injury, illness or disease, providing such
7 disability is certified by the Social Security Administration within
8 one (1) year after the last date physically on the job and after
9 completion of at least eight (8) years of participating service or
10 combined prior and participating service or resulting in subsequent
11 certification of eligibility of disability by the Railroad
12 Retirement Board providing such certification is made by the
13 Railroad Retirement Board within one (1) year after the last date
14 physically on the job and after completion of at least eight (8)
15 years of participating service or combined prior and participating
16 service. The member shall submit to the ~~Retirement~~ System the
17 Social Security Award Notice or the Railroad Retirement Award Notice
18 certifying the date of entitlement for disability benefits, as
19 issued by the Social Security Administration, Department of Health
20 and Human Services or the Railroad Retirement Board. Disability
21 benefits shall become effective on the date of entitlement as
22 established by the Social Security Administration or the Railroad
23 Retirement Board, but not before the first day of the month
24 following removal from the payroll, whichever is later, and final

1 approval by the ~~Retirement~~ System. Benefits shall be based upon
2 length of service and compensation as of the date of disability,
3 without actuarial reduction because of commencement prior to the
4 normal retirement date. The only optional form of benefit payment
5 available for disability benefits is Option A as provided for in
6 Section 918 of this title. Option A must be elected in accordance
7 with the provisions of Section 918 of this title. Benefit payments
8 shall cease upon the member's recovery from disability prior to the
9 normal retirement date. Future benefits, if any, shall be paid
10 based upon length of service and compensation as of the date of
11 disability. In the event that disability ceases and the member
12 returns to employment within the System credited service to the date
13 of disability shall be restored, and future benefits shall be
14 determined accordingly.

15 C. A member who incurred a disability pursuant to subsection B
16 of this section on or after July 1, 1999, and who has retired from
17 the System with an early retirement benefit pending certification
18 from the Social Security Administration or the Railroad Retirement
19 Board shall receive a retirement benefit not less than the
20 disability retirement benefit provided by subsection B of this
21 section once the System receives a Social Security Award Notice or a
22 Railroad Retirement Award Notice pursuant to subsection B of this
23 section and a completed ~~Application for Disability Benefits~~
24 application for disability benefits. In addition, such member shall

1 receive the difference, if any, between the early retirement benefit
2 and the disability benefit from the date the Social Security
3 Administration or the Railroad Retirement Board establishes
4 disability entitlement.

5 D. Any actively participating member of the System on or after
6 July 1, 1998, except for those employees provided in subparagraph
7 (e) of paragraph (14) of Section 902 of this title, whose employment
8 is less than full-time, shall have his or her final average
9 compensation calculated on an annualized basis using his or her
10 hourly wage subject to the maximum compensation limits; provided,
11 however, any such member whose first participating service occurred
12 before July 1, 2013, and who has at least three (3) years of full-
13 time employment during the last ten (10) years immediately preceding
14 termination or retirement shall not be eligible for the
15 annualization provisions contained herein; and provided further, any
16 such member whose first participating service occurred on or after
17 July 1, 2013, and who has at least five (5) years of full-time
18 employment during the last ten (10) years immediately preceding
19 termination or retirement shall not be eligible for the
20 annualization provisions contained herein. The Board of Trustees
21 shall promulgate such administrative rules as are necessary to
22 implement the provisions of this subsection.

1 SECTION 146. REPEALER 74 O.S. 2021, Section 915, as
2 amended by Section 2, Chapter 139, O.S.L. 2024 (74 O.S. Supp. 2025,
3 Section 915), is hereby repealed.

4 SECTION 147. AMENDATORY 74 O.S. 2021, Section 916.3, as
5 amended by Section 3, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2025,
6 Section 916.3), is amended to read as follows:

7 Section 916.3. A. Notwithstanding the provisions of Sections
8 901 through 932 of this title, a monthly pension, as provided in
9 subsection B of this section, shall be paid on behalf of any member
10 who is a:

11 1. Correctional officer or probation and parole officer of the
12 Department of Corrections and who is killed or mortally wounded on
13 or after January 1, 2000, during the performance of the member's
14 duties for the Department or any employee of the Department of
15 Corrections who is killed or mortally wounded after June 30, 2004,
16 during the performance of the member's duties for the Department;

17 2. Deputy sheriff or county jailer first hired on or after
18 November 1, 2020, by any county that is a participating member in
19 the System, and who is killed or mortally wounded during the
20 performance of the member's duties as a deputy sheriff or jailer;
21 ~~and~~

22 3. Deputy sheriff or county jailer first hired before November
23 1, 2020, by any county that is a participating employer in the
24 System, and who is killed or mortally wounded during the performance
25

1 of the member's duties for the participating county on or after
2 November 1, 2024; and

3 4. The monthly pension described in this section shall be paid
4 on behalf of a licensed emergency medical personnel hired by any
5 participating employer for the first time as a licensed emergency
6 medical personnel on or after November 1, 2024, and who is killed or
7 mortally wounded during the performance of the member's duties as an
8 emergency medical personnel.

9 B. The monthly benefit shall be equal to:

10 1. Two and one-half percent (2 1/2%);

11 2. Multiplied by twenty (20) years of service, regardless of
12 the actual number of years of credited service performed by the
13 member prior to death, if the member had performed less than twenty
14 (20) years of credited service, or the actual number of years of
15 credited service of the member if greater than twenty (20) years;

16 3. Multiplied by the member's final average compensation; and

17 4. Divided by 12.

18 C. The pension provided for in subsection A of this section
19 shall be paid:

20 1. Except as provided in subsection D of this section, to the
21 surviving spouse for life; or

22 2. If there is no surviving spouse or upon the death of the
23 surviving spouse:

- 1 a. to the surviving child or children of said member or
2 legal guardian of such child or children for such time
3 as such child or children are under the age of
4 eighteen (18) years, or
- 5 b. to the surviving child or children between the age of
6 eighteen (18) and twenty-two (22) years if the child
7 is enrolled full time in and is regularly attending a
8 public or private school or any institution of higher
9 education.

10 D. No surviving spouse shall receive benefits from this
11 section, Section 49-113 of Title 11 of the Oklahoma Statutes,
12 Section 50-117 of Title 11 of the Oklahoma Statutes, or Section 2-
13 306 of Title 47 of the Oklahoma Statutes as the surviving spouse of
14 more than one member of the Oklahoma Firefighters Pension and
15 Retirement System, the Oklahoma Police Pension and Retirement
16 System, the Oklahoma Law Enforcement Retirement System, or the
17 Oklahoma Public Employees Retirement System. The surviving spouse
18 of more than one member shall elect which member's benefits he or
19 she will receive.

20 E. In addition to the pension above provided for, if said
21 member leaves one or more children under the age of eighteen (18)
22 years or under the age of twenty-two (22) years if the child is
23 enrolled full-time in and is regularly attending a public or private
24 school or any institution of higher education, Four Hundred Dollars

1 (\$400.00) a month shall be paid to the surviving spouse or to the
2 person having the care and custody of such children if there is no
3 surviving spouse or if the surviving spouse dies and until each
4 child reaches the age of eighteen (18) years or reaches the age of
5 twenty-two (22) years if the child is enrolled full-time in and is
6 regularly attending a public or private school or any institution of
7 higher education.

8 F. The pension benefit provided in this section shall be made
9 prospectively only from ~~the effective date of this act~~ July 1, 2000.
10 The benefits shall be payable beginning the later of the first day
11 of the month following the date that such employee was killed or
12 dies from a mortal wound, as provided in this section, or ~~the~~
13 ~~effective date of this act~~ July 1, 2000.

14 G. The Board of Trustees of the Oklahoma Public Employees
15 Retirement System shall promulgate such rules as are necessary to
16 implement the provisions of this section.

17 SECTION 148. REPEALER 74 O.S. 2021, Section 916.3, as
18 amended by Section 3, Chapter 139, O.S.L. 2024 (74 O.S. Supp. 2025,
19 Section 916.3), is hereby repealed.

20 SECTION 149. AMENDATORY 74 O.S. 2021, Section 919.1, as
21 amended by Section 4, Chapter 139, O.S.L. 2024 (74 O.S. Supp. 2025,
22 Section 919.1), is amended to read as follows:

23 Section 919.1. (1) Employee contributions to the Oklahoma
24 Public Employees Retirement System shall be:

- 1 (a) for employees except as otherwise provided in
2 paragraphs (b), (c), (d), (e), (f), (g), and (h) of
3 this subsection: beginning July 1, 2006, and
4 thereafter, three and one-half percent (3.5%) of
5 allowable annual compensation,
- 6 (b) for correctional officers and probation and parole
7 officers employed by the Department of Corrections:
8 beginning July 1, 1998, and thereafter, and for
9 correctional officers or probation and parole officers
10 who are in such position on June 30, 2004, or who are
11 hired after June 30, 2004, and who receive a promotion
12 or change in job classification after June 30, 2004,
13 to another position in the Department of Corrections,
14 so long as such officers have at least five (5) years
15 of service as a correctional officer or probation and
16 parole officer, eight percent (8%) of allowable
17 compensation as provided in paragraph (9) of Section
18 902 of this title,
- 19 (c) for fugitive apprehension agents who are employed with
20 the Department of Corrections on or after July 1,
21 2002, and for fugitive apprehension agents who are in
22 such position on June 30, 2004, or who are hired after
23 June 30, 2004, and who receive a promotion or change
24 in job classification after June 30, 2004, to another

1 position in the Department of Corrections, so long as
2 such agents have at least five (5) years of service as
3 a fugitive apprehension agent, eight percent (8%) of
4 allowable compensation as provided in paragraph (9) of
5 Section 902 of this title,

6 (d) for firefighters of the Military Department of the
7 State of Oklahoma first employed beginning July 1,
8 2002, and thereafter, and such firefighters who
9 performed service prior to July 1, 2002, for the
10 Military Department of the State of Oklahoma and who
11 make the election authorized by division (1) of
12 subparagraph b of paragraph (9) of subsection A of
13 Section 915 of this title who perform service on or
14 after July 1, 2002, in such capacity, eight percent
15 (8%) of allowable compensation as provided in
16 paragraph (9) of Section 902 of this title,

17 (e) for all public safety officers of the Grand River Dam
18 Authority as defined by paragraph (37) of Section 902
19 of this title, eight percent (8%) of allowable
20 compensation as provided in paragraph (9) of Section
21 902 of this title,

22 (f) for deputy sheriffs and county jailers employed by any
23 county that is a participating employer in the System
24 for the first time as a deputy sheriff or jailer on or

1 after November 1, 2020, or beginning November 1, 2024,
2 those deputy sheriffs and county jailers employed by
3 any county that is a participating employer in the
4 System for the first time as a deputy sheriff or
5 county jailer before November 1, 2020, eight percent
6 (8%) of allowable compensation as provided in
7 paragraph (9) of Section 902 of this title,

8 (g) for licensed emergency medical personnel employed by
9 any participating employer as a licensed emergency
10 medical personnel for the first time on or after the
11 effective date of this act, eight percent (8%) of
12 allowable compensation as provided in paragraph (9) of
13 Section 902 of this title, and

14 (h) for all employees except those who make contributions
15 pursuant to paragraphs (b), (c), (d), (e), (f), and
16 (g) of this subsection who make an irrevocable written
17 election pursuant to paragraph (2) of subsection A of
18 Section 915 of this title: six and forty-one one-
19 hundredths percent (6.41%) of allowable annual
20 compensation.

21 The contributions required by paragraphs (b), (c), (e), (f),
22 (g), and (h) of this subsection shall be made by a member for not
23 more than twenty (20) years and thereafter shall be as provided in
24 paragraph (a) of this subsection.

1 (2) Contributions shall be deducted by each state agency by the
2 participating employer for such benefits as the Board is authorized
3 to administer as provided for by law. Employee and employer
4 contributions shall be remitted monthly, or as the Board may
5 otherwise provide, to the Executive Director for deposit in the
6 Oklahoma Public Employees Retirement Fund.

7 (3) Each participating employer shall pick up under the
8 provisions of Section 414(h) (2) of the Internal Revenue Code of 1986
9 and pay the contribution which the member is required by law to make
10 to the System for all compensation earned after December 31, 1988.
11 Although the contributions so picked up are designated as member
12 contributions, such contributions shall be treated as contributions
13 being paid by the participating employer in lieu of contributions by
14 the member in determining tax treatment under the Internal Revenue
15 Code of 1986 and such picked up contributions shall not be
16 includable in the gross income of the member until such amounts are
17 distributed or made available to the member or the beneficiary of
18 the member. The member, by the terms of this System, shall not have
19 any option to choose to receive the contributions so picked up
20 directly and the picked up contributions must be paid by the
21 participating employer to the System.

22 Member contributions which are picked up shall be treated in the
23 same manner and to the same extent as member contributions made
24 prior to the date on which member contributions were picked up by
25

1 the participating employer. Member contributions so picked up shall
2 be included in gross salary for purposes of determining benefits and
3 contributions under the System.

4 The participating employer shall pay the member contributions
5 from the same source of funds used in paying salary to the member,
6 by effecting an equal cash reduction in gross salary of the member.

7 (4) By September 1, 1989, the System shall refund the
8 accumulated employee contributions of any member who elects to
9 retain the member's membership in the Teachers' Retirement System of
10 Oklahoma, in accordance with Section 17-104 of Title 70 of the
11 Oklahoma Statutes, to such member. Upon the refund of the
12 accumulated employee contributions referred to in this subsection,
13 all benefits and rights accrued to such member are terminated.

14 SECTION 150. REPEALER 74 O.S. 2021, Section 919.1, as
15 amended by Section 4, Chapter 280, O.S.L. 2024 (74 O.S. Supp. 2025,
16 Section 919.1), is hereby repealed.

17 SECTION 151. AMENDATORY 74 O.S. 2021, Section 1321, as
18 last amended by Section 29, Chapter 379, O.S.L. 2025 (74 O.S. Supp.
19 2025, Section 1321), is amended to read as follows:

20 Section 1321. A. The Oklahoma Health Care Authority shall have
21 the authority to determine all rates and life, dental and health
22 benefits for state sponsored plans. All rates shall be compiled in
23 a comprehensive Schedule of Benefits. The Schedule of Benefits
24 shall be available for inspection during regular business hours at
25

1 the Oklahoma Health Care Authority. The Authority shall have the
2 authority to annually adjust the rates and benefits based on claim
3 experience.

4 B. The premiums for such insurance plans offered for the next
5 plan year shall be established as follows:

6 1. For active employees and their dependents, the Authority's
7 premium determination shall be made no later than the bid submission
8 date for health maintenance organizations set by the Oklahoma
9 Employees Insurance and Benefits Board, which shall be set in August
10 no later than the third Friday of that month; and

11 2. For all other covered members and dependents, the
12 Authority's and the health maintenance organizations' premium
13 determinations shall be no later than the fourth Friday of
14 September.

15 C. The CEO of the Authority shall review for approval all rates
16 and life, dental, and health benefits for the state sponsored plans
17 recommended by the Oklahoma Employees Insurance and Benefits Board.
18 If approved by the CEO of the Authority, those rates and benefits
19 along with the final health maintenance organizations' rates and
20 benefits shall be sent to the Director of the Office of Management
21 and Enterprise Services for final approval.

22 D. The Office may approve a mid-year adjustment requested by
23 the Authority provided the need for an adjustment is substantiated
24 by an actuarial determination or more current experience rating.

1 The only publication or notice requirements that shall apply to the
2 Schedule of Benefits shall be those requirements provided in the
3 Oklahoma Open Meeting Act and within this section. It is the intent
4 of the Legislature that the benefits provided not include cosmetic
5 dental procedures except for certain orthodontic procedures as
6 adopted by the Chief Executive Officer of the Authority.

7 SECTION 152. REPEALER 74 O.S. 2021, Section 1321, as
8 amended by Section 5, Chapter 123, O.S.L. 2024 (74 O.S. Supp. 2025,
9 Section 1321), is hereby repealed.

10 SECTION 153. AMENDATORY 75 O.S. 2021, Section 250.3, as
11 last amended by Section 5, Chapter 258, O.S.L. 2025 (75 O.S. Supp.
12 2025, Section 250.3), is amended to read as follows:

13 Section 250.3. As used in the Administrative Procedures Act:

14 1. "Administrative head" means an official or agency body
15 responsible pursuant to law for issuing final agency orders;

16 2. "Adopted" means a proposed emergency rule which has been
17 approved by the agency but has not been approved or disapproved by
18 the Governor as an emergency rule as provided by Section 253 of this
19 title, or a proposed permanent rule which has been approved by the
20 agency and not disapproved by the Governor pursuant to paragraph 6
21 of subsection A of Section 303 of this title, but has not been
22 finally approved or disapproved by the Legislature or the Governor;

23 3. "Agency" includes, but is not limited to, any
24 constitutionally or statutorily created state agency, board, bureau,

1 commission, office, authority, institution, public trust in which
2 the state is a beneficiary, interstate commission, or any
3 instrumentality thereof, except:

4 a. the Legislature or any branch, committee, or officer
5 thereof, and

6 b. the courts;

7 4. "Emergency rule" means a rule that is made pursuant to
8 Section 253 of this title;

9 5. "Final rule" or "finally adopted rule" means a rule other
10 than an emergency rule, which has not been published pursuant to
11 Section 255 of this title but is otherwise in compliance with the
12 requirements of the Administrative Procedures Act, and is:

13 a. ~~approved by the Legislature pursuant to Section 308.3~~
14 ~~of this title, provided that any such joint resolution~~
15 ~~becomes law in accordance with Section 11 of Article~~
16 ~~VI of the Oklahoma Constitution,~~

17 b. ~~approved by the Governor pursuant to subsection C of~~
18 ~~Section 308.3 of this title,~~

19 ~~c.~~ approved by a joint resolution pursuant to subsection
20 B of Section 308 of this title, provided that any such
21 resolution becomes law in accordance with Section 11
22 of Article VI of the Oklahoma Constitution, or

23 ~~d.~~ b. disapproved by a joint resolution pursuant to
24 subsection B of Section 308 of this title ~~or Section~~

1 ~~308.3 of this title,~~ which has been vetoed by the
2 Governor in accordance with Section 11 of Article VI
3 of the Oklahoma Constitution and the veto has not been
4 overridden;

5 6. "Final agency order" means an order that includes findings
6 of fact and conclusions of law pursuant to Section 312 of this
7 title, is dispositive of an individual proceeding unless there is a
8 request for rehearing, reopening, or reconsideration pursuant to
9 Section 317 of this title, and which is subject to judicial review;

10 7. "Hearing examiner" means a person meeting the qualifications
11 specified by Article II of the Administrative Procedures Act and who
12 has been duly appointed by an agency to hold hearings and, as
13 required, render orders or proposed orders;

14 8. "Implementation and compliance costs" means direct costs
15 that are readily ascertainable based upon standard business
16 practices, including, but not limited to, fees, the cost to obtain a
17 license or registration, the cost of equipment required to be
18 installed or used, additional operating costs incurred, the cost of
19 monitoring and reporting, and any other costs to comply with the
20 requirements of the proposed rule;

21 9. "Individual proceeding" means the formal process employed by
22 an agency having jurisdiction by law to resolve issues of law or
23 fact between parties and which results in the exercise of discretion
24 of a judicial nature;

1 10. "License" includes the whole or part of any agency permit,
2 certificate, approval, registration, charter, or similar form of
3 permission required by law;

4 11. "Major rule" means any administrative rule, whether
5 emergency or permanent in nature, that will result in or is likely
6 to result in One Million Dollars (\$1,000,000.00) or more over the
7 initial five-year period in implementation and compliance costs that
8 are reasonably expected to be incurred by or passed along to
9 businesses, state or local government units, and individuals as a
10 result of the proposed rule following the promulgation of such rule;

11 12. "Nonmajor rule" means any rule that is not a major rule;

12 13. "Office" means the Office of the Secretary of State;

13 14. "Order" means all or part of a formal or official decision
14 made by an agency including, but not limited to, final agency
15 orders;

16 15. "Party" means a person or agency named and participating,
17 or properly seeking and entitled by law to participate, in an
18 individual proceeding;

19 16. "Permanent rule" means a rule that is made pursuant to
20 Section 303 of this title;

21 17. "Person" means any individual, partnership, corporation,
22 association, governmental subdivision, or public or private
23 organization of any character other than an agency;

1 18. "Political subdivision" means a county, city, incorporated
2 town, or school district within this state;

3 19. "Promulgated" means a finally adopted rule which has been
4 filed and published in accordance with the provisions of the
5 Administrative Procedures Act, or an emergency rule or preemptive
6 rule which has been approved by the Governor;

7 20. "Rule" means any agency statement or group of related
8 statements of general applicability and future effect that
9 implements, interprets, or prescribes law or policy, or describes
10 the procedure or practice requirements of the agency. The term rule
11 includes the amendment or revocation of an effective rule but does
12 not include:

13 a. the issuance, renewal, denial, suspension or
14 revocation or other sanction of an individual specific
15 license,

16 b. the approval, disapproval, or prescription of rates.

17 For purposes of this subparagraph, the term "rates"
18 shall not include fees or charges fixed by an agency
19 for services provided by that agency including, but
20 not limited to, fees charged for licensing,
21 permitting, inspections, or publications,

22 c. statements and memoranda concerning only the internal
23 management of an agency and not affecting private
24 rights or procedures available to the public,

- d. declaratory rulings issued pursuant to Section 307 of this title,
- e. orders by an agency, or
- f. press releases or "agency news releases", provided such releases are not for the purpose of interpreting, implementing, or prescribing law or agency policy;

21. "Rulemaking" means the process employed by an agency for the formulation of a rule;

22. "Secretary" means the Secretary of State; and

23. "Small business" means a for-profit enterprise consisting of fifty or fewer full-time or part-time employees; ~~and~~

~~24. "Technical legal defect" means an error that would otherwise invalidate an action by a court of law.~~

SECTION 154. REPEALER 75 O.S. 2021, Section 250.3, as last amended by Section 1, Chapter 420, O.S.L. 2025 (75 O.S. Supp. 2025, Section 250.3), is hereby repealed.

SECTION 155. AMENDATORY 75 O.S. 2021, Section 303, as amended by Section 7, Chapter 258, O.S.L. 2025 (75 O.S. Supp. 2025, Section 303), is amended to read as follows:

Section 303. A. Prior to the adoption of any rule or amendment or revocation of a rule, the agency shall:

1. Cause notice of any intended action to be published in "The Oklahoma Register" pursuant to subsection B of this section;

1 2. For at least thirty (30) days after publication of the
2 notice of the intended rulemaking action, afford a comment period
3 for all interested persons to submit data, views, or arguments,
4 orally or in writing. The agency shall consider fully all written
5 and oral submissions respecting the proposed rule;

6 3. Hold a hearing, if required, as provided by subsection C of
7 this section;

8 4. Consider the effect its intended action may have on the
9 various types of business and governmental entities. Except where
10 such modification or variance is prohibited by statute or
11 constitutional constraints, if an agency finds that its actions may
12 adversely affect any such entity, the agency may modify its actions
13 to exclude that type of entity, or may "tier" its actions to allow
14 rules, penalties, fines, or reporting procedures and forms to vary
15 according to the size of a business or governmental entity or its
16 ability to comply or both. For business entities, the agency shall
17 include a description of the probable quantitative and qualitative
18 impact of the proposed rule, economic or otherwise, and use
19 quantifiable data to the extent possible, taking into account both
20 short-term and long-term consequences;

21 5. Consider the effect its intended action may have on the
22 various types of consumer groups. If an agency finds that its
23 actions may adversely affect such groups, the agency may modify its
24 actions to exclude that type of activity; and

1 6. When an agency provides notice pursuant to paragraph 1 of
2 this subsection, the agency shall provide one electronic copy of the
3 complete text of the proposed rule, amendment or revocation and a
4 copy of the notice to the Governor and to the appropriate cabinet
5 secretary. No agency ~~may~~ shall adopt any proposed rule, amendment
6 or revocation ~~if~~ unless, within thirty (30) days from providing
7 notice to the Governor and the appropriate cabinet secretary, the
8 agency receives express written ~~disapproval~~ approval from the
9 Governor or the cabinet secretary. If the Governor or the cabinet
10 secretary disapproves a rule, the affected agency shall be notified
11 in writing of the reasons for disapproval. If, after thirty (30)
12 days of providing the notice to the Governor and the cabinet
13 secretary, the agency has not received an express written
14 ~~disapproval~~ approval, the agency ~~may~~ shall not proceed with the
15 rulemaking process.

16 B. The notice required by paragraph 1 of subsection A of this
17 section shall include, but not be limited to:

- 18 1. In simple language, a brief summary of the rule;
- 19 2. The proposed action being taken;
- 20 3. The circumstances which created the need for the rule;
- 21 4. The specific legal authority, including statutory citations,
22 authorizing the proposed rule;
- 23 5. The intended effect of the rule;
- 24
- 25

1 6. If the agency determines that the rule affects business
2 entities, a request that such entities provide the agency, within
3 the comment period, in dollar amounts if possible, the increase in
4 the level of direct costs such as fees, and indirect costs such as
5 reporting, recordkeeping, equipment, construction, labor,
6 professional services, revenue loss, or other costs expected to be
7 incurred by a particular entity due to compliance with the proposed
8 rule;

9 7. The time when, the place where, and the manner in which
10 interested persons may present their views thereon pursuant to
11 paragraph 3 of subsection A of this section;

12 8. Whether or not the agency intends to issue a rule impact
13 statement according to subsection D of this section and where copies
14 of such impact statement may be obtained for review by the public;

15 9. The time when, the place where, and the manner in which
16 persons may demand a hearing on the proposed rule if the notice does
17 not already provide for a hearing. If the notice provides for a
18 hearing, the time and place of the hearing shall be specified in the
19 notice; and

20 10. Where copies of the proposed rules may be obtained for
21 review by the public. An agency may charge persons for the actual
22 cost of mailing a copy of the proposed rules to such persons.

23 The number of copies of such notice as specified by the
24 Secretary of State shall be submitted to the Secretary of State who

1 shall publish the notice in "The Oklahoma Register" pursuant to the
2 provisions of Section 255 of this title.

3 Prior to or within three (3) days after publication of the
4 notice in "The Oklahoma Register", the agency shall cause a copy of
5 the notice of the proposed rule adoption and the rule impact
6 statement, if available, to be mailed to all persons who have made a
7 timely request of the agency for advance notice of its rulemaking
8 proceedings. Provided, in lieu of mailing copies, an agency may
9 electronically notify interested persons that a copy of the proposed
10 rule and the rule impact statement, if available, may be viewed on
11 the agency's website. If an agency posts a copy of the proposed
12 rule and rule impact statement on its website, the agency shall not
13 charge persons for the cost of downloading or printing the proposed
14 rule or impact statement. Each agency shall maintain a listing of
15 persons or entities requesting such notice.

16 C. 1. If the published notice does not already provide for a
17 hearing, an agency shall schedule a hearing on a proposed rule if,
18 within thirty (30) days after the published notice of the proposed
19 rule adoption, a written request for a hearing is submitted by:

- 20 a. at least ten persons,
- 21 b. a political subdivision,
- 22 c. an agency, or
- 23 d. an association having not less than twenty-five
24 members.

1 At that hearing persons may present oral argument, data, and
2 views on the proposed rule.

3 2. A hearing on a proposed rule may not be held earlier than
4 thirty (30) days after notice of the hearing is published pursuant
5 to subsection B of this section.

6 3. The provisions of this subsection shall not be construed to
7 prevent an agency from holding a hearing or hearings on the proposed
8 rule although not required by the provisions of this subsection;
9 provided, that notice of such hearing shall be published in "The
10 Oklahoma Register" at least thirty (30) days prior to such hearing.

11 D. 1. Except as otherwise provided in this subsection, an
12 agency shall issue a rule impact statement of a proposed rule prior
13 to or within fifteen (15) days after the date of publication of the
14 notice of proposed rule adoption. The rule impact statement may be
15 modified after any hearing or comment period afforded pursuant to
16 the provisions of this section.

17 2. The agency shall consult with counties, municipalities, and
18 school boards, as necessary, when preparing the rule impact
19 statement of a proposed rule which increases or decreases the
20 revenue of counties, cities, or school districts, or imposes
21 functions or responsibilities on such entities which may increase
22 the expenditures or fiscal liability of the entity. The agency
23 shall consult and solicit information from businesses, business
24 associations, local government units, state agencies, or members of

1 the public that may be affected by the proposed rule or that may
2 provide relevant information to the agency.

3 3. Except as otherwise provided in this subsection, the rule
4 impact statement shall include, but not be limited to:

5 a. a statement of the need for the rule and legal basis
6 supporting it,

7 b. a classification of the rule as major or nonmajor,
8 with a justification for the classification, including
9 an estimate of the total annual implementation and
10 compliance costs that are reasonably expected to be
11 incurred by or passed along to businesses, state or
12 local government units, or individuals and a
13 determination of whether those costs will exceed One
14 Million Dollars (\$1,000,000.00) over the initial five-
15 year period following the promulgation of the proposed
16 rule. Provided, if the costs exceed One Million
17 Dollars (\$1,000,000.00), the agency shall classify the
18 rule as a major rule,

19 c. a description of the purpose of the proposed rule,
20 including a determination of whether the proposed rule
21 is mandated by federal law, or as a requirement for
22 participation in or implementation of a federally
23 subsidized or assisted program, and whether the
24

1 proposed rule exceeds the requirements of the
2 applicable federal law,

3 d. a description of the classes of persons who most
4 likely will be affected by the proposed rule,
5 including classes that will bear the costs of the
6 proposed rule, and any information on cost impacts
7 received by the agency from any private or public
8 entities,

9 e. a description of the classes of persons who will
10 benefit from the proposed rule,

11 f. a comprehensive analysis of the rule's economic
12 impact, including any anticipated impacts on the full-
13 time-employee count of the agency, any costs or
14 benefits, and a detailed quantification of
15 implementation and compliance costs on the affected
16 businesses, business sectors, public utility
17 ratepayers, individuals, state or local government
18 units, and on the state economy as a whole. The
19 analysis shall include a listing of all fee changes
20 and, whenever possible, a separate justification for
21 each fee change,

22 g. a detailed explanation of the methodology and
23 assumptions used to determine the economic impact,
24 including the dollar amounts calculated,

- 1 h. a determination of whether implementation of the
2 proposed rule will have an economic impact on any
3 political subdivisions or require their cooperation in
4 implementing or enforcing the rule,
- 5 i. a determination of whether implementation of the
6 proposed rule may have an adverse economic effect on
7 small business as provided by the Oklahoma Small
8 Business Regulatory Flexibility Act,
- 9 j. any measures taken by the agency to minimize the cost
10 and impact of the proposed rule on business and
11 economic development in this state, local government
12 units of this state, and individuals,
- 13 k. a determination of the effect of the proposed rule on
14 the public health, safety, and environment and, if the
15 proposed rule is designed to reduce significant risks
16 to the public health, safety, and environment, an
17 explanation of the nature of the risk and to what
18 extent the proposed rule will reduce the risk,
- 19 l. a determination of any detrimental effect on the
20 public health, safety, and environment if the proposed
21 rule is not implemented, ~~and~~
- 22 m. the date the rule impact statement was prepared and,
23 if modified, the date modified,
- 24 n. an analysis of alternatives to adopting the rule,

- 1 o. estimates of the amount of time that would be spent by
2 state employees to develop the rule and of the amount
3 of other resources that would be utilized to develop
4 the rule, and
5 p. a summary and preliminary comparison of any existing
6 or proposed federal regulations that are intended to
7 address activities to be regulated by the proposed
8 rule.

9 4. To the extent an agency for good cause finds the preparation
10 of a rule impact statement or the specified contents thereof are
11 unnecessary or contrary to the public interest in the process of
12 adopting a nonmajor rule, the agency may request the Governor to
13 waive such requirement. Such request shall be in writing and shall
14 state the agency's findings and the justification for such findings.
15 Upon request by an agency, the Governor may also waive the rule
16 impact statement requirements for a nonmajor rule if the agency is
17 required to implement a statute or federal requirement that does not
18 require an agency to interpret or describe the requirements, such as
19 federally mandated provisions which afford the agency no discretion
20 to consider less restrictive alternatives. If the Governor fails to
21 waive such requirement, in writing, prior to publication of the
22 notice of the intended rulemaking action, the rule impact statement
23 shall be completed. The determination to waive the rule impact
24 statement shall not be subject to judicial review.

1 E. Upon completing the requirements of this section, an agency
2 may adopt a proposed rule. No rule is valid unless adopted in
3 substantial compliance with the provisions of this section.

4 SECTION 156. REPEALER 75 O.S. 2021, Section 303, as
5 amended by Section 1, Chapter 267, O.S.L. 2025 (75 O.S. Supp. 2025,
6 Section 303), is hereby repealed.

7 SECTION 157. AMENDATORY 75 O.S. 2021, Section 308, as
8 last amended by Section 8, Chapter 258, O.S.L. 2025 (75 O.S. Supp.
9 2025, Section 308), is amended to read as follows:

10 Section 308. A. Upon receipt of any proposed permanent rules,
11 the Speaker of the House of Representatives and the President Pro
12 Tempore of the Senate shall assign such rules to the appropriate
13 committees of each house of the Legislature for review. Except as
14 otherwise provided by this section:

15 1. If such rules are received on or before February 1, the
16 Legislature shall have until the last day of the regular legislative
17 session of that year to review such rules; and

18 2. If such rules are received after the date established
19 pursuant to paragraph 1 of this subsection, the Legislature shall
20 have until the last day of the regular legislative session of the
21 next year to act on such rules.

22 B. By the adoption of joint resolutions during the review
23 period specified in subsection A of this section, the Legislature
24 may disapprove or approve any rule and disapprove all or part of a

1 rule or rules. Any rules not acted upon by the adoption of a joint
2 resolution shall be deemed disapproved.

3 C. Unless otherwise authorized by the Legislature, whenever a
4 rule is disapproved as provided in subsection B of this section, the
5 agency adopting such rules shall not have authority to resubmit an
6 identical rule, except during the first sixty (60) calendar days of
7 the next regular legislative session. Any effective emergency rule
8 which would have been superseded by a disapproved permanent rule
9 shall be deemed null and void on the date the Legislature
10 disapproves the permanent rule. Rules may be disapproved in part or
11 in whole by the Legislature. Upon enactment of any joint resolution
12 disapproving a rule, the agency shall file notice of such
13 legislative disapproval with the Secretary of State for publication
14 in "The Oklahoma Register".

15 D. Unless otherwise provided by specific vote of the
16 Legislature, joint resolutions introduced for purposes of
17 disapproving or approving a rule ~~or the omnibus joint resolution~~
18 shall not be subject to regular legislative cutoff dates, shall be
19 limited to such provisions as may be necessary for disapproval or
20 approval of a rule, and any such other direction or mandate
21 regarding the rule deemed necessary by the Legislature. The
22 resolution shall contain no other provisions.

23 E. A proposed permanent rule shall be deemed finally adopted
24 if:

1 1. ~~Approved by the Legislature pursuant to Section 308.3 of~~
2 ~~this title, provided that any such joint resolution becomes law in~~
3 ~~accordance with Section 11 of Article VI of the Oklahoma~~
4 ~~Constitution;~~

5 2. Approved by a joint resolution pursuant to subsection B of
6 this section, provided that any such resolution becomes law in
7 accordance with Section 11 of Article VI of the Oklahoma
8 Constitution; or

9 ~~3.~~ 2. Disapproved by a joint resolution pursuant to subsection
10 B of this section ~~or Section 308.3 of this title~~ which has been
11 vetoed by the Governor in accordance with Section 11 of Article VI
12 of the Oklahoma Constitution and the veto has not been overridden.

13 Provided, major rules shall be addressed in one or more joint
14 resolutions only addressing major rules, regardless of if the joint
15 resolution is to approve or disapprove such rules.

16 F. Prior to final adoption of a rule, an agency may withdraw a
17 rule from legislative review. Notice of such withdrawal shall be
18 given to the Governor, the Speaker of the House of Representatives,
19 the President Pro Tempore of the Senate, and to the Secretary of
20 State for publication in "The Oklahoma Register".

21 G. An agency may promulgate an emergency rule only pursuant to
22 Section 253 of this title.

23 H. Any rights, privileges, or interests gained by any person by
24 operation of an emergency rule shall not be affected by reason of

1 any subsequent disapproval or rejection of such rule by either house
2 of the Legislature.

3 SECTION 158. REPEALER 75 O.S. 2021, Section 308, as last
4 amended by Section 2, Chapter 420, O.S.L. 2025 (75 O.S. Supp. 2025,
5 Section 308), is hereby repealed.

6 SECTION 159. AMENDATORY 85A O.S. 2021, Section 2, as
7 amended by Section 1, Chapter 135, O.S.L. 2025 (85A O.S. Supp. 2025,
8 Section 2), is amended to read as follows:

9 Section 2. As used in the Administrative Workers' Compensation
10 Act:

11 1. "Actually dependent" means a surviving spouse, a child or
12 any other person who receives one-half (1/2) or more of his or her
13 support from the employee;

14 2. "Carrier" means any stock company, mutual company, or
15 reciprocal or interinsurance exchange authorized to write or carry
16 on the business of workers' compensation insurance in this state.
17 Whenever required by the context, the term carrier shall be deemed
18 to include duly qualified self-insureds or self-insured groups;

19 3. "Case management" means the ongoing coordination, by a case
20 manager, of health care services provided to an injured or disabled
21 worker, including but not limited to systematically monitoring the
22 treatment rendered and the medical progress of the injured or
23 disabled worker; ensuring that any treatment plan follows all
24 appropriate treatment protocols, utilization controls and practice

1 parameters; assessing whether alternative health care services are
2 appropriate and delivered in a cost-effective manner based upon
3 acceptable medical standards; and ensuring that the injured or
4 disabled worker is following the prescribed health care plan;

5 4. "Case manager" means a person who is a registered nurse with
6 a current, active unencumbered license from the Oklahoma Board of
7 Nursing, or possesses one or more of the following certifications
8 which indicate the individual has a minimum number of years of case
9 management experience, has passed a national competency test and
10 regularly obtains continuing education hours to maintain
11 certification:

- 12 a. Certified Disability Management Specialist (CDMS),
- 13 b. Certified Case Manager (CCM),
- 14 c. Certified Rehabilitation Registered Nurse (CRRN),
- 15 d. Case Manager - Certified (CMC),
- 16 e. Certified Occupational Health Nurse (COHN), or
- 17 f. Certified Occupational Health Nurse Specialist (COHN-
18 S);

19 5. "Certified workplace medical plan" means an organization of
20 health care providers or any other entity, certified by the State
21 Commissioner of Health, that is authorized to enter into a
22 contractual agreement with an employer, a group self-insurance
23 association plan, an employer's workers' compensation insurance
24 carrier, a third-party administrator or an insured to provide
25

1 medical care under the Administrative Workers' Compensation Act.

2 Certified plans shall only include plans which provide medical
3 services and payment for services on a fee-for-service basis to
4 medical providers;

5 6. "Child" means a natural or adopted son or daughter of the
6 employee under eighteen (18) years of age; or a natural or adopted
7 son or daughter of an employee eighteen (18) years of age or over
8 who is physically or mentally incapable of self-support; or any
9 natural or adopted son or daughter of an employee eighteen (18)
10 years of age or over who is actually dependent; or any natural or
11 adopted son or daughter of an employee between eighteen (18) and
12 twenty-three (23) years of age who is enrolled as a full-time
13 student in any accredited educational institution. The term child
14 includes a posthumous child, a child legally adopted or one for whom
15 adoption proceedings are pending at the time of death, an actually
16 dependent stepchild or an actually dependent acknowledged child born
17 out of wedlock;

18 7. "Claimant" means a person who claims benefits for an injury
19 or occupational disease pursuant to the provisions of the
20 Administrative Workers' Compensation Act;

21 8. "Commission" means the Oklahoma Workers' Compensation
22 Commission;

23 9. a. "Compensable injury" means damage or harm to the
24 physical structure of the body, or damage or harm to
25

1 prosthetic appliances, including eyeglasses, contact
2 lenses, or hearing aids, of which the major cause is
3 either an accident, cumulative trauma or occupational
4 disease arising out of the course and scope of
5 employment. An "accident" means an event involving
6 factors external to the employee that:

- 7 (1) was unintended, unanticipated, unforeseen,
8 unplanned and unexpected,
- 9 (2) occurred at a specifically identifiable time and
10 place,
- 11 (3) occurred by chance or from unknown causes, or
- 12 (4) was independent of sickness, mental incapacity,
13 bodily infirmity or any other cause.

14 b. Compensable injury does not include:

- 15 (1) injury to any active participant in assaults or
16 combats which, although they may occur in the
17 workplace, are the result of non-employment-
18 related hostility or animus of one, both, or all
19 of the combatants and which assault or combat
20 amounts to a deviation from customary duties;
21 provided, however, injuries caused by horseplay
22 shall not be considered to be compensable
23 injuries, except for innocent victims,

- 1 (2) injury incurred while engaging in or performing
2 or as the result of engaging in or performing any
3 recreational or social activities for the
4 employee's personal pleasure,
- 5 (3) injury which was inflicted on the employee at a
6 time when employment services were not being
7 performed or before the employee was hired or
8 after the employment relationship was terminated,
- 9 (4) injury if the accident was caused by the use of
10 alcohol, illegal drugs, or prescription drugs
11 used in contravention of physician's orders. If
12 a biological specimen is collected within twenty-
13 four (24) hours of the employee being injured or
14 reporting an injury, or if at any time after the
15 injury a biological specimen is collected by the
16 Office of the Chief Medical Examiner if the
17 injured employee does not survive for at least
18 twenty-four (24) hours after the injury and the
19 employee tests positive for intoxication, an
20 illegal controlled substance, or a legal
21 controlled substance used in contravention to a
22 treating physician's orders, or refuses to
23 undergo the drug and alcohol testing, there shall
24 be a rebuttable presumption that the injury was

1 caused by the use of alcohol, illegal drugs, or
2 prescription drugs used in contravention of
3 physician's orders. This presumption may only be
4 overcome if the employee proves by clear and
5 convincing evidence that his or her state of
6 intoxication had no causal relationship to the
7 injury,

8 (5) any strain, degeneration, damage or harm to, or
9 disease or condition of, the eye or
10 musculoskeletal structure or other body part
11 resulting from the natural results of aging,
12 osteoarthritis, arthritis, or degenerative
13 process including, but not limited to,
14 degenerative joint disease, degenerative disc
15 disease, degenerative
16 spondylosis/spondylolisthesis and spinal
17 stenosis, or

18 (6) any preexisting condition except when the
19 treating physician clearly confirms an
20 identifiable and significant aggravation incurred
21 in the course and scope of employment.

22 c. A compensable injury shall be established by medical
23 evidence supported by objective findings as defined in
24 paragraph 31 of this section.

1 d. The injured employee shall prove by a preponderance of
2 the evidence that he or she has suffered a compensable
3 injury.

4 e. Benefits shall not be payable for a condition which
5 results from a non-work-related independent
6 intervening cause following a compensable injury which
7 causes or prolongs disability or aggravation or
8 requires treatment. A non-work-related independent
9 intervening cause does not require negligence or
10 recklessness on the part of a claimant.

11 f. An employee who suffers a compensable injury shall be
12 entitled to receive compensation as prescribed in the
13 Administrative Workers' Compensation Act.

14 Notwithstanding other provisions of law, if it is
15 determined that a compensable injury did not occur,
16 the employee shall not be entitled to compensation
17 under the Administrative Workers' Compensation Act;

18 10. "Compensation" means the money allowance payable to the
19 employee or to his or her dependents and includes the medical
20 services and supplies provided for in Section 50 of this title and
21 funeral expenses;

22 11. "Consequential injury" means injury or harm to a part of
23 the body that is a direct result of the injury or medical treatment
24 to the part of the body originally injured in the claim. The

1 Commission shall not make a finding of a consequential injury unless
2 it is established by objective medical evidence that medical
3 treatment for such part of the body is required;

4 12. "Continuing medical maintenance" means medical treatment
5 that is reasonable and necessary to maintain a claimant's condition
6 resulting from the compensable injury or illness after reaching
7 maximum medical improvement. Continuing medical maintenance shall
8 not include diagnostic tests, surgery, injections, counseling,
9 physical therapy, or pain management devices or equipment;

10 13. "Course and scope of employment" means an activity of any
11 kind or character for which the employee was hired and that relates
12 to and derives from the work, business, trade or profession of an
13 employer, and is performed by an employee in the furtherance of the
14 affairs or business of an employer. The term includes activities
15 conducted on the premises of an employer or at other locations
16 designated by an employer and travel by an employee in furtherance
17 of the affairs of an employer that is specifically directed by the
18 employer. This term does not include:

- 19 a. an employee's transportation to and from his or her
20 place of employment,
- 21 b. travel by an employee in furtherance of the affairs of
22 an employer if the travel is also in furtherance of
23 personal or private affairs of the employee,

- 1 c. any injury occurring in a parking lot or other common
2 area adjacent to an employer's place of business
3 before the employee clocks in or otherwise begins work
4 for the employer or after the employee clocks out or
5 otherwise stops work for the employer unless the
6 employer owns or maintains exclusive control over the
7 area, or
- 8 d. any injury occurring while an employee is on a work
9 break, unless the injury occurs while the employee is
10 on a work break inside the employer's facility or in
11 an area owned by or exclusively controlled by the
12 employer and the work break is authorized by the
13 employee's supervisor;

14 14. "Cumulative trauma" means an injury to an employee that is
15 caused by the combined effect of repetitive physical activities
16 extending over a period of time in the course and scope of
17 employment. Cumulative trauma shall not mean fatigue, soreness or
18 general aches and pain that may have been caused, aggravated,
19 exacerbated or accelerated by the employee's course and scope of
20 employment. Cumulative trauma shall have resulted directly and
21 independently of all other causes;

22 15. "Death" means only death resulting from compensable injury
23 as defined in paragraph 9 of this section;

1 16. "Disability" means incapacity because of compensable injury
2 to earn, in the same or any other employment, substantially the same
3 amount of wages the employee was receiving at the time of the
4 compensable injury;

5 17. "Drive-away operations" includes every person engaged in
6 the business of transporting and delivering new or used vehicles by
7 driving, either singly or by towbar, saddle-mount or full-mount
8 method, or any combination thereof, with or without towing a
9 privately owned vehicle;

10 18. a. "Employee" means any person, including a minor, in the
11 service of an employer under any contract of hire or
12 apprenticeship, written or oral, expressed or implied,
13 but excluding one whose employment is casual and not
14 in the course of the trade, business, profession, or
15 occupation of his or her employer and excluding one
16 who is required to perform work for a municipality or
17 county or the state or federal government on having
18 been convicted of a criminal offense or while
19 incarcerated. Employee shall also include a member of
20 the Oklahoma National Guard while in the performance
21 of duties only while in response to state orders and
22 any authorized voluntary or uncompensated worker,
23 rendering services as a firefighter, law enforcement
24 officer or emergency management worker. Travel by a

1 police officer, fireman, or a member of a first aid or
2 rescue squad, in responding to and returning from an
3 emergency, shall be deemed to be in the course of
4 employment.

5 b. The term employee shall not include:

6 (1) any person for whom an employer is liable under
7 any Act of Congress for providing compensation to
8 employees for injuries, disease or death arising
9 out of and in the course of employment including,
10 but not limited to, the Federal Employees'
11 Compensation Act, the Federal Employers'
12 Liability Act, the Longshore and Harbor Workers'
13 Compensation Act and the Jones Act, to the extent
14 his or her employees are subject to such acts,

15 (2) any person who is employed in agriculture,
16 ranching, or horticulture by an employer who had
17 a gross annual payroll in the preceding calendar
18 year of less than One Hundred Fifty Thousand
19 Dollars (\$150,000.00) wages for agricultural,
20 ranching or horticultural workers, or any person
21 who is employed in agriculture, ranching or
22 horticulture who is not engaged in operation of
23 motorized machines. This exemption applies to
24 any period of time for which such employment

1 exists, irrespective of whether or not the person
2 is employed in other activities for which the
3 exemption does not apply. If the person is
4 employed for part of a year in exempt activities
5 and for part of a year in nonexempt activities,
6 the employer shall be responsible for providing
7 workers' compensation only for the period of time
8 for which the person is employed in nonexempt
9 activities,

10 (3) any person who is a licensed real estate sales
11 associate or broker, paid on a commission basis,

12 (4) any person employed by an employer with five or
13 fewer total employees, all of whom are related
14 within the second degree by blood or marriage to
15 the employer, all of whom are dependents living
16 in the household of the employer, or all of whom
17 are a combination of such relatives and
18 dependents. If the employer is not a natural
19 person such relative shall be related within the
20 second degree by blood or marriage to a person
21 who owns fifty percent (50%) or more of the
22 employer, or such dependent shall be in the
23 household of a person who owns fifty percent
24 (50%) or more of the employer,

- 1 (5) any person employed by an employer which is a
2 youth sports league which qualifies for exemption
3 from federal income taxation pursuant to federal
4 law,
5 (6) sole proprietors, members of a partnership,
6 individuals who are party to a franchise
7 agreement as set out by the Federal Trade
8 Commission franchise disclosure rule, 16 CFR
9 436.1 through 436.11, members of a limited
10 liability company who own at least ten percent
11 (10%) of the capital of the limited liability
12 company or any stockholder-employees of a
13 corporation who own ten percent (10%) or more
14 stock in the corporation, unless they elect to be
15 covered by a policy of insurance covering
16 benefits under the Administrative Workers'
17 Compensation Act,
18 (7) any person providing or performing voluntary
19 service who receives no wages for the services
20 other than meals, drug or alcohol rehabilitative
21 therapy, transportation, lodging or reimbursement
22 for incidental expenses except for volunteers
23 specifically provided for in subparagraph a of
24 this paragraph,
25

1 (8) a person, commonly referred to as an owner-
2 operator, who owns or leases a truck-tractor or
3 truck for hire, if the owner-operator actually
4 operates the truck-tractor or truck and if the
5 person contracting with the owner-operator is not
6 the lessor of the truck-tractor or truck.

7 Provided, however, an owner-operator shall not be
8 precluded from workers' compensation coverage
9 under the Administrative Workers' Compensation
10 Act if the owner-operator elects to participate
11 as a sole proprietor,

12 (9) a person referred to as a drive-away owner-
13 operator who privately owns and utilizes a tow
14 vehicle in drive-away operations and operates
15 independently for hire, if the drive-away owner-
16 operator actually utilizes the tow vehicle and if
17 the person contracting with the drive-away owner-
18 operator is not the lessor of the tow vehicle.

19 Provided, however, a drive-away owner-operator
20 shall not be precluded from workers' compensation
21 coverage under the Administrative Workers'
22 Compensation Act if the drive-away owner-operator
23 elects to participate as a sole proprietor,

- 1 (10) any person who is employed as a domestic servant
2 or as a casual worker in and about a private home
3 or household, which private home or household had
4 a gross annual payroll in the preceding calendar
5 year of less than Fifty Thousand Dollars
6 (\$50,000.00) for such workers, ~~and~~
- 7 (11) any person engaging in a temporary work
8 arrangement that allows the individual to observe
9 a work environment and gain work experience
10 without the expectation of financial
11 compensation, and
- 12 (12) any person who is a dependent child of an owner
13 of a farm, ranch, livestock market, or other
14 agricultural business and the dependent child is
15 employed by such;

16 19. "Employer" means a natural person, partnership,
17 association, limited liability company, corporation, and the legal
18 representatives of a deceased employer, or the receiver or trustee
19 of a person, partnership, association, corporation, or limited
20 liability company, departments, instrumentalities and institutions
21 of this state and divisions thereof, counties and divisions thereof,
22 public trusts, boards of education and incorporated cities or towns
23 and divisions thereof, employing a person included within the term
24 employee as defined in this section. Employer may also mean the

1 employer's workers' compensation insurance carrier, if applicable.
2 Except as provided otherwise, the Administrative Workers'
3 Compensation Act applies to all public and private entities and
4 institutions;

5 20. "Employment" includes work or labor in a trade, business,
6 occupation or activity carried on by an employer or any authorized
7 voluntary or uncompensated worker rendering services as a
8 firefighter, peace officer or emergency management worker;

9 21. "Evidence-based" means expert-based, literature-supported
10 and outcomes validated by well-designed randomized trials when such
11 information is available and which uses the best available evidence
12 to support medical decision making;

13 22. "Gainful employment" means the capacity to perform
14 employment for wages for a period of time that is not part-time,
15 occasional or sporadic;

16 23. "Impaired self-insurer" means a private self-insurer or
17 group self-insurance association that fails to pay its workers'
18 compensation obligations, or is financially unable to do so and is
19 the subject of any proceeding under the Federal Bankruptcy Reform
20 Act of 1978, and any subsequent amendments or is the subject of any
21 proceeding in which a receiver, custodian, liquidator,
22 rehabilitator, trustee or similar officer has been appointed by a
23 court of competent jurisdiction to act in lieu of or on behalf of
24 the self-insurer;

1 24. "Incapacity" means inadequate strength or ability to
2 perform a work-related task;

3 25. "Insurance Commissioner" means the Insurance Commissioner
4 of this state;

5 26. "Insurance Department" means the Insurance Department of
6 this state;

7 27. "Major cause" means more than fifty percent (50%) of the
8 resulting injury, disease or illness. A finding of major cause
9 shall be established by a preponderance of the evidence. A finding
10 that the workplace was not a major cause of the injury, disease or
11 illness shall not adversely affect the exclusive remedy provisions
12 of the Administrative Workers' Compensation Act and shall not create
13 a separate cause of action outside the Administrative Workers'
14 Compensation Act;

15 28. "Maximum medical improvement" means that no further
16 material improvement would reasonably be expected from medical
17 treatment or the passage of time;

18 29. "Medical services" means those services specified in
19 Section 50 of this title;

20 30. "Misconduct" shall include the following:

- 21 a. unexplained absenteeism or tardiness,
- 22 b. willful or wanton indifference to or neglect of the
- 23 duties required,
- 24
- 25

- c. willful or wanton breach of any duty required by the employer,
- d. the mismanagement of a position of employment by action or inaction,
- e. actions or omissions that place in jeopardy the health, life, or property of self or others,
- f. dishonesty,
- g. wrongdoing,
- h. violation of a law, or
- i. violation of a policy or rule adopted to ensure orderly work or the safety of self or others;

31. a. (1) "Objective findings" are those findings which cannot come under the voluntary control of the patient.

(2) (a) When determining permanent disability, a physician, any other medical provider, an administrative law judge, the Commission or the courts shall not consider complaints of pain.

(b) For the purpose of making permanent disability ratings to the spine, physicians shall use criteria established by the Sixth Edition of the American Medical Association

1 "Guides to the Evaluation of Permanent
2 Impairment".

3 (3) (a) Objective evidence necessary to prove
4 permanent disability in occupational hearing
5 loss cases may be established by medically
6 recognized and accepted clinical diagnostic
7 methodologies, including, but not limited
8 to, audiological tests that measure air and
9 bone conduction thresholds and speech
10 discrimination ability.

11 (b) Any difference in the baseline hearing
12 levels shall be confirmed by subsequent
13 testing; provided, however, such test shall
14 be given within four (4) weeks of the
15 initial baseline hearing level test but not
16 before five (5) days after being adjusted
17 for presbycusis.

18 b. Medical opinions addressing compensability and
19 permanent disability shall be stated within a
20 reasonable degree of medical certainty;

21 32. "Official Disability Guidelines" or "ODG" means the current
22 edition of the Official Disability Guidelines and the ODG Treatment
23 in Workers' Comp as published by the Work Loss Data Institute;
24

1 33. "Permanent disability" means the extent, expressed as a
2 percentage, of the loss of a portion of the total physiological
3 capabilities of the human body as established by competent medical
4 evidence and based on the Sixth Edition of the American Medical
5 Association "Guides to the Evaluation of Permanent Impairment", if
6 the impairment is contained therein;

7 34. "Permanent partial disability" means a permanent disability
8 or loss of use after maximum medical improvement has been reached
9 which prevents the injured employee, who has been released to return
10 to work by the treating physician, from returning to his or her pre-
11 injury or equivalent job. All evaluations of permanent partial
12 disability must be supported by objective findings;

13 35. "Permanent total disability" means, based on objective
14 findings, incapacity, based upon accidental injury or occupational
15 disease, to earn wages in any employment for which the employee may
16 become physically suited and reasonably fitted by education,
17 training, experience or vocational rehabilitation provided under the
18 Administrative Workers' Compensation Act. Loss of both hands, both
19 feet, both legs, or both eyes, or any two thereof, shall constitute
20 permanent total disability;

21 36. "Preexisting condition" means any illness, injury, disease,
22 or other physical or mental condition, whether or not work-related,
23 for which medical advice, diagnosis, care or treatment was
24 recommended or received preceding the date of injury;

1 37. "Pre-injury or equivalent job" means the job that the
2 claimant was working for the employer at the time the injury
3 occurred or any other employment offered by the claimant's employer
4 that pays at least one hundred percent (100%) of the employee's
5 average weekly wage;

6 38. "Private self-insurer" means a private employer that has
7 been authorized to self-insure its workers' compensation obligations
8 pursuant to the Administrative Workers' Compensation Act, but does
9 not include group self-insurance associations authorized by the
10 Administrative Workers' Compensation Act, or any public employer
11 that self-insures pursuant to the Administrative Workers'
12 Compensation Act;

13 39. "Prosthetic" means an artificial device used to replace a
14 part or joint of the body that is lost or injured in an accident or
15 illness covered by the Administrative Workers' Compensation Act;

16 40. "Scheduled member" or "member" means hands, fingers, arms,
17 legs, feet, toes, and eyes. In addition, for purposes of the
18 Multiple Injury Trust Fund only, scheduled member means hearing
19 impairment;

20 41. "Scientifically based" involves the application of
21 rigorous, systematic, and objective procedures to obtain reliable
22 and valid knowledge relevant to medical testing, diagnoses and
23 treatment; is adequate to justify the general conclusions drawn; and
24 has been accepted by a peer-review journal or approved by a panel of
25

1 independent experts through a comparably rigorous, objective, and
2 scientific review;

3 42. "State average weekly wage" means the state average weekly
4 wage determined by the Oklahoma Employment Security Commission in
5 the preceding calendar year. If such determination is not
6 available, the Commission shall determine the wage annually after
7 reasonable investigation;

8 43. "Subcontractor" means a person, firm, corporation or other
9 legal entity hired by the general or prime contractor to perform a
10 specific task for the completion of a work-related activity;

11 44. "Surgery" does not include an injection, or the forcing of
12 fluids beneath the skin, for treatment or diagnosis;

13 45. "Surviving spouse" means the employee's spouse by reason of
14 a legal marriage recognized by this state or under the requirements
15 of a common law marriage in this state, as determined by the
16 Oklahoma Workers' Compensation Commission;

17 46. "Temporary partial disability" means an injured employee
18 who is temporarily unable to perform his or her job, but may perform
19 alternative work offered by the employer;

20 47. "Time of accident" or "date of accident" means the time or
21 date of the occurrence of the accidental incident from which
22 compensable injury, disability, or death results; and

23 48. "Wages" means money compensation received for employment at
24 the time of the accident, including the reasonable value of board,
25

1 rent, housing, lodging, or similar advantage received from the
2 employer and includes the amount of tips required to be reported by
3 the employer under Section 6053 of the Internal Revenue Code and the
4 regulations promulgated pursuant thereto or the amount of actual
5 tips reported, whichever amount is greater.

6 SECTION 160. REPEALER 85A O.S. 2021, Section 2, as
7 amended by Section 1, Chapter 67, O.S.L. 2025 (85A O.S. Supp. 2025,
8 Section 2), is hereby repealed.

9 SECTION 161. It being immediately necessary for the
10 preservation of the public peace, health or safety, an emergency is
11 hereby declared to exist, by reason whereof this act shall take
12 effect and be in full force from and after its passage and approval.

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