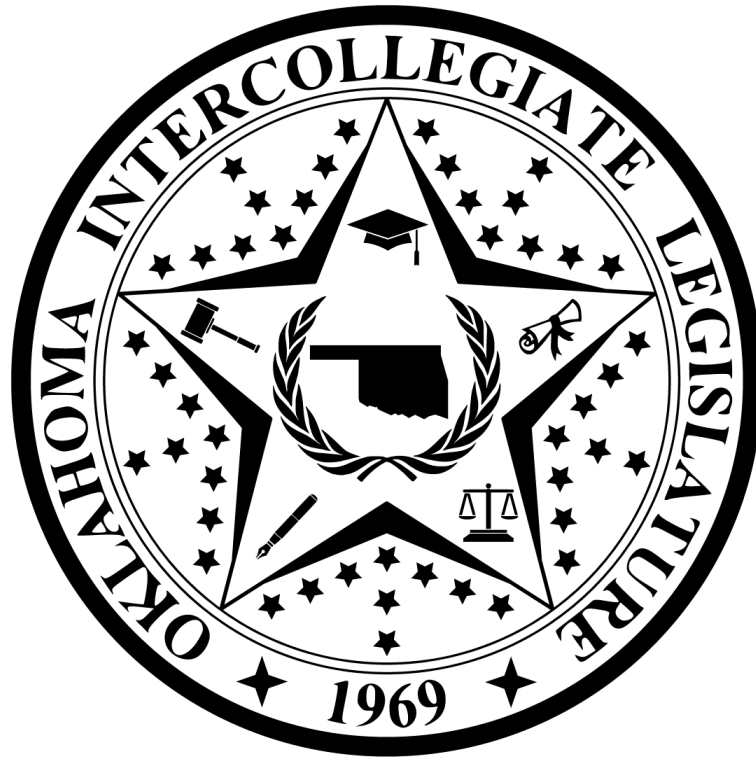

1 ***OKLAHOMA INTERCOLLEGIATE LEGISLATURE***

2 ***SECOND SESSION OF THE FIFTIETH LEGISLATURE***



3
4 Second Session of the Fiftieth Legislature
5 November 14-18, 2018
6 Oklahoma City, Oklahoma
7
8

9 **Gabrielle Hosek**
10 Governor
11

Dan Williams
Lieutenant Governor

Amy Vanderveer
Chief Justice of the Supreme Court

Wil Crawford
President Pro Tempore of the Senate

Marcus Heald
Speaker of the House

1 **SENATE BILLS**

2 Oklahoma Intercollegiate Legislature
3 2nd Session of the 50th Legislature (2018)

4
5 Senate Internal Bill No. NWOSU- 100

By: Shirey (NWOSU)

6
7 AS INTRODUCED

8
9 An Act relating to the Community Service Competition; creating new sub-sections to Section
10 304, Chapter Three, Title Five of the Oklahoma Intercollegiate Legislature Statutes; providing
11 for short title; and establishing an emergency

12
13 BE IT ENACTED BY THE OKLAHOMA INTERCOLLEGIATE LEGISLATURE

14
15 Section 1. This act shall be known as the “Community Service Competition Reform” Act of
16 2018.

17
18 Section 2. AMENDATORY Section 304, Chapter Three, Title Five of the Oklahoma
19 Intercollegiate Legislature Statutes shall be amended to read as follows:

20
21 SECTION 304: As directed by the Constitution of the Oklahoma Intercollegiate
22 Legislature, the Lieutenant Governor shall be responsible for
23 planning each regular session’s “Community Service
24 Competition”, including the creation of rules, regulation, and
25 policies governing this competition. This shall not restrict the
26 Lieutenant Governor from seeking assistance from other members
27 of the Executive Branch, the Steering Committee, or Delegation
28 Chairs in the formulation of the competition.

29
30 A. All rules, regulations, and policies established under this
31 section shall be crafted to show fairness and equality to all
32 delegates and delegations which choose to compete in this
33 competition. This section shall only be interpreted to mean that
34 all delegates and delegations shall have the equal opportunity
35 to compete in and the potential to place in and earn points from
36 this competition, as outlined under Chapter One, Title Nine of
37 these statutes.

38
39 B. The rules, regulations, and policies governing the “Community
40 Service Competition” must be ratified by a simple majority
41 vote of the Steering Committee prior to each regular session of
42 the Legislature.

43
44 a. If the Steering Committee fails to approve the rules,
45 regulation, and policies governing the “Community

1 Service Competition”, then the previous regular
2 session’s “Community Service Competition’s”
3 rules, regulations, and policies shall remain enacted.

4
5 C. Any delegate or member wishing to challenge any rule,
6 regulation, or policy, under this section, shall file their
7 challenge with the Attorney General. The Attorney General
8 shall have twenty-four (24) hours to issue a legally binding
9 ruling on the specific rule being challenged. Upon the ruling
10 being issued, either the Lieutenant Governor or the party which
11 requested the ruling shall have seventy-two (72) hours to
12 appeal that ruling with the Supreme Court. The Supreme Court
13 shall have final jurisdiction on determining the legality,
14 validity, and fairness of any rule which has been challenged.

15
16 Section 3. It being immediately necessary for the preservation of the public peace, health
17 and safety, an emergency is hereby declared to exist, by reason whereof this act
18 shall take effect and be in full force from and after its passage and approval.
19

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Internal Joint Resolution No. 101

By: Baker (OU) of the Senate
Swearengin (OU) of the House
Gourley (OU) of the House

AS INTRODUCED

A Joint Resolution directing the O.I.L. Election Commission to refer to the people for their approval or rejection a proposed amendment to Article of the Seventh of the Oklahoma Intercollegiate Legislature Constitution, changing the oath of office; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SPECIAL SESSION OF THE 50th OKLAHOMA INTERCOLLEGIATE LEGISLATURE:

Section 1. The O.I.L. Election Commission shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Article 7 of the Constitution of the Oklahoma Intercollegiate Legislature to read as follows:

Article of the Seventh

All officers, before entering the duties of their offices, shall take and subscribe to the following oath or affirmation: "I, do solemnly swear (or affirm) that I will support, obey, and defend the Constitution of the United States, the Constitution of the State of Oklahoma, and the Constitution of the Oklahoma Intercollegiate Legislature; I further swear (or affirm) that I will faithfully discharge my duties as ... to the best of my ability (so help me God)."

Section 2. The Ballot Title for the proposed Constitutional amendment as set forth in Section 1 of the resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____

O.I.L. Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends Article 7 of the Oklahoma Intercollegiate Legislature Constitution. It would change the oath of office taken by all officers before entering the duties of their offices to remove the phrase "so help me God".

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

1
2
3
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9

____ YES, FOR THE AMENDMENT
____ NO, AGAINST THE AMENDMENT

Section 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall prepare and file one copy thereof, including the Ballot Title set forth in Section 2 hereof, with the Secretary of State and one copy with the Attorney General.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Joint Resolution No. SOSU- 102
Morrison (SOSU)

By:
Baker (OU)

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 28 of Article V, Section 1, 4, 15, 16, and 32 of Article VI, and Section 21 of Article X of the Oklahoma Constitution; providing for dissolving the position of Lieutenant Governor and delineating assumption of responsibilities of the office; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 50TH OKLAHOMA INTERCOLLEGIATE LEGISLATURE:

Section 1. The Secretary of State shall refer to the people for their approval or rejection, as in the manner provided by law, the following proposed amendment to Section 1, 4, 15, 16, and 32 of Article VI and Section 21 of Article X of the Oklahoma Constitution to read as follows:

ARTICLE V

Section V-28: Senate - President ~~pro-tempore~~ - Standing committees.

The Senate shall, at the beginning of each regular session and at such other times as may be necessary, elect one of its members President ~~pro-tempore~~, who shall preside over its deliberations ~~in the absence or place of the Lieutenant Governor~~; and the Senate shall provide for all its standing committees and, by a majority vote, elect the members thereof.

ARTICLE VI

Section VI-1: Executive officers enumerated - Offices and records - Duties.

A. The Executive authority of the state shall be vested in a Governor, ~~Lieutenant Governor~~, Secretary of State, State Auditor and Inspector, Attorney General, State Treasurer, Superintendent of Public Instruction, Commissioner of Labor, Commissioner of Insurance and other officers provided by law and this Constitution, each of whom shall keep his office and public records, books and papers at the seat of government, and shall perform such duties as may be designated in this Constitution or prescribed by law.

B. The Secretary of State shall be appointed by the Governor by and with the consent of the Senate for a term of four (4) years to run concurrently with the term of the Governor.

C. Upon competition of the term of the Lieutenant Governor whose term begins of the sixteenth (16th) day of November in 2018, the position of Lieutenant Governor shall be dissolved and no further election for the office of Lieutenant Governor shall take place. Constitutional responsibilities of the Lieutenant Governor shall be delineated in this article. Statutory duties of

1 the Lieutenant Governor prescribed by Oklahoma Statutes shall be dissolved and assumption of
2 the said duties shall be determined according to Oklahoma Statutes.

3
4 Section VI-4: Terms of office - Succession.

5 The term of office of the Governor, ~~Lieutenant Governor~~, State Auditor and Inspector, Attorney
6 General, State Treasurer, Commissioner of Labor and Superintendent of Public Instruction shall
7 be four (4) years from the second Monday of January next after their election. The said officers
8 shall be eligible to immediately succeed themselves. No person shall be elected Governor more
9 than two times in succession.

10
11 Section VI-15: Qualifications – President of Senate - Impeachment, etc., during vacancy in
12 Governor's office.

13 ~~The Lieutenant Governor shall possess the same qualifications of eligibility for office as the~~
14 ~~Governor. He shall be president of the Senate, but shall have only a casting vote therein, and~~
15 ~~also in joint vote of both houses. If, d~~During a vacancy of the office of Governor, or if the
16 ~~Lieutenant~~ Governor shall be impeached, displaced, resign, die or be absent from the State, or
17 become incapable of performing the duties of the office, the president, ~~pro tempore~~, of the Senate
18 shall act as Governor until the vacancy be filled or the disability shall cease; and if the president,
19 ~~pro tempore~~, of the Senate, for any of the above enumerated causes, shall become incapable of
20 performing the duties pertaining to the office of Governor, the Speaker of the House of
21 Representatives shall act as Governor until the vacancy be filled or the disability shall cease.
22 Further provisions for succession to the office of Governor shall be prescribed by law.

23
24 Section VI-16: Devolution of powers and duties of Governor upon president of the Senate
25 ~~Lieutenant Governor~~.

26 In case of impeachment of the Governor, or of his death, failure to qualify, resignation, removal
27 from the State, or inability to discharge the powers and duties of the office, the said office, with
28 its compensation, shall devolve upon the president of the Senate ~~Lieutenant Governor~~ for the
29 residue of the term or until the disability shall be removed.
30

31 Section VI-32: Membership and functions

32 A. The Governor, ~~Lieutenant Governor~~, State Auditor, Superintendent of Public Instruction and
33 the President of the Board of Agriculture shall constitute the Commissioners of the Land Office,
34 who shall have charge of the sale, rental, disposal and managing of the school lands and other
35 public lands of the state, and of the funds and proceeds derived therefrom, under rules and
36 regulations prescribed by the Legislature.

37 B. Should the offices of State Examiner and Inspector and State Auditor be consolidated in the
38 office of State Auditor and Inspector, the State Auditor shall be replaced as a member of the
39 Commissioners of the Land Office by the State Auditor and Inspector. Should the offices not be

1 so consolidated, the membership of the Board shall remain as prescribed in subsection A of this
2 section.

3
4 ARTICLE X

5 Section X-21: State Board of Equalization.

6 A. There shall be a State Board of Equalization consisting of the Governor, State Auditor, State
7 Treasurer, ~~Lieutenant Governor~~, Attorney General, State Inspector and Examiner and President
8 of the Board of Agriculture. The duty of said Board shall be to adjust and equalize the valuation
9 of real and personal property of the several counties in the state, and it shall perform such other
10 duties as may be prescribed by law, and they shall assess all railroad and public
11 service corporation property.

12 B. Should the Offices of State Examiner and Inspector and State Auditor be consolidated in the
13 Office of State Auditor and Inspector, the State Auditor shall be replaced as a member of the
14 State Board of Equalization by the State Auditor and Inspector and the Superintendent of Public
15 Instruction shall be added as a member thereof. Should the offices not be so consolidated, the
16 membership shall remain the same as provided in subsection A of this section and the
17 Superintendent of Public Instruction shall not be added to the membership.

18
19 Section 2. The Ballot Title for the proposed Constitutional amendment as set forth Section 1
20 of this resolution shall be in the following form:

21
22 **BALLOT TITLE**

23
24 Legislative Referendum No. _____

State Question No. _____

25
26 **THE GIST OF THE PROPOSITION IS AS FOLLOWS:**

27 This measure amends Section 28 of Article V, Sections 1, 4, 15, 16, and 32 of Article VI,
28 and Section 21 of Article X of the Oklahoma Constitution. It would dissolve the position
29 of Lieutenant Governor beginning with the expiration of the term of the Lieutenant
30 Governor whose term begins on November 16th, 2018. It provides the responsibilities of
31 the Lieutenant Governor as president of the senate and to serve as Governor in absence of
32 the Governor are to be assumed by the president, pro tempore of the Senate, who is to be
33 styled president of the Senate by this measure, and the position of the Lieutenant
34 Governor on the Commissioners of the Land Office and State Board of Equalization are
35 to be dissolved.

36
37 **SHALL THE PROPOSAL BE APPROVED?**

38
39 _____ YES, FOR THE PROPOSAL

40 _____ NO, AGAINST THE PROPOSAL

41
42

1 Section 3. The President Pro Tempore of the Senate shall, immediately after the passage of
2 this resolution, prepare and file one copy thereof, including the Ballot Title set
3 forth in Section 2 hereof, with the Secretary of State and one copy with the
4 Attorney General.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Joint Resolution No. 103

By: Bell (OU)

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Article XXIII Section 1A of the Constitution of the State of Oklahoma; allowing labor unions to collect dues; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2nd SESSION OF THE 50th OKLAHOMA INTERCOLLEGIATE LEGISLATURE:

Section 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Article XXIII Section 1A of the Constitution of the State of Oklahoma to read as follows:

~~Right to work.~~ Right to unionize.

A. As used in this section, "labor organization" means any organization of any kind, or agency or employee representation committee or union, that exists for the purpose, in whole or in part, of dealing with employers concerning wages, rates of pay, hours of work, other conditions of employment, or other forms of compensation.

B. No person shall be required, as a condition of employment or continuation of employment, to: resign or refrain from voluntary membership in, voluntary affiliation with, or voluntary financial support of a labor organization.

C. No employer in the State of Oklahoma shall prohibit, discourage, or in any way impede employees from forming or participating in labor organizations.

~~1. Resign or refrain from voluntary membership in, voluntary affiliation with, or voluntary financial support of a labor organization;~~

~~2. Become or remain a member of a labor organization;~~

~~3. Pay any dues, fees, assessments, or other charges of any kind or amount to a labor organization;~~

~~4. Pay to any charity or other third party, in lieu of such payments, any amount equivalent to or pro rata portion of dues, fees, assessments, or other charges regularly required of members of a labor organization; or~~

~~5. Be recommended, approved, referred, or cleared by or through a labor organization.~~

~~C. It shall be unlawful to deduct from the wages, earnings, or compensation of an employee any union dues, fees, assessments, or other charges to be held for, transferred to, or paid over to a labor organization unless the employee has first authorized such deduction.~~

~~D. The provisions of this section shall apply to all employment contracts entered into after the effective date of this section and shall apply to any renewal or extension of any existing contract.~~

E D. Any person who directly or indirectly violates any provision of this section shall be guilty of a misdemeanor.

1
2 Section 2. The Ballot Title for the proposed Constitutional amendment as set forth in Section
3 1 of the resolution shall be in the following form:

4
5 **BALLOT TITLE**

6
7 Legislative Referendum No. _____ O.I.L. Question No. _____
8

9 **THE GIST OF THE PROPOSITION IS AS FOLLOWS:**

10
11 This measure amends Article XXIII Section 1A of the Constitution of the State of
12 Oklahoma. It would repeal the "Right to Work" amendment passed in 2001, guarantee
13 employees the right to form labor organizations, and allow labor organizations to collect dues
14 from the employees they represent.
15

16 **SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?**

17
18 _____ YES, FOR THE AMENDMENT
19 _____ NO, AGAINST THE AMENDMENT
20

21 Section 3. The Chief Clerk of the House of Representatives, immediately after the passage
22 of this resolution, shall prepare and file one copy thereof, including the Ballot
23 Title set forth in Section 2 hereof, with the Secretary of State and one copy with
24 the Attorney General.
25
26
27
28

29 Oklahoma Intercollegiate Legislature
30 2nd Session of the 50th Legislature (2018)

31
32 Senate Bill No. ECU- 001 By: Heitland (ECU)
33

34 **AS INTRODUCED**

35
36 An act relating to the punishment for the purchase of prostitution; amending Title 21 O.S.
37 § 1031; and providing an effective date.
38

39 **BE IT ENACTED BY THE STATE OF OKLAHOMA**

40
41 Section 1. AMENDATORY 21 O.S. § 1031, is amended to read as follows:
42 A. Except as provided in subsection B or C of this section, any person violating
43 any of the provisions of Section 1028, 1029 or 1030 of this title shall be guilty of
44 a misdemeanor and, upon conviction, shall be punished by imprisonment in the
45 county jail for not less than thirty (30) days nor more than one (1) year or by fines
46 as follows: a fine of not more than Two Thousand Five Hundred Dollars

1 (\$2,500.00) upon the first conviction for violation of any of such provisions, a
2 fine of not more than Five Thousand Dollars (\$5,000.00) upon the second
3 conviction for violation of any of such provisions, and a fine of not more than
4 Seven Thousand Five Hundred Dollars (\$7,500.00) upon the third or subsequent
5 convictions for violation of any of such provisions, or through participation in a
6 John's School which increases prevention through education, or by a combination
7 of the three options. ~~by both such imprisonment and fine.~~ In addition, the court
8 may require a term of community service of not less than forty (40) nor more than
9 eighty (80) hours. The court in which any such conviction is had shall notify the
10 county superintendent of public health of such conviction.

11 B. Any person who engages in an act of prostitution with knowledge that they are
12 infected with the human immunodeficiency virus shall be guilty of a felony
13 punishable by imprisonment in the custody of the Department of Corrections for
14 not more than five (5) years.

15 C. Any person who engages in an act of child prostitution, as defined in Section
16 1030 of this title, shall, upon conviction, be guilty of a felony punishable by
17 imprisonment in the custody of the Department of Corrections for not more than
18 ten (10) years and by fines as follows: a fine of not more than Five Thousand
19 Dollars (\$5,000.00) upon the first conviction, a fine of not more than Ten
20 Thousand Dollars (\$10,000.00) upon the second conviction, and a fine of not
21 more than Fifteen Thousand Dollars (\$15,000.00) upon the third or subsequent
22 convictions.

23 D. Any person violating any of the provisions of Section 1028, 1029 or 1030 of
24 this title within one thousand (1,000) feet of a school or church shall be guilty of a
25 felony and, upon conviction, shall be punished by imprisonment in the custody of
26 the Department of Corrections for not more than five (5) years or by fines as
27 follows: a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00)
28 upon the first conviction for violation of any of such provisions, a fine of not
29 more than Five Thousand Dollars (\$5,000.00) upon the second conviction for
30 violation of any of such provisions, and a fine of not more than Seven Thousand
31 Five Hundred Dollars (\$7,500.00) upon the third or subsequent convictions for
32 violation of any of such provisions, or by both such imprisonment and fine. In
33 addition, the court may require a term of community service of not less than forty
34 (40) nor more than eighty (80) hours. The court in which any such conviction is
35 had shall notify the county superintendent of public health of such conviction.
36

37 Section 2. This act shall become effective the 1st of January 2020 after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ECU-002

By: Heitland (ECU)

AS INTRODUCED

An act relating to the prevention of diseases through vaccinations; providing short title; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Vaccinations” Act of 2018.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

It is the intent of the Legislature to provide:

(a) A means for the eventual achievement of total immunization of appropriate age groups against the following childhood diseases:

(1) Diphtheria.

(2) Hepatitis B.

(3) Haemophilus influenzae type b.

(4) Measles.

(5) Mumps.

(6) Pertussis (whooping cough).

(7) Poliomyelitis.

(8) Rubella.

(9) Tetanus.

(10) Varicella (chickenpox).

(11) Any other disease deemed appropriate by the department, taking into consideration the recommendations of the Advisory Committee on Immunization Practices of the United States Department of Health and Human Services, the American Academy of Pediatrics, and the American Academy of Family Physicians.

1
2 (b) That the persons required to be immunized be allowed to obtain
3 immunizations from whatever medical source they so desire, subject only to the
4 condition that the immunization be performed in accordance with the regulations
5 of the department and that a record of the immunization is made in accordance
6 with the regulations.

7
8 (c) Exemptions from immunization for medical reasons.

9
10 (d) For the keeping of adequate records of immunization so that health
11 departments, schools, and other institutions, parents or guardians, and the persons
12 immunized will be able to ascertain that a child is fully or only partially
13 immunized, and so that appropriate public agencies will be able to ascertain the
14 immunization needs of groups of children in schools or other institutions.

15
16 (e) Incentives to public health authorities to design innovative and creative
17 programs that will promote and achieve full and timely immunization of children.

18 Section 5. PENALTIES

19
20 A. Parents who fail to comply with this law shall be subject to a \$500 (five hundred) fine
21 and mandated vaccinations before their child is allowed to return to public education.

22
23 Section 6. This act shall become effective January 1, 2020 upon passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ECU-003

By: Riddle (ECU)

AS INTRODUCED

An act relating to the conduct of election and eliminating straight-party voting; amending 26 O.S. §§ 7-119, 7-127; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. AMENDATORY 26 O.S. § 7-119, is amended to read as follows:

The voter shall vote by marking the ballot as prescribed by the Secretary of the State Election Board ~~for the party of his choice or for the voter's choice of candidates of his choice or for the answer he~~ choice the voter desires to select on each question.

Section 2. AMENDATORY 26 O.S. § 7-127, is amended to read as follows:

The following rules shall govern the counting and recounting of votes:

1. If the name of any person is written on a ballot, the name shall not be counted;
2. A valid vote shall be any mark prescribed by the Secretary of the State Election Board made by voters indicating the voter's choice of ~~party,~~ candidate or issue on a ballot. Such marking shall be hereinafter referred to as "valid markings". Such valid markings located otherwise on the ballot shall not be counted;
3. Marks used to designate the intention of the voter, other than those herein defined as valid markings, shall not be counted;
4. Failure to properly mark a ballot as to one or more candidates or questions shall not of itself invalidate the entire ballot if the same has been properly marked as to other candidates or questions; and
5. ~~A valid marking marked for a political party shall be counted as a vote for each of the political party's candidates on that ballot, except that a valid marking marked for a candidate's name shall take precedence, for that office, over a valid marking for a political party. Provided, further, that if valid markings are marked for more than one political party on a ballot, the ballot shall not be counted for any party offices thereon; and~~
6. Any ballot or part of a ballot on which it is impossible to determine the voter's choice of candidate shall be void as to the candidate or candidates thereby affected.

Section 3. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ECU-004

By: Riddle (ECU)

AS INTRODUCED

An act relating to the days and times for lawful sale for on-premises consumption;
amending 37A O.S. § 3-125; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. AMENDATORY 37A O.S. § 3-125, is amended to read as follows:

- A. No alcoholic beverages may be sold, dispensed, served or consumed on the premises of a mixed beverage, caterer, public event, charitable event, special event, on-premises beer and wine, small brewer or brewpub licensee between the hours of 2:00 a.m. and 8:00 a.m. Municipalities may enact ordinances requiring such premises to be closed to the public between the hours of 2:00 a.m. and 6:00 a.m.
- B. Counties that elect to authorize sales of alcoholic beverages by the individual drink may designate any or all of the following days as days or portions thereof on which the sales of alcoholic beverages are not authorized:
 1. ~~On the first day of the week, commonly called Sunday;~~ and
 2. On Decoration or Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- C. Counties that elect to authorize sales of alcoholic beverages by the individual drink shall not prohibit such sales on the day of any national, state, county or city election, including primary elections, provided that the election day does not occur on any day on which such sales may otherwise be prohibited by any other law.

Section 5. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ECU-005

By: Riddle (ECU)

AS INTRODUCED

An act relating to unmanned aerial vehicle; providing short title; providing for definitions; providing for codification; providing for penalties and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Protecting Aerial Youth” Act of 2018.

Section 2. DEFINITIONS

“Level-Three (3) Sex Offender” means any person that is convicted of child abuse or exploitation, child endangerment involving rape, caretaker abuse or neglect involving rape, incest, forcible sodomy, first degree rape or rape by instrumentation, lewd or indecent proposals or acts to a child under 16, sexual battery, kidnapping involving sexual abuse or sexual exploitation, child sex trafficking, second degree rape, or a second or subsequent conviction of a sex crime.

“Minor person” means anyone that is under the age of eighteen.

“Unmanned Aerial Vehicle” means an aircraft that does not carry a human operator and that is capable of flight under remote control or autonomous programming.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

A Level-Three (3) sex offender shall not knowingly or intentionally operate an unmanned aerial vehicle for the purpose of: following, contacting, or capturing images or recordings of one (1) or more minor person(s).

Section 4. PENALTIES

A Level-Three (3) sex offender in violation shall undergo the following: first time offense of a condition of probation, second time offense of a condition of parole, and third time offense of one (1) year minimum sentence.

Section 5. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ECU-006

By: Heitland (ECU)

AS INTRODUCED

An act relating to combating the growing opioid crisis through concentrated continuing education for medical doctors; providing short title; providing for definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Prevention though Training” Act of 2018.

Section 2. DEFINITIONS

- A. “CME” stands for Continuing Medical Education. 60 Category 1 credits that conform with the guidelines of the American Medical Association/Oklahoma State Medical Association/American Academy of Family Physicians or other certifying organization reorganized by the Board must be completed every three years.
- B. “The Opioid Crisis” refers to the high rate of abuse and deaths due to misuse of opioids. According to a 2018 report by Oklahoma’s Attorney General Mike Hunter, “In the last 15 years, drug overdose deaths in the state have increased by 91 percent and continue to rise. We lose nearly 1,000 Oklahomans per year due to a drug overdose. In the last three years, more than 1,300 newborns tested positive for substance exposure and went into withdrawal the moment they were born.”

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. Licensed Medical physicians must devote a minimum of nine of their required CME hours to courses having to do with the opioid crisis and prevention.
- B. These nine hours are not in addition to their required hours.
- C. These nine hours must conform to the guidelines outlined by the American Medical Association/Oklahoma State Medical Association/American Academy of Family Physicians or other certifying organizations reorganized by the Board.

Section 5. PENALTIES

- A. Medical Physicians who fail to complete their nine required hours of opioid training will have their license suspended until the completion of those courses.

1 Section 6. This act shall become effective January 1, 2020 upon passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. NWOSU-001

By: Shirey (NWOSU)

AS INTRODUCED

An Act relating to game and fish; directing the Oklahoma Wildlife Conservation Commission to limit the taking of antlered deer per season; and setting an effective date.

BE IT ENACTED BY THE OKLAHOMA INTERCOLLEGIATE LEGISLATURE

Section 1. This act shall be known as the “Don’t Kill All of Bambi’s Dads” Act of 2018.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

The combined season limit for deer archery, youth deer gun, deer muzzleloader and deer gun seasons set by the Oklahoma Wildlife Commission shall include no more than three (3) antlered deer per individual.

Section 3. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. NWOSU-002

By: Shirey (NWOSU)

AS INTRODUCED

An Act relating to feral swine; amending 2 O.S. 2011, Section 6-604; allowing removal of feral swine on private property at night; and setting an effective date.

BE IT ENACTED BY THE OKLAHOMA INTERCOLLEGIATE LEGISLATURE

Section 1. This act shall be known as the “Kill Those Hogs” Act of 2018.

Section 2. AMENDATORY 2 O.S. 2011, Section 6-604, is amended to read as follows:

Section 6-604.

A. Except as otherwise specified in the Feral Swine Control Act, any person with permission of the owner may remove feral swine from private ~~or public~~ property during daylight hours or at night. Any person who removes or attempts to remove feral swine pursuant to this section shall not be required to obtain a license to hunt wildlife issued by the Department of Wildlife Conservation or a permit to control wildlife issued pursuant to Section 4-135 of Title 29 of the Oklahoma Statutes.

B. Any person who intends to kill or attempt to kill feral swine on public property at night shall obtain a permit issued by the Department of Wildlife Conservation pursuant to Section 4-135 of Title 29 of the Oklahoma Statutes and promulgated rules.

Section 3. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. NWOSU-003

By: Shirey (NWOSU)

AS INTRODUCED

An Act relating to game and fish; amending 29 O.S. 2011, Section 4-114, as amended by Section 1, Chapter 112, O.S.L. 2014 (29 O.S. Supp. 2017, Section 4-114), which relates to hunting and fishing licenses; creating a nonresident lifetime combination hunting and fishing license; and setting an effective date.

BE IT ENACTED BY THE OKLAHOMA INTERCOLLEGIATE LEGISLATURE

Section 1. This act shall be known as the “Non-Oklahoman Hunting and Fishing License” Act of 2018.

Section 2. AMENDATORY 29 O.S. 2011, Section 4-114, as amended by Section 1, Chapter 112, O.S.L. 2014 (29 O.S. Supp. 2017, Section 4-114), is amended to read as follows:

Section 4-114.

A. All legal residents who have resided in the state for at least six (6) months and intend to remain residents may purchase lifetime fishing licenses, lifetime hunting licenses or lifetime combination hunting and fishing licenses from the State Wildlife Conservation Director.

B. The fee for these licenses shall be:

1. Lifetime fishing license, Two Hundred Dollars (\$200.00);
2. Lifetime hunting license, Six Hundred Dollars (\$600.00);
3. Lifetime combination hunting and fishing license, Seven Hundred Fifty Dollars (\$750.00);
4. Senior citizen lifetime hunting license for persons sixty-five (65) years of age or older, Fifteen Dollars (\$15.00);
5. Senior citizen lifetime fishing license for persons sixty-five (65) years of age or older, Fifteen Dollars (\$15.00); and
6. Senior citizen lifetime combination hunting and fishing license for persons sixty-five (65) years of age or older,

1 Twenty-five Dollars (\$25.00). C. Legal A legal resident
2 having proper certification from the United States
3 Department of Veterans Affairs or its successor certifying
4 that the person is a disabled veteran may purchase a
5 disability lifetime combination hunting and fishing license
6 from the State Wildlife Conservation Director. The fees fee
7 for the license shall be as follows:
8

9 C. ~~Legal~~ A legal resident having proper certification from the United
10 States Department of Veterans Affairs or its successor certifying
11 that the person is a disabled veteran may purchase a disability
12 lifetime combination hunting and fishing license from the State
13 Wildlife Conservation Director. The ~~fees~~ fee for the license shall
14 be as follows:
15

- 16 1. Two Hundred Dollars (\$200.00) for veterans having a
17 disability of less than sixty percent (60%); ~~and~~ or
18
- 19 2. Twenty-five Dollars (\$25.00) for veterans having a
20 disability of sixty percent (60%) or more.
21

22 D. All nonresidents may purchase a lifetime combination hunting and
23 fishing license from the State Wildlife Conservation Director. The
24 fee for this license shall be One Thousand Dollars (\$1,000.00);
25

26 E. The use of the licenses provided in this section are subject to those
27 restrictions provided by statute and the regulations of the Wildlife
28 Conservation Commission. Except as otherwise provided for in
29 this section, each lifetime hunting license issued pursuant to
30 subsections B and C of this section shall be in lieu of all annual
31 hunting licenses and all special season permits.
32

33 ~~E.~~ F. Should any lifetime license be lost or destroyed, a duplicate will be
34 issued by the Department of Wildlife Conservation for a fee of Ten
35 Dollars (\$10.00).
36

37 ~~F.~~ G. A lifetime licensee shall not lose the privileges of such license by a
38 subsequent transfer of residency.
39

40 ~~G.~~ H.

- 41 1. In addition to the fees imposed pursuant to paragraphs 1
42 through 3 of ~~subsection~~ subsections B and D of this section,
43 a person purchasing a lifetime fishing, hunting or
44 combination license, excluding a senior citizen lifetime
45 hunting, fishing or combination hunting and fishing license
46 issued pursuant to paragraphs 4 through 6 of subsection B

1 of this section and a disability lifetime combination hunting
2 and fishing license issued pursuant to subsection C of this
3 section, shall be required to purchase a Lifetime Oklahoma
4 Wildlife Land Stamp. Each person shall have the stamp in
5 their possession while hunting, fishing, or taking any
6 wildlife. The fee for the Lifetime Oklahoma Wildlife Land
7 Stamp shall be Twenty-five Dollars (\$25.00). The fee for
8 the stamp shall be distributed as follows:
9

10 Section 3. This act shall become effective 90 days after passage and approval.
11

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. NWOSU-004

By: Shirey (NWOSU)

AS INTRODUCED

An Act relating to food labels; creating definitions; requiring labeling of covered commodities; setting an effective date.

BE IT ENACTED BY THE OKLAHOMA INTERCOLLEGIATE LEGISLATURE

Section 1. This act shall be known as the "Label Our Meat" Act of 2018.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

For the purposes of this act:

1. The term "covered commodity" means any muscle cuts of beef, muscle cuts of pork, ground beef or ground pork meat;

2. The term "Department" means the Department of Agriculture, Food, and Forestry; and

3. The term "retailer" means any retailer that operates or transacts business in this state.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

A retailer of a covered commodity shall inform consumers in this state, at the final point of sale of the covered commodity to consumers, of the country of origin of the covered commodity. Any covered commodity that is sold in this state shall, as it is packaged, include a label stating the country of origin of the covered commodity.

The State Department of Agriculture, Food, and Forestry shall notify all retailers of a covered commodity immediately if a covered commodity is believed to have contracted or been infected with any disease or other imperfection that would risk the health of a consumer and what nation those covered commodities originated in.

Section 3. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. NWOSU-005

By: Shirey (NWOSU)

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 2011, Section 7-119; amending 26 O.S. 2011, Section 7-127; providing for short title; and setting an effective date.

BE IT ENACTED BY THE OKLAHOMA INTERCOLLEGIATE LEGISLATURE

Section 1. This act shall be known as the "Repeal Straight Party Voting" Act of 2018.

Section 2. AMENDATORY 26 O.S. 2011, Section 7-119, is amended to read as follows:

Section 7-119. The voter shall vote by marking the ballot as prescribed by the Secretary of the State Election Board ~~for the party of his choice or for the voter's choice of candidates of his choice~~ or for the answer he choice the voter desires to select on each question.

Section 3. AMENDATORY 26 O.S. 2011, Section 7-127, is amended to read as follows:

Section 7-127. The following rules shall govern the counting and recounting of votes:

1. If the name of any person is written on a ballot, the name shall not be counted;
2. A valid vote shall be any mark prescribed by the Secretary of the State Election Board made by voters indicating the voter's choice of ~~party~~, candidate or issue on a ballot. Such marking shall be hereinafter referred to as "valid markings". Such valid markings located otherwise on the ballot shall not be counted;
3. Marks used to designate the intention of the voter, other than those herein defined as valid markings, shall not be counted;
4. Failure to properly mark a ballot as to one or more candidates or questions shall not of itself invalidate the entire ballot if the same has been properly marked as to other candidates or questions; and
5. ~~A valid marking marked for a political party shall be counted as a vote for each of the political party's candidates on that ballot, except that a valid marking marked for a candidate's name shall take precedence, for that office, over a valid marking for a political party. Provided, further, that if valid markings are marked for~~

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~~more than one political party on a ballot, the ballot shall not be counted for any party offices thereon; and~~

6. Any ballot or part of a ballot on which it is impossible to determine the voter's choice of candidate shall be void as to the candidate or candidates thereby affected.

Section 3. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OPSU-001
Johnson (OPSU)

By:

AS INTRODUCED

An act relating to the budget of the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS); providing a short title; providing definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA:

Section 1. This act shall be known as the “ODMHSAS Budget” Act of 2018.

Section 2. DEFINITIONS

- A. ODMHSAS- Agency of government relating to mental illness and substance abuse.
- B. Corporation- Company or group of people authorized to act as a single entity and recognized as such in law.
- C. Large Corporation- A corporation who had taxable income of one million dollars or more for any of the three tax years immediately preceding the 2017 tax year.
- D. Small Corporations- A corporation who had taxable income of less than one million dollars for any of the three tax years immediately preceding the 2017 tax year.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. Open up the budget to where corporations can help out.
- B. Corporations who donate towards the fund will receive a state income tax deduction.
- C. For smaller corporations there will be 20% tax deduction per hundred thousand donated with a cap of five hundred thousand.
- D. For larger corporations there will be 20% tax deduction per million donated with a cap of five million.

Section 4. This act shall become effective one (1) year after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OPSU-002
(OPSU)

By: Hixson

AS INTRODUCED

An act relating to the holiday compensation of employees in the state of Oklahoma; providing a short title; providing for codification; and providing an effective date.

BE IT ENACTED BY THE OKLAHOMA STUDENT GOVERNMENT ASSOCIATION:

Section 1. This act shall be known as the “Oklahoma Holiday Compensation Act”

Section 2. DEFINITIONS

- A. “Employer” a person or institution that hires employees and offer wages to the workers in exchange for labor.
- B. “Time and a half” pay is 50 percent more than an employee’s regular pay rate. This means for every hour of overtime an employee works, the employer must give employees their regular pay plus half of that.
- C. “Salaried workers” are employees who are paid on a salary basis. This means that he/she receives regular pay on a regular basis and the amount does not fluctuate in regard to the quality or quantity of work performed.
- D. “Employee” is a person below the executive level who is hired by another to perform a service for wages under another’s control.

Section 3. NEW LAW A new section of law to be codified in the OSGA
(Constitution/Bylaws)

as Article # of Section #, unless there is created a duplication in numbering, to read as follows:

Employers in the state of Oklahoma must pay employees time and a half on holidays only if they work that day. Holidays include New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and the Friday after, Easter, Christmas Day, and Christmas Eve. Exempt from this are salaried workers because they already have a fixed amount of pay regardless of how much they worked.

Section 4. PUNISHMENT If company fails to comply with the Oklahoma Holiday Compensation Act, the employer or payer of the wages shall be fined that of which the

1 employees are owed. If refusal to comply with the act continues onto the next stated
2 holiday, the payer of the wages shall be terminated from employment by the state.

3

4 Section 4. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Congress (2018)

Senate Bill No. OPSU-003
(OPSU)

By: Morigeau

AS INTRODUCED

An act relating to aiding children with disabilities; providing a short title;
providing for definitions; providing for codification; and providing an
effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Helping Hearts” Act of 2018.

Section 2. DEFINITIONS

- A. “Para-Professional” a trained aide who assists a professional person.
- B. “Disabilities” a physical, mental, cognitive, or developmental condition that impairs, interferes with, or limits a person’s ability to engage in certain tasks or actions or participate in typical daily activities and interactions.
- C. “Proficient” well advanced in an art, occupation, or branch of knowledge.
- D. “Specialists” one who specializes in an occupation, practice, or field of study. A person who specializes in diagnosing impairments and disorders.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. Public schools will provide a para-professional to assist the needs of students with physical and/or mental disabilities that affect their academic performance.
- B. The Superintendent of each district will oversee the employment of one (1) para-professional per one hundred (100) students for each school in its district.
- C. The para-professionals must be proficient in all areas relating to disabilities and impairments that affect a child’s learning ability, including but not limited to, hearing loss, vision loss, autism, and down syndrome.
- D. A student may be eligible for assistance from a para-professional if the student is provided with a note from a specialist proving the need for assistance.

Section 5. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2st Session of the 50th Legislature (2018)

Senate Bill No. OPSU-004
(OPSU)

By: Byrd

AS INTRODUCED

An act relating to aiding the financial needs of athletes; providing a short title; providing definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA:

Section 1. This act shall be known as the “Payment of College Athletes” Act of 2018.

Section 2. DEFINITIONS

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. All student athletes from public university’s or colleges shall receive funds from the institution that they are attending, in the form of a stipend.
- B. The funds given to student will come from the sales of all athletic events and merchandise.
- C. Each athletic conference will be responsible for the implementation or oversight of this new regulation.
- D. How does the athletic director or finance director fit into this? There will be a Sport Finance Director to overview all money being disputed to the athletics, and to enforce that all the money is being disputed fairly over all sports.

Section 4. PENALTIES

- A. If the universities and colleges fail to comply a report will be filed and turned into the athletic conference that the university or college belongs to.

Section 5. This act shall become effective on 90 days after passage and approval.

AS INTRODUCED

An act relating to Oklahoma Drivers License; providing a short title; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “*Follow the Road*”

Section 2. DEFINITIONS

- A. DMV-Department of Motor Vehicles
- B. Oklahoma Driver’s License
- C. Assessment- : the action or an instance of making a judgment about something : the act of assessing something : appraisal

Section 3. NEW LAW A new section of law to be codified into the Oklahoma Statutes and to read as follows:

- A. Oklahoma Driver’s License holders must report to the Department of Motor Vehicles to renew their license annually by completing and passing the assessment created by the DMV
- B. The Department of Motor Vehicles must create an assessment in which the Oklahoma Drivers’ License Holder will be remediate on the laws of operating a motor vehicle.
- C. The DMV will be left to decide cost of the assessment and renewal.
 - a. The DMV may not charge the license holder more than money than what it costs to administer the test
- D. Once the license holder has completed and passed the assessment, they will receive a stamp on the back of their driver’s license with the official state seal and the date that the test was administered and passed.
- E. The stamp must be administered by the DMV in which they took the license holder took the test.
- F. The DMV will send a reminder to the license holders mailing address 1 month prior to the renewal date and assessment.
- G. If the license holder fails the assessment, he/she will be given three (3) chances to pass the assessment. If the license holder fails on the third attempt their license will be suspended until one (1) year after the third attempt. At that time the DMV will administer the test again.

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Section 4. PENALTIES

- A. If the license holder fails to report for their renewal and assessment he/she will be given a warning from the Department of Motor Vehicles.
- B. If the license holder fails to report to take the assessment after a warning has been administered, the violator will be fined ten (10) dollars a month until they report to take the assessment.
- C. If the license holder is found to have a stamp that has not been administered by a DMV official, the license holders' license will be immediately suspended indefinitely.

Section 5. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-001

By: Brown (ORU)

AS INTRODUCED

An act relating to the Oklahoma National Guard; providing short title; providing for codification; providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "True Patriot" Act of 2018.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows: all citizens of Oklahoma between the ages of eighteen (18) and twenty five (25) shall be required to serve in the Oklahoma National Guard for two (2) years.

Exceptions to join shall be:

Must have been a citizen of the state for five (5) years to be required to join.

The Oklahoma Military Department shall make guide lines of exemption as they deem necessary on physical traits and religious objections.

Section 3. This act shall become effective ninety (90) days after passage.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-002

By: Brown (ORU)

AS INTRODUCED

An act relating to marijuana; providing short title; providing for codification; providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “We’ll Pass” Act of 2018.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows: local municipalities shall have the right to banded and punish the sale of marijuana or any of its products in their jurisdiction.

Section 3. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-003

By: Ingegneri (ORU)

AS INTRODUCED

An act relating to private school tuition scholarships; Amending Title 68-2357.206; providing for codification; providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “School tax Credits Amendatory” Act of 2018.

Section 2. AMENDATORY

- A. “educational Scholarship”- scholarships to an eligible student of up to Five Thousand Dollars (\$5,000.00) or eighty percent (80%) Eight thousand dollars (\$8,000) or one-hundred percent (100%) of the statewide annual average per-pupil expenditure as determined by the National Center for Education Statistics, U.S. Department of Education, whichever is greater, to cover all or part of the tuition, fees and transportation costs of a qualified school which is accredited by the State Board of Education or an accrediting association approved by the Board pursuant to Section 3-104 of Title 70 of the Oklahoma Statutes, or
- B. the credit against the tax imposed by subsections B, C and F of Section 2355 of Title 68 of the Oklahoma Statutes shall be equal to fifty percent (50%) one-hundred percent (100%) of the total amount of contributions made during a taxable year, not to exceed One Thousand Dollars (\$1,000.00) for each taxpayer or Two Thousand Dollars (\$2,000.00) for married individuals filing jointly for the taxable year in which the credit provided in this section is claimed; provided, if total credits claimed pursuant to this subparagraph exceed the cap established pursuant to paragraph 3 of this subsection, the credit shall be equal to the taxpayer’s proportionate share of the cap for the taxable year, or
- C. the credit against the tax imposed by subsections D and E of Section 2355 of Title 68 of the Oklahoma Statutes shall be equal to fifty percent (50%) one-hundred percent (100%) of the total contributions made during a taxable year; provided, no credit authorized by this subparagraph shall exceed an amount which is equal to One Hundred Thousand Dollars (\$100,000.00) for the taxable year in which the credit provided in this section is claimed; provided, if total credits claimed pursuant to this subparagraph exceed the cap established pursuant to paragraph 3 of this subsection, the credit shall be equal to the taxpayer’s proportionate share of the cap for the taxable year.

Section 3. RETRACTION

1 ~~D. 1. The total credits authorized pursuant to subsection B of this section for all taxpayers~~
2 ~~shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00)~~
3 ~~annually.~~

4 ~~E. 2. The total credits authorized pursuant to subsection C of this section for all taxpayers~~
5 ~~shall not exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) annually.~~

6
7 Section 4. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-004

By: Ingegneri (ORU)

AS INTRODUCED

An act relating to marijuana possession punishments; Amending title 63 – section 2-204;
providing for codification; providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Marijuana Possession Amendatory” Act of 2018.

Section 2. AMENDATORY

A. 2. Any Schedule III, IV or V substance, marijuana, a substance included in subsection D of Section 2-206 of this title, or any preparation excepted from the provisions of the Uniform Controlled Dangerous Substances Act is guilty of a misdemeanor punishable by confinement for not more than one (1) year and by a fine not exceeding One Thousand Dollars (\$1,000.00);

B. First possession of marijuana, a substance included in subsection D of section 2-206 of this title is guilty of a warning and a fine not exceeding Five-Hundred Dollars (\$500)

Section 4. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-005

By: Ingegneri (ORU)
Brennecke (ORU)

AS INTRODUCED

An act relating to voting; providing short title; providing for definitions; providing for codification; providing for penalties; providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "Oklahoma Ranked Choice" Act of 2018.

Section 2. DEFINITIONS

- A. "Batch elimination" means the simultaneous defeat of multiple candidates for whom it is mathematically impossible to be elected.
- B. "Continuing ballot" means a ballot that is not an exhausted ballot.
- C. "Continuing candidate" means a candidate who has not been defeated.
- D. "Exhausted ballot" means a ballot that does not rank any continuing candidate, contains an overvote at the highest continuing ranking or contains two (2) or more sequential skipped rankings before its highest continuing ranking.
- E. "Highest continuing ranking" means the highest ranking on a voter's ballot for a continuing candidate.
- F. "Last-place candidate" means the candidate with the fewest votes in a round of the ranked-choice voting tabulation.
- G. "Mathematically impossible to be elected," with respect to a candidate, means either:
- (1) The candidate cannot be elected because the candidate's vote total in a round of the ranked-choice voting tabulation plus all votes that could possibly be transferred to the candidate in future rounds from candidates with fewer votes or an equal number of votes would not be enough to surpass the candidate with the next-higher vote total in the round; or
 - (2) The candidate has a lower vote total than a candidate described in subparagraph (1)
- H. "Overvote" means a circumstance in which a voter has ranked more than one candidate at the same ranking.
- I. "Ranking" means the number assigned on a ballot by a voter to a candidate to express the voter's preference for that candidate. Ranking number one is the highest ranking, ranking number two (2) is the next-highest ranking and so on.
- J. "Round" means an instance of the sequence of voting tabulation steps established in subsection 2.
- K. "Skipped ranking" means a circumstance in which a voter has left a ranking blank and ranks a candidate at a subsequent ranking.

1 L. "Office elected by ranked-choice voting" means any of the following offices: United
2 States Senator, United States Representative to Congress, Governor, State Senator and
3 State Representative, and includes any nominations by primary election to such offices
4

5 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to
6 read as follows:
7

8 A. Procedures. Except as provided in subsections C and D, the following procedures
9 are used to determine the winner in an election for an office elected by ranked-choice
10 voting. Tabulation must proceed in rounds. In each round, the number of votes for each
11 continuing candidate must be counted. Each continuing ballot counts as one vote for its
12 highest-ranked continuing candidate for that round. Exhausted ballots are not counted for
13 any continuing candidate. The round then ends with one of the following two (2)
14 potential outcomes.

- 15 - If there are two (2) or fewer continuing candidates, the candidate with the most
16 votes is declared the winner of the election.
- 17 - If there are more than two (2) continuing candidates, the last-place candidate is
18 defeated and a new round begins.
19

20 B. Ties. A tie under this section between candidates for the most votes in the final
21 round or a tie between last-place candidates in any round must be decided by lot, and the
22 candidate chosen by lot is defeated. The result of the tie resolution must be recorded and
23 reused in the event of a recount. Election officials may resolve prospective ties between
24 candidates before the election.
25

26 C. Write-In voting. After the listing of candidates with ballot access, there will be a line
27 which says, "write-in here" which allows people to write in any name that they would
28 prefer
29

30 D. Modification of ranked-choice voting ballot and tabulation. Modification of a
31 ranked-choice voting ballot and tabulation is permitted in accordance with the following.
32 - The number of allowable rankings may be limited to no fewer than three (3).
33 - Two or more candidates may be defeated simultaneously by batch elimination
34 in any round of tabulation.
35

36 E. Effect on rights of political parties. For all statutory and constitutional provisions in
37 the State pertaining to the rights of political parties, the number of votes cast for a party's
38 candidate for an office elected by ranked-choice voting is the number of votes credited to
39 that candidate after the initial counting in the first round described in subsection A
40

41
42 Section 5. This act shall become effective on elections held after January 1, 2019

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-006

By: Naylor (ORU)

AS INTRODUCED

An act relating to school zones in private school sectors; providing short title; providing for definitions; providing for codification; providing for penalties and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Safety for Students” Act of 2018.

Section 2. DEFINITIONS

- A. “School Zone” — an area on a street near a school or near a crosswalk leading to a school that has a likely presence of younger pedestrians. School zones generally have a reduced speed limit during certain hours.
- B. “Private School” — a school supported by a private organization or private individuals rather than by the government.
- C. “Public School” — a school supported by public funds.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. All schools must have a school zone regulated by 11 O.S. 1981, Section 22-117
 - a. Private Schools not registered with the Oklahoma State Department of Education shall not be bound by this law.
 - b. Private Schools who have less than two hundred (200) students currently enrolled shall not be bound by this law.
- B. Private Schools may be granted an exemption if the Oklahoma Department of Transportation deems the roads surrounding the school would be unfeasible for a school zone.
- C. The Oklahoma Department of Transportation shall allocate the funds needed for construction of school zones.

Section 4. PENALTIES

- A. Any school that fails to report the absence of a school zone shall be fined two hundred dollars (\$200) per day of the school year the school zone is absent.

Section 5. This act shall become effective before the beginning of the following school year after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-007

By: Naylor (ORU)

AS INTRODUCED

An act relating to setting a minimum age requirement for the death penalty providing short title; amending title 21, providing an effective date, and providing for emergency.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Minimum Age” Act of 2018.

Section 2. AMENDATORY §21-701.10 is amended to read as follows:

- A. Upon conviction or adjudication of guilt of a non-minor defendant of murder in the first degree, wherein the state is seeking the death penalty, the court shall conduct a separate sentencing proceeding to determine whether the non-minor defendant should be sentenced to death, life imprisonment without parole or life imprisonment. The proceeding shall be conducted by the trial judge before the same trial jury as soon as practicable without presentence investigation.
- B. If the trial jury has been waived by the non-minor defendant and the state, or if the non-minor defendant pleaded guilty or nolo contendere, the sentencing proceeding shall be conducted before the court.
- C. In the sentencing proceeding, evidence may be presented as to any mitigating circumstances or as to any of the aggravating circumstances enumerated in Section 701.7 et seq. of this title. Only such evidence in aggravation as the state has made known to the non-minor defendant prior to his trial shall be admissible. In addition, the state may introduce evidence about the victim and about the impact of the murder on the family of the victim.
- D. This section shall not be construed to authorize the introduction of any evidence secured in violation of the Constitutions of the United States or of the State of Oklahoma. The state and the non-minor defendant or his counsel shall be permitted to present argument for or against sentence of death.

Added by Laws 1976, 1st Ex.Sess., c. 1, § 4, eff. July 24, 1976. Amended by Laws 1987, c. 96, § 2, eff. Nov. 1, 1987; Laws 1989, c. 365, § 1, emerg. eff. June 3, 1989; Laws 1992, c. 67, § 1, emerg. eff. April 13, 1992; Laws 2013, c. 6, § 1, eff. Nov. 1, 2013.

Section 3. This act shall become effective immediately.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-008

By: Naylor (ORU)
Salcedo (ORU)

AS INTRODUCED

An act relating to banning the sale and display of the Confederate flag in state funded property; providing short title; providing for definitions; providing for codification; providing for penalties and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Equally Created” Act of 2018.

Section 2. DEFINITIONS

- A. “Battle Flag of the Confederacy” — a flag that was used by the seceded Southern states, or the Confederacy, during the Civil War.
- B. “Sell” — to transfer title or possession, exchange, or barter, conditional or otherwise, in any manner or by any means whatsoever, for consideration.
- C. “Display” --- make a prominent exhibition of something in a place where it can be seen by the public.
- D. “State funded buildings, grounds, or property” --- land or buildings funded by the State of Oklahoma.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. State funded buildings, grounds, or property may not display or sell the Battle Flag of the Confederacy, or anything in similarity of it unless the image appears in a book, digital medium, or state museum that serves an educational or historical purpose.
 - a. The right of individuals to display the Battle Flag of the Confederacy within the state funded buildings, grounds, or property shall not be restricted by this law.

Section 4. PENALTIES

- A. Any state funded buildings, grounds, or property found of in violation of this law shall be fined five thousand dollars (\$5,000) for every week that the Battle Flag of the Confederacy is sold or displayed within those bounds.

Section 5. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-009

By: Roesler (ORU)

AS INTRODUCED

An act relating to legislative blogging; providing short title; providing for codification and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “The Right to Blog” Act of 2018.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

A. The Oklahoma Congress shall create and maintain a website for the purpose of providing a platform on which each legislator may post their position and opinions regarding legislation then or soon to be before either house.

B. Regular codes of conduct which may apply to either house shall apply to the members of their respective house whether in written and/or recorded form.

Section 3. This act shall become effective ninety (90) days after passage and approval, but no sooner than the time it takes for the website to be developed.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-010

By: Roesler (ORU)

AS INTRODUCED

An act relating to amending Oklahoma notary laws; providing short title; amending §26-A1-14-108.1; providing for codification; providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Sign Away” Act of 2018.

Section 2. AMENDATORY §26-A1-14-108.1 is hereby amended to read as follows:

A. Neither a notary public nor an agent working on behalf of a notary public shall be authorized to:

1. Request absentee ballots on behalf of a voter other than himself or herself;
2. Assist a voter in requesting absentee ballots, other than for himself or herself or a member of his or her household;
3. Receive by mail an absentee ballot on behalf of a voter, other than for himself or herself or a member of his or her household; or
4. Submit a completed absentee ballot on behalf of a voter other than for himself or herself.

B. A notary public shall maintain a log of all absentee ballot affidavits that he or she notarizes for a period of at least two (2) years after the date of the election.

~~C. A notary public shall be authorized to notarize a maximum of twenty absentee ballot affidavits for a single election. A notary public may be authorized to notarize more than twenty absentee ballot affidavits with the written approval of the secretary of the county election board. The limitation required by this subsection shall not apply to the notarizing of ballots at the place of business of a notary public during the normal business hours of the notary public; provided, however, such limitations shall apply to any agency or other entity that provides voter registration services as required by the National Voter Registration Act of 1993 or by Sections 4-109.2 and 4-109.3 of this title. No limitation on the number of absentee ballots authorized by any one (1) notary shall be placed.~~

D. If more than ten absentee ballots for a single election are requested to be mailed to a single mailing address, the secretary of the county election board shall immediately notify the district attorney for that county and the Secretary of the State Election Board. Provided, this requirement shall not apply to requests for ballots to be sent to nursing homes, veteran’s centers, medical facilities, multiunit housing, addresses of uniformed or overseas voters as defined by the Uniformed and Overseas Citizens Absentee Voting Act, or other locations authorized in writing by the Secretary of the State Election Board.

1 Section 3. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-011

By: Salcedo (ORU)

AS INTRODUCED

An act relating to changing tables in state buildings; providing short title; providing for definitions; providing for codification; providing for penalties; providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Change Those Diapers” Act of 2018.

Section 2. DEFINITIONS

- A. “Public Buildings”— Any type of building that is accessible to the public and is funded through tax money by the U.S. government or state or local governments.
- B. “Public Facilities” – Any type of institutional response to basic human needs including hospitals, recreation, and police stations that are funded through tax money by the U.S. government or state or local governments.
- C. “Changing Table” – A small raised platform designed to allow a person to change a diaper.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. All new public buildings or facilities that are owned by a state agency, or a portion of a building that is owned by the state must include at least one restroom that is open to the public, shall provide at least one safe, sanitary, convenient, and publicly accessible baby diaper changing station that is accessible to women entering a restroom provided for use by women.
- B. All new public buildings or facilities that are owned by a state agency, or a portion of a building that is owned by the state must include at least one restroom that is open to the public, shall provide at least one safe, sanitary, convenient, and publicly accessible baby diaper changing station that is accessible to men entering a restroom provided for use by men.
- C. Public building or facility is not mandated to build separate stations within both men and women’s restrooms if there is at least one safe, sanitary, convenient, and publicly accessible baby diaper changing station that is accessible to both men and women.
- D. Each baby diaper changing station shall be maintained, repaired, and replaced as necessary to ensure safety and ease of use, and shall be cleaned with the same frequency as the restroom in which it is located.

- 1 E. Each public building or facility must have at least one restroom with a changing
2 station accessible to both men and women for every twenty-five thousand (25,000)
3 square feet within the facility or building.
- 4 F. If a local building permitting entity or building inspector determines that the
5 installation of a baby diaper changing station is not feasible or would result in a
6 failure to comply with applicable building standards governing the right of access for
7 persons with disabilities, the permitting entity or building inspector may grant an
8 exemption from the requirements of this law under those circumstances.
- 9 G. This section does not apply to an industrial building or to a nightclub or bar that does
10 not permit anyone who is under eighteen (18) years of age to enter the premises. This
11 section also does not apply to a restroom located in a health facility if the restroom is
12 intended for the use of one patient or resident at a time.
- 13 H. The state of Oklahoma shall reimburse local agencies and school districts for certain
14 costs mandated by the state in the event that the state did not manage construction
15 costs.

16
17 Section 4. PENALTIES

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19 A. Any public building or facility found in violation of this law shall be subject to
20 suspension of government funding by five percent (5) for every three months it is in
21 violation. or three-thousand (3,000) dollars if it is found to be an individual violation.
22

23 Section 5. This act shall become effective one-hundred-eighty (180) days after passage and
24 approval.
25

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-012

By: Salcedo (ORU)

AS INTRODUCED

An act relating to vaccination exemptions; providing for short title; providing for definitions; providing for codification; providing for penalties; providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Freedom to be Free” Act of 2018.

Section 2. DEFINITIONS

- A. “Vaccination Exemption”- An exemption given from a vaccination when an individual has filed the appropriate paperwork to prove that they or their children have a medical condition or religious belief that prevents them from receiving a vaccine.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. In all public education cases to which an individual must be vaccinated, the individual shall be told either verbally or through written language of his or her right to a medical, religious, or personal belief exemption for vaccinations.
2. The script to which such communication will take place shall be drafted and adopted by the Oklahoma State Department of Health.
3. The communication of such exemption must be delivered either through the paperwork that requires such vaccinations, or verbally by the physician or official requiring them.
4. All cases to which the individual that must be vaccinated is a minor, their parent shall be notified of such exemption either through the paperwork that requires such vaccinations or verbally by the physician or official requiring them.

Section 4. PENALTIES

- A. Any institution or individual found in violation of this law shall be subject to an investigation conducted by the Oklahoma State Department of Health which may determine a punishment they deem fit; up to suspending faculty or a fine equal to fifteen percent (15%) of government funding or three-thousand (3,000) dollars if it is found to be an individual violation.

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Section 5. This act shall become effective one-hundred-eighty (180) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-013

By: Salcedo (ORU)

AS INTRODUCED

An act relating to raw milk; providing short title; providing for definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Got Milk?” Act of 2018.

Section 2. DEFINITIONS

- A. “Raw milk”- cow milk that has not been pasteurized, a process where milk products are heated to decontaminated to remove enzymes, a biodiversity of beneficial bacteria, sugars, proteins, fats, minerals, antibodies, and other elements.
- B. “Retail” – the activity of selling products direct to the public, usually in small quantities.
- C. “Dairy farm” - a *farm* devoted chiefly to the production of milk and the manufacture of butter and cheese.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. The retail sale of Grade A raw cow milk shall be allowed by complying companies and stores under the following guidelines:
- B. Raw milk must be produced by a dairy farm with the needed permits granted by the Oklahoma Department of Agriculture, Food, and Forestry to distribute Grade A milk which may include, but is not limited, to the following permits: Dairy Farm Permit, Milk Plant Permit, Receiving/ Transfer Station Permit, Milk Hauler/ Sampler Permit, and the Milk Tank Truck/ Transportation Company.
- C. All dairy livestock producing milk to be used as raw milk must be tested and found negative for brucellosis and found nonreactive at least once annually for tuberculosis by an ODAFF veterinarian, a USDA veterinarian or a veterinarian approved by ODAFF and accredited by the United States Department of Agriculture.
- D. A bottling or packing facility for raw milk must meet the sanitary requirements of a milk products plant under current Oklahoma guidelines.
- E. Raw milk and raw milk products shall bear the following label, “CAUTION Raw, (unpasteurized milk) and raw milk dairy products contained.”
- F. All persons who come in contact with raw milk shall exercise scrupulous cleanliness and shall not be afflicted with any communicable disease or be in a condition to

1 disseminate the germs of any communicable disease which is liable to be conveyed
2 by milk.

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5 Section 4. PENALTIES
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7 A. Any dairy farm, company, or individual found distributing raw milk outside of these
8 regulations shall be subject to investigation by the ODAFF who may determine a penalty
9 they deem fit; up to a twenty thousand dollar (\$20,000) fine and a permanent suspension
10 of the dairy farm or company.

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12 Section 5. This act shall become effective ninety (90) days after passage and approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-014

By: von Atzigen (ORU)

AS INTRODUCED

A new government policy relating to the printing of documents, better management of natural resources, environmental impact, and finances. Providing for short title; providing for definitions; providing for codification; providing for penalties; providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This policy will be called the “2018 Printing Guidelines.”

Section 2. DEFINITIONS

- A. “Printing” — The production of printed materials, specifically documents, memos, and forms.
- B. “Double-sided” — A printed material marked on both sides of the page.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. All institutions funded by the state of Oklahoma will be required to print all materials double-sided whenever possible. This includes but is not limited to: public schools, first responders, and government offices.
- B. Forms meant to be filled out in duplicate through the use of carbon paper or a similar means need not be double-sided.
- C. Institutions will not receive any funding for the measure unless their printing equipment is incapable of printing double-sided.

Section 4. PENALTIES

- A. Any government funded institution found to be in violation of the new policy will lose the right to list printing equipment and materials as an expense and will be required to provide the necessary funding on their own.

Section 5. This act shall become effective ninety (90) following its passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. ORU-0015

By: von Atzigen (ORU)

AS INTRODUCED

A new law providing a means of education for inmates and reducing the risk of recidivism.
Providing for short title; providing for definitions; providing for codification; providing for
penalties; providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This new law will be called the “Prison Education” Act of 2018.

Section 2. DEFINITIONS

A. “Convict” — Any individual who is incarcerated in a state or local jails and prisons.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to
read as follows:

- A. All convicts serving a prison or jail sentence in the state of Oklahoma, who do not possess a high-school diploma or GED, will be enrolled in a GED program.
- B. An otherwise individual serving a sentence less than three months may choose to opt out of the program.
- C. An otherwise eligible individual who is serving a life-sentence with no chance for parole may choose to opt out of the program.
- D. Convicts who complete the program will have their completion noted on their records to be considered in the event of parole or early release due to good behavior.
- E. All costs associated with the program will be paid for by Oklahoma Department of Corrections.
- F. Convicts will be permitted to opt out of the program provided they sign a document acknowledging that the program is provided at no cost to them and that their potential for recidivism and post-incarceration employment is greatly reduced by acquiring a GED. Furthermore, the form will notify the convict that the completion of the program will be notified by correctional staff as described in Section 3-D.

Section 4. PENALTIES

- A. Any government incarceration facility that fails to comply may face the removal and replacement of its leadership. Private prisons that fail to comply may face a minimum fine of one thousand (\$1,000) per convict per week in violation.

1 Section 5. This act shall become effective ninety (90) days after passage and approval and
2 will apply to all convicts imprisoned after that date and all convicts to be released
3 later than ninety (90) days after passage and approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OSU-001

By: Gray (OSU)

AS INTRODUCED

An Act relating to psychologists for students in the higher education system; providing a short title; providing for definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Psychologists” Act of 2018.

Section 2. DEFINITIONS

- A. “Higher Education Institutions” shall be defined as any institution above a K-12 level of education receiving any form of funds from the state.
- B. A “Psychologist” shall be defined as an individual licensed by the Oklahoma Board of Medical Licensure and Supervision in psychology.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. Higher education institutions in the state of Oklahoma shall be required to have a one to one thousand five hundred (1:1500) ratio of psychologists to students to provide mental health services.

Section 4. PENALTIES

- A. Higher education institutions failing to meet the designated ratio shall be subject to a fine of one hundred thousand (\$100,000) dollars.
- B. Any and all fines collected from higher education institutions shall be put into the Oklahoma Department of Education budget.

Section 5. This Act shall go into effect on July 1, 2019 upon passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OSU-002

By: Kaleka (OSU)

AS INTRODUCED

An act relating to corporal punishment; providing short title; providing for definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Vulnerable Children” Act of 2018.

Section 2. DEFINITIONS

- A. “Minor”- a person under the age of 18
- B. “Corporal punishment”- physical punishment for misbehavior which includes, but is not limited to, hitting, slapping, punching, caning, whipping, scratching, biting, kicking
- C. “Proper authorities”- a person or group, recognized by the state as law enforcement or given the authority to provide child care

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. No person shall, in the State of Oklahoma, be permitted to inflict corporal punishment upon a minor.
- B. Any person or persons found, within reasonable doubt, of committing or influencing an act of corporal punishment toward a minor shall be found in violation of this law.
- C. Anyone witnessing an act of corporal punishment toward a minor must report it to the proper authorities. Failing to report findings are in violation of this law.

Section 4. PENALTIES

- A. Should you be found committing an act of corporal punishment, you will face assault and/or battery charges already defined under Oklahoma Statutes Title 21, §641, and Title 21, §642, respectively.
- B. Failure to report an act of corporal punishment shall be classified as a misdemeanor until the fifth confirmed instance, after which it will be considered a felony.
- C. Minors will not be punished for failure to report instances of corporal punishment to the proper authorities.

Section 6. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OSU-003

By: McSparrin (OSU)

AS INTRODUCED

An Act relating to curriculum being taught too close to the date of a final exam; providing short title; providing for definitions; providing for codification; providing for penalties; and providing for an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This Act shall be known as the “Give the People a Break” Act of 2018.

Section 2. DEFINITIONS

- A. “Professor” - A teacher of the highest academic rank in a college or university, who has been awarded the title Professor in a particular branch of learning.
- B. “Dead Week” – The week before final exams are given.
- C. “University” – An institution of learning of the highest level, having a college of liberal arts and a program of graduate studies together with several professional schools, as of theology, law, medicine, and engineering, and authorize to confer both undergraduate and graduate degrees. Receives funding from state government.
- D. “Final Exam” – The last exam given in a course that is often times cumulative and worth a higher percentage of points towards a student’s final grade.
- E. “Curriculum” – The aggregate of courses of study given in a school, college, university, ect.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. No new curriculum may be taught the Friday of Dead Week. Any and all curriculum that is tested over in the exam must be taught prior to this date. Instead, a review for the final exam may be given, or the professor may opt out of meeting for class.

Section 4. PENALTIES

- A. For any professor found violating this law, each student in the class may or may not pie the professor in the face following the exam.

1 Section 5. This Act shall become effective December 15, 2018 upon passage and approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OSU-004

By: Kaleka (OSU)

AS INTRODUCED

An act relating to the lobbying of doctors by pharmaceutical companies; providing short title; providing for definitions; providing for codification; providing for penalties and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Trust Me, I’m a Doctor” Act of 2018.

Section 2. Definitions

- A. “Lobby” or “lobbied”- seek to influence the choices of a politician or public official on an issue.
- B. “Medical doctor(s)” or “doctor(s)”- a state-licensed professional who practices medicine,
- C. “Pharmaceutical company” or “pharmaceutical companies”- any company that develops, produces, and/or markets drugs or pharmaceuticals for use as medications.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. Medical doctors in the state of Oklahoma shall not be lobbied by any pharmaceutical with the purpose of coercing said medical doctors in to prescribing products to patients.
- B. Pharmacies distributing drugs may not sell or give personal information concerning doctors, including but not limited to the specific types of drugs prescribed by individual medical doctors, to pharmaceutical companies.
- C. No medical doctor shall be permitted to receive gifts, monetary or otherwise, from pharmaceutical company or any of its entities, for services provided or otherwise.
- D. No doctor shall be permitted to simultaneously practice medicine and be employed by a pharmaceutical company or any of its entities, for any period of time.

Section 4. Penalties:

- A. Any medical doctor found violating the provisions of this law shall be subject to the fines and/or punishments for malpractice in the state of Oklahoma.
- B. Any pharmaceutical company or its entities found violating the provisions of this law shall be subject to the fines and/or punishments for fraud in the state of Oklahoma.

Section 5. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OSU-005

By: Kaleka (OSU)

AS INTRODUCED

An act relating to employee wages at dining establishments; providing short title; providing for definitions; providing for codification; providing for penalties and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Give Me the Money” Act of 2018.

Section 2. Definitions

“Tip(s)” means an extra monetary amount rewarded to an employee for services

“Restaurant” means any business selling food or drink

“Employee” means an individual paid to work for a restaurant

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. All persons working in a restaurant establishment shall be paid the state minimum wage without exception for employees earning tips for services rendered.
- B. Any tips awarded to employees by customers will be subject to the rules and regulations of the establishment from which they are employed.
- C. No restaurant establishment shall keep any portion of the tips collected by the employees of such establishment.

Section 4. Penalties:

- A. Any restaurant establishment found guilty of withholding payment to employees under illegal pretenses will have to pay the employee two hundred percent (200%) of the amount withheld.

Section 5. This act shall become effective July 1, 2019 upon passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OSU-006

By: Swezy (OSU)

AS INTRODUCED

An act relating to LGBT+ adoption; providing short title; providing for definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Equal Adoption Rights” Act of 2018.

Section 2. DEFINITIONS

- A. Sexual Orientation: A person’s sexual identity in relation to the gender(s) they are attracted to
- B. Discrimination: prejudicial treatment of particular groups of people on the basis of issues such as sex, race, age, sexual orientation, and gender identity.

Section 3. AMENDATORY Oklahoma Statues Section 1-8-112 of Title 10A will be amended as follows:

~~A. To the extent allowed by federal law, no private child placing agency shall be required to perform, assist, counsel, recommend, consent to, refer, or participate in any placement of a child for foster care or adoption when the proposed placement would violate the agency's written religious or moral convictions or policies.~~

~~B. The Department of Human Services shall not deny an application for an initial license or renewal of a license or revoke the license of a private child placing agency because of the agency's objection to performing, assisting, counseling, recommending, consenting to, referring, or participating in a placement that violates the agency's written religious or moral convictions or policies.~~

~~C. A state or local government entity may not deny a private child placing agency any grant, contract, or participation in a government program because of the agency's objection to performing, assisting, counseling, recommending, consenting to, referring, or participating in a placement that violates the agency's written religious or moral convictions or policies.~~

~~D. Refusal of a private child placing agency to perform, assist, counsel, recommend, consent to, refer, or participate in a placement that violates the agency's written religious or moral convictions or policies shall not form the basis of a civil action~~

~~E. Notwithstanding the provisions of this section, a private Child placing agency shall not refuse to perform any act otherwise required by state or federal law, or authorize any act otherwise prohibited by state or federal law. The provisions of this act shall not be construed to allow a private child placing agency to refuse any services to a child in the custody of the Department.~~

1 A new section of law to be codified in the Oklahoma Statutes to read as follows:

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3 No adoption agencies, regardless of religious affiliation, shall be permitted to refuse to
4 and/or discriminate against LGBT+ individuals or couples on the basis of their sexual
5 orientation.

6

7 Section 4. PENALTIES

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9 A. Any and all agencies deemed in violation of this policy will be subjected to direct
10 oversight from the Department of Human Services for a 6-month period accompanied by
11 a \$100,000 fine

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13 Section 4. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OSU-007

By: McSparrin (OSU)

AS INTRODUCED

An Act relating to income tax and government spending; providing for short title; providing for definitions; providing for codification; providing for penalties; and providing for an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This Act shall be known as the “Keep Your Hand Out of My Pocket” Act of 2018.

Section 2. DEFINITIONS:

“Income Tax” – tax levied by a government directly on earned and unearned income, especially an annual tax on personal income.

“Terminate” – to bring to an end.

“Property tax” – a tax levied on real or personal property.

“Sales tax” – a tax on receipts from sales, usually added to the selling price by the seller.

“Earned income” – income from wages, salaries, fees, or the like, accruing from labor or services performed by the earner.

“Unearned income” – income received from property, as interest, dividends, or the like.

“Illegal immigrant” – a foreigner who enters the U.S. without an entry or immigrant visa, especially a person who crosses the border by avoiding inspection or who overstays the period of time allowed as a visitor, tourist, or businessperson.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

A. All Income Tax in the state of Oklahoma will be terminated.

B. Oklahoma will establish a State Government Waste Commission to analyze Oklahoma’s budget and root out wasteful spending, including the number of those employed under each agency. The commission shall be comprised of individuals from the Oklahoma private sector.

1 C. Government spending will be limited to the following:

2 Education;

3 Transportation;

4 Welfare;

5 Pension;

6 Protection and Emergency;

7 Justice and Prisons;

8 1. Funding given to education will be provided for public schools K-12th grade for
9 salaries, educational tools, building maintenance, child nutrition programs for
10 documented US citizens only.

11 2. Funding provided for Welfare includes assistance with food, housing, and medical
12 programs, which include Medicare, Medicaid and CHIPS for documented US citizens
13 only.

14 3. Funding provided for transportation includes repairs and maintenance on bridges and
15 roads, and new construction of bridges and roads.

16 4. Funding provided for Pension includes state employees only.

17 5. Funding provided for protection includes Oklahoma National Guard, Emergency
18 Management, and Oklahoma Highway Patrol.

19 6. Funding provided for the Justice system and prisons will include repair and
20 maintenance of existing prisons, construction of new prisons, salaries to State
21 employees, and operating expenses.

22
23 Section 4. PENALTIES

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25 A. All businesses operating in the State of Oklahoma will be subject to filing monthly sales
26 tax returns. Failure to file will result in prosecution.

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28 B. Any government employee who is found by the State Government Waste Commission to
29 be using state fund not in compliance with state law and budget guidelines will be
30 charged with fraud and subject to prosecution under the Oklahoma Constitution.

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32 Section 5. This Act shall become effective January 1, 2019 upon passage and approval.

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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OSU-008

By: Thompson (OSU)

AS INTRODUCED

An Act relating to jobs and wage earnings; providing short title; providing definitions; providing for codification and providing for an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Let’s Get This Money Act” of 2018.

Section 2. DEFINITIONS

“Minimum Wage” shall be defined as the lowest wage permitted by law or by special agreement.

“Low Wage Job” shall be defined as any job, paying an hourly wage to employees.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. All low wage jobs in the state of Oklahoma, shall be required to pay their hourly workers ten dollars and ten cents (\$10.10) instead of the current state law of seven dollars and twenty-five cents. (\$7.25)

Section 4. PENALTIES

- A. Low wage jobs who fail to meet the required hourly pay to their employees will be subject to a five hundred dollar (\$500.00) fine.

1.Low wage jobs shall only be subject to a maximum of ten thousand (\$10,000) dollars in fines.

2.All fines collected from low wage jobs failing to meet the requirement shall be put into the Oklahoma Department of Education.

Section 5. This Act shall go into effect on July 1, 2019 upon passage and approval.

Oklahoma Intercollegiate Legislature
1st Session of the 50th Legislature (2018)

Senate Bill No. OSU-009

By: Swezy (OSU)

AS INTRODUCED

An act relating to open primary elections; providing short title; providing for definitions; providing for amendments; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "Oklahoma Open Primaries" Act of 2018.

Section 2. DEFINITIONS

Registered Voter: Any person who is registered to vote in the Oklahoma voter registration system.

Primary Election: election to provide nominees for each political party before a general election.

Private Choice: At the booth, if the voter so chooses, they may be handed all potential primary ballots and be able to anonymously return the party ballots they do not vote on.

Section 3. AMENDATORY §26-1-104 is amended to read as follows:

A. No registered voter shall be permitted to vote in any Primary Election or Runoff Primary Election of any political party except the political party of which his registration form shows him to be a member, except as otherwise provided by this section.

B. A recognized political party may permit registered voters designated as Independents pursuant to the provisions of Section 4-112 of this title to vote in a Primary Election or Runoff Primary Election of the party.

A new section of law to be codified in the Oklahoma Statutes to read as follows:

All registered voters shall be permitted to vote in any Primary Election or Runoff Primary Election of any one political party of their choosing through private choice, poll workers with confirm without knowing which ballot was selected that the voter goes to the poll with only one ballot.

1 Section 4. PENALTIES

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3 Any poll worker found in violation of this policy shall be subjected to a \$500 fine and be
4 permanently barred by the state of Oklahoma from serving as an election official.

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6 Section 4. This act shall become effective 90 days after passage and approval

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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OSU-110

By: McSparrin (OSU)

AS INTRODUCED

An Act relating to breeding dogs; providing short title; providing for definitions; providing for codification; providing for penalties; and providing for an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This Act shall be known as “Sadie’s” Act of 2018

Section 2. DEFINITIONS

“Feral” – having reverted to the wild state, as from domestication.

“Abandon” – to leave completely and finally; forsake utterly; desert.

“Neuter” – to remove organs for sexual reproduction.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

A. A canine breeding license and policies shall be established, maintained, and regulated by the Oklahoma Department of Wildlife.

1. Dogs shall not be bred more than one (1) time a year for three (3) years.
2. No dog may have more than three (3) litters in their lifetime.

B. Such a license must be obtained by any individual who intends to or otherwise allows their dog(s) to produce offspring.

1. Any person over the age of eighteen (18) may acquire a breeding license.

C. All dogs bred without a breeding license must be neutered by one (1) year of age.

D. Dog owners must register their dog with the state upon adoption with any shelter or independent breeder.

E. Any individual who abandons one or more dogs

Section 4. PENALTIES

A. For any person found owning an unneutered dog over the age of one (1) will be subject to fines of one hundred dollars (\$100) per month until proof is given that the dog has been neutered.

1 B. For any person found to have bred their dog over the limit of three (3) times and/or
2 one (1) time per year will be subject to a fine of five thousand dollars (\$5,000) per
3 extra litter they may have bred as well as felony-level animal cruelty charges for each
4 individual dog in the extra litter(s).

5 C. Any person found abandoning a dog without taking it to a shelter or new home shall
6 be charged with felony-level animal cruelty charges.

7

8 Section 5. This Act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OSU-011
(OSU)

By: Thompson

AS INTRODUCED

An Act relating recycling and environmental wellness on college campuses; providing a short title; providing for definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "Recycling Initiative Act" of 2018.

Section 2. DEFINITIONS

"Education Institutions" shall be defined as any public or private university in the state of Oklahoma

"Recycling Bin" shall be defined as any public bin to expose of cans, plastic, glass, or paper

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

A. Education Institutions in the state of Oklahoma shall be required to place recycling bins every forty (40) yards on the vicinities of their campus.

B. These recycling bins must be applicable to plastic, cans, glass, and paper.

Section 4. PENALTIES

A. Education Institutions failing to provide correct recycling bins at the correct distance on their campuses will be subject to a fine one hundred dollars (\$100) per bin they are lacking.

B. Educational institutions shall only be subject to a maximum of ten thousand (\$10,000) dollars in fines.

C. All fines collected from Education Institutions failing to meet the requirement shall be put into the Oklahoma Department of Environmental Quality.

Section 5. This Act shall go into effect on July 1, 2019 upon passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OSU-012

By: Thompson (OSU)

AS INTRODUCED

An Act relating wine consumption in the State of Oklahoma. Providing short title, providing for definitions, providing for codification, providing for penalties, and providing for effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Wine Consumption Initiative Act” of 2018.

Section 2. DEFINITIONS

“Wine” shall be defined as an alcoholic drink made from fermented grape juice.

“Consumption” shall be defined as the using of a resource

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

A. People residing in the State of Oklahoma for at least two (2) years must and that are twenty one (21) or older must have one night a week dedicated to the consumption of wine.

B. People residing in Oklahoma under the legal age of twenty one (21) must dedicate one night a week to either non-alcoholic wine or grape juice.

Section 4. PENALTIES

A. Oklahoma residents not dedicating one night of their weeks to wine, and get caught by local authorities shall be subject to a One Hundred (\$100) dollars in fines.

B. Individual residents shall only be fined up to ten thousand (\$10,000) dollars in fines.

C. One household of said residents shall not be fined more than fifty thousand (\$50,000) dollars in fines.

D. All fines collected shall go to Oklahoma Education Fund to go towards funding education in Oklahoma

Section 5. This Act shall go into effect on July 1, 2019 upon passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-001

By: Baker (OU) of the Senate
Swearengin (OU) of the House

AS INTRODUCED

An act relating to circumcision; providing short title; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Genital Mutilation” Act of 2018.

Section 2. DEFINITIONS

1. Male Circumcision: The medical procedure of removing the foreskin of the penis.
2. Female Circumcision: The medical procedure of a total or partial excision of the female external genitalia and especially the clitoris or labia minora.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. The practice of male circumcision shall be illegal in the state of Oklahoma.
2. The practice of female circumcision shall be illegal in the state of Oklahoma.
3. Individuals over the age of eighteen (18) may elect to undergo male circumcision of female circumcision.
 - a. Any individual electing to undergo a male or female circumcision must be informed of the full medical extent of the procedure and its medical consequences by the individual performing the circumcision.
4. Licensed physicians may perform male or female circumcisions if it is deemed by a second physician to be a medical necessity.

Section 4. PENALTIES

1. Any physician who performs an unlawful male or female circumcision shall be subject to the revocation of license to practice medicine in the state of Oklahoma.
2. Any individual who performs an unlawful male or female circumcision to an individual under the age of eighteen (18) shall be subject to a fine not exceeding ten thousand dollars (\$10,000), and up to ninety (90) days in jail.

Section 5. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-002

By: Baker (OU) of the Senate
Gourley (OU) of the House

AS INTRODUCED

An act relating to elections; providing short title; providing for amending §26-2-101.1; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Electoral Fairness” Act of 2018.

Section 2. AMENDATORY O.S. § 26-2-101.1 is amended to read as follows:

No later than March 1, 2015, and every four (4) years thereafter, the state central committee of the political parties ~~having the largest number of registered voters, based upon the latest January 15 registration report, shall submit to the Governor a list of ten (10) nominees for membership on the State Election Board, and the state central committee of the political party having the second largest number of registered voters, based upon the latest January 15 registration report,~~ shall submit to the Governor a list of ten (10) nominees for membership on the State Election Board. The Governor shall be confined to the lists of names submitted by each party and shall appoint two (2) members and one (1) alternate member of the State Election Board from ~~one each~~ each political party; ~~and one (1) member and one (1) alternate member of the State Election Board from the other political party.~~ Appointments shall be made no later than March 15, 2015, and every four (4) years thereafter. Provided, for appointments to be made in 2011, such submissions shall be provided to the Governor within five (5) business days of the effective date of this act and such appointments shall be made by the Governor within ten (10) business days of the effective date of this act.

Section 3. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-003

By: Baker (OU)

AS INTRODUCED

An act relating to Eminent Domain; providing short title; providing for definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

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Section 1. This act shall be known as the “Protection of Property” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

- 1. Eminent Domain: The non-consensual seizure of property by a government authority
- 2. Property Owner: An individual who legally owns any given property

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

No municipality, county, school district, private person, firm, or corporation shall have the authority to exercise the power of eminent domain to condemn private property to be seized by said entity against the consent of the property owner or owners. Municipal and county governments shall have the ability to construct utility infrastructure on private property with thirty (30) days’ notice and full compensation for any damages or loss in profits paid within one (1) week of completion of work on the property.

Section 4. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-004

By: Baker (OU)

AS INTRODUCED

An act relating to birth certificates; providing short title; providing for codification and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Legal Gender Change” Act of 2018.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. Any person, who has been domiciled in this state or who has been residing upon any military reservation located in said state, for more than thirty (30) days, and has been an actual resident of the county or such military reservation situated in said county, or county in which the military reservation is situated, for more than thirty (30) days, next preceding the filing of the action, and is the age of eighteen (18), may file for a change of legal sex and gender in the county court of the county in which they reside.
2. Filing for a change of legal sex and gender shall constitute presentation of an Oklahoma-issued birth certificate and one (1) additional form of government issued identification, as well as a cashier’s check for fifty dollars (\$50) to be paid to the county courthouse.
3. Upon successful filing for a legal change of gender or sex, the county court shall issue an updated birth certificate with the desired gender and sex identification.

Section 3. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-005

By: Baker (OU) of the Senate
Prado (OU) of the House
Slane (OU) of the House
Morgan (SOSU) of the House
Harshaw (UCO) of the House
Loveless (TU) of the House
Barron (RSU) of the House

Turner (OSU) of the Senate
Gourley (OU) of the Senate
Chastain (RSU) of the Senate
Morrison (SOSU) of the Senate
Barnett (TCC) of the Senate
Harlan (TU) of the Senate
Riddle (ECU) of the Senate

AS INTRODUCED

An act relating to HOAs; providing short title; providing for definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "HOA" Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. Home Owners Association: any organization of homeowners for a specific subdivision, neighborhood, or planned unit development

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. Home Owners Associations shall have no authority to levy additional regulations of the use of property beyond municipal, state, federal, or county regulations.
2. Home Owners Associations shall have no authority to mandate financial contributions on behalf of the residents under their jurisdiction.

Section 4. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-006

By: Baker (OU)

AS INTRODUCED

An act relating to Motor Vehicles; providing short title; providing for amending OS § 47-7-606v1; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Insurance Modernization” Act of 2018.

Section 2. AMENDING OS § 47-7-606v1 is amended to read as follows:

A. 1. An owner or operator who fails to comply with the Compulsory Insurance Law, or who fails to produce for inspection a valid and current security verification form or equivalent form which has been issued by the Department of Public Safety upon request of any peace officer, representative of the Department of Public Safety or other authorized person, shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than Two Hundred Fifty Dollars (\$250.00), or imprisonment for not more than thirty (30) days, or by both such fine and imprisonment, and in addition thereto, shall be subject to suspension of the driving privilege of the person in accordance with Section 7-605 of this title. An owner or operator may produce electronic forms of current security verification if they possess the means to immediately do so upon request of any peace officer, representative of the Department of Public Safety, or other authorized person. Upon issuing a citation under this paragraph, the law enforcement officer issuing the citation may:

a. seize the vehicle being operated by the person and cause the vehicle to be towed and stored as provided by subsection B of Section 955 of this title, if the officer has probable cause to believe that the vehicle is not insured as required by the Compulsory Insurance Law of this state, or

b. seize the license plate of the vehicle and issue the citation to the vehicle operator, provided that the vehicle is in a drivable condition at the time of issuing the citation. A copy of the citation retained by the owner or operator of the vehicle shall serve as the temporary license plate of the vehicle for up to ten (10) calendar days after the issuance of the citation. After ten (10) calendar days, the vehicle shall not be used until the vehicle operator or owner completes the requirements to retrieve the license plate.

(1) After the issuance of the citation, the law enforcement agency issuing the citation shall, within three (3) days, deposit the license plate and deliver a copy of the citation to the county sheriff's office of the county where the violation has occurred.

(2) The vehicle owner or operator may retrieve the license plate from the county sheriff's office upon providing verification of compliance with the Compulsory Insurance Law, payment in full of an administrative fee of One Hundred Twenty-five Dollars (\$125.00)

1 to the county sheriff's office and payment in full of the citation to the court clerk. The
2 county sheriff's office shall transfer the administrative fee to the Plan Administrator. The
3 Plan Administrator shall distribute the administrative fee as follows:

4 (a) Twenty Dollars (\$20.00) of the fee shall be distributed to the county sheriff's office to
5 defray any expenses involved in the storage of the license plate,

6 (b) Seventy Dollars (\$70.00) of the fee shall be transferred to the law enforcement agency
7 which issued the citation and may be used for any lawful purpose,

8 (c) Twenty-five Dollars (\$25.00) of the fee shall be transferred to the Temporary
9 Insurance Premium Pool, and

10 (d) the Plan Administrator shall retain Ten Dollars (\$10.00) of the fee.

11 (3) The county sheriff's office may dispose of any unclaimed license plate after ninety
12 (90) days according to applicable state law. After the license plate has been disposed of
13 by the county sheriff's office, the operator or owner shall be required to obtain a new
14 license plate pursuant to all existing requirements.

15 If the operator of the vehicle produces what appears to be a valid security verification
16 form and the officer is unable to confirm compliance through the online verification
17 system or noncompliance by a subsequent investigation, the officer shall be prohibited
18 from seizing the license plate or seizing the vehicle and causing such vehicle to be towed
19 and stored. Further, no vehicle shall be seized and towed under the provisions of this
20 paragraph if said vehicle is displaying a temporary license plate that has not expired
21 pursuant to the provisions of Sections 1137.1 and 1137.3 of this title.

22 2. An owner other than an owner of an antique or a classic automobile as defined by the
23 Oklahoma Tax Commission who files an affidavit that a vehicle shall not be driven upon
24 the public highways or public streets, pursuant to Section 7-607 of this title, who drives
25 or permits the driving of the vehicle upon the public highways or public streets, shall be
26 guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not
27 more than Five Hundred Dollars (\$500.00), or imprisonment for not more than thirty (30)
28 days, or by both such fine and imprisonment, and in addition thereto, shall be subject to
29 suspension of the driving privilege of the person in accordance with Section 7-605 of this
30 title.

31 B. A sentence imposed for any violation of the Compulsory Insurance Law may be
32 suspended or deferred in whole or in part by the court.

33 C. Any person producing proof in court that a current security verification form or
34 equivalent form which has been issued by the Department of Public Safety reflecting
35 liability coverage for the person was in force at the time of the alleged offense shall be
36 entitled to dismissal of the charge. If proof of security verification is presented to the
37 court by no later than the business day preceding the first scheduled court appearance
38 date, the dismissal shall be without payment of court costs. The court may access
39 information from the online verification system to confirm liability coverage. The court
40 shall not dismiss the fine unless proof that liability coverage for the person was in force at
41 the time of the alleged offense is presented to the court.

42 D. Upon conviction or bond forfeiture, the court clerk shall forward an abstract to the
43 Department of Public Safety within five (5) days reflecting the action taken by the court.

1 E. For purposes of this section, "court" means any court in this state.

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4 Section 3. This act shall become effective ninety (90) days after passage and
5 approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-007

By: Baker (OU) of the Senate
Prado (OU) of the House

AS INTRODUCED

An act relating to commerce; providing short title; providing for definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Kinder Surprise” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. Food item: Any edible product sold for the purpose of consumption for the purposes of nourishment
2. Firearm: a ballistic device made for the purposes of discharging other objects
3. Blades: Any tool or weapon with a flat cutting edge
4. Hazardous materials: Any material that may cause substantial bodily harm to a person by contact with the skin or mouth

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. The sale of food items which contain non-edible items within them is legal in the state of Oklahoma provided that each unit of the food item is clearly and visibly labeled as a potential choking hazard, and that there is a non-edible item within. The item which is contained within must also be clearly identified on the label.
2. Food items may not contain any object that is deemed unlawful to sell, possess, or manufacture under Oklahoma law or federal law.
3. Food items may not contain firearms, explosives, flammable materials, blades, toxic materials, narcotics, pornography, weapons, or hazardous materials.

Section 4. PENALTIES

- A. Failure to label each unit of a food item that contains a non-edible item shall result in a five thousand dollar (\$5,000) fine per infraction, and may result in

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the loss of a vendor's license for the perpetrator.

Section 5. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-008

By: Baker (OU)
Riddle (ECU)
Dansby (NSU)

AS INTRODUCED

An act relating to weights and measures; providing short title; providing for definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Metric” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. Metric System: the decimal measuring system based on the meter, liter, and gram as units of length, capacity, and weight or mass.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. The state of Oklahoma shall hereby adopt the metric system as its formal standard for weights and measures.
2. All public educational institutions in the state of Oklahoma shall replace standard systems of weights and measures with metric in their curriculums.
3. The Oklahoma Department of Transportation shall oversee a development plan for all Oklahoma roadways to adopt signage in metric measures.
4. All state agencies shall operate in the metric system when conducting business.

Section 4. This act shall become effective upon the beginning of the 2020 fiscal year.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-009

By: Baker (OU)

AS INTRODUCED

An act relating to name changes; providing short title; providing for amending O.S. § 12-1631, 1632, 1633, 1634, 1635, 1636, and 1637; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Name Change” Act of 2018.

Section 2. AMENDING O.S. § Title 12 Sections 1631, 1632, 1633, 1634, 1635, 1636, and 1637 are amended to read as follows:

Section 1631. Right to petition for change of name

Any natural person, who has been domiciled in this state or who has been residing upon any military reservation located in said state, for more than thirty (30) days, and has been an actual resident of the county or such military reservation situated in said county, or county in which the military reservation is situated, for more than thirty (30) days, next preceding the filing of the action, may petition for a change of name in a civil action in the district court. If the person be a minor, the action may be brought by guardian or next friend as in other actions.

Section 1632. Petition

The petition shall be verified and shall state: (a) The name and address of the petitioner; (b) The facts as to domicile and residence; (c) The date and place of birth; (d) The birth certificate number, and place where the birth is registered, if registered; (e) The name desired by petitioner; ~~(f) A clear and concise statement of the reasons for the desired change;~~ ~~(g)(f)~~ A positive statement that the change is not sought for any illegal or fraudulent purpose, or to delay or hinder creditors.

~~Section 1633. Notice—Protest—Hearing date—Continuance—Waiver~~

~~A. Notice of filing of the petition shall be given, in the manner provided for publication notice in civil cases, by publishing the same one time at least ten (10) days prior to the date set for hearing in some newspaper authorized by law to publish legal notices printed in the county where the petition is filed if there be any printed in such county, and if there be none, then in some such newspaper printed in this state of general circulation in that county. The notice shall contain the style and number of the case, the time, date and place where the same is to be heard, and that any person may file a written protest in the case prior to the date set for the hearing. The hearing date may be any day after completion of the publication. The court or judge, for cause, may continue the matter to a later date. B. The court may waive the publication requirements of this section for good cause which~~

1 includes, but is not limited to, cases of domestic violence in which the court proceedings
2 are sealed.
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4 Section 1634. Proof of Petition by Sworn Evidence

5 The material allegations of the petition shall be sustained by sworn evidence, and the
6 prayer of the petition shall be granted unless the court or judge finds that the change is
7 sought for an illegal or fraudulent purpose, or that a material allegation in the petition is
8 false.
9

10 Section 1635. Judgment The judgment shall recite generally the material facts and
11 the change granted, or if denied, the reasons for the denial. A judge may only deny a
12 petition of name change if the judge determines the petition is intended for an illegal or
13 fraudulent purpose, or to delay or hinder creditors, or if the potential new name is
14 especially offensive. A certified or authenticated copy of such judgment may be filed in
15 any office, where proper to do so, and shall be regarded as a judgment in a civil action.
16

17 Section 1636. Illegal or fraudulent purpose

18 Any person who obtains a judgment under this act, willfully intending to use the same
19 for any illegal or fraudulent purpose, or who thereafter willfully and intentionally uses
20 such judgment, or a copy thereof, for any illegal or fraudulent purpose, shall be ~~deemed~~
21 guilty of a misdemeanor subject to a fine of up to two hundred fifty (250) dollars payable
22 to the court.
23

24 Section 1637. Changes of Name to be Effected by this Act - Exceptions

25 After May 19, 1953, no natural person in this state may change his or her name except as
26 provided in Sections 1631 through 1635 of this title and Section 90.4 of Title 10 of the
27 Oklahoma Statutes and Section 1-321 of Title 63 of the Oklahoma Statutes, other than by
28 marriage, as prescribed in Sections 5, 6, and 8 of Title 43 of the Oklahoma Statutes, or by
29 decree of divorce, as prescribed in Section 121 of Title 43 of the Oklahoma Statutes, or
30 by adoption, as prescribed in Section 7505-3.1 of Title 10 of the Oklahoma Statutes.
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33 Section 3. This act shall become effective ninety (90) days after passage and
34 approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-010

By: Baker (OU)

AS INTRODUCED

An act relating to the Oklahoma Bar Association; providing short title; providing for amending OS § 5 Chapter 1 Appendix 5 Rule 4; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “OBA Admissions Standards” Act of 2018.

Section 2. AMENDATORY OS § 5 Chapter 1 Appendix 5 Rule 4 is amended to read as follows:

When examination of an attorney of another jurisdiction is required of one who is not eligible for admission upon motion as provided in Rule Two hereof, such attorney may be permitted by the Board of Bar Examiners to take an examination prescribed in Rule Five upon meeting the requirements of this Rule, except that such attorney shall not be required to register as a law student. However, such attorney shall be required to provide at his or her own expense a report by the National Conference of Bar Examiners.

No person shall be entitled to take an examination for admission to practice law in this state unless such person shall have registered as a law student filing the verified application for registration by the 15th day of October of the student's second year of law school on forms prescribed by the Board of Bar Examiners setting forth such information as the as the Board requires including:

- ~~(a) Certificate of graduation with a Bachelor of Arts or Science degree from a college whose credit hours are transferable to the University of Oklahoma, Oklahoma City University or University of Tulsa, with transcript attached of undergraduate college work.~~
- ~~(b)~~ (a) Two (2) sets of fingerprints which may be submitted to both the Oklahoma State Bureau of Investigation and the Federal Bureau of Investigation for appropriate record reviews.
- ~~(c)~~ (b) Recent photograph.
- ~~(d)~~ (c) NCBE Student Application Report for Character and Fitness at his or her own expense.

The Board may, in its discretion, register *nunc pro tunc* students who have been enrolled in a law school accredited by the American Bar Association upon compliance with all applicable rules herein.

The application provided by this section shall be valid for a period of ten (10) years. In the event the applicant has not activated the application within this ten (10) year period, the application will no longer be valid and the file containing the application and required information will be destroyed.

1 Application to take the bar exam shall be filed at least six months prior to the date of
2 examination on forms prescribed by the Board of Bar Examiners setting forth such
3 information as the Board requires. ~~No applicant shall be permitted to take the bar
4 examination until the applicant furnishes to the Board of Bar Examiners proof of law
5 school study with a certified transcript attached and a certificate of the law school dean or
6 associate dean that the applicant has met the requirements for graduation with a Juris
7 Doctor degree from a law school in the United States of America, its territories or
8 possessions, accredited by the American Bar Association.~~

9
10 ~~A person who matriculates at a law school which was accredited when applicant enrolled
11 therein, and who completes the course of study and is graduated therefrom, shall be
12 deemed a graduate of an accredited law school, even though the school's accreditation
13 was withdrawn while the applicant was enrolled therein.~~

14 ~~No applicant may be admitted by examination until he or she shall furnish evidence that a
15 score satisfactory to the Board of Bar Examiners on the Multistate Professional
16 Responsibility Examination has been attained.~~

17 ~~Admission must be effected within one year after the date the applicant successfully
18 completes the Bar Examination unless extended by the Board of Bar Examiners.~~

19
20 Individuals may apply to take the bar exam without having previously attended law
21 school provided they meet all other requirements set by the Board of Bar Examiners.
22 Should an individual pass the bar exam without having previously graduated from an
23 accredited law school, they must disclose to all future clients that they have not graduated
24 from an accredited law school.

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28 Section 3. This act shall become effective ninety (90) days after passage and
29 approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-011

By: Baker (OU) of the Senate
Gourley (OU) of the House

AS INTRODUCED

An act relating to elections; providing short title; providing for amending §26-1-108 and 109; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Partisan Expansion” Act of 2018.

Section 2. AMENDATORY O.S. § 26-1-108 and 109 are amended to read as follows:

Section 1-108. A group of persons may form a recognized political party at any time except during the period between March 1 and November 15 of any even-numbered year if the following procedure is observed:

1. Notice of intent to form a recognized political party must be filed in writing with the Secretary of the State Election Board at any time except during the period between March 1 and November 15 of any even-numbered year;

2. After such notice is filed, petitions seeking recognition of a political party, in a form to be prescribed by the Secretary of the State Election Board, shall be filed with such Secretary, bearing the signatures of registered voters equal to at least ~~three~~ one percent (~~31~~1%) of the total votes cast in the last General Election for Governor. Each page of such petitions must contain the names of registered voters from a single county. Petitions may be circulated a maximum of one (1) year after notice is filed, provided that petitions shall be filed with the Secretary no later than March 1 of an even-numbered year. Such petitions shall not be circulated between March 1 and November 15 of any even-numbered year; and

3. Within thirty (30) days after receipt of such petitions, the State Election Board shall determine the sufficiency of such petitions. If such Board determines there are a sufficient number of valid signatures of registered voters, the party becomes recognized under the laws of the State of Oklahoma with all rights and obligations accruing thereto.

Section 1-109. A. Any recognized political party ~~whose nominee for Governor or nominees for electors for President and Vice President fail to receive at least two and one half percent (2.5%) of the total votes cast for said offices in any General Election that fails to nominate a candidate for governor or nominate electors for President and Vice President in two (2) consecutive General Elections~~ shall cease to be a recognized political party. A party may regain recognition only by following the procedure prescribed for formation of new political parties. The State Election Board shall proclaim the fact of a

1 party's failure to receive a sufficient number of votes and shall order that the party cease
2 to be recognized.

3 B. Any recognized political party that ceases to be recognized under provisions of
4 this section shall be designated as a political organization. Such political organization
5 designation shall terminate four (4) years from the date that the political party ceases to
6 be recognized or when the political organization regains recognition as a political party,
7 whichever is earlier.
8

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10 Section 3. This act shall become effective ninety (90) days after passage and
11 approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-012

By: Baker (OU) of the Senate
Gourley (OU) of the House

AS INTRODUCED

An act relating to police; providing short title; providing for definitions; providing for codification and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Police Accountability” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. Retributive Action: Action taken against an individual that threatens the physical or mental safety of an officer, the wellbeing of their person or property or that of the family of said person, or their property

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. All peace officers who work for Oklahoma-based departments and officers of the Oklahoma Highway Patrol shall have the authority to conduct routine traffic stops against other peace officers and officers of the Oklahoma Highway Patrol.
- B. All peace officers who work for Oklahoma-based departments and officers of the Oklahoma Highway Patrol shall have the authority to write citations during routine traffic stops against other peace officers and officers of the Oklahoma Highway Patrol.
- C. No officer shall be subject to such traffic stops or citations when being dispatched.
- D. Any officer who issues a citation to another officer shall be awarded thirty percent (30%) of the fine issued as a bonus within two (2) payroll periods.
- E. Upon issuance of a citation to a fellow officer, an officer shall notify their superior in a timely manner.
- F. No retributive action may be taken against another officer due to the issuance of a citation. Any officer who engages in retributive action shall be given a thirty (30) day suspension without pay upon first offense, and upon second offense shall be dismissed from their position.
- G. Any police department that violates the provisions herein shall be subject to penalty of ten thousand dollars (\$10,000) per offense, payable to the office of the Oklahoma Attorney General.

Section 4. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-013

By: Baker (OU)

AS INTRODUCED

An act relating to police; providing short title; providing for definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "Police the Police" Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. Self defense: the defense of one's person or interests, especially through the use of physical force, which is permitted in certain cases as an answer to a charge of violent crime

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. Any police officer who fatally wounds another individual, except in the cases of self-defense of the officer or a third party, the individual being an active shooter, or the individual being previously designated as armed and dangerous, shall be guilty of felony police brutality, and shall be revoked of their authority as a peace officer, and subject of no less than five (5) years in prison and a fine of up to ten thousand dollars (\$10,000).
2. Any police officer who is found by a jury to have acted in excessive self-defense on duty shall be revoked of their authority as a peace officer, and be guilty of felony police brutality, and be subject of no more than five (5) years in prison and a fine of up to five thousand dollars (\$5,000).
3. No law enforcement agency, state, county, or municipal, shall hire any individual with a past conviction of any violent crime as a police officer.

Section 4. PENALTIES

1. Any police officer who wounds or kills a domesticated animal belonging to another individual while on duty shall be guilty of misdemeanor police brutality, and shall be placed on unpaid administrative leave at the discretion of the agency of the officer's employment, and shall pay in full restitution to the owner of the animal. If restitution is not paid in full within sixty (60) days, the fine shall double every sequential thirty (30) days.

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Section 5. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-014

By: Baker (OU)

AS INTRODUCED

An act relating to prostitution; providing short title; providing for definitions; providing for amending OS § 21-1025, 1026, 1027, 1028, and 1029; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Legalization of Sex Work” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. Prostitution: The willful and consensual exchange of sexual activity for monetary gain
2. Brothel: Any building designated for the purpose of the business of prostitution

Section 3. AMENDING OS § 21-1025, 1026, 1027, 1028, and 1029 to read as follows:

~~Section 1025. Every person who keeps any bawdy house, house of ill fame, of assignation, or of prostitution, or any other house or place for persons to visit for unlawful sexual intercourse, or for any other lewd, obscene or indecent purpose is, upon conviction, guilty of a misdemeanor and shall be punished by a fine of not less than Two Thousand Dollars (\$2,000.00) for each offense.~~

~~Section 1026. Every person who keeps any disorderly house, or any house of public resort by which the peace, comfort or decency of the immediate neighborhood is habitually disturbed, is guilty of a misdemeanor.~~

~~Section 1027. Every person who lets any building or portion of any building knowing that it is intended to be used for any purpose declared punishable by this article, or who otherwise permits any building or portion of a building to be so used, is guilty of a misdemeanor.~~

~~Section 1028. It shall be unlawful in the State of Oklahoma:~~

~~(a) To keep, set up, maintain, or operate any house, place, building, other structure, or part thereof, or vehicle, trailer, or other conveyance with the intent of committing an act of prostitution, lewdness, or assignation;~~

1 (b) ~~To knowingly own any house, place, building, other structure, or part thereof,~~
2 ~~or vehicle, trailer, or other conveyance used with the intent of committing an act of~~
3 ~~lewdness, assignation, or prostitution, or to let, lease, or rent, or contract to let, lease, or~~
4 ~~rent any such place, premises, or conveyance, or part thereof, to another with knowledge~~
5 ~~or reasonable cause to believe that the intention of the lessee or rentee is to use such~~
6 ~~place, premises, or conveyance for prostitution, lewdness, or assignation;~~

7 (c) ~~To offer, or to offer to secure, another with the intent of having such person~~
8 ~~commit an act of prostitution, or with the intent of having such person commit any other~~
9 ~~lewd or indecent act;~~

10 (d) ~~To receive or to offer or agree to receive any person into any house, place,~~
11 ~~building, other structure, vehicle, trailer, or other conveyance with the intent of~~
12 ~~committing an act of prostitution, lewdness, or assignation, or to permit any person to~~
13 ~~remain there with such intent;~~

14 (e) ~~To direct, take, or transport, or to offer or agree to take or transport, or aid or~~
15 ~~assist in transporting, any person to any house, place, building, other structure, vehicle,~~
16 ~~trailer, or other conveyance, or to any other person with knowledge or having reasonable~~
17 ~~cause to believe that the intent of such directing, taking or transporting is prostitution,~~
18 ~~lewdness or assignation;~~

19 (f) ~~To knowingly accept, receive, levy, or appropriate any money or other thing of~~
20 ~~value without consideration from a prostitute or from the proceeds of any woman~~
21 ~~engaged in prostitution;~~

22 (g) ~~To knowingly abet the crime of prostitution by allowing a house, place,~~
23 ~~building, or parking lot to be used or occupied by a person who is soliciting, inducing,~~
24 ~~enticing, or procuring another to commit an act of lewdness, assignation, or prostitution~~
25 ~~or who is engaging in prostitution, lewdness, or assignation on the premises of the house,~~
26 ~~place, building, or parking lot.~~

27
28 Section 1029. A. ~~It shall further be unlawful:~~

29 1. ~~To engage in prostitution, lewdness, or assignation;~~

30 2. ~~To solicit, induce, entice, or procure another to commit an act of lewdness,~~
31 ~~assignation, or prostitution, with himself or herself;~~

32 3. ~~To reside in, enter, or remain in any house, place, building, or other structure,~~
33 ~~or to enter or remain in any vehicle, trailer, or other conveyance with the intent of~~
34 ~~committing an act of prostitution, lewdness, or assignation; or~~

35 4. ~~To aid, abet, or participate in the doing of any of the acts prohibited in~~
36 ~~paragraph 1, 2 or 3 of this subsection.~~

37 B. ~~Any prohibited act described in paragraph 1, 2, 3 or 4 of subsection A of this section~~
38 ~~committed with a person under eighteen (18) years of age shall be deemed child~~
39 ~~prostitution, as defined in Section 1030 of this title, and shall be punishable as provided~~
40 ~~in Section 1031 of this title.~~

1 ~~C. In any prosecution of a person sixteen (16) or seventeen (17) years of age for an~~
2 ~~offense described in subsection A of this section, there shall be a presumption that the~~
3 ~~actor was coerced into committing such offense by another person in violation of the~~
4 ~~human trafficking provisions set forth in Section 748 of this title.~~

5
6 Section 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes
7 to read as follows:
8

- 9 1. Prostitution that follows the guidelines outlined herein shall be considered legal.
- 10 2. To perform the act of prostitution, an individual must register with the state and
11 obtain a Prostitute's License
- 12 3. To run a brothel, one must register the brothel with the Oklahoma Labor
13 Department and obtain a brothel's permit.
- 14 4. Prostitutes who do not work at a brothel shall be considered under the law
15 independent contractors, and all laws that apply to independent contractors shall
16 hence apply to prostitutes.
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21 5. LICENSING AND REGISTRATION

- 22 a. The Oklahoma Department of Labor shall oversee the creation of a
23 registry of all licensed prostitutes and registered brothels. This department
24 shall also oversee creations of additional fair labor standards for sex
25 workers in Oklahoma, which shall be made available on the Oklahoma
26 Department of Labor website.
- 27 b. To apply for a prostitute's license, one must be over the age of eighteen
28 (18)
- 29 c. To apply for a prostitute's license, one must obtain a doctor's note from a
30 licensed physician denoting clean sexual health and the absence of any
31 STDs or STIs from within three days of the application.
- 32 d. No registered sex offender or convicted felon shall be permitted to obtain
33 a prostitute's license.
- 34 e. To apply for a brothel's permit one must be over the age of twenty one
35 (21)
- 36 f. No registered sex offender or convicted felon may receive a brothel's
37 permit
- 38 g. Registration forms for a Prostitute's license or Brothel's permit shall be
39 made available at each county courthouse, tag agency, and online on the
40 Oklahoma Department of Labor's website.
- 41 h. Registration for a prostitute's license or brothel's permit are required to be
42 submitted at a county courthouse.
- 43 i. Registration for a prostitute's license or brothel's permit must be notarized
- 44 j. Prostitute's licenses must be renewed annually, and updated bills of clean
45 sexual health must be submitted to the Oklahoma Health Department once
46 every thirty (30) days.

1 k. Brothel's permits must be renewed annually.
2

3 6. REGULATION OF INDEPENDENT PROSTITUTION

- 4 a. Prostitutes may not perform non-consensual acts on their solicitors
5 b. Prostitutes may reserve the right to deny service to any individual for any
6 reason.
7 c. Prostitutes may not solicit services within one thousand (1000) feet of a K-
8 12 school.
9 d. Prostitutes may not solicit services on government property.
10

11 7. REGULATION OF BROTHELS

- 12 a. The Oklahoma Health Department shall oversee the creation of health
13 standards for Brothels in the state of Oklahoma.
14 b. Brothels may not prevent the unionization of prostitutes.
15 c. Brothels may not force a prostitute to perform any sex act against their
16 will.
17 d. Brothels may not operate within one thousand (1000) feet of a public K-12
18 school.
19 e. Brothels must disclose the details of the services that their employees offer
20 to solicitors and newly hired employees.
21 f. Brothels are to be held in compliance with the same labor standards as all
22 industries in the state of Oklahoma.
23 g. Prostitutes working with brothels shall legally be considered the employee
24 of the operator of the brothel.
25 h. Brothels shall not be permitted to advertise in print or on billboards within
26 one thousand (1000) feet of a K-12 public school.
27 i. Brothels shall be subject to audits and/or inspections by the State Auditor,
28 Oklahoma Department of Labor, and/or Oklahoma Health Department no
29 less than every ninety (90) days, and shall not be informed more than
30 twenty four (24) hours prior to said audit.
31 j. Brothels shall display all Oklahoma Health Department policies
32 concerning prostitution clearly on the premises of the brothel.
33

34 8. REGULATION OF SOLICITORS

- 35 a. No person under the age of eighteen (18) shall solicit a prostitute
36 b. No registered sex offender may solicit a prostitute
37 c. No individual who solicits a prostitute shall violate the prostitute's consent
38 in any way.
39 d. Any individual wishing to solicit a prostitute must submit a doctor's note
40 from a licensed physician denoting clean sexual health and no STIs or
41 STDs from within the last three (3) days.
42 e. No individual directly related to a prostitute may solicit the service of
43 aforementioned prostitute.
44 f. No individual who has been convicted for a domestic violence related
45 crime may solicit a prostitute.
46

1 Section 5. PENALTIES
2

- 3 1. Any violations by prostitutes of the regulations herein shall result in the
4 revocation of their license and forfeiture of ability to obtain a license in the future,
5 as well as a five hundred dollar (\$500) fine and up to five (5) days in jail per
6 violation.
7 2. Any prostitute who operates without a license shall face a two thousand five
8 hundred dollar (\$2500) fine and up to ten (10) days in jail.
9 3. The operator of any unlicensed brothel shall face a fine of up to two hundred and
10 fifty thousand dollars (\$250,000), and face up to five (5) years in jail.
11 4. Violation of the regulations herein by the operator of a brothel shall result in the
12 revocation of their permit and forfeiture of ability to obtain a license in the future,
13 and up to ten thousand dollars (\$10,000) and ten (10) days in jail per violation.
14 5. Violations of the regulations herein by a solicitor of a prostitute or brothel shall
15 result in a one thousand dollar (\$1000) fine and up to five (5) days in jail.
16 6. Falsification of documents shall be considered forgery under state law and be
17 punished accordingly in addition to the penalties herein.
18 7. Any violation that causes the spread of an STD or STI to a prostitute or solicitor
19 shall result in the perpetrator paying full restitution to the victim of the violation.
20 8. Any violation of consent by a prostitute, brothel worker, or solicitor in regard to
21 sexual actions shall be legally considered rape and treated accordingly.
22

23 Section 6. This act shall become effective ninety (90) days after passage and
24 approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-015

By: Baker (OU)

AS INTRODUCED

An act relating to education; providing short title; providing for definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “School Uniform” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. School Uniforms: A predetermined selection of clothing that students are mandated to wear at school

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. No school district shall create any ordinance or policy mandating students to wear school uniforms.
2. School districts may create dress codes restricting lewd, offensive, or distracting clothing and accessories.

Section 4. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-016

By: Baker (OU)

AS INTRODUCED

An act relating to elections; providing short title; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

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Section 1. This act shall be known as the “Astro-Enfranchisement” Act of 2018.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. A person who meets the eligibility requirements of a voter under O.S. § 26-4-101 but who will be on a space flight during the early-voting period and on election day, may vote under this chapter. In order to vote by this method, the voter must apply by a Federal Postcard Application ("FPCA") and meet the requisite deadlines under state law. The FPCA may be submitted by fax or other electronic means.
2. The National Aeronautics and Space Administration ("NASA") shall submit in writing to the Secretary of State a method of transmitting and receiving a secret ballot for persons on a space flight during an election period. The Secretary of State shall approve, deny, or request further information from NASA on the proposed method of transmission.
3. Proposed changes to an approved ballot transmission method shall be submitted in writing to the Secretary of State for approval.

Section 3. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-017

By: Baker (OU)

AS INTRODUCED

An act relating to yard signs; providing short title; providing for definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Green Signs” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. Recycling facility: A facility or portion of any premises used for the collection and/or processing of recyclable materials
2. Disposal: The act of discarding materials with no intent to recollect them

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. Any campaign yard sign collected by a municipal or county government for the purposes of disposal must be disposed of at a recycling facility.
2. Violations of this act shall result in a twenty dollar (\$20) fine per infraction, which must be paid via cashiers check to the State Election Board within ninety (90) days of infraction. Failure to pay within ninety (90) days shall result in the fine being doubled.

Section 4. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-018

By: Bell (OU)

AS INTRODUCED

An act relating to landlords and tenants; providing short title; amending O.S. § 41-52, 109, 115, 128, 131, and 132; and providing an effective date.

1
2 BE IT ENACTED BY THE STATE OF OKLAHOMA
3

4 Section 1. This act shall be known as the "Revisiting Renters' Rights" Act of 2018.
5

6 Section 2. AMENDATORY O.S. § 41-52, 109, 115, 128, 131, and 132 are amended
7 to read as follows:
8

9 Section 52.

10 A. If a tenant abandons, surrenders possession of, or is evicted from nonresidential rental
11 property and leaves goods, furnishings, fixtures, or any other personal property on the premises
12 of the nonresidential rental property, the landlord may take possession of the personal property
13 ~~ten (10)~~ sixty (60) days after the tenant receives personal service of notice ~~or fifteen (15) days~~
14 ~~after notice is mailed, whichever is latest~~, and if the personal property has no ascertainable or
15 apparent value, the landlord may dispose of the personal property in a reasonable commercial
16 manner. In any such case, the landlord has the option of complying with the provisions of
17 subsection B of this section.
18

19 B. If the tenant abandons, surrenders possession of, or is evicted from the nonresidential
20 rental property and leaves goods, furnishings, fixtures, or any other personal property of an
21 ascertainable or apparent value on the premises of the nonresidential rental property, the landlord
22 may take possession of the personal property and give notice to the tenant, demanding that the
23 personal property be removed within the dates set out in the notice but not less than ~~fifteen (15)~~
24 sixty (60) days after delivery or mailing of such notice, and that if the personal property is not
25 removed within the time specified in the notice, the landlord may sell the personal property at a
26 public sale. The landlord may dispose of perishable commodities in any manner the landlord
27 considers fit. Payment by the tenant of all outstanding rent, damages, storage fees, court costs
28 and attorneys' fees shall be a prerequisite to the return of the personal property. For purposes of
29 this section, notice sent by registered or certified mail to the tenant's last-known address with
30 forwarding requested shall be deemed sufficient notice.
31

32 C. After notice is given as provided in subsection B of this section, the landlord shall
33 store all personal property of the tenant in a place of safekeeping and shall exercise reasonable
34 care of the personal property. The landlord shall not be responsible to the tenant for any loss not
35 caused by the landlord's deliberate or negligent act. The landlord may elect to store the personal
36 property on the premises of the nonresidential rental property that was abandoned or surrendered
37 by the tenant or from which the tenant was evicted, in which event the storage cost may not
38 exceed the fair rental value of the premises. If the tenant's personal property is removed to a
39 commercial storage company, the storage cost shall include the actual charge for the storage and
40 removal from the premises to the place of storage.
41

42 D. If the tenant makes timely response in writing of an intention to remove the personal
43 property from the premises and does not do so within the later of the time specified in the notice
44 provided for in subsection B of this section or within ~~fifteen (15)~~ sixty (60) days of the delivery
45 or mailing of the tenant's written response, it shall be conclusively presumed that the tenant
46 abandoned the personal property. If the tenant removes the personal property within the time

1 limitations provided in this subsection, the landlord is entitled to the cost of storage for the
2 period during which the personal property remained in the landlord's safekeeping plus all other
3 costs that accrued under the rental agreement.
4

5 E. If the tenant fails to take possession of the personal property as prescribed in
6 subsection D of this section and make payment of all amounts due and owing, the personal
7 property shall be deemed abandoned and the landlord may thereupon sell the personal property
8 in any reasonable manner without liability to the tenant.
9

10 F. Notice of sale shall be mailed to the owner and any other party claiming any interest in
11 said personal property, if known, at their last-known post office address, by certified or
12 registered mail at least ten (10) days before the time specified therein for such sale. For purposes
13 of this section, parties who claim an interest in the personal property include holders of security
14 interests or other liens or encumbrances as shown by the records in the office of the county clerk
15 of the county where the lien would be foreclosed.
16

17 G. The landlord or any other person may in good faith become a purchaser of the
18 personal property sold. The landlord may dispose of any personal property upon which no bid is
19 made at the public sale.
20

21 H. The landlord may not be held to respond in damages in an action by a tenant claiming
22 loss by reason of the landlord's election to destroy, sell or otherwise dispose of the personal
23 property in compliance with the provisions of this section. If, however, the landlord deliberately
24 or negligently violated the provisions of this section, the landlord shall be liable for actual
25 damages.
26

27 I. Any proceeds from the sale or other disposition of the personal property, as provided in
28 subsection B of this section, shall be applied by the landlord in the following order:

- 29 1. To the reasonable expenses of taking, holding, preparing for sale or disposition,
30 giving notice and selling or disposing thereof;
- 31 2. To the satisfaction of any properly recorded security interest;
- 32 3. To the satisfaction of any amount due from the tenant to the landlord for rent or
33 otherwise; and
- 34 4. The balance, if any, shall be paid into court within thirty (30) days of the sale
35 and held for six (6) months and, if not claimed by the owner of the personal
36 property within that period, shall escheat to the county.
37

38 Section 109.

39 A. In the absence of agreement, the occupants of a dwelling unit shall pay to the landlord
40 as rent the fair rental value for the use and occupancy of the dwelling unit.
41

42 B. Rent shall be payable at the time and place agreed to by the parties. Unless otherwise
43 agreed, the entire rent shall be payable at the dwelling unit at the beginning of any term
44 of one (1) month or less, while one (1) month's rent shall be payable at the beginning of
45 each month of a longer term.

1
2 C. Any increase in rent shall take effect no sooner than sixty (60) days after the tenant
3 receives a written notice of the increase.
4

5 Section 115.

6 A. Any damage or security deposit required by a landlord of a tenant must be kept in an e
7 scrow account for the tenant, which account shall be maintained in the State of
8 Oklahoma with a federally insured financial institution. Misappropriation of the security
9 deposit shall be unlawful and punishable by a term in a county jail not to exceed six (6)
10 months and by a fine in an amount not to exceed twice the amount misappropriated from
11 the escrow account.

12 1. Any damage or security deposit required by a landlord of a tenant may not
13 exceed a sum equal to one (1) month's rent according to the terms of the lease
14 agreement.
15

16 B. Upon termination of the tenancy, any security deposit held by the landlord may be
17 applied to the payment of accrued rent and the amount of damages which the landlord has
18 suffered by reason of the tenant's noncompliance with this act and the rental agreement,
19 all as itemized by the landlord in a written statement delivered by mail to be by return
20 receipt requested and to be signed for by any person of statutory service age at such
21 address or in person to the tenant if he can reasonably be found. If the landlord proposes
22 to retain any portion of the security deposit for rent, damages or other legally allowable
23 charges under the provisions of this act or the rental agreement, the landlord shall return
24 the balance of the security deposit ~~without~~ interest to the tenant within ~~forty-five (45)~~
25 fourteen (14) days after the termination of tenancy, delivery of possession and written
26 demand by the tenant. If the tenant does not make such written demand of such deposit
27 within six (6) months after termination of the tenancy, the deposit reverts to the landlord
28 in consideration of the costs and burden of maintaining the escrow account, and the
29 interest of the tenant in that deposit terminates at that time.
30

31 C. Upon cessation of a landlord's interest in the dwelling unit including, but not limited
32 to, termination of interest by sale, assignment, death, bankruptcy, appointment of receiver
33 or otherwise, the person in possession of the tenants' damage or security deposits at his
34 option or pursuant to court order shall, within a reasonable time:

- 35 1. Transfer said deposits to the landlord's successor in interest and notify the
36 tenants in writing of such transfer and of the transferee's name and address; or
37 2. Return the deposits to the tenants.
38

39 D. Upon receipt of the transferred deposits under paragraph 1 of subsection C of this
40 section, the transferee, in relation to such deposits, shall have all the rights and
41 obligations of a landlord holding such deposits under this act.
42

43 E. If a landlord or manager fails to comply with this section or fails to return any prepaid
44 rent required to be paid to a tenant under this act, the tenant may recover the damage and
45 security deposit and prepaid rent, if any.
46

1 F. Except as otherwise provided by the rental agreement, a tenant shall not apply or
2 deduct any portion of the security deposit from the last month's rent or use or apply such
3 tenant's security deposit at any time in lieu of payment of rent.
4

5 G. This section does not preclude the landlord or tenant from recovering other damages
6 to which he may be entitled under this act.
7

8 Section 128.

9 A. A tenant shall not unreasonably withhold consent to the landlord, his agents and
10 employees, to enter into the dwelling unit in order to inspect the premises, make
11 necessary or agreed repairs, decorations, alterations or improvements, supply necessary
12 or agreed services or exhibit the dwelling unit to prospective or actual purchasers,
13 mortgagees, tenants, workmen or contractors.

14 B. A landlord, his agents and employees may enter the dwelling unit without consent of
15 the tenant in case of emergency.

16 C. A landlord shall not abuse the right of access or use it to harass the tenant. Except in
17 case of emergency or unless it is impracticable to do so, the landlord shall give the tenant
18 at least ~~one (1)~~ two (2) day's notice of his intent to enter and may enter only at reasonable
19 times.

20 D. Unless the tenant has abandoned or surrendered the premises, a landlord has no other
21 right of access during a tenancy except as is provided in this act or pursuant to a court
22 order.

23 E. If the tenant refuses to allow lawful access, the landlord may obtain injunctive relief to
24 compel access or he may terminate the rental agreement.
25

26 Section 131.

27 A. If rent is unpaid when due, the landlord may bring an action for recovery of the rent at
28 any time thereafter or the landlord may wait until the expiration of the period allowed for
29 curing a default by the tenant, as prescribed in subsection B of this section, before
30 bringing such action.
31

32 B. A landlord may terminate a rental agreement for failure to pay rent when due, if the
33 tenant fails to pay the rent within ~~five (5)~~ fourteen (14) days after written notice of
34 landlord's demand for payment. The notice may be given before or after the landlord files
35 any action authorized by subsection A of this section. Demand for past due rent is
36 deemed a demand for possession of the premises and no further notice to quit possession
37 need be given by the landlord to the tenant for any purpose.
38

39 Section 132.

40 A. Except as otherwise provided in the Oklahoma Residential Landlord and Tenant Act,
41 if there is a noncompliance by the tenant with the rental agreement or with Section 127 of
42 this title which noncompliance can be remedied by repair, replacement of a damaged
43 item, or cleaning and the tenant fails to comply as promptly as conditions require in the
44 case of an emergency or within ten (10) days after written notice served as provided in
45 subsection E of Section 111 of this title by the landlord specifying the breach and
46 requiring that the tenant remedy it within that period of time, the landlord may enter the

1 dwelling unit and cause the work to be done in a workmanlike manner and thereafter
2 submit the itemized bill for the actual and reasonable cost or the fair and reasonable value
3 thereof as rent on the next date rent is due, or if the rental agreement has terminated, for
4 immediate payment. If the landlord remedies the breach as provided in this subsection,
5 the landlord may not terminate the rental agreement by reason of the tenant's failure to
6 remedy the breach.

7
8 B. Except as otherwise provided in the Oklahoma Residential Landlord and Tenant Act,
9 if there is a material noncompliance by the tenant with the rental agreement or with any
10 provision of Section 127 of this title, the landlord may deliver to the tenant a written
11 notice served as provided in subsection E of Section 111 of this title specifying the acts
12 and omissions constituting the noncompliance and that the rental agreement will
13 terminate upon a date not less than ~~fifteen (15)~~ thirty (30) days after receipt of the notice
14 unless remedied within ~~that thirty (30) day time period ten (10) days~~. If the breach is not
15 remedied within thirty (30) day's time ~~ten (10) days~~ from receipt of the notice, the rental
16 agreement shall terminate as provided in the notice. If within the ~~ten (10)~~ thirty (30) days
17 the tenant adequately remedies the breach complained of, or if the landlord remedies the
18 breach according to the provisions of subsection A of this section, the rental agreement
19 shall not terminate by reason of the breach. ~~Any subsequent breach of the lease or~~
20 ~~noncompliance under this section shall be grounds, upon written notice to the tenant, for~~
21 ~~immediate termination of the lease.~~

22
23 C. Notwithstanding other provisions of this section, if there is a noncompliance by the
24 tenant with the rental agreement or with any of the provisions of Section 127 of this title,
25 which noncompliance causes or threatens to cause imminent and irremediable harm to the
26 premises or to any person and which noncompliance is not remedied by the tenant as
27 promptly as conditions require after the tenant has notice of it, the landlord may terminate
28 the rental agreement by immediately filing a forcible entry and detainer action.

29
30 D. Any criminal activity that threatens the health, safety or right of peaceful enjoyment of
31 the premises by other tenants committed by a tenant or by any member of the tenant's
32 household or any guest or other person under the tenant's control or is a danger to the
33 premises and any drug-related criminal activity on or near the premises by the tenant or
34 by any member of the tenant's household or any guest or other person under the tenant's
35 control shall be grounds for immediate termination of the lease.

36
37
38 Section 3. This act shall become effective ninety (90) days after passage and approval.

39
40 Oklahoma Intercollegiate Legislature
41 2nd Session of the 50th Legislature (2018)

42
43
44 Senate Bill No. OU-019

By: Lyness (OU)

45
46 AS INTRODUCED

1
2 An act relating to Net Neutrality; providing short title; providing for definitions;
3 providing for codification; and providing an effective date.
4

5 BE IT ENACTED BY THE STATE OF OKLAHOMA
6

7 Section 1. This act shall be known as the “Save Net Neutrality” Act of 2018.
8

9 Section 2. DEFINITIONS The following terms are to be defined as follows for the
10 purposes of this act:

- 11 1. “Application-agnostic” means not differentiating on the basis of source, destination,
12 Internet content, application, service, or device, or class of Internet content, application,
13 service, or device.
- 14 2. “Application-specific differential pricing” means charging different prices for Internet
15 traffic to customers on the basis of Internet content, application, service, or device, or
16 class of Internet content, application, service, or device, but does not include zero-rating.
- 17 3. “Broadband Internet access service” means a mass-market retail service by wire or radio
18 provided to customers in Oklahoma that provides the capability to transmit data to, and
19 receive data from, all or substantially all Internet endpoints, including any capabilities
20 that are incidental to and enable the operation of the communications service, but
21 excluding dial-up Internet access service. “Broadband Internet access service” also
22 encompasses any service provided to customers in Oklahoma that provides a functional
23 equivalent of that service or that is used to evade the protections set forth in this chapter.
- 24 4. “Class of Internet content, application, service, or device” means Internet content, or a
25 group of Internet applications, services, or devices, sharing a common characteristic,
26 including, but not limited to, sharing the same source or destination, belonging to the
27 same type of content, application, service, or device, using the same application- or
28 transport-layer protocol, or having similar technical characteristics, including, but not
29 limited to, the size, sequencing, or timing of packets, or sensitivity to delay.
- 30 5. “Content, applications, or services” means all Internet traffic transmitted to or from end
31 users of a broadband Internet access service, including traffic that may not fit clearly into
32 any of these categories.
- 33 6. “Edge provider” means any individual or entity that provides any content, application, or
34 service over the Internet, and any individual or entity that provides a device used for
35 accessing any content, application, or service over the Internet.
- 36 7. “End user” means any individual or entity that uses a broadband Internet access service.
- 37 8. “Internet service provider” means a business that provides broadband Internet access
38 service to an individual, corporation, government, or other customer in Oklahoma.
- 39 9. “ISP traffic exchange” means the exchange of Internet traffic destined for, or originating
40 from, an Internet service provider’s end users between the Internet service provider’s
41 network and another individual or entity, including, but not limited to, an edge provider,
42 content delivery network, or other network operator.
- 43 10. “Mass market” means a service marketed and sold on a standardized basis to residential
44 customers, small businesses, and other end-use customers, including, but not limited to,

1 schools, institutions of higher learning, and libraries. The term also includes broadband
2 Internet access services purchased with support of the E-rate and Rural Health program
3 and similar programs at the federal and state level, regardless of whether they are
4 customized or individually negotiated, as well as any broadband Internet access service
5 offered using networks supported by the Connect America Fund or similar programs at
6 the federal and state level.

- 7 11. "Network management practice" means a practice that has a primarily technical network
8 management justification, but does not include other business practices.
- 9 12. "Reasonable network management practice" means a network management practice that
10 is primarily used for, and tailored to, achieving a legitimate network management
11 purpose, taking into account the particular network architecture and technology of the
12 broadband Internet access service, and that is as application-agnostic as possible.
- 13 13. "Third-party paid prioritization" means the management of an Internet service provider's
14 network to directly or indirectly favor some traffic over other traffic, including through
15 the use of techniques such as traffic shaping, prioritization, resource reservation, or other
16 forms of preferential traffic management, either
17 a. in exchange for consideration, monetary or otherwise, from a third party, or;
18 b. to benefit an affiliated entity.
- 19 14. "Zero-rating" means exempting some Internet traffic from a customer's data limitation.
20

21 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read
22 as follows:

- 23 1. Beginning on the date of the enactment of this Act, the Federal Communications
24 Commission may not rely on the Notice of Proposed Rulemaking in the matter of re6
25 storing internet freedom that was adopted by the Commission on May 18, 2017 (FCC 17-
26 60), to satisfy the requirements of section 553 of title 5, United States Code, for adopting,
27 amending, revoking, or otherwise modifying any rule (as defined in section 551 of such
28 title) of the Commission.
29
- 30 2. It shall be unlawful for an Internet service provider, insofar as the provider is engaged in
31 providing broadband Internet access service, to engage in any of the following activities:
32 a. Blocking lawful content, applications, services, or nonharmful devices, subject to
33 reasonable network management practices.
34 b. Speeding up, slowing down, altering, restricting, interfering with, or otherwise
35 directly or indirectly favoring, disadvantaging, or discriminating between lawful
36 Internet traffic on the basis of source, destination, Internet content, application, or
37 service, or use of a nonharmful device, or of class of Internet content, application,
38 service, or nonharmful device, subject to reasonable network management
39 practices.
40 c. Requiring consideration from edge providers, monetary or otherwise, in exchange
41 for access to the Internet service provider's end users, including, but not limited
42 to, requiring consideration for either of the following:
43 i. Transmitting Internet traffic to and from the Internet service provider's
44 end users.
45 ii. Refraining from the activities prohibited in subdivisions (a) and (b)
46 d. Engaging in third-party paid prioritization.

- 1 e. Engaging in application-specific differential pricing or zero-rating in exchange for
2 consideration, monetary or otherwise, by third parties.
- 3 f. Zero-rating some Internet content, applications, services, or devices in a category
4 of Internet content, applications, services, or devices, but not the entire category.
- 5 g. Engaging in application-specific differential pricing.
- 6 h. Unreasonably interfering with, or unreasonably disadvantaging, either an end
7 user's ability to select, access, and use broadband Internet access service or lawful
8 Internet content, applications, services, or devices of the end user's choice, or an
9 edge provider's ability to make lawful content, applications, services, or devices
10 available to an end user, subject to reasonable network management practices.
- 11 i. Engaging in practices with respect to, related to, or in connection with, ISP traffic
12 exchange that has the purpose or effect of circumventing or undermining the
13 effectiveness of this section.
- 14 j. Engaging in deceptive or misleading marketing practices that misrepresent the
15 treatment of Internet traffic, content, applications, services, or devices by the
16 Internet service provider, or that misrepresent the performance characteristics or
17 commercial terms of the broadband Internet access service to its customers.
- 18 k. Advertising, offering for sale, or selling broadband Internet access service without
19 prominently disclosing with specificity all aspects of the service advertised,
20 offered for sale, or sold.
- 21 l. Failing to publicly disclose accurate information regarding the network
22 management practices, performance, and commercial terms of its broadband
23 Internet access services sufficient for consumers to make informed choices
24 regarding use of those services and for content, application, service, and device
25 providers to develop, market, and maintain Internet offerings.
- 26 m. Offering or providing services other than broadband Internet access service that is
27 delivered over the same last-mile connection as the broadband Internet access
28 service, if those services satisfy any of the following conditions:
 - 29 i. They are marketed, provide, or can be used as a functional equivalent of
30 broadband Internet access service.
 - 31 ii. They have the purpose or effect of circumventing or undermining the
32 effectiveness of this section.
 - 33 iii. They negatively affect the performance of broadband Internet access
34 service.
- 35
- 36 3. An Internet service provider may offer different types of technical treatment to end users
37 as part of its broadband Internet access service, without violating Sub Section 2, if all of
38 the following conditions exist:
 - 39 a. The different types of technical treatment are equally available to all Internet
40 content, applications, services, and devices, and all classes of Internet content,
41 applications, services, and devices, and the Internet service provider does not
42 discriminate in the provision of the different types of technical treatment on the
43 basis of Internet content, application, service, or device, or class of Internet
44 content, application, service, or device.
 - 45 b. The Internet service provider's end users are able to choose whether, when, and
46 for which Internet content, applications, services, or devices, or classes of Internet

1 content, applications, services, or devices, to use each type of technical treatment.

2 c. The Internet service provider charges only its own broadband Internet access
3 service customers for the use of the different types of technical treatment.

- 4
- 5 4. Any Internet service provider offering different types of technical treatment pursuant to
6 this subdivision shall notify the Public Utilities Commission and provide the commission
7 with a specimen of any service contract that it offers to customers in Oklahoma.
8
- 9 5. If an Internet service provider offers different types of technical treatment pursuant to this
10 subdivision, the Public Utilities Commission shall monitor the quality of the basic default
11 service and establish minimum quality requirements if the offering of the different types
12 of technical treatment degrades the quality of the basic default service.
13
- 14 6. An Internet service provider may zero-rate Internet traffic in application-agnostic ways,
15 without violating SubSection 2 provided that no consideration, monetary or otherwise, is
16 provided by any third party in exchange for the provider's decision to zero-rated or to not
17 zero-rate traffic.
18
- 19 7. A public entity shall not purchase any fixed or mobile broadband Internet access services
20 from an Internet service provider that is in violation of SubSection 2.
21
- 22 8. A public entity shall not provide funding for the purchase of any fixed or mobile
23 broadband Internet access services from an Internet service provider that is in violation of
24 Sub-Section 2.
25
- 26 9. Every contract between a public entity and an Internet service provider for broadband
27 Internet access service shall require that the service be rendered consistent with the
28 requirements of SubSection 2.
29
- 30 10. If, after execution of a contract for broadband Internet access service, a governmental
31 entity determines that the Internet service provider has violated SubSection 2 in providing
32 service to the public entity, the public entity may declare the contract void from the time
33 it was entered into and require repayment of any payments made to the Internet service
34 provider pursuant to the contract.
35
- 36 11. It shall not be a violation of this statute for a public entity to purchase or fund fixed or
37 mobile broadband Internet access services in a geographical area where Internet access
38 services are only available from a single broadband Internet access service provider.
39
- 40 12. An Internet service provider that provides fixed or mobile broadband Internet access
41 service purchased or funded by a public entity shall publicly disclose accurate
42 information regarding the network management practices, performance, and commercial
43 terms of its broadband Internet access service that is sufficient to enable end users of
44 those purchased or funded services, including a public entity, to fully and accurately
45 ascertain if the service is conducted in a lawful manner pursuant to SubSection 2.
46

1 Section 3. This act shall become effective ninety (90) days after passage and approval.

2

3

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-020

By: Lyness (OU)

AS INTRODUCED

An act relating to Criminal Defense; providing short title; providing for definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Gay and Trans Panic Defense Prohibition” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. Sexual Orientation: each person’s capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender
2. Gender Identity: each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means).
3. Gender Expression: including but not limited to dress, speech and mannerisms.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. No nonviolent sexual advance or perception or belief, of the gender, gender identity or expression, or sexual orientation of an individual may be used to excuse or justify the conduct of an individual or mitigate the severity of an offense.
 - a. A defendant does not suffer from reduced mental capacity based on the discovery of, knowledge about, or potential disclosure of the victim’s actual or perceived gender, gender identity, gender expression, or sexual orientation, including under circumstances in which the victim made an unwanted nonforcible romantic or sexual advance towards the defendant, or if the defendant and the victim had a romantic or sexual relationship.
2. Past Trauma.—Notwithstanding the prohibition in subsection (1), a court may admit

1 evidence, in accordance with the Federal Rules of Evidence, of prior trauma to the
2 defendant for the purpose of excusing or justifying the conduct of the defendant or
3 mitigating the severity of an offense.

4
5 Section 4. This act shall become effective ninety (90) days after passage and approval.

6

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-021

By: Lyness (OU)

AS INTRODUCED

An act relating to Public Health; providing short title; providing for definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Gas Pump Safety” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

A. Criminal negligence: exists when, although neither specific nor general criminal intent is present, there is such disregard of the interest of others that the offender's conduct amounts to a gross deviation below the standard of care expected to be maintained by a reasonably careful individual.

B. Gas Station: a retail station for servicing motor vehicles with gasoline also called a service station

C. Gas Pump: a piece of equipment installed in a gas station to dispense gasoline into the fuel tank of a motor vehicle.

D. Mobile Phone: a telephone with access to a cellular radio system so it can be used over a wide area, without a physical connection to a network.

E. QR Code: a machine-readable code consisting of an array of black and white squares, typically used for storing URLs or other information for reading by the camera on a smartphone.

F. Tablet: a small portable computer that accepts input directly onto its screen rather than via a keyboard or mouse.

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Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

A. No Gas Station shall have a QR Code visible on or within five (5) feet outdoors of a gas pump.

B. No individual shall use a mobile phone or tablet outside a motor vehicle within five (5) feet of a gas pump

Section 4. PENALTIES

A. Upon a first offense, the owner of the Gas Station shall be issued a written warning notice.

B. Any Gas Station which violates Section 3 Subsection A of this law shall be subject to monetary fines after the first offense as follows;

a. Upon the second offense, the owner of the Gas Station shall be fined one hundred dollars (\$100) per QR Code in violation of Section (3) Subsection (A).

b. Upon a third offense, the owner of the Gas Station shall be fined two hundred dollars (\$200) per QR Code in violation of Section (3) Subsection (A).

c. Upon a fourth offense, the owner of the Gas Station shall be fined three hundred dollars (\$300) per QR Code in violation of Section (3) Subsection (A).

d. Upon a fifth offense, the owner of the Gas Station shall be fined five hundred dollars (\$500) per QR Code in violation of Section (3) Subsection (A).

C. Upon a fifth offense, the Gas Station shall be suspended from business for thirty (30) days.

a. The owner of the Gas Station during this period shall provide paid leave for all employees.

b. This paid leave shall not be retractable from regularly provided paid leave.

1 D. Upon a fifth offense, the owner of the Gas Station shall be prosecuted by the
2 District Attorney on behalf of the people for criminal negligence.

3

4 E. Any individual found using a mobile phone in violation of Section 3 Subsection B
5 shall be subject to a monetary fine of twenty-five dollars (\$25).

6

7 Section 5. This act shall become effective ninety (90) days after passage and approval.

8

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-022

By: Putman (OU)

AS INTRODUCED

An act relating to state agency creation; providing short title; providing for definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Office of Police Oversight and Investigation” Act of 2018

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. Law Enforcement Officials- any officer, agent, or employee of the State authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law, or authorized by law to supervise sentenced criminal offenders. This includes full, part-time and auxiliary personnel
2. Prosecutor- A person who performs the act of prosecuting
3. Prosecuting- to bring legal action against for redress or punishment of a crime or violation of law

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. The state of Oklahoma will here by create an entirely independent office known as the Office of Police Oversight and Investigations. This office will be formed for the purpose of reviewing all local and state law enforcement agencies and it shall have the power to:
 - a. Prosecute all cases involving use of force, police deaths, sexual assault by law enforcement officials, corruption, bias, and general misconduct against the public;
 - b. To prosecute law enforcement officials and to relieve officers at its discretion. It also has the ability to make recommendations to all law enforcement agencies as to methods that will better improve performance, service to citizens, and safety.
2. The Office of Law Enforcement Oversight and Investigation will also periodically review law enforcement data to determine if there are disparities based on race, age, gender, gender identity, or sexual orientation in enforcement practices.

- 1 3. The Office of Police Oversight and Investigations shall review all instances of
2 distribution of federal military equipment to law enforcement agencies and determine
3 whether there is adequate cause for the agency to possess such equipment, if the Office
4 determines that there is no reasonable ground for possession the agency will be barred
5 from possessing equipment in question.
- 6 4. All cases involving prosecution must use a random process to select the special
7 prosecutor from among the prosecutors in the state, excluding the prosecutors of the
8 locality in which the death took place. The Office of Police Oversight and Investigations
9 shall have subpoena power, ability to compel testimony, and access to all relevant
10 internal documents, systems, and personnel of the law enforcement agencies and related
11 departments or bodies that may have access to complaints against officers and
12 departments.
- 13 5. The Office of Police Oversight and Investigations shall provide legal protections from
14 retaliation for people who provide information about potential legal violations, abuses of
15 power, or misconduct.
- 16 6. The budget of The Office of Police Oversight and Investigations shall be adequate and
17 consistent.
- 18 7. The Office of Police Oversight and Investigations shall have a public website that include
19 past reports, recommendations, and opportunities for community members to submit
20 questions, complaints, or recommended investigations. The Office of Police Oversight
21 and Investigations Shall be responsible for monitoring and reporting on the status of prior
22 recommendations. The Office of Police Oversight and Investigations shall be mandated
23 to report all of their findings to the public.
- 24 8. The Office of Police Oversight and Investigation shall collect and maintain a database of
25 police reports that are sent to prosecutors throughout the state and the final decision that
26 the prosecutor makes on whether or not charges are filled. The database must follow all
27 privacy laws that are applicable. The database must be publicly posted on the official
28 Office of Police Investigation and Oversight website.

29
30 Section 4. This act shall become effective ninety (90) days after passage and approval.
31
32

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-023

By: Putman (OU)

AS INTRODUCED

An act relating to Banks; providing short title; providing for definitions: providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "The Oklahoma State Reserve" Act of 2018

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. "State or federally chartered lending agencies" any agency that's primary purpose is the leading of money and has a certification from either the state of Oklahoma or a recognized national banking regulation institution
2. "Lien" A lien is a legal right granted by the owner of property that if the underlying obligation is not satisfied, the creditor may seize the asset that is the subject of the lien
3. "Holding company" a company created to buy and possess the shares of other companies, which it then controls
4. "Refinancing" to finance a loan again with a new lower interest rate
5. "Principal" original amount borrowed
6. "Maturity" final payment date of a loan
7. "security interest" the right that a lender can repossess property put up for collateral if the debtor stops making loan
8. "Customer" means any person who has transacted or is transacting business with, or has used or is using the services of the Oklahoma State Reserve

Section 3. NEW LAW A new section to be codified in the Oklahoma Statutes to read as follows:

1. In an attempt to encourage and promote agriculture, commerce, and industry, the state of Oklahoma shall engage in the business of banking, and for that purpose shall maintain a system of banks owned, controlled, and operated by it, under the name of the Oklahoma State Reserve
2. The positions of Governor, State Treasurer, State Auditor, State Attorney General, and Secretary of Agriculture shall be the Board of Directors of Oklahoma State Reserve. They shall operate, manage, and control the Oklahoma State Reserve, locate and maintain its places of business, of which the principal place must be within the state, and make and enforce orders, rules, regulations, and bylaws for the transaction of its business. The business and financial transactions of The Reserve, in addition to other matters specified

1 in this act, may include anything that any bank lawfully may do.
2

- 3 3. To accomplish the purposes of this Act, the Board of Directors shall acquire by purchase,
4 lease, or by exercise of the right of eminent domain, all requisite property and property
5 rights, and may construct, remodel and repair buildings; but it shall not invest more than
6 ten percent (10%) of the capital of The Reserve in furniture, fixtures, lands and buildings
7 for office purposes.
8
- 9 4. In an attempt to increase the use and usefulness of Oklahoma State Reserve. The
10 governor shall appoint an Advisory Board to Oklahoma State Reserve consisting of seven
11 persons, at least two of whom must be officers of banks, whose primary location is in the
12 state of Oklahoma, and at least one of whom must be an officer of a state-chartered or
13 federally chartered financial institution. The governor shall appoint a chairman, vice
14 chairman, and secretary from the Advisory Board. The term length of an advisory board
15 member is five (5) years.
16
- 17 5. The Advisory Board to Oklahoma State Reserve shall:
18 a. Meet regularly with the management of Oklahoma State Reserve to review the
19 Reserve's operations to determine whether recommendations should be made by
20 the Advisory board to the Board of Directors relating to improved management
21 performance, better customer service, and overall improvement in internal
22 methods, procedures, and operating policies of the Reserve.
23 b. Make recommendations to the Board of Directors relating to the establishment of
24 additional objectives for the operation of the Oklahoma State Reserve.
25 c. Make recommendations to the Board of Directors concerning the appointment of
26 officers of the Oklahoma State Reserve.
27 d. Meet regularly with the Board of Directors to present any recommendations
28 concerning Oklahoma State Reserve.
29 e. Will act on behalf of the Reserve with respect to the powers and functions of the
30 Reserve.
31
- 32 6. The Board of Directors shall appoint a president, and may appoint and employ such
33 subordinate officers, employees, and agents as it may judge necessary and in the interests
34 of the state, and shall define the duties, designate the titles, and fix the compensation of
35 all such persons. Though maximum compensation for any position may not exceed two-
36 hundred seventy-five thousand dollars (\$275,000) per year.
37
- 38 7. The board of directors may remove and discharge any and all persons appointed, whether
39 by the directors or by the president of the Reserve. All appointments and removals must
40 be made as the board of directors deems fit to promote the efficiency of the public
41 service.
42
- 43 8. All state, county, township, municipal and school district funds, and all other public
44 funds shall be deposited in the Reserve by the persons having control of such funds. All
45 income earned by The Reserve for its own account on state moneys that are deposited in
46 or invested with The Reserve to the credit of the state must be credited to and become a

1 part of the revenues and income of The Reserve.

- 2
- 3 9. Whenever any of the public funds are deposited in Oklahoma State Reserve the official
- 4 having handed over control to The Reserve shall be exempt from all liability by reason of
- 5 loss of any such funds while deposited.
- 6
- 7 10. All deposits in Oklahoma State Reserve are guaranteed by the state. Such deposits are
- 8 exempt from state, county, and municipal taxes of any and all kinds. Funds deposited by
- 9 State Banks in the Oklahoma State Reserve shall be deemed "available funds".
- 10
- 11 11. Oklahoma State Reserve may:
- 12 a. Make, purchase, guarantee, or hold loans:
- 13 i. To state-chartered or federally chartered lending agencies or institutions or
- 14 any other financial institutions
- 15 ii. To holders of State Reserve certificates of deposit and savings accounts up
- 16 to eighty percent (80%) of the value of the certificates and savings
- 17 accounts offered as security
- 18 iii. To farmers who are residents of this state, if the loans are secured by
- 19 recorded mortgages giving Oklahoma State Reserve a first lien on real
- 20 estate in Oklahoma in amounts not to exceed eighty percent (80%) of the
- 21 value of the security
- 22 iv. That are insured or guaranteed in whole or in part by the government of
- 23 United States of America, its agencies, or instrumentalities
- 24 v. To full time students of Universities in the state. Full time will be
- 25 designated as ten (12) university class hours a semester
- 26 vi. To individuals or bank holding companies for the purpose of purchasing
- 27 or refinancing the purchase of bank stock of a bank located in the state of
- 28 Oklahoma
- 29 vii. To non profit organizations that are exempt from federal taxation under
- 30 section 501(c)(3) of the Internal Revenue Code, the proceeds of the loans
- 31 to be used for construction, reconstruction, repair, renovation,
- 32 maintenance, and associated costs on property. Also to nonprofit
- 33 corporations for the purpose of relending loan funds to rural businesses. At
- 34 no time however may a nonprofit loan be given to a religious organization
- 35 viii. To finance businesses and community development projects in
- 36 rural areas
- 37 b. Invest in Funds In conformity to the parameters set by the Board of Directors
- 38 c. Buy and Sell Federal Funds
- 39 d. Lease, assign, sell, exchange, transfer, convey, grant, pledge, or mortgage all real
- 40 and personal property, title to which has been acquired in any manner
- 41 e. Acquire real or personal property or property rights by purchase, lease, or, subject
- 42 to the exercise of the right of eminent domain and may construct, remodel, and
- 43 repair buildings
- 44 f. receive deposits from any source, including the United States Government and
- 45 any foreign or domestic individual, corporation, association, Municipality, bank
- 46 or government

1 g. Perform all acts and do all things necessary, convenient, advisable, or desirable to
2 carry out the powers expressly granted or necessarily implied in this chapter
3 through or by means of its president, officers, agents, or employees or by
4 contracts with any person, firm, or corporation
5

6 12. The state treasurer and the director of the office of management and enterprise services
7 may, when the balance in the state general fund is insufficient to meet legislative
8 appropriations, borrow from the Oklahoma State Reserve. As a condition to the loan, the
9 state treasurer must request and obtain a statement from the director of the office of
10 management and enterprise services and state tax commission certifying that anticipated
11 general fund revenues will exceed the interest amount for the next five fiscal years. The
12 Board of Directors may in turn direct the Oklahoma State Reserve to make loans to the
13 state general fund at such rates of interest as the Board of Directors prescribes. The state
14 treasurer and the director of the office of management and enterprise services shall
15 establish a repayment plan for the repayment of the principal upon maturity as well as a
16 yearly interest payment. The State Treasurer shall report to the legislator regarding any
17 loans obtained

18 13. Notwithstanding any other provision of law, Oklahoma State Reserve may not make any
19 loan or otherwise give its credit to a member of the Board of Directors during the
20 member's term on the Board of Directors. Before taking office, a member of the Board of
21 Directors shall file a statement with Oklahoma State Reserve indicating any personal
22 interest that that member has in any loan or loan application in existence or pending at
23 any time during the member's term on the Board of Directors
24

25 14. The state auditor shall contract with an independent certified public accounting firm for
26 an annual audit of Oklahoma State Reserve in accordance with generally accepted
27 government auditing standards. The state auditor shall audit annually or contract for an
28 annual audit of the separate programs and funds administered by the Oklahoma State
29 Reserve. On request of the state auditor, the Board of Directors shall assist the state
30 auditor in the auditing firm selection process, but the selection of the auditing firm is the
31 state auditor's prerogative. The auditor selected shall prepare an report that includes
32 financial statements presented in accordance with the audit and accounting guide for
33 banks and savings institutions issued by the American institute of certified public
34 accountants. The auditor also shall prepare audited financial statements for inclusion in
35 the comprehensive annual financial report for the state. The state auditor may conduct
36 performance audits of the Oklahoma State Reserve, including the separate programs and
37 funds administered by The Reserve. The auditor shall report the results of the audit to the
38 Board of Directors and to the legislative assembly. Oklahoma State Reserve shall pay the
39 costs of the audit. The Oklahoma State Banking Department shall examine Oklahoma
40 State Reserve at least once every twenty-four (24) months and conduct any investigation
41 of the Reserve which may be necessary. The Department head shall report the
42 examination results, and the results of any necessary investigation, to the Board of
43 Directors as soon as possible and to the legislative assembly. The Oklahoma State
44 Banking Department shall charge a fee for any examination or investigation at an hourly
45 rate to be set by the department, sufficient to cover all reasonable expenses of the

1 department associated with the examinations and investigations
2

3 15. Oklahoma State Reserve may establish, under such rules and regulations as adopted by
4 the Board of Directors, a system to provide fund transfer services to its customers and to
5 the customers of state-chartered and federally chartered banks located within the United
6 States of America and all territories thereof, and to other financial institutions otherwise
7 authorized to utilize the services of electronic fund transfer systems, to acquire such
8 equipment as is necessary to establish electronic fund transfer systems, and to make such
9 reasonable service charges

10
11 16. The following records of Oklahoma State Reserve are confidential:

12 a. Commercial or financial information of a customer, whether obtained directly or
13 indirectly, except for routine credit inquiries or unless required by due legal
14 process

15 b. Internal or interagency memorandums or letters which would not be available by
16 law to a party other than in litigation with the Reserve

17 c. Information contained in or related to examination, operating, or condition reports
18 prepared by, on behalf of, or for the use of a state or federal agency responsible
19 for the regulation or supervision of any Reserve activity The report by a Reserve
20 officer or member of The Reserve's Advisory Board concerning personal financial
21 statements

22
23 17. At any time, any citizen of the state of Oklahoma may access all of The Reserves non-
24 confidential records

25
26 18. The Oklahoma State Reserve may make no regulations that based on race, religion,
27 financial status, gender or gender identity limit the ability to access all services by The
28 Reserve.

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30 Section 4. This act shall become effective ninety (90) days after passage and approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-024

By: Putman (OU)

AS INTRODUCED

An act relating to officers; repealing 51 O.S. Sections 251 through 258; providing short title; providing for amending; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "Equal Enforcement" Act of 2018

Section 2. REPEALER 51 O.S. 2000, section 251, 252, 253, 254, 255, 256, 257, 258, are hereby repealed

Section 251.

~~This act may be cited as the "Oklahoma Religious Freedom Act".~~

Section 252.

~~In this act:~~

- ~~1. "Demonstrates" means the burdens of going forward with the evidence and of persuasion under the standard of clear and convincing evidence are met;~~
- ~~2. "Exercise of religion" means the exercise of religion under Article 1, Section 2, of the Constitution of the State of Oklahoma, the Oklahoma Religious Freedom Act, and the First Amendment to the Constitution of the United States;~~
- ~~3. "Fraudulent claim" means a claim that is dishonest in fact or that is made principally for a patently improper purpose, such as to harass the opposing party;~~
- ~~4. "Frivolous claim" means a claim which lacks merit under existing law and which cannot be supported by a good faith argument for the extension, modification, or reversal of existing law or the establishment of new law;~~
- ~~5. "Governmental entity" means any branch, department, agency, or instrumentality of state government, or any official or other person acting under color of state law, or any political subdivision of this state;~~
- ~~6. "Prevails" means to obtain prevailing party status as defined by courts construing the federal Civil Rights Attorney's Fees Awards Act of 1976, 42 U.S.C. § 1988; and~~
- ~~7. "Substantially burden" means to inhibit or curtail religiously motivated practice.~~

1 Section 253.

2 ~~A. Except as provided in subsection B of this section, no governmental~~
3 ~~entity shall substantially burden a person's free exercise of religion even if the~~
4 ~~burden results from a rule of general applicability.~~

5 ~~B. No governmental entity shall substantially burden a person's free~~
6 ~~exercise of religion unless it demonstrates that application of the burden to the~~
7 ~~person is:~~

- 8 1. ~~Essential to further a compelling governmental interest; and~~
9 2. ~~The least restrictive means of furthering that compelling~~
10 ~~governmental interest.~~

11
12 Section 254.

13 ~~A state or local correctional facility's regulation must be~~
14 ~~considered in furtherance of a compelling state interest if the facility~~
15 ~~demonstrates that the religious activity:~~

- 16 1. ~~Sought to be engaged by a prisoner is presumptively dangerous~~
17 ~~to the health or safety of that prisoner; or~~
18 2. ~~Poses a direct threat to the health, safety, or security of other~~
19 ~~prisoners, correctional staff, or the public.~~

20
21 Section 255.

22 A. ~~Nothing in this act shall be construed to:~~

- 23 1. ~~Authorize any government entity to substantially burden any~~
24 ~~religious belief;~~
25 2. ~~Authorize same sex marriages, unions, or the equivalent thereof; or~~
26 3. ~~Affect, interpret, or in any way address those portions of Article 1,~~
27 ~~Section 2, and Article 2, Section 5, of the Constitution of the State~~
28 ~~of Oklahoma, the Oklahoma Religious Freedom Act, or the First~~
29 ~~Amendment to the Constitution of the United States that prohibit~~
30 ~~laws respecting the establishment of religion.~~

31 B. ~~Granting governmental funds, benefits, or exemptions to the extent~~
32 ~~permissible under paragraph 3 of subsection A of this section shall not constitute~~
33 ~~a violation of this section. As used in this subsection, "granting government funds,~~
34 ~~benefits, or exemptions" shall not include the denial of government funding,~~
35 ~~benefits, or exemptions. This provision does not in and of itself require vouchers.~~

36
37 Section 256.

38 A. ~~Any person whose exercise of religion has been substantially~~
39 ~~burdened by a governmental entity in violation of this section may assert~~
40 ~~that violation as a claim or defense in any judicial or administrative~~
41 ~~proceeding and may obtain declaratory relief or monetary damages.~~

42 B. ~~Any person who prevails in any proceeding to enforce this act~~
43 ~~against a governmental entity may recover reasonable costs and attorney~~
44 ~~fees.~~

45
46 Section 257.

1 ~~Any person found by a court of competent jurisdiction to have~~
2 ~~abused the protection of this act by filing a frivolous or fraudulent claim~~
3 ~~may be assessed the court costs of the governmental entity and may be~~
4 ~~enjoined from filing further claims under this act without leave of court.~~
5

6 Section 258.

7 ~~Notwithstanding any provision of this act, a governmental entity~~
8 ~~has no less authority to adopt or apply laws and regulations in a~~
9 ~~nondiscriminatory manner concerning zoning, land use planning, traffic~~
10 ~~management, urban nuisance, or historic preservation, than the authority~~
11 ~~of the governmental entity that existed under the law prior to the passage~~
12 ~~of this act. This section does not affect the authority of a governmental~~
13 ~~entity to adopt or apply laws and regulations as that authority has been~~
14 ~~interpreted by any court.~~
15

16 Section 3. NEW LAW A new law to be codified into the Oklahoma statutes to read as
17 follows:

- 18 1. General Applicability shall be the standard in all matters of religious liberty of First
19 Amendment interpretation in the state of Oklahoma.
- 20 2. In Instances where general Applicability can not be used the standard shall then change to
21 Compelling State interest.

22 Section 4. This act shall become effective ninety (90) days after passage and approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. OU-025

By: Reyes (OU)

AS INTRODUCED

An act relating to business licensing of hail repair companies; providing short title; providing for definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Emergency Licensing Act” of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. Hail Repair Companies: A company that specializes in hail repair, on vehicles and on roofs
2. Business Licenses: Formal permission from a governmental or other constituted authority to do something, as to carry on some business or profession
3. Fiscal Year: Any yearly period without regard to the calendar year, at the end of which a company determines its financial condition.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes, to read as follows:

1. The State of Oklahoma shall grant emergency business licenses to hail repair companies that can meet the following criteria
 - a. Over one million dollars (\$1,000,000) in revenue in the fiscal year previous to the application.
 - b. Be a licensed business with one (1) other state.
 - c. Have a work site already established prior to the application.
2. Companies licensed to operate in the state of Oklahoma may also use this to quickly open subsidiary companies.
3. Companies may use the emergency licenses to operate until final decision on permanent licensing has been reached.
4. Companies whose permanent business license applications are denied must forego any business operations or dealings until they can re-apply for permanent licensing.

Section 4. PENALTIES

1 1. Companies found to be in violation of this law shall be required to halt any and all
2 business operations in the State of Oklahoma and be subject to a fine of up to one
3 hundred and fifty thousand dollars (\$150,000).

4
5 Section 5. This act shall become effective ninety (90) days after passage and approval.
6

AS INTRODUCED

An act relating to persons with physical disabilities; providing short title; providing for definitions; providing for codification; providing for exemptions; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Ramps for Champs” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. A Person with a Physical Disability: A person who has some condition that markedly restricts their ability to function physically.
2. Oklahoma State Department of Education: The state education agency of the state of Oklahoma charged with determining the policies and directing the administration and supervision of the public school system in Oklahoma.

Section 3. NEW LAW A new law to be codified into the Oklahoma statutes to read as follows:

1. All public universities in the state of Oklahoma are required to make the main entrances to all of their school buildings accessible to people with physical disabilities.
2. They shall make their buildings accessible by installing equipment such as, but not limited to, ramps, lifts, automatic doors, and others.
3. Schools that are unable to meet the deadline for equipment installation as specified in this statute can apply to be eligible for an extension of not more than two (2) years with no fine.
 - a. For all schools applying for a deadline extension, proof must be shown to the Oklahoma State Department of Education that plans are in place and in motion for the equipment to be installed on all of their buildings

Section 4. EXEMPTIONS

1. Any buildings on the grounds of public universities that have been deemed “historical landmarks” before the passage of this legislation are exempt from this law and are not subject to its regulations.

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Section 5. This act shall become effective ninety (90) days after passage and approval.

Senate/House Bill No. RSU-001 By: Chastain (RSU)

AS INTRODUCED

An act relating to the rights of homeschool students to participate in extracurricular activities within a public school; providing short title; providing for definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Right to Play” Act of 2018.

Section 3. DEFINITIONS

“Homeschool student” Any student educated by means outside of any public or other school.

“Extracurricular activity” Includes athletic programs or other activities not conducted for academic credit.

“Physical requirements” Immunizations, physical exams, drug testing, or any other related requirement that applies to all participants in the extracurricular activity.

“Public school” All free schools supported by public taxation.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

A. Any homeschool student that meets the physical requirements of the public school in their district shall be able to participate in any extracurricular facilitated by that public school.

B. No additional requirements outside of the physical requirements for every student participating in the extracurricular will be imposed on any homeschool student.

Section 3. PENALTIES

A. Any school district denying a homeschool student access to extracurriculars without clear violation of the physical requirements must pay the student’s family an amount equal to the cost of participation in the extracurricular activity denied.

Section 3. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. RSU-002
(RSU)

By: Standingwater

AS INTRODUCED

An act relating to protecting an open internet in Oklahoma; providing short title; providing for definitions; providing for codification; providing for penalties and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Keep the Internet Open” Act of 2018.

Section 2. DEFINITIONS

1. "Broadband internet access service" means a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up internet access service.
2. "Edge provider" means any individual or entity that provides any content, application, or service over the internet, and any individual or entity that provides a device used for accessing any content, application, or service over the internet.
3. "End user" means any individual or entity that uses a broadband internet access service.
4. "Paid prioritization" means the management of a broadband provider's network to directly or indirectly favor some traffic over other traffic, including through the use of techniques such as traffic shaping, prioritization, or resource reservation.
5. "Reasonable network management" means a practice that has a primarily technical network management justification, but does not include other business practices. A network management practice is reasonable if it is primarily used for and tailored to achieving a legitimate network management purpose, taking into account the particular network architecture and technology of the broadband internet access service.
6. "Tiered internet access service" means offering end users a choice between different packages of service with clearly advertised speeds, prices, terms, and conditions; for example, a ten megabit service for one price and a fifty megabit service for a different price.

1 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to
2 read as follows:

3
4 1. Any corporation providing broadband internet access service in Oklahoma shall
5 publicly disclose accurate information regarding the network management practices,
6 performance characteristics, and commercial terms of its broadband internet access
7 services sufficient to enable consumers to make informed choices regarding the purchase
8 and use of such services and entrepreneurs, edge providers and other small businesses to
9 develop, market, and maintain internet offerings. The disclosure must be made via a
10 publicly available, easily accessible web site and given to new and existing customers in
11 the form of a pamphlet.

12
13 2. A person engaged in the provision of broadband internet access service in Oklahoma,
14 insofar as the person is so engaged, may not:

15
16 1. Block lawful content, applications, services, or non harmful devices,
17 subject to reasonable network management;

18
19 2. Impair or degrade lawful internet traffic on the basis of
20 internet content, application, or service, or use of a non harmful device,
21 subject to reasonable network management; or engage in paid prioritization
22

23 3. Engage in paid prioritization

24 4. Engage in tiered internet access service
25
26

27 3. Internet service provider must provide reasonable network management for all
28 customers, end users, business, and edge providers.
29

30 Section 4. PENALTIES

31
32 1. Failure to comply with this law shall result in a \$1,000,000 fine everyday it is violated
33 until the violation is corrected.
34

35 Section 5. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate/ House Bill No. RSU- 003

By: Chase (RSU)

AS INTRODUCED

An Act relating to ABLE commission licensees, providing short title, providing for protections for alcoholic beverage retail employees; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA

Section 1: This act shall be known as the “Alcoholic Beverage Retail Employee Protections Guide” Act of 2018.

Section 2. NEW LAW A new section of law will be codified in the Oklahoma Statutes as Section 3-128 of Title 37A, unless there is a duplication in numbering, reads as follows:

Section 3- 128.

Every On-Premise and Off- Premise ABLE Commission Licensed Retailer must have a physical copy of “Alcoholic Beverage Retail Employee Protections Guide” printed from the ABLE website.

1. Each employee must provide written confirmation that they have read and reviewed the scenarios and frequently referenced laws within the guide.
2. Each retailer must provide written confirmation from each employee stating:
 - a. that they have read, reviewed, and understood the scenarios and frequently referenced laws within the guide.
 - b. That they recognize correct courses of action.

Section 3. PENALTIES

1. Retailers will receive a \$100 fine for each day the guide is not accessible on the premises.
2. Retailers will be charged \$50 each day for each employee who has not provided written confirmation upon completely reading the guide

Section 4. This act shall become effective 90 days after passage and approval of the guide’s final draft.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SNU-001

By: Floyd (SNU)

AS INTRODUCED

An act relating to foster care; providing short title; providing for definitions; providing for codifications; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. SHORT TITLE: This Act shall be known as the “Previous Training” Act of 2018.

Section 2. DEFINITIONS

Section 3. NEW LAW: A new section of law to be codified in the Oklahoma Statutes to read as follows:

Applicants for OKDHS foster care who have previously raised two (2) or more children who are above the age of the children seeking placement are exempt from ten (10) of the twenty-seven (27) hours of training required by OKDHS. The remaining fifteen (15) hours of training shall cover transition into the home, adjustment, discipline, psychological support, teaching, relationships, and proper parenting, not basic caretaking skills. Applicants seeking to foster children with special circumstances do not qualify for this exemption.

Section 5. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SNU-00X

By: Senator Simpson (SNU)

AS INTRODUCED

An act relating to restaurant environmental practices; providing short title; providing for definitions; providing for codification providing for penalties, and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. Short Title This act shall be called the “Restaurant Responsibility” Act of 2018.

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Section 2. DEFINITIONS

“Yearly Gross Revenue” income generated from the sale of goods, services, capital, or any other assets of the company.

“Styrofoam” closed-cell extruded polystyrene foam.

“Take-home Containers” clamshell boxes, cups, bowls, or any other product made of “Styrofoam” provided to patrons for the purpose of taking food or beverages to-go.

“Biodegradable” materials that use oxygen to decompose and become natural elements.

“Compostable” materials that, when left in adequate composting conditions, decompose into nutrient rich soil.

“Patron” a customer of a store, restaurant, or business.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

Restaurants whose yearly gross revenue exceeds two million dollars shall be required to eliminate the use of all “Styrofoam” take-home containers and may choose to provide biodegradable or compostable alternatives to patrons.

Section 4. PENALTIES: Any restaurant found in violation shall be fined three thousand dollars (\$3,000) for every day it is found distributing these containers.

Section 5. This act shall become effective six (6) months after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SNU-002

By: Simpson (SNU)

AS INTRODUCED

An act relating to bus stops; providing short title; providing for definitions; providing for codification, providing for penalties and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. Short Title This act shall be called the “Covered Bus Stop” Act of 2018.

Section 2. DEFINITIONS

“Bus Stop” Any place where a city bus stops according to a public schedule and marked with an indicating sign.

“Bench” A seat with a back that is a minimum of six (6) feet long that seats three (3) or more adults.

“Shelter” An eight (8) foot tall structure that encases the bench on either shallow side and the back side as well as a roof that extends from behind the bench two (2) feet past the front of the bench.

“Falling Precipitation” Shall include rain of any degree, snow, sleet, hail, and any moisture of any degree that falls from the sky.

“Inside area of shelter” The ground, bench, and air space within the walls of the shelter extending one (1) foot in front of the bench.

Section 3. NEW LAW: A new section of law to be codified in the Oklahoma Statutes to read as follows:

It shall be mandatory that all bus stops within the City of Oklahoma City consist of a bench that is covered by a shelter. The shelter must adequately keep falling precipitation out of the inside area of the shelter.

Section 4. PENALTIES: If EMBARK of Oklahoma fails to construct such shelters within the allotted time period, it shall receive a penalty of one hundred dollars (\$100) per day per bus stop that does not meet these requirements.

Section 5. This act shall become effective 365 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SNU-003

By: Hannah Flores (SNU)

AS INTRODUCED

An act relating to roads, bridges, and sidewalks; providing short title; providing for codification, providing for effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA:

Section 1. This act shall be known as the “Great Roads Act.”

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

The Oklahoma Department of Transportation shall be required to oversee the Oklahoma Turnpike Association road and bridge renovations. These renovations shall include but are not limited to the following requirements:

- 1) Unfinished sidewalks must be finished and repaired.
- 2) New sidewalks must be created along any road that the Oklahoma Department of Transportation deems currently unsafe.

Section 3. This act shall become effective immediately after its passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SNU-004

By: Flores (SNU)

AS INTRODUCED

An Act relating to a child’s educational requirement to attend school; providing short title; providing for codification; providing an effective date.

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

Section 1. This act shall be known as the “Enable a Child Act” of 2018.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

Any student under the age of sixteen (16) who wishes to no longer attend secondary school shall be required to have consent from a parent or guardian, attend a course to prepare to take the General Education Diploma exam, and be enrolled in the Federal Job Corps training program or equivalent training or job.

Section 3. This act shall become effective immediately after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SNU-005

By: Zuniga (SNU)

AS INTRODUCED

An act relating to MEDICAL MARIJUANA; providing short title; providing for definitions; providing for codification; providing for penalties, and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "Age for Medical Marijuana" Act of 2018.

Section 2. "Medical marijuana" cannabis that is recommended or prescribed by physicians for patients.

Section 2. NEW LAW: A new section of law to be codified in the Oklahoma Statutes to read as follows:

It shall be lawful for anyone above the age of eighteen (18) to purchase medicinal marijuana, with a medical marijuana license.

Section 3. PENALTIES: Anyone under the age of eighteen (18) found attempting to purchase medicinal marijuana in any Oklahoma dispensary shall be fined two-thousand and five hundred dollars (\$2,500) or no less than thirty (30) days in jail.

Section 4. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SNU-006

By: Zuniga (SNU)

AS INTRODUCED

An act relating to communication between state police and United States Immigration Services; providing short title; providing for codification, and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. Short Title This act shall be called the "Amigo Act"of 2018.

Section 2. NEW LAW: A new section of law to be codified in the Oklahoma Statutes to read as follows:

It shall be unlawful for any state or municipal police department to communicate with the United States Immigration Services, unless a federal judge has signed a warrant.

Section 3. This act shall become effective one (1) day after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SNU-007

By: Zuniga (SNU)

AS INTRODUCED

An act relating to state drivers license; providing short title; providing for definitions; providing for codification; providing for penalties, and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be called "Safe Drivers" Act of 2018.

Section 2. DEFINITIONS

"Drivers license" shall mean the permit issued by the Department of Public Safety of Oklahoma giving Oklahoma residents the permission to drive a vehicle.

"Oklahoma Resident" shall mean anyone that can prove that they live in the state of Oklahoma, with several utility bills and proof that they are renting/ own a house in the state of Oklahoma.

Section 3. NEW LAW: A new section of law to be codified in the Oklahoma Statutes to read as follows:

The Department of Public Safety shall issue a driver's license to anyone that can provide proof of residence in the state of Oklahoma. The SDA (Safe Drivers Act) does not give the Department of Public Safety the permission to turn over information to any type of state law enforcement or federal law enforcement without a warrant signed by the appropriate judge.

Section 4. PENALTIES: Anyone providing false documents will be subject to the jurisdiction of the appropriate law enforcement agency.

Section 5. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SNU-008

By: Patalano (SNU)

AS INTRODUCED

An act relating to Title 21. Crimes and Punishments; providing short title; amending Title 21 OS 2014, Section 21-1171; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Video Recording Within Taxi Services” Act of 2018.

Section 2. AMENDATORY

A. Every person who hides, waits or otherwise loiters in the vicinity of any private dwelling house, apartment building, any other place of residence, or in the vicinity of any locker room, dressing room, restroom or any other place where a person has a right to a reasonable expectation of privacy, with the unlawful and willful intent to watch, gaze, or look upon any person in a clandestine manner, shall, upon conviction, be guilty of a misdemeanor. The violator shall be punished by imprisonment in the county jail for a term of not more than one (1) year, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

B. Every person who uses photographic, electronic or video equipment in a clandestine manner for any illegal, illegitimate, prurient, lewd or lascivious purpose with the unlawful and willful intent to view, watch, gaze or look upon any person without the knowledge and consent of such person when the person viewed is in a place where there is a right to a reasonable expectation of privacy, or who publishes or distributes any image obtained from such act, shall, upon conviction, be guilty of a felony. The violator shall be punished by imprisonment in the custody of the Department of Corrections for a term of not more than five (5) years, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

C. Every person who uses photographic, electronic or video equipment in a clandestine manner for any illegal, illegitimate, prurient, lewd or lascivious purpose with the unlawful and willful intent to view, watch, gaze or look upon any person and capture an image of a private area of a person without the knowledge and consent of such person and knowingly does so under circumstances in which a reasonable person would believe that the private area of the person would not be visible to the public, regardless of whether the person is in a public or private place shall, upon conviction, be guilty of a misdemeanor. The violator shall be punished by imprisonment in the county jail for a term of not more than one (1) year, or by a fine not exceeding Five

1 Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

2 D. As used in this section, the phrase “private area of the person” means the naked or
3 undergarment-clad genitals, pubic area, buttocks, or any portion of the areola of the
4 female breast of that individual.

5 E. Every person who uses photographic, electronic or video equipment within a
6 setting where of reasonable privacy must have a two-party consent agreement
7 beforehand.

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10 Section 3. This act shall become effective 180 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SNU-009

By: Patalano (SNU)

AS INTRODUCED

An act relating to Title 68. Revenue and Taxation; providing short title; amending Title 68 OS 1960, Section X-34; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “State Industrial Finance Authority Amendment” Act of 2018.

Section 2. AMENDATORY

A. SECTION X-34 State Industrial Finance Authority.

The Legislature of the State of Oklahoma is hereby authorized to enact a law or laws whereby the State may become indebted in an amount not to exceed Thirty Five Million, Five Hundred Thousand Dollars (\$35,500,000.00) for the purpose of constructing new buildings and other capital improvements and for equipping, remodeling, modernizing and repairing any and all existing buildings and capital improvements at the constituent institutions of the Oklahoma State System of Higher Education, provided that Five Million Dollars (\$5,000,000.00) shall be used to construct and equip a School and Hospital for ~~Mentally Retarded Children~~ Intellectually Impaired Children in Northeastern Oklahoma, out of said monies such law or laws shall provide for the payment and discharge of the principal of such debt, together with principal and interest on such indebtedness, from one or more of the following sources of State income as follows:

1. Any remainder of revenue available from the revenues lawfully levied and collected by the State of Oklahoma on the sale of ~~cigaretts~~ cigarettes not already committed to other obligations of the State of Oklahoma;
2. Allocations by the Legislature of the State of Oklahoma from any monies in the general revenue fund of the State not otherwise obligated, committed or appropriated; and
3. The proceeds of any tax which the Legislature may impose and collect for the purpose of paying the principal and interest on the indebtedness herein authorized to be created, authority hereby being granted to the Legislature to so impose and collect such tax, if necessary.

Such law or laws hereby authorized to be enacted by the Legislature of the State of Oklahoma may provided for the issuance of bonds evidencing the indebtedness herein authorized and provide that such bonds may be issued in one or more series, may bear such date or dates, may mature at such time or times, may be in such denomination or denominations, may be in such form, coupon or registered, may carry such registration or

1 conversion provisions, may be executed in such manner, may be payable in such medium or
2 payment at such place or places, may be subject to such terms of redemption, with or
3 without premium, and may bear such rate or rates of interest as the Legislature may deem
4 expedient and may contain any and all provisions which the Legislature may deem
5 necessary or expedient to make such bonds marketable as general obligations of the State of
6 Oklahoma with the full faith and credit of the State pledged thereto. Within the limit of
7 indebtedness herein authorized the Legislature in its discretion may authorize the issuance of
8 such bonds and the incurring of the authorized indebtedness in fractional amounts of the
9 total indebtedness hereby authorized to be incurred from time to time and at one or more
10 Sessions of the Legislature.

11
12 Added by State Question No. 393, Referendum Petition No. 128, adopted at election held on July
13 5, 1960.
14

15 Section 3. This act shall become effective 180 days after passage and approval.
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Senate Bill No. ALU-001

Gonzalez (ALU)

AS INTRODUCED

An act relating to Justice For Women: Wage Equality Act of 2018; providing short title; providing for definitions; providing for codification, providing for exceptions and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Justice For Women: Wage Equality” Act of 2018.

Section 2. DEFINITIONS

- A. “Employer” A person or organization that employs people.
- B. “Employee” A person employed for wages or salary, especially at nonexecutive level.
- C. “Wage Discussion” The action or process of talking about wages, earnings or salary.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- C. No employer shall discriminate between employees on the basis of sex, race, or national origin by paying lower wages to said employees in such establishment that is dominated by employees of a particular sex, race, or national origin at basis of sex, race, or national origin.
- D. No employer shall prohibit employees from wage discussion which discloses information about wages, earnings or salaries between employees.

Section 4. EXCEPTIONS

- A. Nothing in subparagraph (A) shall prohibit the payment of different wage rates to employees where such payment is made pursuant to—
 - i. a seniority system;
 - ii. a merit system;
 - iii. a system that measures earnings by quantity or quality of production; or
 - iv. a differential based on a bona fide factor other than sex, race, or national origin, such as education, training, or experience, except that this clause shall apply only if—
- E. The employer must demonstrate that such factor is job-related with respect to the position in question.

Section 5. This act shall become effective 90 days after passage and approval

Senate Bill No. SOSU-001

Antuono (SOSU)

AS INTRODUCED

An act relating to the public school system in Oklahoma shutting down on Fridays; providing short title; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “No School Fridays” Act of 2018.

Section 2. **NEW LAW** A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. All secondary public educational institutions shall be closed on Fridays. This is to save money for the state until the funding is in place for education.

Section 3. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SOSU-002

Metts (SOSU)

AS INTRODUCED

An act relating to bear wrestling; providing short title; amending 21 O.S. § 21-1700; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Legalize Bear Wrestling” Act of 2018

Section 2. AMENDATORY 21 O.S. § 21-1700 is amended to read as follows:

A. It is unlawful for any person to:

1. Promote, engage in, or be employed at a ~~bear wrestling exhibition or~~ horse tripping event;
2. Receive money for the admission of another person to any place where ~~bear wrestling or~~ horse tripping will occur;
3. Sell purchase, possess, or offer a horse for any horse tripping event;
- ~~4. Sell, purchase possess, or train a bear for any bear wrestling exhibition;~~
5. Subject a bear to alteration in any form for purposes of bear wrestling including, but not limited to removal of claws or teeth, or severing tendons; or
6. Give any substance to a bear, inject any substance into a bear, or cause a bear to ingest or inhale any substance for the purposes of bear wrestling.

Section 3. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SOSU-003

Metts (SOSU)
Morrison (SOSU)

AS INTRODUCED

An act relating to conduct of elections; providing short title; amending 26 O.S. § 7-109; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Legal Ballot Selfies” Act of 2018.

Section 2. AMENDATORY 26 O.S. § 7-109 is amended to read as follows:

No person shall, within the election enclosure, verbally disclose to any other person how he or she voted; nor shall any person expose his or her ballot to any other person within the election enclosure. A voter may take a digital image or photograph of his or her marked ballot and distribute or share the image via digital means if performed voluntarily and in compliance with state and federal law. Testimony as to how any individual cast his or her ballot, whether or not said ballot was lawfully cast, shall not be admissible as evidence in any court of law or public hearing in this state.

Section 3. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SOSU-004

Morrison (SOSU)

AS INTRODUCED

An act relating to schools; providing short title; providing definitions; providing for codification; providing for exceptions; and providing for an emergency clause.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Campus Victim Protection” Act of 2018.

Section 2. Definitions:

“Public Postsecondary Educational Institution” means any college or university subject to the Oklahoma Higher Education Code and includes the area or property under jurisdiction of such institutions.

“Sexual Assault” means sexual contact or intercourse with a person without the person's consent, including sexual contact or intercourse against the person's will or in a circumstance in which the person is incapable of consenting to the contact or intercourse.

Section 3. **NEW LAW** A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. A public postsecondary educational institution shall not take any disciplinary action against a student enrolled at the institution for a violation by the student of the institution's policies on student conduct if the student in good faith reports to the institution being the victim of, or a witness to, an incident of sexual assault and the violation of the institution's policies is in relation to the incident. This subsection applies regardless of the location at which the incident occurred or the outcome of the institution's disciplinary process regarding the incident, if any.
- B. A determination that a student is entitled to amnesty under subsection (a) is final and shall not be revoked.
- C. This section may not be construed to limit a public postsecondary educational institution's ability to provide amnesty from application of the institution's policies in circumstances not described by subsection (a).

Section 4. **EXCEPTIONS**

This law shall not apply to a student who reports the student's own commission of sexual assault or assistance in the commission of sexual assault.

1 Section 5. It being immediately necessary for the preservation of the public peace, health
2 and safety, an emergency is hereby declared to exist, by reason whereof this act
3 shall take effect and be in full force from and after its passage and approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SOSU-005

Morrison (SOSU)

AS INTRODUCED

An act relating to crime and punishments; providing short title; providing definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Fair Investigations” Act of 2018.

Section 2. Definitions:

“Special Prosecutor” means a lawyer appointed to investigate, and potentially prosecute, a particular case of suspected wrongdoing for which a conflict of interest exists for the usual prosecuting authority.

“Conflict of Interest” means a situation in which a person in a position is to derive personal benefit from actions or decisions made in their official capacity.

Section 3. **NEW LAW** A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. In the case of a law enforcement officer using deadly force against a person, thereby resulting in the death of that person, the Oklahoma Attorney General shall appoint a special prosecutor to present evidence on behalf of the state at a hearing before a judge in the appropriate court, in order to determine whether probable cause exists for the state to bring criminal charges against the law enforcement officer relating to the death of that person, which determination shall be made by the presiding judge.
- B. The Oklahoma Attorney General shall select the special prosecutor from among the prosecutors in Oklahoma, excluding the prosecutors of the county in which the death took place or prosecutors whose appointment would otherwise result in a conflict of interest.
- C. The judge presiding over a hearing described in subsection (a) shall issue the determination described in subsection (a) in writing, and shall submit such determination to the chief prosecutor of the locality in which the death took place.
- D. Upon the conclusion of a hearing described in subsection (a), the special prosecutor shall submit written recommendations to the chief prosecutor of the locality in which the death took place, including a recommendation regarding whether criminal charges shall be brought against the law enforcement officer relating to the death of the person.
- E. In a hearing described in subsection (a), the court shall remain open to the public, except as deemed appropriate by the presiding judge.

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Section 4. PENALTIES

- A. Units of local government in noncompliance with this law shall be subject to:
 - i. A written warning upon first offense.
 - ii. Forfeiture of fifty percent (50%) of funding from the State of Oklahoma for the fiscal year beginning subsequent to the date of most recent violation upon any further offense.

Section 5. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SOSU-006

Morrison of the Senate (SOSU)
Hickey, Lacey of the House (OSU)

AS INTRODUCED

An act relating to cities and towns; providing short title; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Puppycide” Act of 2018.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. Agencies of law enforcement shall establish and maintain a course of instruction for the training of officers of law enforcement in safe encounters with canines that shall include, but not necessarily be limited to:
 - i. Understanding the behavior of canines; and
 - ii. Tactical considerations and best practices during encounters involving canines; and
 - iii. Safe handling of, and appropriate use of force against canines; and
 - iv. No fewer than three (3) hours in total of training in said areas.
- B. Agencies shall include this training in their basic course on or before the first (1st) day of the month of July in 2019.
- C. Officers of law enforcement who have completed the basic course before the first (1st) day of the month of July in 2019 shall participate in supplementary training adhering to the curricula described in subsection (b) to be completed on or before the first (1st) day of the month of January in 2020.
- D. Further training courses to update this instruction may be established as deemed necessary to the agency.

Section 3. PENALTIES

- A. An agency of law enforcement found in violation of this law shall be subject to:
 - i. A written warning upon first offense; and

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ii. A forfeiture of twenty-five percent (25%) of funding from the State of Oklahoma for the next fiscal year subsequent to violation upon further offense.

Section 4. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SOSU-007
(SOSU)

By: Morrison of the Senate

Swearingin of the House
(OU)

AS INTRODUCED

An act relating to elections; providing short title; providing definitions; amending 26 O.S. § 1-103; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Ranked Choice Voting” Act of 2018.

Section 2. Definitions:

“Instant Runoff” means a method of casting and tabulating votes that simulates the ballot counts that would occur if all voters participated in a series of runoff elections with one candidate eliminated after each round of counting. In elections using the Instant Runoff Voting method, voters may rank the candidates in order of preference. In all such elections, the count shall proceed in the manner described in 26 O.S. § 1-103.

Section 3. AMENDATORY 26 O.S. § 1-103 is amended to read as follows:

If at any Primary or General Election no candidate for the nomination for that office of any political party receives a majority of all votes cast for all candidates of such party for the office, ~~no candidate shall be nominated by such party for the office, but the two candidates receiving the highest number of votes at such election shall be placed on the official ballot as candidates for such nomination at a Runoff Primary Election to be held on the fourth Tuesday of August in the same year. No county, municipality or school district shall schedule an election on any date during the twenty (20) days immediately preceding the date of any such Runoff Primary Election.~~ ,an instant runoff employing additional rounds of ballot counting shall be conducted to determine the winner of the election for that office as follows:

i. In every round of counting, each ballot is counted as one vote for that ballot's highest-ranked advancing candidate. "Advancing candidate" means a candidate for an office who has not been eliminated.

ii. A candidate receiving a majority of votes in a round is declared elected. If no candidate receives a majority of votes in a round, the candidate with the fewest votes shall be eliminated and there shall be another round of ballot counting. This process of eliminating the candidate with the fewest votes and recounting all

1 ballots shall continue until one candidate receives a majority of the valid votes in
2 a round.

3 iii. If a ballot has no more available choices ranked on it, that ballot shall be
4 declared "exhausted" and not counted in that round or any subsequent round.
5 Ballots skipping one number shall be counted for that voter's next clearly
6 indicated choice, but ballots skipping more than one number shall be declared
7 exhausted when this skipping of numbers is reached. Ballots with two or more of
8 the same number shall be declared exhausted when such duplicative rankings are
9 reached, unless only one of the candidates with the duplicated ranking is an
10 advancing candidate.

11 **iv. Any tie that could affect the outcome of**
12 **the election shall be resolved in accordance**
13 **with 26 O.S. § 8-105.**

14 v. For all statutory and constitutional provisions of the State pertaining to the
15 rights of political parties, the number of votes cast for a party's candidate for a
16 particular office shall be defined as the number of votes credited to that candidate
17 after the initial round of ballot counting.

18 Section 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes to
19 read as follows:

20 A. Ballots in primary and general elections for statewide offices, the United States
21 Senate, and the United States House of Representatives shall allow voters to rank
22 candidates for each office in order of choice. The ballots shall be simple and easy to
23 understand. Instructions to voters shall conform to the following specifications, although
24 subject to modification based on ballot design and voting system:

25 "Vote for candidates by indicating your first-choice candidate, your second-
26 choice candidate, and so on. Indicate your first choice by marking the number '1'
27 beside a candidate's name, your second choice by marking the number '2' beside
28 that candidate's name, and so on in order of your choice. Rank as many choices as
29 you wish. You may choose to rank only one candidate if desired. Marking a
30 second or later choice will not count against your first choice. Do not skip
31 numbers and do not mark the same number beside more than one candidate."

32 B. Sample ballots illustrating voting procedures shall be posted near the voting booth and
33 shall be included in the instruction packet mailed with absentee ballots.

34 C. All electronic voting equipment shall have the ability to count votes in the ranked
35 choice manner described in 26 O.S. § 1-103, and if necessary, allow voters to record their
36 choices in the manner described in 26 O.S. § 1-103 when said procedure is used.

1 Section 5. This act shall become effective on January 1st, 2020 after passage and approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SOSU-008

By: Morrison (SOSU)

AS INTRODUCED

An act relating to crimes and punishments; providing short title; amending 21 O.S. § 852.1; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Spiritual Child Endangerment” Act of 2018.

Section 2. AMENDATORY 21 O.S. § 852.1 is amended to read as follows:

A. A person who is the parent, guardian, or person having custody or control over a child as defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes, commits child endangerment when the person:

1. Knowingly permits physical or sexual abuse of a child;
2. Knowingly permits a child to be present at a location where a controlled dangerous substance is being manufactured or attempted to be manufactured as defined in Section 2-101 of Title 63 of the Oklahoma Statutes;
3. Knowingly permits a child to be present in a vehicle when the person knows or should have known that the operator of the vehicle is impaired by or is under the influence of alcohol or another intoxicating substance; or
4. Is the driver, operator, or person in physical control of a vehicle in violation of Section 11-902 of Title 47 of the Oklahoma Statutes while transporting or having in the vehicle such child or children.

However, it is an affirmative defense to this paragraph if the person had a reasonable apprehension that any action to stop the physical or sexual abuse or deny permission for the child to be in the vehicle with an intoxicated person would result in substantial bodily harm to the person or the child.

Nothing in this subsection shall prohibit the prosecution of a person pursuant to the provisions of Section 11-902 or 11-904 of Title 47 of the Oklahoma Statutes.

B. No parent, guardian, or person having custody or control of a child shall be exempt from the provisions of this section on any grounds, including, but not limited to taking only actions based in religion or philosophy such as the practice of spiritual means or prayer in lieu of treatment for cure of disease or remedial care for such child. The

1 ~~provisions of this section shall not apply to any parent, guardian or other person having~~
2 ~~custody or control of a child for the sole reason that the parent, guardian or other person~~
3 ~~in good faith selects and depends upon spiritual means or prayer for the treatment or cure~~
4 ~~of disease or remedial care for such child.~~ This subsection shall in no way limit or modify
5 the protections afforded said child in Section 852 of this title or Section 1-4-904 of Title
6 10A of the Oklahoma Statutes.

7 C. Any person convicted of violating any provision of this section shall be guilty of a
8 felony punishable by imprisonment in the custody of the Department of Corrections for a
9 term of not more than four (4) years, or by a fine not exceeding Five Thousand Dollars
10 (\$5,000.00), or by both such fine and imprisonment.

11 Section 3. This act shall become effective ninety (90) days after passage and approval.
12

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SOSU-009
(SOSU)

By: Tarpley

AS INTRODUCED

An act relating to the definition of a fence and its characteristics; providing short title; providing for definitions; amending 4 O.S. § 154; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Fence Redefinition” Act of 2018

Section 2. Definitions

“Fence” is defined as a barrier enclosing or bordering a field, yard, etc., that is used to prevent entrance, to confine, or to mark a boundary.

Section 3. AMENDATORY 4 O.S. § 154 is amended as read as follows

- A. A permanent fence is defined as a stationary and binding figure upon the surface it inhabits, and should be made of three rails of good substantial material, or three boards not less than six (6) inches wide and three-quarters (3/4) of an inch thick, such rails or boards to be fastened in or to good substantial posts not more than ten (10) feet apart where rails are used, and not more than eight (8) feet apart where boards are used, where either wholly or in part substantially built and kept in good repair, or any other kind of fence, which, in the opinion of the fence viewers shall be equivalent thereto, shall be declared a lawful fence:
- B. Provided, that the lowest or bottom rail, wire or board shall not be more than twenty (20) or less than sixteen (16) inches from the ground, and that such fence shall be fifty-four (54) inches in height, except that barb wire fence may consist of three barb wires, or four wires, two of which shall be barbed, the wires to be firmly fastened to the posts not more than two (2) rods apart, with two stays between the posts, or with posts not more than one (1) rod apart without such stays, the top wire to be not less than fifty four (54) nor more than fifty-eight (58) inches in height, and the bottom wire to be not more than twenty (20) or less than sixteen (16) inches from the ground:
- C. Provided, Further, that all partition fences may be made tight at the expense of the party desiring it, and such party may take from such fence the material by him added thereto whenever he may elect: and
- D. Provided, Further, that when the owner or occupants shall keep their respective share of the partition fence sufficiently tight to restrain such sheep, goats or swine
- E. Provided, Further, that an owner or occupant may make use of a temporary fence that is defined as a figure with three rails of any parameter and posts that confine to any parameter, where the figure is able to contain its’ inhabitants, where the figure can be easily be dismantled, where after

1 (30) days it will be replaced with a permanent lawful fence; this temporary fence will be declared
2 as lawful within the (30) days of use.

3
4 Section 4. This act shall become effective ninety (90) days after passage and approval.
5

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SOSU-010
(SOSU)

By: Tarpley

Morrison (SOSU)

AS INTRODUCED

An act relating to criminal procedure; providing short title; providing definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “No-Knock Raids” Act of 2018.

Section 2. Definitions:

“No-knock” means a provision in a search warrant that authorizes the executing officer to enter without giving audible notice of the officer’s presence, authority, and purpose.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

No search warrant shall be issued which contains a no-knock, except in the case that the affidavit or testimony supporting such warrant establishes by probable cause that if an officer were to knock and announce identity and purpose before entry, such act of knocking and announcing would likely pose a significant and imminent danger to human life or imminent danger of evidence being destroyed.

Section 4. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. SOSU-011
(SOSU)

By: Tarpley

Morrison
(SOSU)

AS INTRODUCED

An act relating to eminent domain; providing short title; amending 27 O.S. § 6; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Private Eminent Domain” Act of 2018.

Section 2. AMENDATORY 27 O.S. § 6 is amended to read as follows:

~~Any private person, firm or corporation shall have power to exercise the right of eminent domain in like manner as railroad companies for private ways of necessity or for agriculture, mining and sanitary purposes.~~

Section 3. This act shall become effective ninety (90) days after passage and approval.

Senate Bill No. SOSU-012

By: Vo (SOSU)

AS INTRODUCED

An act relating to obscene language in public spaces; providing short title; amending 21 O.S. § 905; amending 21 O.S. § 906; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Swearing Fine” Act of 2018.

Section 2. AMENDATORY 21 O.S. § 905 is amended to read as follows:

~~Every person guilty of profane swearing is punishable by a fine of One Dollar (\$1.00) for each offense.~~

Section 3. AMENDATORY 21 O.S. § 906 is amended to read as follows:

~~If any person shall utter or speak any obscene or lascivious language or word in any public place, or in the presence of females, or in the presence of children under ten (10) years of age, he shall be liable to a fine of not more than One Hundred Dollars (\$100.00), or imprisonment for not more than thirty (30) days, or both.~~

Section 4. This act shall become effective ninety (90) days after passage and approval.

Senate Bill No. SOSU-013

By: Vo (SOSU)

AS INTRODUCED

An act relating to banning grape juice; providing short title; providing for definitions; providing for codification; providing for exceptions; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “De-Juicing” Act of 2018.

Section 2. DEFINITIONS:

“Grape” the berry that is grown from a vine that is circle or oval in shape, varied in color, grown in clusters, crisp in texture, and belonging to the flowering plant genus Vitis. Typically used to produce wine, jam, juice, jelly, grape seed extract, raisins, vinegar, and grape seed oil.

“Juice” a liquid created from the obliteration of fruit or vegetables.

“Company” a legal entity made up of an association of people, be they natural, legal, or a mixture of both, for carrying on a commercial or industrial enterprise.

Section 3. NEW LAW: A new section of the law to be codified in the Oklahoma Statutes to read as follows:

- A. The state of Oklahoma shall hereby ban all grape juice, including artificial.
- B. Individuals and companies shall not produce, own, consume, buy, sell, import, or trade grape juice within the confines of state lines.
- C. All individuals or companies in contact with grape juice shall be granted an amnesty period of ninety days after the effective passage date which will allow said owners, to consume the juice to avoid food waste and companies to sell their stock.
 - a. No penalty shall occur within this period of time.
- D. Once the amnesty period has passed, all grape juice products shall be forbidden from passing state lines, being for consumer purchase or trade, and production shall cease.

Section 4. EXCEPTIONS:

- A. This law shall not apply to:
 - a. individuals or companies who produce wine, which is a fermented alcoholic grape beverage.
 - b. Religious organizations that require grape juice for their practices.

Section 5. PENALTIES:

- A. Anyone who is in violation of this law shall be charged five (5) dollars per infraction.

1 Section 6. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. TCC-001

By: Barnett (TCC)

AS INTRODUCED

An act relating to the Oklahoma Self-Defense Act; providing short title; providing for definitions; amending 21 O.S. § 1290.9; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act amending shall be known as “Carry Reform” Act of 2018

Section 2. DEFINITIONS

- A. “Pistol” or “handgun” means any derringer, revolver or semi-automatic firearm which:
- has an overall barrel or barrels length of less than sixteen (16) inches,
 - is capable of discharging single or multiple projectiles from a single round of ammunition composed of any material which may reasonably be expected to be able to cause lethal injury,
 - can be held and fired by the use of one or both hands,
 - and uses a combustible propellant charge to propel the projectile or projectiles.
- B. “Self-Defense Act” is an act passed in Oklahoma that states who is and isn't permitted to carry a handgun and where that individual can and can not carry a handgun.

Section 3. AMENDATORY: 21 O.S. § 1290.9 is amended to read as follows:

The following requirements shall apply to any person making application to the Oklahoma State Bureau of Investigation for a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act. The person must:

- Be a citizen of the United States;
- Establish a residency in the State of Oklahoma. For purposes of the Oklahoma Self-Defense Act, the term residency shall apply to any person who either possesses a valid Oklahoma driver's license or state photo identification card, and physically maintains a residence in this state or to any person, including the spouse of such person, who has permanent military orders within this state and possesses a valid driver license from another state where such person and spouse of such person claim residency;
- Be at least:
 - ~~twenty one (21)~~ **eighteen (18)** years of age; ~~or~~
 - ~~eighteen (18) years of age but not yet twenty one (21) years of age and the person is a member or veteran of the United States Armed Forces, the Reserves or National Guard, or the person was discharged under honorable conditions from the United States Armed Forces, Reserves or National Guard;~~
- Complete a firearms safety and training course and demonstrate competence and qualification with the type of pistol to be carried by the person as provided in Section 1290.14 of

1 this title, and submit proof of training and qualification or an exemption for training and
2 qualification as authorized by Section 1290.14 of this title;
3 4. Submit the required fee and complete the application process as provided in Section
4 1290.12 of this title; and
5 5. Comply in good faith with the provisions of the Oklahoma Self-Defense Act.
6
7
8 Section 4. This act shall become effective 90 days upon passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. TCC-002

By: Barnett (TCC)

AS INTRODUCED

An act relating to the Oklahoma Self-Defense Act; providing short title; providing for definitions; amending 21 O.S. § 1290.9; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act amending shall be known as “Carry Reform” Act of 2018

Section 2. DEFINITIONS

- A. “Pistol” or “handgun” means any derringer, revolver or semi-automatic firearm which:
- a. has an overall barrel or barrels length of less than sixteen (16) inches,
 - b. is capable of discharging single or multiple projectiles from a single round of ammunition composed of any material which may reasonably be expected to be able to cause lethal injury,
 - c. can be held and fired by the use of one or both hands,
 - d. and uses a combustible propellant charge to propel the projectile or projectiles.
- B. “Self-Defense Act” is an act passed in Oklahoma that states who is and isn't permitted to carry a handgun and where that individual can and can not carry a handgun.

Section 3. AMENDATORY: 21 O.S. § 1290.9 is amended to read as follows:

The following requirements shall apply to any person making application to the Oklahoma State Bureau of Investigation for a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act. The person must:

- 1. Be a citizen of the United States;
- 2. Establish a residency in the State of Oklahoma. For purposes of the Oklahoma Self-Defense Act, the term residency shall apply to any person who either possesses a valid Oklahoma driver's license or state photo identification card, and physically maintains a residence in this state or to any person, including the spouse of such person, who has permanent military orders within this state and possesses a valid driver license from another state where such person and spouse of such person claim residency;
- 3. Be at least:
 - a. twenty one (21) years of age;
 - ~~b. eighteen (18) years of age but not yet twenty one (21) years of age and the person is a member or veteran of the United States Armed Forces, the Reserves or National Guard, or the person was discharged under honorable conditions from the United States Armed Forces, Reserves or National Guard;~~
- 3. Complete a firearms safety and training course and demonstrate competence and qualification with the type of pistol to be carried by the person as provided in Section 1290.14 of

1 this title, and submit proof of training and qualification or an exemption for training and
2 qualification as authorized by Section 1290.14 of this title;
3 4. Submit the required fee and complete the application process as provided in Section
4 1290.12 of this title; and
5 5. Comply in good faith with the provisions of the Oklahoma Self-Defense Act.
6
7
8 Section 4. This act shall become effective 90 days upon passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. TCC-003

By: Barnett (TCC)

AS INTRODUCED

An act relating to the Oklahoma Mandatory Seat Belt Use Act; repealing Title 47 O.S. § 12-417; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. AMMENDATORY: 47 O.S. § 12-417 is hereby amended:

~~A. 1. Every operator and front seat passenger of a Class A commercial motor vehicle, Class B commercial motor vehicle, Class C commercial motor vehicle or a passenger vehicle operated in this state shall wear a properly adjusted and fastened safety seat belt system, required to be installed in the motor vehicle when manufactured pursuant to 49 C.F.R., Section 571.208.~~

~~2. For the purposes of this section, "passenger vehicle" shall mean a Class D motor vehicle, but shall not include trucks, truck tractors, recreational vehicles, motorcycles, or motorized bicycles, or a vehicle used primarily for farm use which is registered and licensed pursuant to the provisions of Section 1134 of this title.~~

~~B. The Commissioner of Public Safety, upon application from a person who, for medical reasons, is unable to wear a safety seat belt system supported by written attestation of such fact from a physician licensed pursuant to Section 495 of Title 59 of the Oklahoma Statutes, may issue to the person an exemption from the provisions of this section. The exemption shall be in the form of a restriction appearing on the driver license of the person and shall remain in effect until the expiration date of the driver license. Nothing in this subsection shall be construed to prevent the person from applying for another exemption as provided for in this section. The issuance of an attestation by a physician and the subsequent issuance of an exemption by the Commissioner, in good faith, shall not give rise to, nor shall the physician and the state thereby incur, any liability whatsoever in damages or otherwise, to any person injured by reason of failure of the person to wear a safety seat belt system.~~

~~C. This section shall not apply to an operator of a motor vehicle while performing official duties as a route carrier of the U.S. Postal Service.~~

~~D. The Department of Public Safety shall not record or assess points for violations of this section on any license holder's traffic record maintained by the Department.~~

~~E. Fine and court costs for violating the provisions of this section shall not exceed Twenty Dollars (\$20.00).~~

~~F. Municipalities may enact and municipal police officers may enforce ordinances prohibiting and penalizing conduct under provisions of this section on roadways under municipal maintenance, but the provisions of those ordinances shall be the same as provided for in this section, and the enforcement provisions under those ordinances shall not be more stringent than those of this section.~~

1

Section 2. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. TCC-004

By: Barnett (TCC)

AS INTRODUCED

An act relating to the Illegal drug use or possession stated in the Uniform Controlled Dangerous Substances Act; providing short title; providing for definitions; amending 63 O.S. § 2-401 through 63 O.S. § 2-413 ; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. Short Title This act shall be known as “Natural Selection” Act of 2018

Section 2. DEFINITIONS

1. “Schedule I-V Substances” See Oklahoma Statutes 63 O.S. § 2- 202 through 63 O.S. § 2-212, for descriptions and lists of such substances.
2. "Dispenser" means a person who distributes a Schedule II controlled dangerous substance, but does not include a licensed hospital pharmacy or a licensed nurse or medication aide who administers such a substance at the direction of a licensed physician;

Section 3. AMMENDATORY: 63 O.S. § 2-401 through 63 O.S. § 2-413 is amended to read as follows:

~~§63-2-401. Prohibited acts A Penalties.~~

~~A. Except as authorized by the Uniform Controlled Dangerous Substances Act, it shall be unlawful for any person:~~

~~1. To distribute, dispense, transport with intent to distribute or dispense, possess with intent to manufacture, distribute, or dispense, a controlled dangerous substance or to solicit the use of or use the services of a person less than eighteen (18) years of age to cultivate, distribute or dispense a controlled dangerous substance;~~

~~2. To create, distribute, transport with intent to distribute or dispense, or possess with intent to distribute, a counterfeit controlled dangerous substance; or~~

~~3. To distribute any imitation controlled substance as defined by Section 2-101 of this title, except when authorized by the Food and Drug Administration of the United States Department of Health and Human Services.~~

~~B. Any person who violates the provisions of this section with respect to:~~

~~1. A substance classified in Schedule I or II which is a narcotic drug, lysergie acid diethylamide (LSD), gamma butyrolactone, gamma hydroxyvalerate, gamma valerolactone, 1,4 butanediol, or gamma hydroxybutyric acid as defined in Sections 2-204 and 2-208 of this title, upon conviction, shall be guilty of a felony and shall be sentenced to a term of imprisonment for not less than five (5) years nor more than life and a fine of not more than One Hundred Thousand Dollars (\$100,000.00), which shall be in addition to other punishment provided by law and shall~~

1 not be imposed in lieu of other punishment. Any sentence to the custody of the Department of
2 Corrections shall not be subject to statutory provisions for suspended sentences, deferred
3 sentences, or probation except when the conviction is for a first offense;

4 2. Any other controlled dangerous substance classified in Schedule I, II, III, or IV, upon
5 conviction, shall be guilty of a felony and shall be sentenced to a term of imprisonment for not
6 less than two (2) years nor more than life and a fine of not more than Twenty Thousand Dollars
7 (\$20,000.00), which shall be in addition to other punishment provided by law and shall not be
8 imposed in lieu of other punishment. Any sentence to the custody of the Department of
9 Corrections shall not be subject to statutory provisions for suspended sentences, deferred
10 sentences, or probation except when the conviction is for a first offense;

11 3. A substance classified in Schedule V, upon conviction, shall be guilty of a felony and
12 shall be sentenced to a term of imprisonment for not more than five (5) years and a fine of not
13 more than One Thousand Dollars (\$1,000.00), which shall be in addition to other punishment
14 provided by law and shall not be imposed in lieu of other punishment; or

15 4. An imitation controlled substance as defined by Section 2-101 of this title, upon
16 conviction, shall be guilty of a misdemeanor and shall be sentenced to a term of imprisonment in
17 the county jail for a period of not more than one (1) year and a fine of not more than One
18 Thousand Dollars (\$1,000.00). A person convicted of a second violation of the provisions of this
19 paragraph shall be guilty of a felony and shall be sentenced to a term of imprisonment for not
20 more than five (5) years and a fine of not more than Five Thousand Dollars (\$5,000.00), which
21 shall be in addition to other punishment provided by law and shall not be imposed in lieu of other
22 punishment.

23 C. 1. Except when authorized by the Food and Drug Administration of the United States
24 Department of Health and Human Services, it shall be unlawful for any person to manufacture,
25 cultivate, distribute, or possess with intent to distribute a synthetic controlled substance.

26 2. Any person convicted of violating the provisions of this paragraph is guilty of a felony
27 and shall be punished by imprisonment for a term not to exceed life and a fine of not more than
28 Twenty-five Thousand Dollars (\$25,000.00), which shall be in addition to other punishment
29 provided by law and shall not be imposed in lieu of other punishment.

30 3. A second or subsequent conviction for the violation of the provisions of this paragraph is
31 a felony punishable as a habitual offender pursuant to Section 51.1 of Title 21 of the Oklahoma
32 Statutes.

33 4. In addition, the violator shall be fined an amount not more than One Hundred Thousand
34 Dollars (\$100,000.00), which shall be in addition to other punishment provided by law and shall
35 not be imposed in lieu of other punishment.

36 D. 1. Any person convicted of a second or subsequent felony violation of the provisions of
37 this section, except for paragraph 4 of subsection B of this section, shall be punished as a
38 habitual offender pursuant to Section 51.1 of Title 21 of the Oklahoma Statutes.

39 2. In addition, the violator shall be fined twice the fine otherwise authorized, which shall be
40 in addition to other punishment provided by law and shall not be imposed in lieu of other
41 punishment.

42 3. Convictions for second or subsequent violations of the provisions of this section shall not
43 be subject to statutory provisions for suspended sentences, deferred sentences, or probation.

44 E. Any person who is at least eighteen (18) years of age and who violates the provisions of
45 this section by using or soliciting the use of services of a person less than eighteen (18) years of
46 age to distribute, dispense, transport with intent to distribute or dispense or cultivate a controlled

1 dangerous substance or by distributing a controlled dangerous substance to a person under
2 eighteen (18) years of age, is punishable by twice the fine and by twice the imprisonment
3 otherwise authorized.

4 F. Any person who violates any provision of this section by transporting with intent to
5 distribute or dispense, distributing or possessing with intent to distribute a controlled dangerous
6 substance to a person, or violation of subsection G of this section, in or on, or within two
7 thousand (2,000) feet of the real property comprising a public or private elementary or secondary
8 school, public vocational school, public or private college or university, or other institution of
9 higher education, recreation center or public park, including state parks and recreation areas,
10 public housing project, or child care facility as defined by Section 402 of Title 10 of the
11 Oklahoma Statutes, shall be punished by:

12 1. For a first offense, a term of imprisonment, or by the imposition of a fine or by both, not
13 exceeding twice that authorized by the appropriate provision of this section and shall serve a
14 minimum of fifty percent (50%) of the sentence received prior to becoming eligible for state
15 correctional institution earned credits toward the completion of the sentence; or

16 2. For a second or subsequent offense, a term of imprisonment as provided for a habitual
17 offender pursuant to Section 51.1 of Title 21 of the Oklahoma Statutes. In addition, the violator
18 shall serve eighty five percent (85%) of the sentence received prior to becoming eligible for state
19 correctional institution earned credits toward the completion of the sentence or eligibility for
20 parole.

21 G. 1. Except as authorized by the Uniform Controlled Dangerous Substances Act, it shall
22 be unlawful for any person to manufacture or attempt to manufacture any controlled dangerous
23 substance or possess any substance listed in Section 2-322 of this title or any substance
24 containing any detectable amount of pseudoephedrine or its salts, optical isomers or salts of
25 optical isomers, iodine or its salts, optical isomers or salts of optical isomers, hydriodic acid,
26 sodium metal, lithium metal, anhydrous ammonia, phosphorus, or organic solvents with the
27 intent to use that substance to manufacture a controlled dangerous substance.

28 2. Any person violating the provisions of this subsection with respect to the unlawful
29 manufacturing or attempting to unlawfully manufacture any controlled dangerous substance, or
30 possessing any substance listed in this subsection or Section 2-322 of this title, upon conviction,
31 is guilty of a felony and shall be punished by imprisonment for not less than seven (7) years nor
32 more than life and by a fine of not less than Fifty Thousand Dollars (\$50,000.00), which shall be
33 in addition to other punishment provided by law and shall not be imposed in lieu of other
34 punishment. The possession of any amount of anhydrous ammonia in an unauthorized container
35 shall be prima facie evidence of intent to use such substance to manufacture a controlled
36 dangerous substance.

37 3. Any person violating the provisions of this subsection with respect to the unlawful
38 manufacturing or attempting to unlawfully manufacture any controlled dangerous substance in
39 the following amounts:

40 a. — one (1) kilogram or more of a mixture or substance containing a detectable amount of
41 heroin;

42 b. — five (5) kilograms or more of a mixture or substance containing a detectable amount
43 of:

44 (1) — coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
45 eegonine, and derivatives of eegonine or their salts have been removed;

46 (2) — cocaine, its salts, optical and geometric isomers, and salts of isomers,

- 1 (3) ~~ecgonine, its derivatives, their salts, isomers, and salts of isomers, or~~
2 (4) ~~any compound, mixture, or preparation which contains any quantity of any of the~~
3 ~~substances referred to in divisions (1) through (3) of this subparagraph;~~
4 e. ~~fifty (50) grams or more of a mixture or substance described in division (2) of~~
5 ~~subparagraph b of this paragraph which contains cocaine base;~~
6 d. ~~one hundred (100) grams or more of phenacyclidine (PCP) or 1 kilogram or more of a~~
7 ~~mixture or substance containing a detectable amount of phenacyclidine (PCP);~~
8 e. ~~ten (10) grams or more of a mixture or substance containing a detectable amount of~~
9 ~~lysergie acid diethylamide (LSD);~~
10 f. ~~four hundred (400) grams or more of a mixture or substance containing a detectable~~
11 ~~amount of N-phenyl N-[1-(2-phenylethyl)-4-piperidinyl]propanamide or 100 grams or~~
12 ~~more of a mixture or substance containing a detectable amount of any analogue of N-~~
13 ~~phenyl N-[1-(2-phenylethyl)-4-piperidinyl]propanamide;~~
14 g. ~~one thousand (1,000) kilograms or more of a mixture or substance containing a~~
15 ~~detectable amount of marihuana or one thousand (1000) or more marihuana plants~~
16 ~~regardless of weight; or~~
17 h. ~~fifty (50) grams or more of methamphetamine, its salts, isomers, and salts of its~~
18 ~~isomers or 500 grams or more of a mixture or substance containing a detectable~~
19 ~~amount of methamphetamine, its salts, isomers, or salts of its isomers;~~

20 ~~upon conviction, is guilty of aggravated manufacturing a controlled dangerous substance~~
21 ~~punishable by imprisonment for not less than twenty (20) years nor more than life and by a fine~~
22 ~~of not less than Fifty Thousand Dollars (\$50,000.00), which shall be in addition to other~~
23 ~~punishment provided by law and shall not be imposed in lieu of other punishment. Any person~~
24 ~~convicted of a violation of the provisions of this paragraph shall be required to serve a minimum~~
25 ~~of eighty five percent (85%) of the sentence received prior to becoming eligible for state~~
26 ~~correctional earned credits towards the completion of the sentence or eligible for parole.~~

27 4. ~~Any sentence to the custody of the Department of Corrections for any violation of~~
28 ~~paragraph 3 of this subsection shall not be subject to statutory provisions for suspended~~
29 ~~sentences, deferred sentences, or probation. A person convicted of a second or subsequent~~
30 ~~violation of the provisions of paragraph 3 of this subsection shall be punished as a habitual~~
31 ~~offender pursuant to Section 51.1 of Title 21 of the Oklahoma Statutes and shall be required to~~
32 ~~serve a minimum of eighty five percent (85%) of the sentence received prior to becoming~~
33 ~~eligible for state correctional earned credits or eligibility for parole.~~

34 5. ~~Any person who has been convicted of manufacturing or attempting to manufacture~~
35 ~~methamphetamine pursuant to the provisions of this subsection and who, after such conviction,~~
36 ~~purchases or attempts to purchase, receive or otherwise acquire any product, mixture, or~~
37 ~~preparation containing any detectable quantity of base pseudoephedrine or ephedrine shall, upon~~
38 ~~conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of~~
39 ~~Corrections for a term in the range of twice the minimum term provided for in paragraph 2 of~~
40 ~~this subsection.~~

41 H. ~~Any person convicted of any offense described in the Uniform Controlled Dangerous~~
42 ~~Substances Act may, in addition to the fine imposed, be assessed an amount not to exceed ten~~
43 ~~percent (10%) of the fine imposed. Such assessment shall be paid into a revolving fund for~~
44 ~~enforcement of controlled dangerous substances created pursuant to Section 2-506 of this title.~~

45 I. ~~Any person convicted of any offense described in this section shall, in addition to any~~
46 ~~fine imposed, pay a special assessment trauma care fee of One Hundred Dollars (\$100.00) to be~~

1 deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of this
2 title.

3 J. For purposes of this section, "public housing project" means any dwelling or
4 accommodations operated as a state or federally subsidized multifamily housing project by any
5 housing authority, nonprofit corporation or municipal developer or housing projects created
6 pursuant to the Oklahoma Housing Authorities Act.

7 K. When a person is found guilty of a violation of the provisions of this section, the court
8 shall order, in addition to any other penalty, the defendant to pay a one-hundred-dollar
9 assessment to be deposited in the Drug Abuse Education and Treatment Revolving Fund created
10 in Section 2-503.2 of this title, upon collection.

11 §63-2-402v1. Prohibited acts B—Penalties.

12 A. 1. It shall be unlawful for any person knowingly or intentionally to possess a controlled
13 dangerous substance unless such substance was obtained directly, or pursuant to a valid
14 prescription or order from a practitioner, while acting in the course of his or her professional
15 practice, or except as otherwise authorized by this act.

16 2. It shall be unlawful for any person to purchase any preparation excepted from the
17 provisions of the Uniform Controlled Dangerous Substances Act pursuant to Section 2-313 of
18 this title in an amount or within a time interval other than that permitted by Section 2-313 of this
19 title.

20 3. It shall be unlawful for any person or business to sell, market, advertise or label any
21 product containing ephedrine, its salts, optical isomers, or salts of optical isomers, for the
22 indication of stimulation, mental alertness, weight loss, appetite control, muscle development,
23 energy or other indication which is not approved by the pertinent federal OTC Final Monograph,
24 Tentative Final Monograph, or FDA-approved new drug application or its legal equivalent. In
25 determining compliance with this requirement, the following factors shall be considered:

- 26 a.—the packaging of the product,
27 b.—the name of the product, and
28 c.—the distribution and promotion of the product, including verbal representations made at
29 the point of sale.

30 B. Any person who violates this section with respect to:

31 1. Any Schedule I or II substance, except marijuana or a substance included in subsection D
32 of Section 2-206 of this title, is guilty of a felony punishable by imprisonment for not more than
33 five (5) years and by a fine not exceeding Five Thousand Dollars (\$5,000.00). A second
34 violation of this section with respect to a Schedule I or II substance, except marijuana or a
35 substance included in subsection D of Section 2-206 of this title, is a felony punishable by
36 imprisonment for not more than ten (10) years and by a fine not exceeding Ten Thousand Dollars
37 (\$10,000.00). A third or subsequent violation of this section with respect to a Schedule I or II
38 substance, except marijuana or a substance included in subsection D of Section 2-206 of this
39 title, is a felony punishable by imprisonment for not less than four (4) years nor more than fifteen
40 (15) years and by a fine not exceeding Ten Thousand Dollars (\$10,000.00);

41 2. Any Schedule III, IV or V substance, marijuana, a substance included in subsection D of
42 Section 2-206 of this title, or any preparation excepted from the provisions of the Uniform
43 Controlled Dangerous Substances Act is guilty of a misdemeanor punishable by confinement for
44 not more than one (1) year and by a fine not exceeding One Thousand Dollars (\$1,000.00);
45

1 3. ~~Any Schedule III, IV or V substance, marijuana, a substance included in subsection D of~~
2 ~~Section 2-206 of this title, or any preparation excepted from the provisions of the Uniform~~
3 ~~Controlled Dangerous Substances Act and who, during the period of any court imposed~~
4 ~~probationary term or within ten (10) years of the date following the completion of the execution~~
5 ~~of any sentence or deferred judgment for a violation of this section, commits a second or~~
6 ~~subsequent violation of this section shall, upon conviction, be guilty of a felony punishable by~~
7 ~~imprisonment in the custody of the Department of Corrections for not less than one (1) year nor~~
8 ~~more than five (5) years and by a fine not exceeding Five Thousand Dollars (\$5,000.00); or~~

9 4. ~~Any Schedule III, IV or V substance, marijuana, a substance included in subsection D of~~
10 ~~Section 2-206 of this title, or any preparation excepted from the provisions of the Uniform~~
11 ~~Controlled Dangerous Substances Act and who, ten (10) or more years following the date of~~
12 ~~completion of the execution of any sentence or deferred judgment for a violation of this section,~~
13 ~~commits a second or subsequent violation of this section shall, upon conviction, be guilty of a~~
14 ~~felony punishable by imprisonment in the custody of the Department of Corrections for not less~~
15 ~~than one (1) year nor more than five (5) years and by a fine not exceeding Five Thousand Dollars~~
16 ~~(\$5,000.00).~~

17 C. ~~Any person who violates any provision of this section by possessing or purchasing a~~
18 ~~controlled dangerous substance from any person, in or on, or within one thousand (1,000) feet of~~
19 ~~the real property comprising a public or private elementary or secondary school, public~~
20 ~~vocational school, public or private college or university, or other institution of higher education,~~
21 ~~recreation center or public park, including state parks and recreation areas, or in the presence of~~
22 ~~any child under twelve (12) years of age, shall be guilty of a felony and punished by:~~

23 1. ~~For a first offense, a term of imprisonment, or by the imposition of a fine, or by both, not~~
24 ~~exceeding twice that authorized by the appropriate provision of this section. In addition, the~~
25 ~~person shall serve a minimum of fifty percent (50%) of the sentence received prior to becoming~~
26 ~~eligible for state correctional institution earned credits toward the completion of said sentence; or~~

27 2. ~~For a second or subsequent offense, a term of imprisonment not exceeding three times~~
28 ~~that authorized by the appropriate provision of this section and the person shall serve a minimum~~
29 ~~of ninety percent (90%) of the sentence received prior to becoming eligible for state correctional~~
30 ~~institution earned credits toward the completion of said sentence, and imposition of a fine not~~
31 ~~exceeding Ten Thousand Dollars (\$10,000.00).~~

32 D. ~~Any person convicted of any offense described in this section shall, in addition to any~~
33 ~~fine imposed, pay a special assessment trauma care fee of One Hundred Dollars (\$100.00) to be~~
34 ~~deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2530.9 of this~~
35 ~~title.~~

36
37 ~~§63-2-403. Prohibited acts C—Penalties.~~

38 A. ~~Any person found guilty of larceny, burglary or theft of controlled dangerous substances~~
39 ~~is guilty of a felony punishable by imprisonment for a period not to exceed ten (10) years. A~~
40 ~~second or subsequent offense under this subsection is a felony punishable by imprisonment for~~
41 ~~not less than ten (10) years. Convictions for second or subsequent violations of this subsection~~
42 ~~shall not be subject to statutory provisions for suspended sentences, deferred sentences or~~
43 ~~probation.~~

44 B. ~~Any person found guilty of robbery or attempted robbery of controlled dangerous~~
45 ~~substances from a practitioner, manufacturer, distributor or agent thereof as defined in Section 2-~~
46 ~~101 of this title is guilty of a felony punishable by imprisonment for a period of not less than five~~

1 ~~(5) years, and such sentence shall not be subject to statutory provisions for suspended sentences,~~
2 ~~deferred sentences or probation. A second or subsequent offense under this subsection is a~~
3 ~~felony punishable by life imprisonment. Convictions for second or subsequent offenses of this~~
4 ~~subsection shall not be subject to statutory provisions for suspended sentences, deferred~~
5 ~~sentences or probation.~~

6 ~~Added by Laws 1971, c. 119, § 2-403. Amended by Laws 1983, c. 82, § 1, emerg. eff. May 3,~~
7 ~~1983.~~

8
9 ~~§63-2-404. Prohibited acts D—Penalties.~~

10 ~~A. It shall be unlawful for any person:~~

11 ~~1. Who is subject to the requirements of Article III of this act to distribute or dispense a~~
12 ~~controlled dangerous substance in violation of Section 2-308 of this title;~~

13 ~~2. Who is a registrant to manufacture, distribute, or dispense a controlled dangerous~~
14 ~~substance not authorized by his registration to another registrant or other authorized person;~~

15 ~~3. To omit, remove, alter, or obliterate a symbol required by the Federal Controlled~~
16 ~~Substances Act or this act;~~

17 ~~4. To refuse or fail to make, keep, or furnish any record, notification, order form, statement,~~
18 ~~invoice, or information required under this act;~~

19 ~~5. To refuse any entry into any premises or inspection authorized by this act; or~~

20 ~~6. To keep or maintain any store, shop, warehouse, dwelling house, building, vehicle, boat,~~
21 ~~aircraft, or any place whatever, which is resorted to by persons using controlled dangerous~~
22 ~~substances in violation of this act for the purpose of using such substances, or which is used for~~
23 ~~the keeping or selling of the same in violation of this act.~~

24 ~~B. Any person who violates this section is punishable by a civil fine of not more than One~~
25 ~~Thousand Dollars (\$1,000.00); provided, that, if the violation is prosecuted by an information or~~
26 ~~indictment which alleges that the violation was committed knowingly or intentionally, and the~~
27 ~~trier of fact specifically finds that the violation was committed knowingly or intentionally, such~~
28 ~~person is guilty of a felony punishable by imprisonment for not more than five (5) years, and a~~
29 ~~fine of not more than Ten Thousand Dollars (\$10,000.00), except that if such person is a~~
30 ~~corporation it shall be subject to a civil penalty of not more than One Hundred Thousand Dollars~~
31 ~~(\$100,000.00). The fine provided for in this subsection shall be in addition to other punishments~~
32 ~~provided by law and shall not be in lieu of other punishment.~~

33 ~~C. Any person convicted of a second or subsequent violation of this section is punishable~~
34 ~~by a term of imprisonment twice that otherwise authorized and by twice the fine otherwise~~
35 ~~authorized. The fine provided for in this subsection shall be in addition to other punishments~~
36 ~~provided by law and shall not be in lieu of other punishment.~~

37 ~~D. Any person convicted of any offense described in this section shall, in addition to any~~
38 ~~fine imposed, pay a special assessment trauma care fee of One Hundred Dollars (\$100.00) to be~~
39 ~~deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of this~~
40 ~~title.~~

41
42 ~~§63-2-405. Prohibited acts E—Penalties.~~

43 ~~A. No person shall use tincture of opium, tincture of opium camphorated, or any derivative~~
44 ~~thereof, by the hypodermic method, either with or without a medical prescription therefor.~~

45 ~~B. No person shall use drug paraphernalia to plant, propagate, cultivate, grow, harvest,~~
46 ~~manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store,~~

1 contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled
2 dangerous substance in violation of the Uniform Controlled Dangerous Substances Act, except
3 those persons holding an unrevoked license in the professions of podiatry, dentistry, medicine,
4 nursing, optometry, osteopathy, veterinary medicine or pharmacy.

5 C. No person shall deliver, sell, possess or manufacture drug paraphernalia knowing, or
6 under circumstances where one reasonably should know, that it will be used to plant, propagate,
7 cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test,
8 analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into
9 the human body a controlled dangerous substance in violation of the Uniform Controlled
10 Dangerous Substances Act.

11 D. Any person eighteen (18) years of age or over who violates subsection C of this section
12 by delivering or selling drug paraphernalia to a person under eighteen (18) years of age shall,
13 upon conviction, be guilty of a felony.

14 E. Any person who violates subsections A, B or C of this section shall, upon conviction, be
15 guilty of a misdemeanor punishable as follows:

16 1. For a first offense the person shall be punished by imprisonment in the county jail for not
17 more than one (1) year or by a fine of not more than One Thousand Dollars (\$1,000.00), or both
18 such fine and imprisonment;

19 2. For a second offense the person shall be punished by imprisonment in the county jail for
20 not more than one (1) year or by a fine of not more than Five Thousand Dollars (\$5,000.00), or
21 both such fine and imprisonment; and

22 3. For a third or subsequent offense the person shall be punished by imprisonment in the
23 county jail for not more than one (1) year or by a fine of not more than Ten Thousand Dollars
24 (\$10,000.00), or both such fine and imprisonment.

25 F. Any person convicted of any offense described in this section shall, in addition to any
26 fine imposed, pay a special assessment trauma care fee of One Hundred Dollars (\$100.00) to be
27 deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of this
28 title.

29 ~~Added by Laws 1971, c. 119, § 2-405. Amended by Laws 1981, c. 62, § 3, emerg. eff. April 13,~~
30 ~~1981; Laws 1982, c. 12, § 4, operative Oct. 1, 1982; Laws 1997, c. 133, § 532, eff. July 1, 1999;~~
31 ~~Laws 2004, c. 301, § 3, eff. Nov. 1, 2004; Laws 2004, c. 396, § 5, eff. Nov. 1, 2004.~~

32 ~~NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, §~~
33 ~~532 from July 1, 1998 to July 1, 1999.~~

34
35 ~~§63-2-406. Prohibited acts F—Penalties.~~

36 ~~A. It shall be unlawful for any registrant knowingly or intentionally:~~

37 ~~1. To distribute, other than by dispensing or as otherwise authorized by this act, a controlled~~
38 ~~dangerous substance classified in Schedules I or II, in the course of his legitimate business,~~
39 ~~except pursuant to an order form as required by Section 2-308 of this title;~~

40 ~~2. To use in the course of the manufacture or distribution of a controlled dangerous~~
41 ~~substance a registration number which is fictitious, revoked, suspended or issued to another~~
42 ~~person;~~

43 ~~3. To acquire or obtain possession of a controlled dangerous substance by~~
44 ~~misrepresentation, fraud, forgery, deception or subterfuge;~~

1 4. To furnish false or fraudulent material information in, or omit any material information
2 from, any application, report, or other document required to be kept or filed under this act, or any
3 record required to be kept by this act; and

4 5. To make, distribute, or possess any punch, die, plate, stone, or other thing designed to
5 print, imprint, or reproduce the trademark, trade name, or other identifying mark, imprint, or
6 device of another or any likeness of any of the foregoing upon any drug or container or labeling
7 thereof so as to render such drug a counterfeit controlled dangerous substance.

8 B. Any person who violates this section is guilty of a felony punishable by imprisonment
9 for not more than twenty (20) years or a fine of not more than Two Hundred Fifty Thousand
10 Dollars (\$250,000.00), or both.

11 C. Any person convicted of a second or subsequent violation of this section is punishable
12 by a term of imprisonment twice that otherwise authorized and by twice the fine otherwise
13 authorized. Convictions for second or subsequent violations of this section shall not be subject to
14 statutory provisions for suspended sentences, deferred sentences, or probation.

15 D. Any person convicted of any offense described in this section shall, in addition to any
16 fine imposed, pay a special assessment trauma care fee of One Hundred Dollars (\$100.00) to be
17 deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of this
18 title.

19
20 ~~§63-2-407. Prohibited acts G—Penalties.~~

21 A. No person shall obtain or attempt to obtain any preparation excepted from the provisions
22 of the Uniform Controlled Dangerous Substances Act pursuant to Section 2-313 of this title in a
23 manner inconsistent with the provisions of paragraph 1 of subsection B of Section 2-313 of this
24 title, or a controlled dangerous substance or procure or attempt to procure the administration of a
25 controlled dangerous substance:

26 1. By fraud, deceit, misrepresentation, or subterfuge;

27 2. By the forgery of, alteration of, adding any information to or changing any information
28 on a prescription or of any written order;

29 3. By the concealment of a material fact;

30 4. By the use of a false name or the giving of a false address; or

31 5. By knowingly failing to disclose the receipt of a controlled dangerous substance or a
32 prescription for a controlled dangerous substance of the same or similar therapeutic use from
33 another practitioner within the previous thirty (30) days.

34 B. Except as authorized by this act, a person shall not manufacture, create, deliver, or
35 possess with intent to manufacture, create, or deliver or possess a prescription form, an original
36 prescription form, or a counterfeit prescription form. This shall not apply to the legitimate
37 manufacture or delivery of prescription forms, or a person acting as an authorized agent of the
38 practitioner.

39 C. Information communicated to a physician in an effort unlawfully to procure a controlled
40 dangerous substance, or unlawfully to procure the administration of any such drug, shall not be
41 deemed a privileged communication.

42 D. Any person who violates this section is guilty of a felony punishable by imprisonment
43 for not more than ten (10) years, by a fine of not more than Ten Thousand Dollars (\$10,000.00),
44 or by both such fine and imprisonment. A second or subsequent offense under this section is a
45 felony punishable by imprisonment for not less than four (4) years nor more than twenty (20)

1 years, by a fine of not more than Twenty Thousand Dollars (\$20,000.00), or by both such fine
2 and imprisonment.

3 E. Convictions for second or subsequent violations of this section shall not be subject to
4 statutory provisions for suspended sentences, deferred sentences, or probation.

5 F. Any person convicted of any offense described in this section shall, in addition to any
6 fine imposed, pay a special assessment trauma care fee of One Hundred Dollars (\$100.00) to be
7 deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2530.9 of this
8 title.

9
10 ~~§63-2-407.1. Certain substances causing intoxication, distortion or disturbances of auditory,
11 visual, muscular or mental processes prohibited—Exemptions—Penalties.~~

12 A. For the purpose of inducing intoxication or distortion or disturbance of the auditory,
13 visual, muscular, or mental process, no person shall ingest, use, or possess any compound, liquid,
14 or chemical which contains ethylchloride, butyl nitrite, isobutyl nitrite, secondary butyl nitrite,
15 tertiary butyl nitrite, amyl nitrite, isopropyl nitrite, isopentyl nitrite, or mixtures containing butyl
16 nitrite, isobutyl nitrite, secondary butyl nitrite, tertiary butyl nitrite, amyl nitrite, isopropyl nitrite,
17 isopentyl nitrite, or any of their esters, isomers, or analogues, or any other similar compound.

18 B. No person shall possess, buy, sell, or otherwise transfer any substance specified in
19 subsection A of this section for the purpose of inducing or aiding any other person to inhale or
20 ingest such substance or otherwise violate the provisions of this section.

21 C. The provisions of subsections A and B of this section shall not apply to:

22 1. The possession and use of a substance specified in subsection A of this section which is
23 used as part of the care or treatment by a licensed physician of a disease, condition or injury or
24 pursuant to a prescription of a licensed physician; and

25 2. The possession of a substance specified in subsection A of this section which is used as
26 part of a known manufacturing process or industrial operation when the possessor has obtained a
27 permit from the State Department of Health.

28 D. The State Board of Health shall promulgate rules and regulations establishing procedures
29 for the application, form and issuance of a permit to legitimate manufacturing and industrial
30 applicants as provided for in subsection C of this section.

31 E. Any person convicted of violating any provision of subsection A or B of this section
32 shall be guilty of a misdemeanor punishable by imprisonment in the county jail not to exceed
33 ninety (90) days or by the imposition of a fine not to exceed Five Hundred Dollars (\$500.00), or
34 by both such imprisonment and fine. Each violation shall be considered a separate offense.

35 F. Any person convicted of any offense described in this section shall, in addition to any
36 fine imposed, pay a special assessment trauma care fee of One Hundred Dollars (\$100.00) to be
37 deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of this
38 title.

39
40 ~~§63-2-408. Offering, soliciting, attempting, endeavoring or conspiring to commit offense—
41 Penalties.~~

42 Any person who offers, solicits, attempts, endeavors, or conspires to commit any offense
43 defined in the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title
44 shall be subject to the penalty prescribed for the offense, the commission of which was the object
45 of the offer, solicitation, attempt, endeavor or conspiracy.

46

1 ~~§63-2-409. Additional penalties.~~

2 ~~Any penalty imposed for violation of this article shall be in addition to, and not in lieu of,~~
3 ~~any civil or administrative penalty or sanction authorized by law.~~

4
5 ~~§63-2-410. Conditional release for first offense—Effect of expungement—Persons not covered~~
6 ~~by section.~~

7 ~~A. Whenever any person who has not previously been convicted of any offense under this~~
8 ~~act or under any statute of the United States or of any state relating to narcotic drugs, marijuana,~~
9 ~~or stimulant, depressant, or hallucinogenic drugs, pleads guilty or nolo contendere to or is found~~
10 ~~guilty of a violation of the Uniform Controlled Dangerous Substances Act, the court may, unless~~
11 ~~otherwise prohibited by law, without entering a judgment of guilt and with the consent of such~~
12 ~~person, defer further proceedings and place the person on probation upon such reasonable terms~~
13 ~~and conditions as it may require including the requirement that such person cooperate in a~~
14 ~~treatment and rehabilitation program of a state-supported or state-approved facility, if~~
15 ~~available. Upon violation of a term or condition, the court may enter an adjudication of guilt and~~
16 ~~proceed as otherwise provided. Upon fulfillment of the terms and conditions, the court shall~~
17 ~~discharge such person and dismiss the proceedings against the person. Discharge and dismissal~~
18 ~~under this section shall be without court adjudication of guilt and shall not be deemed a~~
19 ~~conviction for purposes of this section or for purposes of disqualifications or disabilities imposed~~
20 ~~by law upon conviction of a crime. Discharge and dismissal under this section may occur only~~
21 ~~once with respect to any person.~~

22 ~~B. Any expunged arrest or conviction shall not thereafter be regarded as an arrest or~~
23 ~~conviction for purposes of employment, civil rights, or any statute, regulation, license,~~
24 ~~questionnaire or any other public or private purpose; provided, that, any plea of guilty or nolo~~
25 ~~contendere or finding of guilt to a violation of the Uniform Controlled Dangerous Substances~~
26 ~~Act shall constitute a conviction of the offense for the purpose of the Uniform Controlled~~
27 ~~Dangerous Substances Act or any other criminal statute under which the existence of a prior~~
28 ~~conviction is relevant for a period of ten (10) years following the completion of any court~~
29 ~~imposed probationary term; provided, the person has not, in the meantime, been convicted of a~~
30 ~~misdemeanor involving moral turpitude or a felony. Records expunged pursuant to this section~~
31 ~~shall be sealed to the public but not to law enforcement agencies for law enforcement~~
32 ~~purposes. Records expunged pursuant to this section shall be admissible in any subsequent~~
33 ~~criminal prosecution to prove the existence of a prior conviction or prior deferred judgment~~
34 ~~without the necessity of a court order requesting the unsealing of such records.~~

35 ~~C. The provisions of this section shall not apply to any person who pleads guilty or nolo~~
36 ~~contendere to or is found guilty of a violation of the Trafficking in Illegal Drugs Act or the Drug~~
37 ~~Money Laundering and Wire Transmitter Act.~~

38
39 ~~§63-2-411. General penalty clause.~~

40 ~~Any person who violates any provision of this act not subject to a specific penalty provision~~
41 ~~is guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one~~
42 ~~(1) year, or by a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine~~
43 ~~and imprisonment.~~

44
45 ~~§63-2-412. Second or subsequent offenses.~~

1 ~~An offense shall be considered a second or subsequent offense under this act, if, prior to his~~
2 ~~conviction of the offense, the offender has at any time been convicted of an offense or offenses~~
3 ~~under this act, under any statute of the United States, or of any state relating to narcotic drugs,~~
4 ~~marijuana, depressant, stimulant, or hallucinogenic drugs, as defined by this act.~~

5
6 ~~§63 2-413. Bar to prosecution.~~

7 ~~If a violation of this act is a violation of a federal law or the law of another state, a~~
8 ~~conviction or acquittal under federal law or the law of another state for the same act is a bar to~~
9 ~~prosecution in this state.~~

10
11 Section 4. This act shall become effective 90 days upon passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate Bill No. TCC-005

By: Barnett (TCC)

AS INTRODUCED

An act relating to the creation of a police force dedicated for primary school security and policing; Providing short title; providing definitions; providing codification; providing effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act amending shall be known as “Oklahoma Public Schools Police” Act of 2018

Section 2. DEFINITIONS

- A. Commissioned Officer - any Peace Officer with a sworn oath
- B. Law Enforcement - the department of people who enforce laws, investigate crimes, and make arrests
- C. Police Officer - a member of a police force
- D. Peace Officer - a civil officer appointed to preserve law and order
- E. Reserve Officer - a part time volunteer employee of a law enforcement agency
- F. School Resource Officer - a police officer that’s main role is school security
- G. Security Agency - Any private security firm that provides protection for school or district

Section 3. CODIFICATION

A. A Division of the Department of Public Safety of this state to be known as the "Oklahoma Public Schools Police" is hereby created. The Oklahoma Public Schools Police shall be under the control and supervision of the Commissioner of Public Safety.

B. The Commissioner of Public Safety, subject to the Oklahoma Personnel Act, shall appoint:

1. A Chief of the Oklahoma Public Schools Police with the rank of Major, Deputy Chiefs of the Oklahoma Public Schools Police with the rank of Captain, and subordinate officers and employees of the Oklahoma Public Schools Police, including Lieutenants, Sergeants, and Reserve Officers with the title of Officer. who shall comprise the Oklahoma Public Schools Police Division of the Department of Public Safety; provided, any officer appointed to a commissioned position prescribed in this paragraph which is unclassified pursuant to Section 840-5.5 of Title 74 of the Oklahoma Statutes shall have a right of return to the highest previously held classified commissioned position within the Oklahoma Public School Police Division of the Department of Public Safety without any loss of rights, privileges or benefits immediately upon completion of the duties in the unclassified commissioned position;

1 C. The Commissioner, when appointing commissioned officers and employees to the
2 positions set out in subsection A of this section, shall determine, in consultation with the
3 Director of the Office of Management and Enterprise Services, minimum qualifications
4 and shall select such officers and employees only after examinations to determine their
5 physical and mental qualifications for such positions. The content of the examinations
6 shall be prescribed by the Commissioner, and all such appointees shall satisfactorily
7 complete a course of training in operations and procedures as prescribed by the
8 Commissioner.

9 a. No person shall be appointed to any position set out in subsection A of this section
10 unless the person is a citizen of the United States of America, and:

11 b. for commissioned officer positions, shall be at least twenty-one (21) years and shall
12 possess:

13 i. CLEET Certification or equivalent qualification from another State or Federal Law Enforcement
14 Agency.

15 D. No commissioned officer of the Department shall, while in such position, be a candidate
16 for any political office or take part in or contribute any money or other thing of value, directly or
17 indirectly, to any political campaign or to any candidate for public office. While acting within
18 their duties as a peace officer. Anyone convicted of violating the provisions of this paragraph
19 shall be guilty of a misdemeanor and shall be punished as provided by law.

20 E. The Commissioner or any employee of the Department shall not be a candidate for any
21 political office, or in any way be active or participate in any political contest of any Primary,
22 General, or Special Election, except to cast a ballot. No commissioned officer of the
23 Department, while in the performance of the officer's assigned duty of providing security and
24 protection, shall be considered as participating in a political campaign. The provisions of this
25 paragraph shall not be construed to preclude a commissioned officer of the Oklahoma Public
26 Schools Police of the Department of Public Safety from being a candidate for a position on a
27 local board of education.

28 F. Drunkenness or being under the influence of intoxicating substances while acting within
29 their duties shall be sufficient grounds for the removal of any commissioned officer of the
30 Department, in and by the manner provided for in this section.

31 G. The duties of these Officers are to provide a police presence to kindergarten through
32 twelfth grade public school campuses that does not currently have a School Resource Officer
33 provided by the local agency or a Police Agency or Armed Security Agency for the district.

34 H. Any Superintendent can request no officer on their campus through writing to the Chief
35 of Oklahoma Public Schools Police but must have provide security through a local agency or
36 security company

37
38 Section 4. This act shall become effective 90 days upon passage and approval.
39
40
41
42
43
44
45
46

Senate Bill No. TCC-006

By: Barnett (TCC)

AS INTRODUCED

An act relating to the rape in the first degree; providing short title; providing for definitions; providing amendments to 21 O.S. § 1115; providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. SHORT TITLE This act amending shall be known as “Rape and Death Penalty” Act of 2018

Section 2. DEFINITIONS

- A. “Rape in the first degree” is Child rape, or rape of a child aged 13 or younger by a person aged 18 or older. Rape of a person who cannot provide legal consent to sexual intercourse due to “mental illness or unsoundness of mind”. Rape accomplished through the administration of narcotics or anesthetics as a means of forcing the victim to submit to the act. Rape of a person who is “unconscious of the nature of the act” when the perpetrator knows his or her victim is unaware of what is happening. Forcible rape, or rape accomplished through force, violence, or the threat of force or violence accompanied by the apparent power to make good on the threat. Rape by instrumentation resulting in great bodily harm to the victim. Rape by instrumentation of a person aged 13 or younger

Section 3. AMENDATORY Section 21 O.S. § 1115 is amended to read as follows:

§21-1115v1. Rape in first degree a felony.

Rape in the first degree is a felony punishable by ~~death or~~ imprisonment in the State Penitentiary, not less than five (5) years, except as provided in Section 3 of this act, in the discretion of the jury, or in case the jury fails or refuses to fix the punishment then the same shall be pronounced by the court.

§21-1115v2. Punishment for rape in first degree.

Rape in the first degree is a felony punishable by ~~death or~~ imprisonment in the custody of the Department of Corrections, for a term of not less than five (5) years, life or life without parole. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment. Any person convicted of a second or subsequent violation of subsection A of Section 1114 of this title shall not be eligible for any form of probation. Any person convicted of a third or subsequent violation of subsection A of Section 1114 of this title or of an offense under Section 888 of this title or an offense under Section 1123 of this title or sexual abuse of a child pursuant to Section 843.5 of this title, or any attempt to

1 commit any of these offenses or any combination of these offenses shall be punished by
2 imprisonment in the custody of the Department of Corrections for life or life without parole.

3

4 Section 4. This Act shall become effective ninety (90) days after passage and approval.

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HOUSE BILLS

Oklahoma Intercollegiate Legislature
2nd session of the 50th Legislature (2018)

House Bill No. ECU-501

Breedlove (ECU)

AS INTRODUCED

An act relating to preventing the piercing of children under five; providing short title: providing for definitions; providing for codification; and providing an effective date.

BE IT ENACTED IN THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Premature Piercing” Act of 2018.

Section 2. Definitions

To “pierce” something is defined as make a hole in (the ears, nose, or other part of the body) so as to wear jewelry in them.

To have a piercing is to have a small hole in a part of the body, typically other than the ears, made so as to insert a ring, stud, or other piece of jewelry.

Section 3. **NEW LAW** A new section to be codified in the Oklahoma Statutes to read as follows.

The state of Oklahoma shall fine anyone participating in the piercing of any child under the age of five. The fine will be five-hundred dollars (\$500.) This fine will be given to the parent responsible for “consenting” for the piercing as well as the person doing the actual piercing. If the parent conducts the piercing without a license, they shall be fined one-thousand-five dollars (1,500)

Section 4. This act shall be effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. ECU-502
(ECU)

Courtney

AS INTRODUCED

1 An act relating to medically unnecessary surgeries on intersex children; providing short
2 title; providing for definitions; providing for codification; providing for penalties; and providing
3 an effective date.

4
5 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA

6
7 Section 1. This act shall be known as the “Protection of Intersex Children” Act of 2018.

8
9 Section 2. DEFINITIONS

10
11 “Intersex” an umbrella term for a variety of medical conditions regarding reproductive or
12 sexual anatomy of a person that doesn’t fit in the traditional terms of male or female.
13 Conditions of intersexuality include but aren’t limited to ambiguous genitalia, abnormal
14 genitalia, or having both ovarian and testicular tissue.

15
16 “Masculinizing Surgery” procedures that alter an individual’s appearance to promote
17 congruence with gender identity. Such procedures can include but are not limited to,
18 “top” surgery (subcutaneous mastectomy, nipple graft, and more), and “bottom” surgery
19 (metoidioplasty, phalloplasty, scrotoplasty, and more), and any other procedures deemed
20 medically necessary by a medical professional.

21
22 “Feminizing Surgery” procedures that alter an individual's appearance to promote
23 congruence with gender identity. Such procedures can include but are not limited to,
24 “top” surgery (breast augmentation and more), and “bottom” surgery (orchiectomy,
25 vaginoplasty, and more), and any other procedures deemed medically necessary by a
26 medical professional.

27
28 “Medically necessary” healthcare services, supplies, or procedures needed to prevent,
29 diagnose, or treat an illness, injury, candidate, disease or its symptoms and that meet
30 accepted standards of medicine.

31
32 “Informed consent” permission granted in the knowledge of the possible consequences,
33 typically that which is given by a patient to a doctor for treatment with full knowledge of
34 the possible risks and benefits.

35
36 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to
37 read as follows:

- 38
39 A. A doctor may not perform any unnecessary surgeries for the purpose of masculinizing or
40 feminizing an intersex person under the age of 16 after informed consent from the person.

41
42 Section 4. PENALTIES

- 43
44 A. Any surgeon that violates this law will be fined \$15,000.

45

1 B. A second violation shall result in the loss of the medical license of the offending
2 professional. Jail time shall not exceed ten (10) years and is at the discretion of the court.
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4 Section 5. This act shall become effective ninety (90) days after passage and approval.
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17 Oklahoma Intercollegiate Legislature
18 2nd Session of the 50th Legislature (2018)
19

20 House Bill No. ECU-503
21 (ECU)
22

Courtney

23 AS INTRODUCED
24

25 An act relating to prohibiting discrimination in housing; providing short title; providing
26 for definitions; providing for codification; providing for penalties; and providing an effective
27 date.
28

29 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA
30

31 Section 1. This act shall be known as the “Housing Gender Nondiscrimination” Act of 2018.
32

33 Section 2. DEFINITIONS

34 “Sexual Orientation” a person’s sexual identity in relation to the gender to which they are
35 attracted.

36 “Gender Identity” a person’s perception of having a particular, which may or may not
37 correspond with their birth sex.

38 “Gender Expression” the way in which a person expresses their gender identity, typically
39 through their appearance, dress, and behavior.

40 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to
41 read as follows:

42 B. A landlord may not discriminate against a prospective tenant based on their sexual
43 orientation, gender identity, or gender expression.
44

45 Section 4. PENALTIES
46

1 A. Any landlord that violates this law will be fined up to, but not exceeding, \$3,000.00.

2
3 Section 5. This act shall become effective ninety (90) days after passage and approval.

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7 Oklahoma Intercollegiate Legislature
8 2nd Session of the 50th Legislature (2018)
9 House Bill No. ECU-504 By: Herman (ECU)

10
11 AS INTRODUCED

12 An Act relating to equal opportunity for access by home-schooled students to Public-
13 schooled sponsored activities; providing short title; providing for definitions; providing for
14 codification; providing for penalties; providing for effective date.

15
16 BE IT ENACTED BY THE STATE OF OKLAHOMA

17
18 Section 1. This act shall be known as the “Equal Opportunity” Act of 2018.

19
20 Section 2. DEFINITIONS

- 21
22 A) “Home-schooled student” means a student who predominantly receive instruction
23 in a general elementary or secondary education program that is provided by the
24 parent, or a person standing in parental authority, in or through the child’s home.
25
26 B) “Public-School” refers to school that is maintained at public expense.
27
28 C) “Standardized Test” refers to a standardized test that is administered and scored in a
29 consistent manner.
30

31 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes
32 to read as follows:

- 33
34 A) A home-schooled student who seeks to participate or who participates in a Public-
35 School activity is subject to the following relevant policies that apply to students
36 enrolled in the school: policies regarding registration, age eligibility, fees,
37 insurance, transportation, physical condition, qualifications, responsibilities, event
38 schedules, standards of behavior, and performance.
39 B) The parent or person standing in parental relation to a home-schooled student is
40 responsible for oversight of academic standards relating to the student’s
41 participating in a Public-School activity. As a condition of eligibility to participate
42 in a Public-school activity during the first six weeks of a school year, a home-
43 schooled student must demonstrate grade-level academic proficiency on any
44 nationally recognized, norm-referenced assessment instrument, such as the Iowa
45 Test of Basic Skills, Stanford Achievement Test, California Achievement Test, or
46 Comprehensive Test of Basic Skills. A home-schooled student demonstrates the
47 required academic proficiency by achieving a composite, core, or survey score that
48 is within the average or higher than average range of scores, as established by the

1 applicable testing service. For purposes of this subsection, a school district shall
2 accept assessment results administered or reported by a third party.

- 3 C) A homeschooled student's demonstration of proficiency under Subsection (b) is
4 sufficient for purposes of that subsection for the school year in which the student
5 achieves the required score and the subsequent school year.
- 6 D) After the first six weeks of school year, the parent or person standing in parental
7 relation to a home-schooled student participating in a Public-schooled activity on
8 behalf of a public school must periodically, in accordance with the school's grading
9 calendar, provide written verification to the school indicating that the student is
10 receiving a passing grade in each course or subject being taught.
- 11 E) A home-schooled student is not authorized by this section to participate in a league
12 activity during the remainder of any school year during which the student was
13 previously enrolled in a public school.
- 14 F) Organizations over Public-schooled activities may not prohibit a home-schooled
15 student from participating in league activities in the manner authorized by this
16 section.
- 17 G) With respect to a home-schooled student's education program, nothing in this
18 section shall be construed to permit an agency of this state, a public-school district,
19 or any other governmental body to exercise control, regulatory authority, or
20 supervision required to participate in a public-schooled activity.
- 21 H) Subject only to eligibility requirements under this section for a home-schooled
22 student to participate in a Public-schooled activity.
 - 23 1) The curriculum or assessment requirements, performance standards,
24 practices, or creed of the education program provided to a home-schooled
25 student may not be required to be changed in order for the home-schooled
26 student to participate in a public-schooled activity.

27
28 Section 4. PENALTIES

- 29
30 A) Any public-school caught violating this act will be subject to a fine of (\$500) Five
31 Hundred Dollars

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33 Section 5. This act shall become effective the first (1st) of August after passage and
34 approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-501

By: Bong (OU)

AS INTRODUCED

An act relating to the official state vegetable; providing short title; amending O.S. §25-98.15; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Okrahoma” Act of 2018.

Section 2. AMENDATORY O.S. 25-98.15 is amended to read as follows:

The ~~watermelon~~ okra is hereby designated and adopted as the official vegetable of the State of Oklahoma.

Section 3. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-502

By: Bong (OU)

AS INTRODUCED

An act relating to nondiscrimination; providing short title; amending O.S. § 25-1301.6; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Nondiscrimination Act“ Act of 2018.

Section 2. AMENDATORY O.S. § 25-1301.6 is amended to read as follows:

“Sex”, “because of sex” or “based on sex” includes, but is not limited to, pregnancy, childbirth or related medical conditions, sexual orientation and gender identity; ~~women~~ individuals affected by pregnancy, childbirth or related medical conditions shall be treated the same for all employment-related purposes as other persons not so affected but similar in their ability or inability to work;

Section 3. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-503

By: DeGroot (OU)

AS INTRODUCED

An act relating to the reduction of economic dependency on fossil fuels; providing short title; providing for definitions; providing for codification; and providing for an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Energy and Employment Diversification” Act of 2018

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. Business developments: discrete projects as modes of growth.
2. Energy Star Certified: an Environmental Protection Agency symbol to certify businesses are using energy-efficient and environmentally friendly products and practices.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. Newly created business developments in Oklahoma that provide employment opportunities will qualify for quarterly tax credits equal to up to ten percent (10%) of taxable payroll. Business developments in the oil, gas, and coal industries will not qualify for these credits.
2. Established business developments in Oklahoma that increase employment opportunities significantly will qualify for quarterly tax credits equal to 10% of taxable payroll of new employees. Established businesses in the oil, gas, and coal industries will not qualify.
3. The tax credits described in Sections 3.1 and 3.2 of this statute will decrease for each business development beginning five (5) years after the first credit is awarded. Businesses should be taxed fully no later than ten (10) years after the first credit for that development.
4. The gross production tax on oil and natural gas will be increased from the current five percent (5%) rate to seven percent (7%) on all well types.
5. Facilities that are Energy Star certified will be absolved of up to five (5%) of state taxes each year that they maintain an Energy Star certification. Business that have otherwise committed to similar energy sustainability will also be eligible to apply for this absolution.

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6. Exact case-by-case rates of tax credits and exemptions discussed above will be calculated and controlled by the Department of Commerce.

Section 4. This act shall become effective three hundred and sixty five (365) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-504

By: Dorrell (OU)

AS INTRODUCED

An act relating to the purchase of semiautomatic rifles; providing short title; providing definitions; amending O.S. § 21-1288 and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Semiautomatic Rifle Protection” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

- A. “Semiautomatic Rifles” as used in the Semiautomatic Rifle Protection Act, Section 1288 of this title, shall mean any repeating rifle which utilizes a portion of the energy cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire such cartridge.

Section 3. AMENDATORY O.S. § 21-1288 is amended to read as follows:

- A. Residents of the State of Oklahoma may purchase rifles, shotguns, ammunition, cartridge and shotgun shell handloading components and equipment from a dealer licensed in a state other than Oklahoma. However, residents must be twenty one (21) years of age or older to purchase a semiautomatic rifle. Licensed dealers in the state of Oklahoma are not permitted to sell semiautomatic rifles to anyone under the age of twenty one (21). Uniformed U.S. military personnel and law enforcement personnel shall be exempt from these regulations. This authorization is enacted in conformance with the provisions of Section 922(b)(3) of Title 18 of the United States Code and provided further that such residents conform to the provisions of law applicable to such purchase in the State of Oklahoma and the state in which the purchase is made.
- B. Residents of a state other than Oklahoma may purchase rifles, shotguns, ammunition, cartridge and shotgun shell handloading components and equipment from a dealer licensed in the State of Oklahoma. However, nonresidents must be twenty one (21) years of age or older to purchase a semiautomatic rifle. Licensed dealers in the state of Oklahoma are not permitted to sell semiautomatic rifles to anyone under the age of twenty one (21). Uniformed U.S. military personnel and law enforcement personnel shall be exempt from these regulations. This authorization is enacted in conformance with the provisions of Section 922(b)(3) of Title 18 of the United States Code and provided

1 further that such residents conform to the provisions of law applicable to such purchase in
2 the State of Oklahoma and in the state in which such persons reside.

3
4 Section 4. This act shall become effective ninety (90) days after passage and approval.

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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-505

By: Dorrell (OU)
Larkin (OU)
Slane (OU)

AS INTRODUCED

An act relating to; providing short title; providing for definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Verifying Acceptable Products for E-Cigarettes” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purpose of this act:

- 1. “Vapor Product” shall be defined as any “noncombustible products, that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form [including] any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device...”

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- 1. Retailers in the state of Oklahoma may not sell or purchase “vapor products” that contain any one of the following substances: benzene, isoprene, formaldehyde, nicotine, nitrosonornicotine, toluene, acetaldehyde, cadmium, lead, or nickel.

Section 4. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-506

By: Gillespie (OU)

AS INTRODUCED

An act relating to the official inspirational song for the state of Oklahoma; providing short title; amending O.S. § 25-94.14 and 25-94.16; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “New State Inspirational Song” Act of 2018.

Section 2. AMENDATORY O.S. § 25-94.14 and 25-94.16 are amended to read as follows:

Section 94.14.

The official inspirational song of the State of Oklahoma is hereby declared to be ~~“I Can Only Imagine” by MercyMe~~ “Africa” by Toto.

Section 94.16.

The words to the official inspirational song for the State of Oklahoma, ~~“I Can Only Imagine”~~, written and composed by ~~lead vocalist Bart Millard~~ David Paich and Jeff Porcaro of the band ~~MercyMe~~ Toto, are as follows:

~~“I can only imagine what it will be like
When I walk by your side I can only imagine what my eyes will see
When your face is before me I can only imagine
Surrounded by your glory, what will my heart feel
Will I dance for you Jesus or in awe of you be still
Will I stand in your presence or to my knees will I fall Will I sing hallelujah, will I be
able to speak at all I can only imagine I can only imagine I can only imagine
when that day comes And I find myself standing in the Son I can only imagine
when all I will do Is forever, forever worship You I can only imagine I can only
imagine.”~~

I hear the drums echoing tonight
But she hears only whispers of some quiet conversation
She's coming in, 12:30 flight
The moonlit wings reflect the stars that guide me towards salvation
I stopped an old man along the way
Hoping to find some long forgotten words or ancient melodies
He turned to me as if to say, "Hurry boy, it's waiting there for you"
It's gonna take a lot to take me away from you
There's nothing that a hundred men or more could ever do
I bless the rains down in Africa

1 Gonna take some time to do the things we never had
2 The wild dogs cry out in the night
3 As they grow restless, longing for some solitary company
4 I know that I must do what's right
5 As sure as Kilimanjaro rises like Olympus above the Serengeti
6 I seek to cure what's deep inside, frightened of this thing that I've become
7 It's gonna take a lot to drag me away from you
8 There's nothing that a hundred men or more could ever do
9 I bless the rains down in Africa
10 Gonna take some time to do the things we never had
11 Hurry boy, she's waiting there for you
12 It's gonna take a lot to drag me away from you
13 There's nothing that a hundred men or more could ever do
14 I bless the rains down in Africa
15 I bless the rains down in Africa
16 (I bless the rain)
17 I bless the rains down in Africa
18 (I bless the rain)
19 I bless the rains down in Africa
20 I bless the rains down in Africa
21 (Ah, gonna take the time)
22 Gonna take some time to do the things we never had

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Section 3. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-507

By: Gourley (OU) of the
House
Curtis (OU) of the Senate

AS INTRODUCED

An act relating to religious organizations; providing short title; providing for definitions; providing for amending O.S. § 68-2887; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "Discrimination Tax" Act of 2017.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. "Religious Organizations" - Religious establishments that run orphanages, serving as a place where aspiring parents may adopt a child
2. "Religious Freedom" - term often used by an individual or religious organization attempting to defend their actions relating to deny service to demographics that do not reflect the principles of the individuals of religious organization's moral beliefs
3. "Ad Valorem Tax" - a tax based on the assessed value of an item such as real estate or personal property

Section 3. AMENDATORY O.S. § 68-2887 is amended to read as follows:

The following property shall be exempt from ad valorem taxation:

1. All property of the United States, and such property as may be exempt by reason of treaty stipulations existing at statehood between the Indians and the United States government, or by reason of federal laws in effect at statehood, during the time such treaties or federal laws are in force and effect. In instances where a federal agency has obtained title to property through foreclosure, voluntary or involuntary liquidation or bankruptcy, which was previously subject to ad valorem taxation, the property may continue to be assessed for ad valorem taxes if such federal agency has agreed to pay such taxes;
2. All property of this state, and of the counties, school districts, and municipalities of this state, including property acquired for the use of such entities pursuant to the terms of a lease-purchase agreement which provides for the passage of title or the release of security interest, if applicable, upon payment of all rental payments and an additional nominal amount;

1 3. All property of any college or school, provided such property is devoted exclusively
2 and directly to the appropriate objects of such college or school within this state and all
3 property used exclusively for nonprofit schools and colleges;

4 4. The books, papers, furniture and scientific or other apparatus pertaining to any
5 institution, college or society referred to in paragraph 3 of this section, and devoted
6 exclusively and directly for the purpose above contemplated, and the like property of
7 students in any such institution or college, while such property is used for the purpose of
8 their education;

9 5. All fraternal orphan homes and other orphan homes;

10 6. All property used for free public libraries, free museums, public cemeteries, or free
11 public schools;

12 7. All property used exclusively and directly for fraternal or religious purposes within this
13 state may be exempt from ad valorem taxes unless the owner of a religious property cites
14 religious freedom as means to deny service to an individual.

15 For purposes of administering the exemption authorized by this section and in order to
16 determine whether a single family residential property is used exclusively and directly for
17 fraternal or religious purposes, the fair cash value of a single family residential property,
18 for which an exemption is claimed as authorized by this subsection, in excess of Two
19 Hundred Fifty Thousand Dollars (\$250,000.00) for the applicable assessment year shall
20 not be exempt from taxation;

21 8. All property of any charitable institution organized or chartered under the laws of this
22 state as a nonprofit or charitable institution, provided the net income from such property
23 is used exclusively within this state for charitable purposes and no part of such income
24 inures to the benefit of any private stockholder, including property which is not leased or
25 rented to any person other than a governmental body, a charitable institution or a member
26 of the general public who is authorized to be a tenant in property owned by a charitable
27 institution under Section 501(c)(3) of the Internal Revenue Code and which includes but
28 is not limited to an institution that either:

29 a. additionally satisfies the income standards set forth in Internal Revenue Service
30 Revenue Procedure 96-32, which may be audited by the county assessor of the applicable
31 county, in addition to other requirements of this subparagraph, as a condition of obtaining
32 and maintaining the exemption, if:

33 (1) the property provides residential rental accommodations regardless of whether
34 services or meals are provided, and

35 (2) the property:

36 (a) is occupied as of the applicable January 1 assessment date if the structure is a single-
37 family dwelling, or

38 (b) has an average seventy-five percent (75%) occupancy rate, based upon the total
39 number of units suitable for occupancy, during the calendar year preceding the applicable
40 January 1 assessment date if the property contains multiple structures suitable for multi-
41 family housing. The owner of any property subject to the occupancy requirements
42 prescribed herein shall submit a report to the county assessor of the county in which the

1 property is located no later than December 15 each year regarding the occupancy rate for
2 the preceding eleven (11) months. If the report indicates that the average occupancy rate
3 was less than seventy-five percent (75%), the county assessor shall determine the taxable
4 value of the property for the succeeding assessment year and the property shall not be
5 exempt for any subsequent assessment year unless the average occupancy rate is at least
6 seventy-five percent (75%) during the succeeding eleven-month period. Except as
7 provided in Section 178.6 of Title 60 of the Oklahoma Statutes, no asset consisting of a
8 single-family or multi-family dwelling unit owned by an entity the property of which
9 would otherwise be exempt pursuant to subparagraph a of this paragraph shall be exempt
10 from ad valorem taxation if any such dwelling unit was improved with or acquired with
11 any portion of proceeds from the sale of obligations issued by any entity organized
12 pursuant to Section 176 of Title 60 of the Oklahoma Statutes if the interest income
13 derived from such obligations is exempt from federal income tax, or

14 b.(1)for a facility constructed prior to January 1, 2006, is a continuum of care retirement
15 community providing housing for the aged, licensed under Oklahoma law, owned by a
16 nonprofit entity recognized by the Internal Revenue Service as a Section 501(c)(3) tax-
17 exempt entity and located in a county with a population of more than five hundred
18 thousand (500,000) according to the latest Federal Decennial Census, and

19 (2)(a)for a facility in which construction was completed on or after January 1, 2006, is:

20 i.a continuum of care retirement community providing housing for the aged, licensed
21 under Oklahoma law,

22 ii.owned by a nonprofit entity recognized by the Internal Revenue Service as a Section
23 501(c)(3) tax-exempt entity, and

24 iii.located in any county of the state regardless of population, or

25 (b)for a facility other than a facility described by division (1) of subparagraph b of this
26 paragraph and which is partially or fully constructed prior to January 1, 2006, is:

27 i.owned and occupied on or after January 1, 2006, by an entity that operates a continuum
28 of care retirement community providing housing for the aged, licensed under Oklahoma
29 law,

30 ii.owned by a nonprofit entity recognized by the Internal Revenue Service as a Section
31 501(c)(3) tax-exempt entity, and

32 iii.is located in any county of the state regardless of population;

33 9. All property used exclusively and directly for charitable purposes within this state,
34 provided the charity using said property does not pay any rent or remuneration to the
35 owner thereof unless the owner is a charitable institution described in Section 501(c)(3)
36 of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3), or a veterans' organization
37 described in Section 501(c)(19) of the Internal Revenue Code, 26 U.S.C., Section
38 501(c)(19);

39 10. All property of any hospital established, organized and operated by any person,
40 partnership, association, organization, trust, or corporation, as a nonprofit and charitable
41 hospital, provided the property and net income from such hospital are used directly,
42 solely, and exclusively within this state for charitable purposes and that no part of such

1 income shall inure to the benefit of any individual, person, partner, shareholder, or
2 stockholder, and provided further that such hospital facilities shall be open to the public
3 without discrimination as to race, color or creed and regardless of ability to pay, and that
4 such hospital is licensed and otherwise complies with the laws of this state relating to the
5 licensing and regulation of hospitals;

6 11. All libraries and office equipment of ministers of the Gospel actively engaged in
7 ministerial work in the State of Oklahoma, where said libraries and office equipment are
8 being used by said ministers in their ministerial work, shall be deemed to be used
9 exclusively for religious purposes and are declared to be within the meaning of the term
10 "religious purposes" as used in Article X, Section 6 of the Constitution of the State of
11 Oklahoma;

12 12. Household goods, tools, implements and livestock of every person maintaining a
13 home, not exceeding One Hundred Dollars (\$100.00) in value or One Thousand Dollars
14 (\$1,000.00) in value if Article X, Section 6 of the Oklahoma Constitution provides for an
15 exemption in such amount; and in addition thereto, there shall be exempt from taxation
16 on personal property the further sum of Two Hundred Dollars (\$200.00) to all enlisted
17 and commissioned personnel, whether on active duty or honorably discharged, who
18 served in the Armed Forces of the United States during:

19 a.the Spanish-American War,

20 b.the period beginning on April 6, 1917, and ending on July 2, 1921,

21 c.the period beginning on December 6, 1941, and ending on such date as the state of
22 national emergency as declared by the President of the United States shall cease to exist,
23 or

24 d.any other or future period during which a state of national emergency shall have been
25 or shall be declared to exist by the Congress or the President of the United States.

26 All surviving spouses made so by the death of such enlisted or commissioned personnel,
27 who are bona fide residents of this state, shall be entitled to the above additional
28 exemption provided in this paragraph;

29 13. Family portraits;

30 14. All food and fuel provided in kind for the use of the family not to exceed provisions
31 for one (1) year's time, and all grain and forage necessary to maintain for one (1) year the
32 livestock used to provide food for the family. No person from whom pay is received or
33 expected for board shall be considered a member of the family within the intent and
34 meaning of this paragraph;

35 15. All growing crops; and

36 16. All game animals, fowl and reptile, which are not being grown for food or sale and
37 which are kept exclusively for propagation or exhibition, in private grounds or public
38 parks in this state.

39
40 Section 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes
41 to read as follows:

1 1. If a religious adoption agency denies service to any aspiring parent citing their right to
2 religious freedom, the church affiliated with the adoption agency will no longer be
3 exempt from taxes.

4
5 2. Revenue generated by an Ad Valorem tax imposed on religious organizations that cite
6 religious freedom as reason to deny service to certain individuals will be apportioned to
7 public education funding

8
9 Section 5. This act shall become effective ninety (90) days after passage and approval.

10

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-508

By: Gourley (OU) of the House
Baker (OU) of the Senate

AS INTRODUCED

An act relating to child imprisonment; providing short title; providing for definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Child Imprisonment” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

- 1. Nonviolent offense: Any offense that does not result in measurable physical or mental harm to the victim.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- 1. No person under the age of eighteen (18) shall receive prison time for nonviolent offenses. In place of prison time, the person shall receive not more than twenty (20) hours of community service per week for the duration of the time period they would have been incarcerated.

Section 4. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-509

By: Gourley (OU) of the House
Baker (OU) of the Senate

AS INTRODUCED

An act relating to child welfare; providing short title; providing for definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Child Protection” Act of 2018.

1
2 Section 2. DEFINITIONS The following terms are to be defined as follows for the
3 purposes of this act:
4

- 5 1. Mental abuse: Behavior that is diagnosed as excessively psychologically damaging by a
6 licensed psychiatrist
- 7 2. Parent or guardian: Individual who is legally deemed responsible for a child or children
- 8 3. Physical Force: Any action that causes direct physical harm to a child
- 9 4. Checkups: Visits by a caseworker to a home as outlined under DHS guidelines

10
11 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read
12 as follows:
13

14 1. CHILD ABUSE

- 15 a. No parent or guardian may use physical force as a disciplinary measure for their
16 child or children in the State of Oklahoma.
- 17 b. No individual over eighteen (18) may strike a minor except in cases of self-
18 defense in the State of Oklahoma.
- 19 c. No municipality, county or school district shall adopt ordinances permitting the
20 use of physical force for discipline of students in schools.
- 21 d. No parent or guardian shall conduct mental abuse against their child or children in
22 the state of Oklahoma.
- 23 e. No parent or guardian may take ownership of lawfully owned property in the
24 possession of their child or children except in cases of legal emergency at the best
25 discretion of a judge.

26
27 2. CHILDREN IN FOSTER CARE

- 28 a. Foster homes in Oklahoma shall be subject to no less than two (2) checkups by a
29 case manager at the Department of Human Services per month. Checkups shall be
30 preceded with no less than forty-eight (48) hours' notice.
- 31 b. Foster homes shall be subject to one (1) annual checkup not preceded by notice.
- 32 c. Foster parents in Oklahoma shall keep receipts for all expenses relating to the care
33 of a foster child. These receipts shall be made available on request of a case
34 manager.
- 35 d. DHS events relating to foster care shall take place in buildings that are not
36 religiously or politically affiliated.
- 37 e. Individuals seeking to foster children who identify as sexual or gender minority
38 shall undergo additional training which shall be created by the Department of
39 Human Services.
- 40 f. Individuals seeking to foster children with physical disabilities shall undergo
41 additional training which shall be created by the Department of Human Services.
- 42 g. Individuals shall be compensated for fostering children based on the amount of
43 training undergone and the number of children fostered. The rates of this
44 compensation shall be determined by the Department of Human Services.
- 45 h. Individuals who foster children shall abide by nondiscrimination policy and shall
46 not be permitted to harass or discriminate against foster children in their care

1 based on race, ethnicity, age, disability, religion, sexuality, sex, gender, gender
2 identity, or class.

3
4 Section 4. PENALTIES

- 5
6 1. Any foster parent found to be guilty of abuse or neglect to a foster child in their care shall
7 be guilty of a felony, and receive no less than five (5) years in jail, and a fine of no less
8 than ten thousand dollars (\$10,000) and shall not be permitted to foster or adopt children
9 in Oklahoma again.
- 10 2. Any parent or guardian found to be guilty of physical abuse or mental abuse of their child
11 shall be guilty of a felony and receive no less than one (1) year in jail, and a fine of no
12 less than two thousand dollars (\$2000).
- 13 3. Any parent or guardian found to be guilty of neglect shall be guilty of a felony and
14 receive no less than eighteen (18) months in jail and a fine of no less than two thousand
15 dollars (\$2000).
- 16 4. Any parent or guardian who unlawfully takes ownership of lawfully owned property of
17 their child shall be guilty of a misdemeanor and shall receive a fine of no less than five
18 hundred dollars (\$500). The aforementioned property or equal monetary value to the
19 property shall be returned in full to the child. Should the property be returned after the
20 child has reached the age of eighteen (18), the child shall have the right to charge no
21 more than 2.5% interest per annum on the value of the property.
- 22 5. Any county, municipality, or school district that adopts ordinances allowing for physical
23 discipline in schools shall be subject to the removal of any employee who engages in
24 physical discipline of a child and shall be subject to the removal of any employee
25 responsible for the creation of said ordinance.

26
27
28 Section 5. This act shall become effective ninety (90) days after passage and approval.
29

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-510

By: Gourley (OU)

AS INTRODUCED

An act relating to animal welfare and purebred animals; providing short title; amending O.S. § 4-30; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Animal Welfare Reform” Act of 2018.

Section 2. AMENDATORY O.S. § 4-30 is amended to read as follows:

Section 30.1. ~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act

This act shall be known and may be cited as the “~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act” and shall be administered by the State Board of Agriculture.

Section 30.2. Definitions

As used in the ~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act :

1. “Adult animal” means an intact female animal twelve (12) months of age or older;
2. “Animal” means a dog or a cat;
3. “Animal shelter” means any nongovernmental facility that maintains ten or more dogs and cats operated by or under contract for the state, a county, a municipal corporation, or any other political subdivision of the state for the purpose of impounding or harboring seized, stray, homeless, abandoned or unwanted dogs or cats; and any facility that maintains ten or more dogs and cats operated, owned, or maintained by any person or organization for such purpose, but not including any facility that does not house or harbor dogs or cats on the premises and only operates through a system of fostering in private homes;
4. “Animal shelter operator” means any individual, entity, association, trust, or corporation that operates a nongovernmental facility that maintains ten or more dogs and cats for the purpose of impounding or harboring seized, stray, homeless, abandoned or unwanted dogs or cats, but not including any facility that does not house or harbor dogs or cats on the premises and only operates through a system of fostering in private homes;
5. “Board” means the State Board of Agriculture;
6. “Cat” means a mammal that is wholly or partly of the species *Felis domesticus*;

- 1 7. “Commercial breeder” and “commercial pet breeder” mean any individual, entity, association,
2 trust, or corporation who possesses six ~~eleven~~ or more intact female animals for the use of
3 breeding or dealing in animals for direct or indirect sale or for exchange in return for
4 consideration;
- 5 8. ~~“Commercial pet breeder license” means a license issued to any person that qualifies and is
6 licensed as a commercial pet breeder;~~
- 7 9. “Animal shelter license” means a license issued to any applicant that qualifies and is licensed
8 as an animal shelter operator;
- 9 10. “Department” means the Oklahoma Department of Agriculture, Food, and Forestry;
- 10 11. “Dog” means a mammal that is wholly or partly of the species *Canis familiaris*;
- 11 12. “Facility” means the premises used by one or more animal shelter operators ~~or commercial
12 breeders~~. The term includes all buildings, property, and confinement areas in a single location
13 used to conduct the animal shelter ~~or commercial breeding business~~;
- 14 13. “Family member” means the parent, spouse, child, or sibling of an individual;
- 15 14. “Humane society” means a nonprofit organization exempt from federal income taxation as an
16 organization described in Section 501(c)(3), Internal Revenue Code of 1986, as amended, that
17 has as a principal purpose the prevention of animal cruelty or the sheltering of, caring for, and
18 providing of homes for lost, stray, and abandoned animals;
- 19 15. “Inspector” means an authorized agent of the Board or any other qualified person authorized
20 by the Department to conduct inspections;
- 21 16. “Intact female animal” means a female animal, nine (9) months of age or older, and not
22 spayed;
- 23 17. “Kitten” means a cat less than twelve (12) months old;
- 24 18. “Local animal control authority” means a municipal or county animal control office with
25 authority over the premises in which an animal is kept or, in an area that does not have an animal
26 control office, the county sheriff;
- 27 19. “Marketing” means the solicitation for sale of animals;
- 28 20. “Noncommercial breeder” means any individual, entity, association, trust, or corporation
29 who possesses five ~~ten~~ or fewer ~~intact~~ female animals for the use of breeding ~~or dealing in
30 animals for direct or indirect sale or for exchange in return for consideration~~;
- 31 21. “Person” means any individual, association, trust, corporation, limited liability company,
32 partnership, or other entity;

- 1 22. "Pet" means a dog or cat, including a puppy or kitten;
- 2 23. "Possess" means to have custody of or control over;
- 3 24. "Puppy" means a dog less than twelve (12) months old; and
- 4 25. "Veterinarian" means a person currently licensed to practice veterinary medicine in
- 5 Oklahoma.

6 Section 30.3. Enforcement of act

7 A. The State Board of Agriculture shall enforce and administer the provisions of the ~~Commercial~~

8 ~~Pet Breeders and Animal Shelter Licensing Act.~~

9 B. The Board shall adopt the rules necessary to enforce and administer the ~~Commercial Pet~~

10 ~~Breeders and Animal Shelter Licensing Act~~, including but not limited to rules that:

- 11 1. Establish standards for care;
- 12 2. Establish reasonable and necessary fees;
- 13 3. ~~Establish exemptions for intact female animals held solely for the purpose of training and that~~
- 14 ~~are not bred, with documentation to include sales and training records;~~
- 15 4. Establish provisions related to initial and renewal applications, revocation or nonrenewal of
- 16 licenses, procedures for sale of animals, and procedures for making complaints; and
- 17 5. Deem any "commercial breeder" in violation of the Animal Shelter Licensing Act.
- 18 ~~65.~~ Establish any other rules deemed necessary by the Board.

19

20 Section 30.4. Licensure

21 A. A person shall not ~~act, offer to act, or hold himself or herself out as a commercial pet breeder~~

22 ~~or~~ operate an animal shelter in this state unless the person holds a license obtained pursuant to

23 the ~~Commercial Pet Breeders and Animal Shelter Licensing Act~~ for each facility that the person

24 owns or operates in this state.

25 B. It shall be unlawful for any person ~~to act as a commercial pet breeder licensee, or operate as~~

26 ~~an animal shelter licensee, or to hold himself or herself out as such,~~ unless the person shall have

27 been licensed to do so under the ~~Commercial Pet Breeders and Animal Shelter Licensing Act.~~

28 C. An applicant for an animal shelter ~~or commercial pet breeder license~~ shall meet the criteria

29 established by the State Board of Agriculture through rules promulgated pursuant to the

30 ~~Commercial Pet Breeders and Animal Shelter Licensing Act.~~

1 D. Any animal shelter operator ~~or commercial pet breeder~~ that applies for an animal shelter or
2 commercial pet breeder license no later than September 1, 2013, shall not be required to meet
3 any cage-size requirement more stringent than United States Department of Agriculture
4 standards. Regardless of license application date, any animal shelter operator or commercial pet
5 breeder replacing or adding cages after September 1, 2013, shall meet the cage-size requirements
6 as of the date of replacement or addition.

7

8 Section 30.5. Application for licensure--Inspection of applicant

9 A. The Oklahoma Department of Agriculture, Food, and Forestry may contract with a local
10 veterinarian licensed by the state, other state agency or any other qualified person to conduct or
11 assist in an initial prelicense inspection and annual inspections.

12 B. The Department shall arrange for an inspection at a facility prior to issuance of an initial
13 animal shelter ~~or commercial pet breeder~~ license for that facility.

14 1. The Department shall not issue an animal shelter or commercial pet breeder license to any
15 person until the Department receives an initial prelicense inspection report from the inspector in
16 a format approved by the Department certifying that the facility meets the requirements of the
17 ~~Commercial Pet Breeders and Animal Shelter Licensing Act~~.

18 2. Prior to the initial prelicense inspection, each applicant shall pay to the Department a
19 nonrefundable inspection fee.

20 C. The Department, at least annually, shall arrange for the inspection of each facility of a
21 licensed animal shelter operator ~~or commercial breeder~~. The inspection shall be conducted
22 during normal business hours and the animal shelter operator, commercial breeder or a
23 representative of the facility shall be present during the inspection.

24 D. The inspector shall submit an inspection report to the Department not later than ten (10) days
25 after the date of the inspection on a form prescribed by the Department and provide a copy of the
26 report to the animal shelter operator, ~~commercial breeder~~ or the representative.

27 E. On receipt of a valid written complaint alleging a violation of the ~~Commercial Pet Breeders~~
28 ~~and Animal Shelter Licensing Act~~, an authorized agent of the State Board of Agriculture, a local
29 animal control authority, or an inspector designated by the Department may investigate the
30 alleged violation.

31 F. The Department shall not hire any humane society group or member of any humane society
32 group to perform any inspection required by the ~~Commercial Pet Breeders and Animal Shelter~~
33 ~~Licensing Act~~.

34 Credits

35 ~~Laws 2012, c. 302, § 5, eff. July 1, 2012; Laws 2013, c. 289, § 5.~~

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Section 30.6. Requirements for licensure

A. The Oklahoma Department of Agriculture, Food, and Forestry shall issue an animal shelter or commercial pet breeder license to each applicant who:

- 1. Meets the requirements of the ~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act;
- 2. Applies to the Department on the form prescribed by the Department; and
- 3. Pays the required fee.

B. An animal shelter operator or ~~commercial pet breeder~~ shall obtain a separate license for each facility where animals are kept. A separate license shall be issued for each facility, regardless of the number of animals at each facility.

C. If a single facility is shared by more than one person, each person shall be required to become individually licensed if:

- ~~1. For commercial pet breeders, eleven or more intact females used for breeding are housed at the facility; or~~
- 2. For animal shelter operators, ten or more cats and dogs are maintained at the facility.

D. A license issued under ~~the Commercial Pet Breeders and~~ Animal Shelter Licensing Act is valid until ~~July 1 for a commercial pet breeder and~~ January 1 for an animal shelter operator in each calendar year and is nontransferable.

~~E. The nonrefundable animal shelter license and renewal fee shall be the same as the fee for a commercial pet breeder with eleven to twenty intact female animals.~~

Section 30.7. Revocation or suspension of license

The Oklahoma Department of Agriculture, Food, and Forestry may deny a license, or renewal thereof, or revoke a license of any applicant, animal shelter operator or ~~commercial pet breeder~~ who fails to meet the standards of animal care or fails to follow the application process adopted by the Department, or if the person:

- 1. Is convicted of a crime involving animal cruelty;
- 2. Is convicted of violating the ~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act more than three times;
- 3. Is convicted of a type of felony specified by subparagraphs a through pp of paragraph 2 of Section 571 of Title 57 of the Oklahoma Statutes;

1 4. Is convicted of a felony punishable under the Oklahoma Racketeer-Influenced and Corrupt
2 Organizations Act; or

3 5. Has held or applied for a United States Department of Agriculture license pursuant to the
4 Animal Welfare Act and whose license was suspended or revoked, or whose application was
5 refused due to the improper care of animals.

6
7 Section 30.8. Expiration and renewal of license

8 A. An animal shelter operator or commercial pet breeder who is not in violation of the
9 ~~Commercial Pet Breeders and Animal Shelter Licensing Act~~ or any rule adopted under the
10 ~~Commercial Pet Breeders and Animal Shelter Licensing Act~~ may renew the license of the person
11 by:

12 1. Submitting a renewal application to the Oklahoma Department of Agriculture, Food, and
13 Forestry on the form prescribed by the Department;

14 2. Complying with any other renewal requirements adopted by the Department; and

15 3. Paying the required fee.

16 B. Any person who fails to apply for a renewal in a manner prescribed by the Department, and
17 whose license has expired, may not engage in activities that require a license until the license has
18 been renewed.

19 C. Not later than sixty (60) days before the expiration of the license, the Department shall send
20 written notice of the impending license expiration to the animal shelter ~~operator or commercial~~
21 ~~pet breeder~~ at the last-known address according to the records of the Department.

22
23 Section 30.9. Required information updates

24 An animal shelter operator ~~or commercial pet breeder~~ shall notify the Oklahoma Department of
25 Agriculture, Food, and Forestry in writing not later than ten (10) days after the date any change
26 occurs in the address, name, management, substantial control, or ownership of the business or
27 operation.

28
29 Section 30.10. Disclosure of license

30 An animal shelter operator ~~and commercial pet breeder~~ shall prominently display a copy of the
31 animal shelter license ~~or commercial pet breeder license~~ at the facility of the animal shelter or
32 commercial pet breeder. ~~A commercial pet breeder shall include the commercial pet breeder~~
33 ~~license number in each advertisement for the sale or transfer of an animal by the commercial pet~~
34 ~~breeder. A commercial pet breeder shall include in each contract for the sale or transfer of an~~
35 ~~animal by the commercial pet breeder the commercial pet breeder license number.~~

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Section 30.11. Annual report fillings

~~A. Not later than February 1 of each year, a commercial pet breeder shall submit to the Oklahoma Department of Agriculture, Food, and Forestry an annual report on a form prescribed by the Department setting forth the number of adult intact female animals held at the facility at the end of the prior year and such other information regarding the commercial pet breeder's prior year's operations as required by the Department.~~

~~B. The commercial pet breeder shall keep a copy of the annual report at the facility of the commercial pet breeder and, on request, make the report available to the authorized agent of the Board, a local animal control authority, or any other inspector designated by the Department.~~

C. A license holder that has more than one facility shall keep separate records and file a separate report for each facility.

Section 30.12. Animal health records

~~A. An animal shelter operator and commercial pet breeder shall maintain a separate health record for each animal in the facility of the animal shelter operator and commercial breeder documenting the healthcare of the animal.~~

B. The health record shall include:

- 1. The breed, sex, color, and identifying marks of the animal; and
- 2. A record of all inoculations, medications, and other veterinary medical treatment received by the animal while in the possession of the animal shelter operator ~~and commercial pet breeder.~~

~~C. The animal shelter operator and commercial pet breeder shall make the health records available on request to the Oklahoma Department of Agriculture, Food, and Forestry, an authorized agent of the Board, a local animal control authority, or any other inspector designated by the Department.~~

Section 30.13. Prohibited conduct--Penalties

A. After notice and opportunity for a hearing in accordance with the Administrative Procedures Act, if the State Board of Agriculture finds any person in violation of the ~~Commercial Pet Breeders and Animal Shelter Licensing Act~~ or any rule promulgated or order issued pursuant thereto, the Board shall have the authority to assess an administrative penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) for each violation. Each animal, each action, or each day a violation continues may constitute a separate and distinct violation. During each license year of the facility, a facility shall not be subject to more than Ten Thousand Dollars (\$10,000.00) in administrative penalties assessed pursuant to this subsection.

1 B. A person commits an offense if the person violates the ~~Commercial Pet Breeders and~~ Animal
2 Shelter Licensing Act or any rule adopted under the ~~Commercial Pet Breeders and~~ Animal
3 Shelter Licensing Act. Each animal to which a violation applies and each day that violation
4 continues constitutes a separate offense. An offense under this subsection is a misdemeanor
5 punishable as provided in subsection F of this section.

6 C. A person commits an offense if the person knowingly falsifies information in a license
7 application, annual report, or record required under the ~~Commercial Pet Breeders and~~ Animal
8 Shelter Licensing Act. An offense under this subsection is a misdemeanor punishable as
9 provided in subsection F of this section.

10 D. ~~An unlicensed~~ commercial pet breeder commits an offense if the breeder advertises animals
11 for sale or engages in the selling and breeding of animals in the State of Oklahoma. An offense
12 under this subsection is a misdemeanor punishable as provided in subsection F of this section.

13 E. An animal shelter ~~or commercial pet breeder~~ commits an offense if the animal shelter or
14 commercial breeder interferes with, hinders, or thwarts any inspection or investigation under the
15 Commercial Pet Breeders and Animal Shelter Licensing Act or refuses to allow an inspector full
16 access to all areas of the facility where animals are kept or cared for and all records required to
17 be kept under the ~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act or any rule
18 adopted under the ~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act. An offense
19 under this subsection is a misdemeanor punishable as provided in subsection F of this section.

20 F. 1. Any violation of subsection B or C, ~~C or D~~ of this section shall be punishable by a fine not
21 to exceed Five Hundred Dollars (\$500.00).

22 2. Any violation of subsection E of this section shall be punishable by a fine not to exceed One
23 Thousand Dollars (\$1,000.00).

24 3. Any violation of subsection D of this section shall be punishable by a fine of no less than Two
25 Thousand Dollars (\$2,000.00) upon the first violation and any subsequent violation shall result in
26 a sentence of no less than two (2) years in prison.

27 G. In addition to penalties and fines, the Board shall have authority to obtain injunctions against
28 anyone who violates the ~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act, and shall
29 have authority to obtain or impose civil monetary penalties on anyone who violates the
30 ~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act, and upon obtaining a court order,
31 shall have authority to seize and impound animals in the possession, custody, or care of that
32 person if there is reason to believe that the health, safety, or welfare of the animals is
33 endangered, or the animals are in imminent danger. The reasonable costs of transportation, care,
34 and feeding of seized and impounded animals shall be paid by the person from whom the dogs or
35 cats were seized and impounded.

36 H. Nothing in the ~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act shall preclude the
37 Board from seeking penalties in district court in the maximum amount allowed by law. The
38 assessment of penalties in an administrative enforcement proceeding shall not prevent the
39 subsequent assessment by a court of the maximum civil or criminal penalties for violations of the

1 ~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act and rules promulgated pursuant
2 thereto.

3 I. Any person assessed an administrative or civil penalty may be required to pay, in addition to
4 the penalty amount and interest thereon, attorney fees and costs associated with the collection of
5 the penalties.

6 J. If any person refuses, denies or interferes with any right of access, the Board shall have the
7 right to apply to and obtain from a district court an administrative or other warrant as necessary
8 to enforce the right of access and inspection.

9

10 Section 30.14. State disclosure duties

11 The State Board of Agriculture shall maintain and post on its website the directory of animal
12 shelters and commercial pet breeders licensed pursuant to the ~~Commercial Pet Breeders and~~
13 Animal Shelter Licensing Act. The Board shall post on its website the directory of animal
14 shelters ~~and commercial pet breeders~~ who have been denied licensing, or whose licenses have
15 been revoked.

16

17 Section 30.15. Limitations

18 A. The ~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act shall not affect the
19 applicability of any other law, rule, order, ordinance, or other legal requirement of the federal
20 government, this state, or a political subdivision of this state.

21 B. The ~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act shall not prevent a
22 municipality or county from prohibiting or further regulating by order or ordinance, the
23 possession, breeding, or selling of dogs or cats.

24

25 Section 30.16. Appropriation of funds

26 A. There is hereby created in the State Treasury a revolving fund for the Oklahoma Department
27 of Agriculture, Food, and Forestry to be designated the ~~Commercial Pet Breeders and~~ Animal
28 Shelter Assistance Revolving Fund. All monies accruing to the credit of the ~~Commercial Pet~~
29 ~~Breeders and~~ Animal Shelter Assistance Revolving Fund are hereby appropriated and may be
30 budgeted and expended by the Department for the purposes set forth in subsection C of this
31 section. The fund shall be a continuing fund not subject to fiscal year limitations and shall
32 consist of:

33 1. All monies received by the Department for sheltering of seized animals pursuant to the
34 ~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act; and

1 2. Money received by the Department in the form of gifts, grants, reimbursements, or from any
2 other source intended to be used for the purposes specified by or collected pursuant to the
3 provisions of this section of the ~~Commercial Pet Breeders and~~ Animal Shelter Licensing Act.

4 B. The monies deposited in the ~~Commercial Pet Breeders and~~ Animal Shelter Assistance
5 Revolving Fund shall be excluded from budget and expenditure limitations and shall at no time
6 become part of the general budget of the Department or any other state agency. Except as
7 provided for in this section, no monies from the ~~Commercial Pet Breeders and~~ Animal Shelter
8 Assistance Revolving Fund shall be transferred for any purpose to any other state agency or any
9 account of the Department or be used for the purpose of contracting with any other state agency
10 or reimbursing any other state agency for any expense.

11 C. The ~~Commercial Pet Breeders and~~ Animal Shelter Assistance Revolving Fund shall be
12 utilized for defraying veterinary costs for animals in the event of a removal of animals from an
13 animal shelter or commercial pet breeder. The fund may, in the discretion of the State Board of
14 Agriculture, also be used to defray costs associated with care of animals including, but not
15 limited to, feed and shelter.

16
17 Section 3. This act shall become effective ninety (90) days after passage and approval.
18

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-511

By: Gourley (OU) of the House
Baker (OU) of the Senate

AS INTRODUCED

An act relating to inebriates; providing short title; providing for definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “AA” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

- 1. Alcoholics Anonymous: The organization founded in 1935 founded by Bill Wilson Bob Smith.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- 1. No court may require attendance of Alcoholics Anonymous meetings as punishment for any alcohol related crime.
- 2. Alcoholics Anonymous meetings may be recommended but not required as punishment for an alcohol related crime.
- 3. The Oklahoma Department of Justice shall oversee the creation of alternative programs in place of Alcoholics Anonymous. These programs must be strictly non-religious in their nature and content.

Section 4. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-512

By: Lalani (OU) of the House
Phelps (OU) of the House
Bell (OU) of the Senate

AS INTRODUCED

An Act relating to the purchase and ownership of exotic animals; providing short title; providing definitions; providing for codification; providing for penalties; and providing an effective date.

1
2 BE IT ENACTED BY THE STATE OF OKLAHOMA
3

4 Section 1. This act shall be known as the “Exotic Animal Control” Act of 2018.
5

6 Section 2. DEFINITIONS The following terms are to be defined as follows for the
7 purposes of this act:
8

- 9 1. As used in this act, “Exotic animal” is defined as:
10 a. Any non-human primate;
11 b. Any member of the class Aves (birds) except for:
12 i. Any animal defined as a “domestic animal” pursuant to Title 4 Section
13 85, except for those defined as “exotic livestock”
14 ii. *Leucosis rothschildi* (Rothchild’s mynah)
15 iii. *Nymphicus hollandicus* (Cockatiel)
16 iv. *Melopsittacus undulates* (Parakeet)
17 v. *Passer domesticus* (English house sparrow)
18 vi. *Sturnus vulgaris* (Starling)
19 vii. *Gracula religiosa* and *Eulabes Religiosa* (Hill mynahs)
20 c. Any member of the class Mammalia (mammals) except for:
21 i. Domesticated rabbits and hares
22 ii. Domesticated rats and mice
23 iii. Any animal defined as a “domestic animal” pursuant to Title 4 Section
24 85, except for those defined as “exotic livestock”
25 iv. *Cavia porcellus* (domesticated guinea pigs)
26 v. *Chinchilla laniger* (chinchillas)
27 vi. *Felis catus* (domestic cat) and hybrids of domestic cats
28 vii. *Canis familiaris* (domestic dog) and hybrids of domestic dogs
29 d. Any of the following members of the class Reptillia (Reptiles):
30 i. Any member of the order Crocodillia (Crocodiles, Alligators, etc.)
31 ii. Any member of the family Elapidae (Cobras, Mambas, Coral Snakes,
32 etc.)
33 iii. Any member of the family Chelyridae (snapping turtles)
34 iv. Any member of the family Viperidae (adders, vipers, etc.)
35 v. Any member of the family Crotalidae (pit vipers)
36 vi. Any member of the family Colubridae (water snakes, Boomslang, etc.)
37 vii. Any member of the family Helodermatidae (Gila monsters)
38
39 2. Municipality: any incorporated city or town
40
41 3. Residential Property: a building that is used or suitable for use as a dwelling, or is in
42 the process of being constructed or adapted for use as a dwelling; land that forms part
43 of a garden or grounds of a building suitable for use as a dwelling
44
45 4. Commercial Property: refers to buildings or land intended to generate a profit, either
46 from capital gain or rental income

1
2 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes
3 to read

4 as follows:

- 5
6 1. It shall be unlawful to knowingly possess, sell, transport, or import any exotic animal for
7 use as a pet in the state of Oklahoma without a permit issued by the Department of
8 Wildlife Conservation.
9
- 10 2. This act shall not apply to the following persons and entities if exotic animals possessed,
11 sold, transported, or imported by them are for a purpose other than as a pet:
12 a. Zoological facilities and exhibitors possessing a USDA license pursuant to
13 The Animal Welfare Act (7 USC. Sec. 2132 et. seq.) and accredited by the
14 American Zoological and Aquarium Association;
15 b. State universities and other state agencies;
16 c. Licensed veterinarians; and
17 d. Incorporated humane societies and animal shelters.
18
- 19 3. Any person or entity who possesses an exotic animal for use as a pet at the time that this
20 act takes effect may lawfully retain possession of said animal, provided:
21 a. Said person applies for a permit to retain possession of the animal within
22 ninety (90) days of this act taking effect;
23 b. Said person has not been convicted of any criminal offense relating to animal
24 cruelty; and
25 c. Said person does not reside in a residential zoned area and must apply to the
26 municipality to be rezoned as a commercial property.
27
- 28 4. Any person or entity who possesses an exotic animal for use as a pet who is denied a
29 permit for any reason, or does not apply for one within ninety (90) days of this act taking
30 effect shall surrender said animal to the Department of Wildlife Conservation or an
31 authorized agent thereof, a peace officer of this state, or an incorporated humane society
32 or animal shelter.
33
- 34 5. No persons shall possess an exotic animal in a residential zoned area.
35
- 36 6. The Department of Wildlife Conservation, any peace office of the state of Oklahoma, and
37 any incorporated humane society or animal shelter is hereby authorized to enforce the
38 provisions of this act and shall have the authority to seize any exotic animal held in
39 violation of this act.
40

41 Section 4. PENALTIES

- 42
43 1. Any person not exempt from this statute who knowingly possesses, sells, transports,
44 or imports any exotic animal shall be fined not more than four hundred dollars (\$400)
45 for a first offense and not more than one thousand five hundred dollars (\$1500) for
46 any subsequent offense. Each instance of possessing, selling, transporting, or

1 importing an exotic animal constitutes a separate offense.

2

3

4 Section 5. This act shall become effective ninety (90) days after passage and approval.

5

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-513

By: McCans (OU)

AS INTRODUCED

An act relating to the state beverage of Oklahoma; providing short title; amending O.S. § 25-98-7; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Cherry Limeade” Act of 2018.

Section 2. AMENDATORY O.S. § 25-98-7 is amended to read as follows:

A. ~~Milk~~ Cherry Limeade is hereby designated and adopted as the official drink of the State of Oklahoma.

Section 3. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-514

By: McCans (OU) of
the House
Curtis (OU) of the Senate

AS INTRODUCED

An act relating to e-cigarettes; providing short title; providing for amending O.S. § 68-301.1; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "Juul Tax" Act of 2017.

Section 2. AMENDATORY O.S. § 68-301.1 is amended to read as follows:

1. The term "cigarette" is defined to mean and include all rolled tobacco or any substitute therefor, wrapped in paper or any substitute therefor and weighing not to exceed three (3) pounds per thousand cigarettes.
 - a. "E-Cigarettes" is defined to mean a device used to simulate the experience of smoking, having a cartridge with a heater that vaporizes liquid nicotine instead of burning tobacco. All "E-Cigarette" devices that contain at least thirty (30) milligrams of nicotine per milliliter of liquid are also to be defined and taxed as "cigarettes" for the purposes of Section 301 et seq. of this title.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. All revenues generated by the taxation of E-Cigarettes are to be apportioned to fund health care initiatives that focus on fighting addiction.

Section 4. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-515

By: Powell (OU)

AS INTRODUCED

1 An act relating to settling minor offenses by combat; providing short title; providing for
2 definitions; providing for codification; and providing an effective date.

3
4 BE IT ENACTED BY THE STATE OF OKLAHOMA

5
6 Section 1. This act shall be known as the “Sword Fighting” Act of 2018.

7
8 Section 2. DEFINITIONS The following terms are to be defined as follows for the purpose
9 of this act:

- 10
11 1. Minor offenses: All Class D Felony cases, all misdemeanor cases, all infraction cases,
12 and all ordinance violation cases.
13
14 2. Offender: person who committed the minor offense.
15
16 3. Champion: person selected by the board of champion selectors.
17
18 4. Default punishment: fine or sentencing originally given to the offender by the court of
19 law.
20

21 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read
22 as follows:

- 23
24 1. Citizens currently residing in the State of Oklahoma have the optional choice of settling a
25 minor offense in a trial by combat.
26 a. Only minor offenses, as defined, have the option of being settled in a trial by
27 combat.
28
29 2. A board of “champion selectors” will be developed.
30 a. Board members must be comprised of a person currently employed at the
31 Department of Motor Vehicles, a person appointed by the
32 Governor, and a person randomly selected from the pool of registered voters.
33 i. The randomly selected citizen must be registered to vote.
34 ii. The randomly selected person must be chosen every year. However, there
35 will be no limitations on how many times one person can be the randomly
36 selected citizen.
37 iii. The randomly selected citizen cannot be the person from the Department
38 of motor vehicles or the person appointed by the Governor.
39 1. Should this event occur, the random selection process is to be
40 redone.
41 iv. The public must vote on the “random selection” process.
42
43 3. The champion selected by the board of champion selectors has the right to refuse the
44 nomination.
45 a. If no one accepts the nomination, the offender must accept the default punishment
46 originally assigned to him/her.

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- 4. The trial by combat will be conducted in a court of law.
 - a. The State of Oklahoma should provide the swords for the trial.
 - b. The swords provided should be exactly the same to ensure a fair trial.
 - c. The winner of the trial is cleared of their minor offense and is free to leave.

Section 4. This act shall become effective two (2) years after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-516

By: Powers (OU)

AS INTRODUCED

An act relating to children’s toys; providing short title; providing for definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Protecting the Future” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

- 1. A “baby walker” is a children’s toy in which a child is placed for the purpose of helping develop independent mobility. “Baby walkers” typically include a seat for the infant or toddler, a tray for toys, and four wheels.
- 2. “Trade” is any exchange of a product.
- 3. “Personal use of baby walkers” can refer to placing a child into a baby walker or knowingly allowing a child to use a baby walker.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes, to read as follows:

- 1. It shall be illegal for any person or entity to produce, sell, or trade baby walkers in the state of Oklahoma.
- 2. Personal use of baby walkers shall be illegal in any home or business in the state of Oklahoma.

Section 4. PENALTIES

- 1. Any person or entity found to be in violation of Section 3.1 of this statute shall be subject to a fine of no less than one hundred dollars (\$100) but not to exceed five million dollars (\$5,000,000) for each infraction.
- 2. Any person or business found to be violation of Section 3.2 of this statute shall be subject to a fine of up to fifty dollars (\$50) for each infraction.

Section 5. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-517

By: Prado (OU)

AS INTRODUCED

An act relating to Contracts; providing short title; providing for definitions; amending 15 O.S. 2011, Section 753, as last amended by Section 1, Chapter 258 O.S.L. 2012 (15 O.S. Supp. 2017, Section 753); providing for codification; providing exemptions; providing penalties; and providing effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Proper Pricing” Act of 2018

Section 2. DEFINITIONS

1. “Correct price” shall refer to a charge at the time that a consumer transaction occurs that matches the price displayed to a customer by a retailer for the subject or subjects of that consumer transaction.
2. “Incorrect price” shall refer to any price displayed to customers for any subject of a consumer transaction that is different than what they are charged at the time that the consumer transaction occurs.
3. “Store” shall refer to any individual location of any retailer, where the store is operated at their highest order by a manager or managers.

Section 3. AMENDATORY 15 O.S. 2011, Section 753, as last amended by Section 1, Chapter 258 O.S.L. 2012 (15 O.S. Supp. 2017, Section 753), is amended to read as follows:

Section 753:

A person engages in a practice which is declared to be unlawful under the Oklahoma Consumer Protection Act when, in the course of the person's business, the person:

1. Represents, knowingly or with reason to know, that the subject of a consumer transaction is of a particular make or brand, when it is of another;
2. Makes a false or misleading representation, knowingly or with reason to know, as to the source, sponsorship, approval, or certification of the subject of a consumer transaction;
3. Makes a false or misleading representation, knowingly or with reason to know, as to affiliation, connection, association with, or certification by another;
4. Makes a false or misleading representation or designation, knowingly or with reason to know, of the geographic origin of the subject of a consumer transaction;
5. Makes a false representation, knowingly or with reason to know, as to the characteristics, ingredients, uses, benefits, alterations, or quantities of the subject of

- 1 a consumer transaction or a false representation as to the sponsorship, approval,
2 status, affiliation or connection of a person therewith;
- 3 6. Represents, knowingly or with reason to know, that the subject of a consumer
4 transaction is original or new if the person knows that it is reconditioned,
5 reclaimed, used, or secondhand;
- 6 7. Represents, knowingly or with reason to know, that the subject of a consumer
7 transaction is of a particular standard, style or model, if it is of another;
- 8 8. Advertises, knowingly or with reason to know, the subject of a consumer transaction
9 with intent not to sell it as advertised;
- 10 9. Advertises, knowingly or with reason to know, the subject of a consumer transaction
11 with intent not to supply reasonably expected public demand, unless the
12 advertisement discloses a limitation of quantity;
- 13 10. Advertises under the guise of obtaining sales personnel when in fact the purpose is to
14 sell the subject of a consumer transaction to the sales personnel applicants;
- 15 11. Makes false or misleading statements of fact, knowingly or with reason to know,
16 concerning the price of the subject of a consumer transaction, including the tax the
17 consumer pays for the subject, or the reason for, existence of, or amounts of price
18 reduction;
- 19 12. Employs "bait and switch" advertising, which consists of an offer to sell the subject
20 of a consumer transaction which the seller does not intend to sell, which advertising
21 is accompanied by one or more of the following practices:
- 22 a. refusal to show the subject of a consumer transaction advertised,
23 b. disparagement of the advertised subject of a consumer transaction or
24 the terms of sale,
25 c. requiring undisclosed tie-in sales or other undisclosed conditions to
26 be met prior to selling the advertised subject of a consumer
27 transaction,
28 d. refusal to take orders for the subject of a consumer transaction
29 advertised for delivery within a reasonable time,
30 e. showing or demonstrating defective subject of a consumer
31 transaction which the seller knows is unusable or impracticable for
32 the purpose set forth in the advertisement,
33 f. accepting a deposit for the subject of a consumer transaction and
34 subsequently charging the buyer for a higher priced item, or
35 g. willful failure to make deliveries of the subject of a consumer
36 transaction within a reasonable time or to make a refund therefor
37 upon the request of the purchaser;
- 38 13. Conducts a closing out sale without having first obtained a license as required in the
39 Oklahoma Consumer Protection Act;
- 40 14. Resumes the business for which the closing out sale was conducted within thirty-six
41 (36) months from the expiration date of the closing out sale license;
- 42 15. Falsely states, knowingly or with reason to know, that services, replacements or
43 repairs are needed;
- 44 16. Violates any provision of the Oklahoma Health Spa Act;
- 45 17. Violates any provision of the Home Repair Fraud Act;
- 46 18. Violates any provision of the Consumer Disclosure of Prizes and Gifts Act;

- 1 19. Violates any provision of Section 755.1 of this title or Section 1847a of Title 21 of
2 the Oklahoma Statutes;
- 3 20. Commits an unfair or deceptive trade practice as defined in Section 752 of this
4 title;
- 5 21. Violates any provision of Section 169.1 of Title 8 of the Oklahoma Statutes in
6 fraudulently or intentionally failing or refusing to honor the contract to provide
7 certain cemetery services specified in the contract entered into pursuant to the
8 Perpetual Care Fund Act;
- 9 22. Misrepresents a mail solicitation as an invoice or as a billing statement;
- 10 23. Offers to purchase a mineral or royalty interest through an offer that resembles an oil
11 and gas lease and that the consumer believed was an oil and gas lease;
- 12 24. Refuses to honor gift certificates, warranties, or any other merchandise offered by a
13 person in a consumer transaction executed prior to the closing of the business of the
14 person without providing a purchaser a means of redeeming such merchandise or
15 ensuring the warranties offered will be honored by another person;
- 16 25. Knowingly causes a charge to be made by any billing method to a consumer for
17 services which the person knows was not authorized in advance by the consumer;
- 18 26. Knowingly causes a charge to be made by any billing method to a consumer for a
19 product or products which the person knows was not authorized in advance by the
20 consumer;
- 21 27. Violates Section 752A of this title;
- 22 28. Makes deceptive use of another's name in notification or solicitation, as defined in
23 Section 752 of this title;
- 24 29. Falsely states or implies that any person, product or service is recommended or
25 endorsed by a named third person;
- 26 30. Falsely states that information about the consumer, including but not limited to, the
27 name, address or phone number of the consumer has been provided by a third
28 person, whether that person is named or unnamed;
- 29 31. Acting as a debt collector, contacts a debtor and threatens to file a suit against the
30 debtor over a debt barred by the statute of limitations which has passed for filing
31 suit for such debt; ~~or~~
- 32 32. Acting as a debt collector, contacts a debtor and uses obscene or profane language to
33 collect a debt; or
- 34 33. Violates Section 756.2(1) of this title.

35
36
37 Section 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as
38 Section 756.2 of Title 15, unless there is created a duplication in numbering, to
39 read as follows:

- 40
41 1. Any retailer, as defined by 15 O.S. 2011, Section 598.2(g), shall only display prices
42 for products or services that are the same as what the customer is charged at the time
43 that the consumer transaction occurs.
 - 44 a. Any tax on any subject of a consumer transaction shall be considered part of
45 the price at the time that the consumer transaction occurs.

- 1 2. Any consumer that is charged a price other than what is displayed by the retailer may
2 report that store to the office of either the respective District Attorney or the Attorney
3 General of the State of Oklahoma.
4 a. Any District Attorney that receives a report as provided in Section 756.2(2) of
5 this title shall provide a copy of all reports, as well as a statement of what
6 actions were taken regarding the reports, to the office of the Attorney General
7 of the State of Oklahoma by the first day of each month.
8 3. Any District Attorney and the Attorney General of the State of Oklahoma shall take
9 the following actions when he or she receives a report as provided in Section 756.2(2)
10 of this title:
11 a. Each office shall promulgate rules regarding the preservation of records of
12 reports and actions taken regarding specific stores.
13 b. Upon receiving three (3) or more reports for the same store, the District
14 Attorney or the Attorney General shall issue a warning to the manager(s) of
15 that store that the retailer must display the correct prices to consumers.
16 c. Upon receiving two (2) or more reports for a store that has already received a
17 warning, the District Attorney or the Attorney General shall issue a warning to
18 the manager(s) of that store that the retailer will have fifteen (15) days to
19 correct the prices in the store or the retailer will face penalties.
20 d. Upon receiving any reports after the fifteen (15) day period provided above,
21 the District Attorney or the Attorney General shall open an investigation of
22 the store to verify the validity of the report.
23 e. If the investigation concludes that the store still displaying incorrect prices,
24 the District Attorney or the Attorney General shall inform the manager(s) of
25 the store that the retailer is considered to repeatedly and consistently reported
26 for displaying incorrect prices and shall be penalized as provided.
27 4. If a store has not been reported for at least Three Hundred and Sixty-Five (365) days,
28 or if an investigation by the District Attorney or the Attorney General of the State of
29 Oklahoma finds that a store is not displaying incorrect prices, then the record for that
30 store shall show that the reports are resolved.
31 a. After the reports are resolved, any new report against that store shall be
32 considered as the first of a new record and shall be handled starting with
33 Section 756.2(3)(b) of this title.
34

35 Section 5. EXEMPTIONS
36

- 37 1. Any advertisement that is intended to be displayed outside the state of
38 Oklahoma shall be exempt from consideration as an incorrect price.
39 2. Any advertisement for a store located outside the state of Oklahoma shall be
40 exempt from consideration as an incorrect price.
41 3. Any price on a subject of a consumer transaction that includes a documentable
42 price reduction shall be exempt from consideration as an incorrect price.
43 4. Any online retailer that displays extra costs, including any tax and delivery
44 costs, separately before the consumer transaction occurs shall be exempt from
45 consideration as displaying incorrect prices.
46

1 Section 6. PENALTIES

- 2 1. Any retailer that is repeatedly and consistently reported for displaying
3 incorrect prices shall pay a fine of Five Hundred Dollars (\$500.00) for each
4 report as provided in Section 756.2(2) of this title.
5 2. The manager(s) of a retailer that is repeatedly and consistently reported for
6 displaying incorrect prices shall be liable for a violation of the Oklahoma
7 Consumer Protection Act.
8

9 Section 7. This act shall become effective on July 1, 2020.

10 Oklahoma Intercollegiate Legislature
11 2nd Session of the 50th Legislature (2018)
12

13 House Bill No. OU-518

By: Prado (OU) of the House
Morrison (SOSU) of the Senate

14
15
16 AS INTRODUCED
17

18 An act relating to Alcoholic Beverages; providing short title; amending Section
19 68, Chapter 366 O.S.L. 2016, as amended by Section 1, Chapter 76 O.S.L. 2017
20 (37A O.S. Supp. 2017); and providing an effective date.
21

22 BE IT ENACTED BY THE STATE OF OKLAHOMA
23

24 Section 1. This act shall be known as the “Walmart is for Whiskey” Act of 2018
25

26 Section 2. AMENDATORY Section 68, Chapter 366 O.S.L. 2016, as amended by
27 Section 1, Chapter 76 O.S.L. 2017 (37A O.S. Supp. 2017); is amended to read as
28 follows:
29

30 A. No retail spirits license shall be issued to a corporation, limited liability company or
31 similar business entity. No person may own any interest in more than two package stores;
32 provided, a spouse of a retail spirits license holder may hold a separate interest in up to two
33 (2) package stores. For the purpose only of establishing whether or not a person owns an
34 interest in more than one package store, any person having a beneficial interest in any
35 package store shall be deemed to be a partner in the package store except that the spouse of
36 any retail spirits license holder or partner shall not be deemed to be a partner or have a
37 beneficial interest in a package store unless his or her name appears on the license. A
38 beneficial interest shall be any interest that benefits from any sales or profits of the
39 package store.

40 B. For purposes of this section, any spouse of a retail spirits license holder shall not hold
41 another license provided for pursuant to the Oklahoma Alcoholic Beverage Control Act,
42 except a retail wine license, retail beer license, on-premises beer and wine license, mixed
43 beverage license, a caterer's license, or a retail spirits license.

44 C. Package stores licensed under the Oklahoma Alcoholic Beverage Control Act may sell
45 only alcoholic beverages in retail containers as defined in Section 1-103 of this title, in the
46 original package for consumption off the premises. All retail sales shall be made on the

1 licensed premises and all deliveries off the premises, at retail, of intoxicating liquor or beer
2 are hereby prohibited. ~~Provided, a holder of a Retail Spirits License shall be permitted to~~
3 ~~sell at retail any item that may be purchased at a grocery store or convenience store, as~~
4 ~~defined by law, except for motor fuel, so long as the sale of items other than alcoholic~~
5 ~~beverages do not comprise more than twenty percent (20%) of the holder's monthly sales.~~

6
7 Section 3. This act shall become effective ninety (90) days after passage and approval.
8

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-519

By: Prado (OU)

AS INTRODUCED

An act relating to Elections; providing short title; amending O.S. § 26-14-107; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “No Cost to Vote” Act of 2018.

Section 2. AMENDATORY O.S. § 26-14-107 is amended to read as follows:

Absentee ballots must be accompanied by:

1. A plain opaque envelope in which voted ballots must be placed by the voter;
2. An envelope bearing an affidavit stating that the voter is qualified to vote, that the voter has personally marked the ballots, and has not exhibited the marked ballots to any other person;
3. A postage prepaid return envelope addressed to the secretary of the county election board; and
4. A notice that it is illegal for a Notary Public in this state to charge a fee to notarize an official absentee ballot affidavit.

Section 3. This act shall become effective on January 1, 2020.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-520

By: Prado (OU) of the House
Putman (OU) of the Senate

AS INTRODUCED

An act relating to Art and Justice; providing short title; providing for codification; providing exemptions; providing penalties and declaring an emergency.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Justice for Animated Cinema” Act of 2018.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

It shall be unlawful for any movie theater to screen any film produced by the company Illumination Entertainment.

Section 3. EXEMPTIONS

1. Movie theaters shall be allowed to screen the film Despicable Me, released in 2010.
2. Movie theaters shall be allowed to screen the film The Lorax, released in 2012.

Section 4. PENALTIES

1. All employees of movie theaters that are found in violation of this act shall be sentenced to death. The method of which shall consist of being crushed by a four (4) ton minions statue
2. All movie theaters involved in the violation of this act shall be sold and all monies gained shall be used to fabricate new minion statues for executing aforementioned violators’ employees

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

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-521

By: Schlemme (OU)
Powers (OU)

AS INTRODUCED

An act relating to marriage; providing short title; amending O.S. § 43-3, 43-3.1, 43-101, and 43-109.3; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Revised Marriage” Act of 2018.

Section 2. AMENDATORY O.S. § 43-3, 43-3.1, 43-101, and 43-109.3 are amended to read as follows:

Section 43-3.

Who may marry.

1. Any unmarried person who is at least eighteen (18) years of age and not otherwise disqualified is capable of contracting and consenting to marriage with a person ~~of the opposite sex.~~ who is at least eighteen (18) years of age and not otherwise disqualified.

Except as otherwise provided by this subsection, no person under the age of eighteen (18) years shall enter into the marriage relation, nor shall any license issue therefore, except:

- a. ~~upon the consent and authority expressly given by the parent or guardian of such underage applicant in the presence of the authority issuing such license,~~
- b. ~~upon the written consent of the parent or guardian of such underage applicant executed and acknowledged in person before a judge of the district court or the court clerk of any county within the State of Oklahoma,~~
- c. ~~if the parent or guardian resides outside of the State of Oklahoma, upon the written consent of the parent or guardian executed before a judge or clerk of a court of record. The executed foreign consent shall be duly authenticated in the same manner as proof of documents from foreign jurisdictions,~~
- d. ~~if the certificate of a duly licensed medical doctor or osteopath, acknowledged in the manner provided by law for the acknowledgment of deeds, and stating that such parent or guardian is unable by reason of health or incapacity to be present in person, is presented to such licensing authority, upon the written consent of the parent or guardian, acknowledged in the same manner as the accompanying medical certificate,~~
- e. ~~if the parent or guardian is on active duty with the Armed Forces of the United States, upon the written permission of the parent or guardian, acknowledged in the manner provided by law for acknowledgment of deeds by military personnel authorized to administer oaths. Such permission shall be presented to the licensing authority, accompanied by a certificate executed by a commissioned officer in command of the applicant, to the effect that the parent or guardian is on active duty in the Armed Forces of the United States, or~~

1 f. ~~upon affidavit of three (3) reputable persons stating that both parents of the minor~~
2 ~~are deceased, or mentally incompetent, or their whereabouts are unknown to the minor,~~
3 ~~and that no guardian has theretofore been appointed for the minor. The judge of the~~
4 ~~district court issuing the license may in his or her discretion consent to the marriage in the~~
5 ~~same manner as in all cases in which consent may be given by a parent or guardian.~~

6 a. If the minor person(s) has been legally emancipated from the parent, guardian, or
7 custodian in the United States.

8 2. Every person under the age of sixteen (16) years is expressly forbidden and prohibited
9 from entering into the marriage relation except when authorized by the court:

10 a. ~~in settlement of a suit for seduction or paternity, or~~

11 b. ~~if the unmarried female is pregnant, or has given birth to an illegitimate child and~~
12 ~~at least one parent of each minor, or the guardian or custodian of such child, is present~~
13 ~~before the court and has an opportunity to present evidence in the event such parent,~~
14 ~~guardian, or custodian objects to the issuance of a marriage license. If they are not~~
15 ~~present the parent, guardian, or custodian may be given notice of the hearing at the~~
16 ~~discretion of the court.~~

17
18 Section 43-3.1.

19 Recognition of marriage between persons of same gender permitted.

20 A marriage between persons of the same gender performed in another state shall ~~not~~ be
21 recognized as valid and binding in this state as of the date of the marriage.

22
23 Section 43-101.

24 The district court may grant a divorce for any of the following causes:

25 1. Abandonment for one (1) year.

26 2. Adultery.

27 3. ~~Impotency.~~

28 4. ~~When the wife at the time of her marriage was pregnant by another than her husband.~~

29 5. Extreme cruelty.

30 6. Fraudulent contract.

31 7. Incompatibility. Provided, however, where the interest of a child under eighteen (18)
32 years of age is involved, the adult parties shall attend an educational program concerning
33 the impact of divorce on children as provided in subsection B of Section 107.2 of this
34 title.

35 8. Habitual drunkenness.

36 9. Gross neglect of duty.

37 10. Imprisonment of the other party in a state or federal penal institution under sentence
38 thereto for the commission of a felony at the time the petition is filed.

39 11. The procurement of a final divorce decree without this state by a husband or wife which
40 does not in this state release the other party from the obligations of the marriage.

41 12. Insanity for a period of five (5) years, the insane person having been an inmate of a state
42 institution for the insane in the State of Oklahoma, or inmate of a state institution for the
43 insane in some other state for such period, or of a private sanitarium, and affected with a
44 type of insanity with a poor prognosis for recovery; provided, that no divorce shall be
45 granted because of insanity until after a thorough examination of such insane person by
46 three physicians, one of whom shall be a superintendent of the hospital or sanitarium for

1 the insane in which the insane defendant is confined, and the other two to be appointed
2 by the court before whom the action is pending, and any two of such physicians shall
3 agree that such insane person, at the time the petition in the divorce action is filed, has a
4 poor prognosis for recovery; provided, further, however, that no divorce shall be granted
5 on this ground to any person whose husband or wife is an inmate of a state institution in
6 any other than the State of Oklahoma, unless the person applying for such divorce shall
7 have been a resident of the State of Oklahoma for at least five (5) years prior to the
8 commencement of an action; and provided further, that a decree granted on this ground
9 shall not relieve the successful party from contributing to the support and maintenance of
10 the defendant. The court shall appoint a guardian ad litem to represent the insane
11 defendant, which appointment shall be made at least ten (10) days before any decree is
12 entered.

13
14 Section 43-109.3.

15 Custody, guardianship or visitation cases - Evidence of domestic or sexual abuse.

16 In every case involving the custody of, guardianship of or visitation with a child, the
17 court shall consider evidence of domestic abuse, stalking and/or harassing behavior properly
18 brought before it. If the occurrence of domestic abuse, stalking or harassing behavior is
19 established by a preponderance of the evidence, there shall be a rebuttable presumption that it is
20 not in the best interest of the child to have custody, guardianship, or unsupervised visitation
21 granted to the person against whom domestic abuse, stalking or harassing behavior has been
22 established.

23 In every case involving the custody of, guardianship of or visitation with a child, the
24 court shall consider evidence of sexual abuse or rape brought before it. If the occurrence of
25 sexual abuse or rape is established by a preponderance of the evidence, there shall be a rebuttable
26 presumption that it is not in the best interest of the child to have custody, guardianship, or
27 unsupervised visitation granted to the person against whom domestic abuse, stalking or harassing
28 behavior has been established.

29
30 _____
31 Section 3. This act shall become effective ninety (90) days after passage and approval.
32
33
34
35

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-522

By: Schlemme (OU)

AS INTRODUCED

An act relating to infant mortality; providing short title; providing for definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Baby Box” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. At risk parents: those who meet the current standards for economic poverty in the United States. Additionally, a parent, guardian, or custodian
2. Baby Box University: Otherwise known as the Parent Education Program, as outlined by the Oklahoma State Department of Health.
3. Healthcare Professionals: A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the state of Oklahoma.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

1. Upon the parent’s completion of the Baby Box University online program, they will be approved to pick up in person, or be mailed a box, hereafter referred to as the “Baby Box”, containing the following:
 - a. One (1) fitted baby mattress with waterproof cover
 - b. One (1) set of fitted cotton sheets
 - c. One (1) membership to the Baby Box University
 - d. One (1) tote bag
 - e. Two (2) onesies
 - f. One (1) sleepsac
 - g. One (1) axillary thermometer
 - h. Two (2) pairs of socks
 - i. Two (2) bibs
 - j. One (1) pair of mittens
 - k. Two (2) burp cloths
 - l. One (1) newborn cap
 - m. One (1) teether
 - n. Various educational and parenting tips

- 1 2. A parent shall be eligible for the Baby Box program if they already qualify for the The
2 State Children's Health Insurance Program (SCHIP), Oklahoma Special Supplemental
3 Nutrition Program for Women, Infants, and Children (WIC), Oklahoma Supplemental
4 Nutrition Assistance Program (SNAP), Oklahoma Temporary Assistance for Needy
5 Families (TANF).
6
- 7 3. Healthcare professionals, social workers, and midwives shall be provided with
8 educational resources in the form of pamphlets in order to better
9

10 Section 4. This act shall become effective ninety (90) days after passage and approval.
11
12

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-523

By: Swearingin (OU)
Prado (OU)

AS INTRODUCED

An act relating to state government; creating the Shell Bill Act of 2018; providing for noncodification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. NEW LAW A new section of law not codified in the Oklahoma Statutes reads

as follows:

A. This act shall be known and may be cited as the “Shell Bill” Act of 2018

Section 2. This act shall become effective on April 31st, 2019.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-524

By: Swearengin (OU) of the House
Baker (OU) of the Senate
Prado (OU) of the House

AS INTRODUCED

An act relating to definitions and general provisions; providing short title; amending Title 25 O.S. 94.14; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Official Inspirational Song under HB3473 Modification” Act of 2018.

Section 2. AMENDATORY 25 O.S. 94.14 is amended to read as follows:

A. The official inspirational song of the State of Oklahoma is hereby declared to be ~~“I Can Only Imagine” by Mercey Me~~ “All Star” by Smash Mouth.

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

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-525

By: Swearingin (OU)

AS INTRODUCED

An act relating to railroads; providing short title; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "Tulsa Light Rail" Act of 2018.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as

Section 189 of Title 66, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the "High-Speed Transit Rail Expansion Commission". The Commission shall consist of nine (9) members, as follows:

1. The Secretary of Transportation, or a designee;
2. The Executive Director of the Oklahoma Turnpike Authority, or a designee;
3. The State Treasurer, or a designee;
4. Two (2) members appointed by the Governor;
5. Two (2) members appointed by the Speaker of the House of Representatives;
- and
6. Two (2) members appointed by the President Pro Tempore of the Senate.
7. Any vacancy on the Commission shall be filled in the same manner as the original appointment.

B. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate one of the members appointed to the Commission to serve as co-chair. Members of the Commission shall serve without compensation. Non-legislative Commission members employed by the state shall be reimbursed for travel expenses related to their service on the Commission by their appointing authority in accordance with the provisions of the State Travel Reimbursement Act. Legislative members of the Commission shall be reimbursed for their necessary travel expenses incurred in the performance of their duties in accordance with Section 456 of Title 74 of the Oklahoma Statutes.

C. The Commission shall do all of the following:

1. Meet at such times and places as it shall determine necessary or convenient to perform its duties. The Commission shall also meet on the call of the chairperson or the Governor;
2. Maintain minutes of its meetings;
3. Adopt rules and regulations for the transaction of its business;
4. Develop a strategy for the expansion of high-speed public rail transit from Oklahoma City to Tulsa;

1
2 BE IT ENACTED BY THE STATE OF OKLAHOMA

3
4 Section 1. This act shall be known as the “Save Money – Reduce Pens” Act of 2018.

5
6 Section 2. DEFINITIONS The following terms are to be defined as follows for the
7 purposes of this act:

8
9 A. “Pen” – Any writing utensil used for the purpose of signing documents and/or
10 completing forms.

11
12 Section 3. NEW LAW A new section of law to be codified in the Oklahoma
13 Statutes to
14 read as follows:

15
16 A. All state agencies and departments shall have pens physically secured, by cable or
17 similar device, to publicly accessible desks where members of the public are
18 expected to queue.

19
20 B. No pen shall be gifted to the public free of charge or sold below the cost to
21 purchase said pen.

22
23 Section 4. It being immediately necessary for the preservation of the public peace, health
24 and safety, an emergency is hereby declared to exist, by reason whereof this act
25 shall take effect and be in full force from and after its passage and approval.

26 Oklahoma Intercollegiate Legislature
27 2nd Session of the 50th Legislature (2018)

28
29 House Bill No. OU-527

By: Swearingin (OU)

30
31 AS INTRODUCED

32
33 An act relating to elections; providing short title; amending Title 26 O.S. 1-108 and Title
34 26 O.S. 1-109; and providing an effective date.

35
36 BE IT ENACTED BY THE STATE OF OKLAHOMA

37
38 Section 1. This act shall be known as the “Election Reform” Act of 2018.

39
40 Section 2. AMENDATORY 26 O.S. 1-108 and Title 26 O.S. 1-109 are amended
41 to read as follows:

42
43 26 O.S. 1-108.

44
45 A. A group of persons may form a recognized political party at any time except
46 during the period between March 1 and November 15 of any even-numbered

1 year if the following procedure is observed:

- 2 1. Notice of intent to form a recognized political party must be filed in
3 writing with the Secretary of the State Election Board at any time
4 except during the period between March 1 and November 15 of any
5 even-numbered year;
6
7 2. After such notice is filed, petitions seeking recognition of a political
8 party, in a form to be prescribed by the Secretary of the State Election
9 Board, shall be filed with such Secretary, bearing the signatures of
10 registered voters equal to at least ~~three percent (3%)~~ one-half of one
11 percent (0.5%) of the total votes cast in the last General Election for
12 Governor. ~~Each page of such petitions must contain the names of~~
13 ~~registered voters from a single county.~~ Petitions may be circulated a
14 maximum of one (1) year after notice is filed, provided that petitions
15 shall be filed with the Secretary no later than March 1 of an even-
16 numbered year. Such petitions shall not be circulated between March 1
17 and November 15 of any even-numbered year; and
18
19 3. Within thirty (30) days after receipt of such petitions, the State
20 Election Board shall determine the sufficiency of such petitions. If
21 such Board determines there are a sufficient number of valid
22 signatures of registered voters, the party becomes recognized under the
23 laws of the State of Oklahoma with all rights and obligations accruing
24 thereto.
25

26 26 O.S. 1-109.
27

- 28 A. Any recognized political party whose nominee for ~~Governor~~ any elected
29 office ~~or nominees for electors for President and Vice President~~ fails to
30 receive at least two and one-half percent (2.5%) of the total votes cast for said
31 offices in any three (3) consecutive General Elections shall cease to be a
32 recognized political party. A party may regain recognition only by following
33 the procedure prescribed for formation of new political parties. The State
34 Election Board shall proclaim the fact of a party's failure to receive a
35 sufficient number of votes and shall order that the party cease to be
36 recognized.
37
38 B. Any recognized political party that ceases to be recognized under provisions
39 of this section shall be designated as a political organization. Such political
40 organization designation shall terminate four (4) years from the date that the
41 political party ceases to be recognized or when the political organization
42 regains recognition as a political party, whichever is earlier.
43

44 Section 3. This act shall become effective on March 31st, 2019.
45

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-528

By: Swearingin (OU)

AS INTRODUCED

An act relating to agriculture; providing short title; amending Title 2 O.S. 3-50; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "Oklahoma Boll Weevil Eradication Organization Repeal" Act of 2018.

Section 2. AMENDATORY 2 O.S. 3-50 is amended to read as follows:

~~§2-3-50.1. Short title.~~

~~This act shall be known and may be cited as the "Boll Weevil Eradication Act".~~

~~§2-3-50.2. Declaration Purpose.~~

~~A. The *Anthonomus grandis* Boheman, known as the boll weevil, is hereby declared to be a public nuisance, a pest, and a menace to the cotton industry. Due to the interstate nature of boll weevil infestation, it is necessary to secure the cooperation of cotton growers, other state governments, and agencies of the federal government in order to carry out a program of boll weevil eradication and posteradication maintenance and control.~~

~~B. The purpose of the Boll Weevil Eradication Act is to secure and ensure on a continuing basis the eradication of the boll weevil.~~

~~§2-3-50.3. Definitions.~~

~~As used in the Boll Weevil Eradication Act:~~

~~1. "Board of directors" means the board of directors of the Oklahoma Boll Weevil Eradication Organization elected pursuant to the provisions of the Boll Weevil Eradication Act;~~

~~2. "Boll weevil" means the insect *Anthonomus grandis* Boheman, in any stage of development, including the egg, larval, pupal and adult stages;~~

~~3. "Commissioner" means the Commissioner of the Oklahoma Department of Agriculture, Food, and Forestry or designee;~~

~~4. "Cotton" means a cotton plant or any part of it including bolls, stalk, flowers, root, or leaves or cotton products such as seed cotton, cottonseed, and hulls;~~

~~5. "Eligible cotton grower" means any person actively engaged in the production of cotton either currently or in any two (2) of the three (3) years immediately preceding the calling of an election or a referendum;~~

- 1 6. "Department" means the Oklahoma Department of Agriculture, Food, and
2 Forestry;
3 7. "Eradicated area" means an area free of boll weevil;
4 8. "Host" means any plant or plant product in which the boll weevil is capable of
5 completing any portion of its life cycle;
6 9. "Infested" means the presence of the boll weevil in any life stage or the
7 existence of circumstances that make it reasonable to believe that the boll weevil
8 is present;
9 10. "Organization" means the Oklahoma Boll Weevil Eradication Organization
10 established pursuant to the provisions of the Boll Weevil Eradication Act;
11 11. "Regulated article" means any article carrying or capable of carrying the boll
12 weevil, including but not limited to cotton plants, seed cotton, gin trash, other
13 hosts, or cotton harvesting equipment; and
14 12. "Quarantined area" means any area or part of the state designated as
15 quarantined by the State Board of Agriculture at the request of the Oklahoma Boll
16 Weevil Eradication Organization.

17
18 ~~§2-3-50.4. Review by Commissioner and State Board of Agriculture.~~

19
20 ~~The Commissioner in conjunction with the State Board of Agriculture is authorized to~~
21 ~~review and make recommendations to the Legislature regarding the boll weevil~~
22 ~~eradication and posteradication maintenance and control program.~~

23
24 ~~§2-3-50.5. Oklahoma Boll Weevil Eradication Organization—Formation—Status—~~
25 ~~Membership.~~

26
27 ~~A.~~

28 ~~1. The State of Oklahoma shall contain a boll weevil eradication district to be~~
29 ~~known as the Oklahoma Boll Weevil Eradication Organization for the purposes of~~
30 ~~eradicating boll weevils and performing posteradication maintenance and control~~
31 ~~functions as an agency of the State of Oklahoma. The Organization and the board~~
32 ~~of directors may enter into agreements with other state agencies, other states, the~~
33 ~~United States of America and any other entity or party as necessary to carry out~~
34 ~~the purposes of the Boll Weevil Eradication Act.~~

35 ~~2. The Organization shall be, and is hereby declared to be, a governmental agency~~
36 ~~of the State of Oklahoma, body politic and corporate, with powers of government~~
37 ~~and with the authority to exercise the rights, privileges, and functions specified by~~
38 ~~the Boll Weevil Eradication Act.~~

39 ~~B. Every person who is a cotton grower in this state is subject to the provisions of the~~
40 ~~Boll Weevil Eradication Act; however, only eligible cotton growers may vote in the~~
41 ~~elections provided for by the Boll Weevil Eradication Act.~~

42
43 ~~§2-3-50.6. Board of directors—Election procedure.~~

44
45 ~~A.~~

46 ~~1. Elections for the board of directors shall be conducted under the procedures~~

1 provided by this section.

2 ~~2. A cotton grower eligible to vote in a particular district who desires to be a~~
3 ~~candidate for the board of directors shall file with the board a petition signed by~~
4 ~~five cotton growers from the district board. The application shall be:~~

5 ~~a. filed not later than thirty (30) days before the date set for the election,~~

6 ~~and~~

7 ~~b. on a form approved by the board.~~

8 ~~3. On receipt of an application and verification that the application meets the~~
9 ~~requirements of this section, an applicant's name shall be placed on the ballot for~~
10 ~~the election of the board of directors.~~

11 ~~4. The election shall be preceded by at least forty-five (45) days' notice published~~
12 ~~in one or more newspapers published and distributed in the established election~~
13 ~~districts. The notice shall be published not less than once a week for three (3)~~
14 ~~consecutive weeks.~~

15 ~~B. All cotton growers actively engaged in the production of cotton in the year of the~~
16 ~~calling of an election or who were actively engaged in production of cotton in any two (2)~~
17 ~~of the three (3) years immediately preceding the calling of the election shall be entitled to~~
18 ~~vote in the election. The board shall determine eligibility to vote.~~

19 ~~C. The board shall establish an election process that shall include but not be limited to~~
20 ~~provisions for determining:~~

21 ~~a. who is a cotton grower eligible to vote in an election,~~

22 ~~b. whether a board member is elected by a plurality or a majority of the votes cast,~~

23 ~~and~~

24 ~~c. qualifications for membership of the board of directors.~~

25 ~~D. Eligible cotton growers may vote in any district in which they produce cotton.~~

26 ~~E. Ballots in an election may be mailed to a central location or delivered in person to a~~
27 ~~location or locations designated by the board.~~

28
29 ~~§2-3-50.7. Board of directors—Composition—Terms of office—Powers and duties—~~
30 ~~Definition of bonds—Bylaws—Additional powers, duties and responsibilities—Liability—~~
31 ~~Compensation.~~

32
33 ~~A.~~

34 ~~1. Except as provided by this section, the board of directors of the Oklahoma Boll~~
35 ~~Weevil Eradication Organization shall be composed of five cotton growers from~~
36 ~~this state who are elected from the five separate districts established by the board.~~

37 ~~2. The terms of office of the elected board of directors shall be three (3) years.~~

38 ~~3. A director may be removed from office by a majority vote of the board of~~
39 ~~directors for cause. Causes for removal include the following:~~

40 ~~a. neglect of duty,~~

41 ~~b. willful misconduct,~~

42 ~~c. malpractice in office,~~

43 ~~d. self-dealing,~~

44 ~~e. incompetence,~~

45 ~~f. gross inefficiency, or~~

46 ~~g. any other unbecoming conduct that can or may affect the ability of the~~

1 Oklahoma Boll Weevil Eradication Organization to satisfactorily perform
2 its duties or carry out its mission as a public body.

3 All new directors shall take an oath of office before assuming the role as a
4 director on the board.

5 4. Directors shall hold office until their respective successors are elected and take
6 the oath of office.

7 5. At each election, the cotton grower with the highest number of votes from each
8 district shall serve on the board of directors.

9 B. The board of directors shall have the power and duty to:

10 1. Appoint a new director from the appropriate election district to serve the
11 remaining term in the event of a vacancy on the board of directors;

12 2. Collect assessments pursuant to the Boll Weevil Eradication Act;

13 3. Conduct programs consistent with the Boll Weevil Eradication Act;

14 4. Determine and establish the assessment annually for the following crop year
15 pursuant to the Boll Weevil Eradication Act and the program enabling
16 referendum. The assessment shall be determined upon a fair and equitable system
17 that is based on cotton production and infestation factors. The assessment shall be
18 a flexible rate not to exceed Seven Dollars and fifty cents (\$7.50) per acre and one
19 cent (\$.01) per pound of lint produced. Upon any change in the assessment rate,
20 the board shall immediately notify growers and cotton gins of the new rate;

21 5. Develop bylaws for the due and orderly administration of the affairs of the
22 board of directors and for its responsibilities specified pursuant to the provisions
23 of the Boll Weevil Eradication Act;

24 6. Develop, implement and pay for a plan for boll weevil eradication and
25 posteradication maintenance and control in this state;

26 7. Advise, consult, and cooperate with agencies of this state, political
27 subdivisions, other states, the federal government, and affected groups;

28 8. Collect and disseminate information relating to boll weevil eradication and
29 posteradication maintenance and control;

30 9. Recommend the designation of "eradicated areas" to the State Board of
31 Agriculture upon completion of active eradication and the beginning of
32 posteradication maintenance and control;

33 10. Sue and be sued, implead and be impleaded, complain and defend in all
34 courts;

35 11. Adopt, use, and alter at will a corporate seal;

36 12. Adopt bylaws for the management and regulation of its affairs and to
37 promulgate and issue rules governing its operations;

38 13. Appoint officers, agents, and employees and prescribe their duties and fix
39 their compensation, within any limitations prescribed by law;

40 14. Make contracts of every name and nature and execute all instruments
41 necessary or convenient for the carrying on of the business of the Oklahoma Boll
42 Weevil Eradication Organization;

43 15. Accept grants from and enter into contracts or other transactions with any
44 federal agency;

45 16. Issue and sell bonds, or borrow money, in amounts as shall be needed from
46 time to time for the purposes set forth in the Boll Weevil Eradication Act.

1 a. The bonds may:

- 2 (1) be issued in one or more series,
3 (2) bear the date or dates,
4 (3) mature at time or times not exceeding twenty (20) years from
5 their date,
6 (4) be in denomination or denominations,
7 (5) be in form, either coupon or registered,
8 (6) carry registration and conversion privileges,
9 (7) be executed in a proper manner,
10 (8) be payable in medium of payment at a place or places,
11 (9) be subject to terms of redemption with or without premium,
12 and
13 (10) bear rate or rates of interest, as may be provided by resolution
14 or resolutions to be adopted by the Board within limits provided by
15 law, and be sold in a manner and at a price or prices as may be
16 considered by the Board to be advisable.

17 b. Bonds shall have all the qualities and incidents of negotiable paper, and
18 the interest thereon shall not be subject to taxation by the State of
19 Oklahoma.

20 c. The board of directors may issue bonds pursuant to the Boll Weevil
21 Eradication Act for the purpose of renewing funding of any obligations of
22 the board of directors, or may authorize and deliver a single issue of bonds
23 hereunder for the purpose in part of renewing funding for obligations of
24 the board.

25 d. The bonds issued pursuant to the Boll Weevil Eradication Act shall not
26 be an indebtedness of the State of Oklahoma but shall be special
27 obligations payable solely from the assessments. The board of directors is
28 authorized and directed to pledge all or any part of the assessments to the
29 payment of and interest on the bonds.

30 e. The board of directors may enter into any agreement or contracts with
31 the United States of America or the State of Oklahoma or any agency or
32 instrumentality thereof which it may consider advisable or necessary in
33 order to obtain a grant of funds or other aid to be used in connection with
34 the proceeds of the bonds.

35 f. All bonds issued pursuant to the Boll Weevil Eradication Act shall have
36 on the backs thereof the certificate required by Section 29 of Article 10 of
37 the Constitution of Oklahoma. The bonds shall be submitted to the
38 Attorney General of Oklahoma for examination. The bonds, having been
39 examined and certified as legal obligations by the Attorney General in
40 accordance with the requirements as the Attorney General may make,
41 shall be incontestable in any court in the State of Oklahoma unless suit
42 thereon shall be brought in a court having jurisdiction thereof within thirty
43 (30) days from the date of approval. Bonds so approved by the Attorney
44 General shall be prima facie valid and binding obligations according to
45 their terms. The only defense that may be offered in any suit instituted
46 after a thirty day period shall have expired shall be a violation of the

1 Constitution.

2 ~~g. Any bank, trust, or insurance company organized under the laws of~~
3 ~~Oklahoma may invest its capital, surplus, and reserves in bonds issued~~
4 ~~under the provisions of the Boll Weevil Eradication Act;~~

5 17. ~~File an application, at its discretion, with the Supreme Court of Oklahoma for~~
6 ~~the validation of the Boll Weevil Eradication Act or for the approval of any series~~
7 ~~of bonds to be issued hereunder or any other actions to be taken by the board of~~
8 ~~directors. Exclusive original jurisdiction is hereby conferred upon the Supreme~~
9 ~~Court to hear and determine each application.~~

10 a. ~~It shall be the duty of the Supreme Court to give applications~~
11 ~~precedence over the other business of the Supreme Court and to consider~~
12 ~~and pass upon the applications and any protests that may be filed thereto~~
13 ~~as speedily as possible.~~

14 b. ~~Notice of the hearing on each application shall be given by a notice~~
15 ~~published in a newspaper of general circulation in the state that on a day~~
16 ~~named, the board of directors will ask the court to hear its application. The~~
17 ~~notice shall inform all persons interested that they may file protests against~~
18 ~~the validation or approval and be present at the hearing and contest the~~
19 ~~same. The notice shall be published one time, not less than ten (10) days~~
20 ~~prior to the date named for the hearing, and the hearing may be adjourned~~
21 ~~from time to time at the discretion of the court.~~

22 c. ~~In any action to approve bonds, if the Supreme Court is satisfied that the~~
23 ~~bonds have been properly authorized in accordance with the provisions of~~
24 ~~the Boll Weevil Eradication Act and that when issued they will constitute~~
25 ~~valid obligations in accordance with their terms, the Supreme Court shall~~
26 ~~render its written opinion approving the bonds and shall fix the time~~
27 ~~within which a petition for rehearing may be filed. The decision of the~~
28 ~~Supreme Court shall be a judicial determination of the validity of the~~
29 ~~bonds, shall be conclusive as to the board of directors, its officers and~~
30 ~~agents, and thereafter the bonds so approved and the revenues pledged to~~
31 ~~their payment shall be incontestable in any court in the State of Oklahoma;~~

32 18. ~~Conduct elections, at the discretion of the board of directors, for any lawful~~
33 ~~purpose, including, but not limited to, any assessment modification policy to deal~~
34 ~~with natural disasters. Election procedures shall be established by the board of~~
35 ~~directors. Fifty percent (50%) or more of the cotton growers voting shall approve~~
36 ~~each ballot issue for its adoption;~~

37 19. ~~Reexamine the number and composition of the existing election districts in~~
38 ~~order to ensure fair and equitable geographic areas based upon cotton production~~
39 ~~density. If the board of directors determines that the number or composition of the~~
40 ~~election districts should be reestablished, the board of directors shall:~~

41 a. ~~fairly and equitably establish the election districts necessary utilizing~~
42 ~~geographic areas based upon cotton production density as the primary~~
43 ~~factor,~~

44 b. ~~conduct the election of the next board of directors consistent with this~~
45 ~~section,~~

46 c. ~~hold public hearings regarding the establishment of election districts,~~

1 d. facilitate the expeditious transfer of authority to the newly elected board
2 of directors, and

3 e. establish terms of office for the new board consistent with this section.

4 Any elected or appointed board member shall have all the powers and
5 duties as granted pursuant to the Boll Weevil Eradication Act; and

6 20. Take any other actions deemed necessary by the board of directors to
7 implement the provisions of the Boll Weevil Eradication Act.

8 C. As used in this section, "bonds" means bonds, notes, loan agreements, or other forms
9 of indebtedness issued or delivered by the Oklahoma Boll Weevil Eradication
10 Organization.

11 D. The bylaws established by the board of directors relating to boll weevil eradication
12 and the assessment referenda shall be submitted to the State Board of Agriculture for
13 determination as to whether the bylaws will be promulgated as rules of the State Board of
14 Agriculture. The bylaws may be promulgated in whole or in part or may be returned for
15 modification to the board of directors. The State Board of Agriculture shall comply with
16 the Administrative Procedures Act in promulgating any rules adopted pursuant to the
17 provisions of this subsection.

18 E. The board of directors shall:

19 1. Make available all books, records of account, and minutes of proceedings
20 maintained by the Organization for inspection by the Office of the State Auditor
21 and Inspector for an audit in accordance with the provisions of subsection B of
22 Section 212 of Title 74 of the Oklahoma Statutes;

23 2. Not later than forty five (45) days after the last day of the fiscal year, submit to
24 the Commissioner a report itemizing all income and expenditures and describing
25 all activities of the Organization during the fiscal year;

26 3. Provide surety bonds in amounts determined by the Commissioner for
27 employees or agents who handle funds for the Organization;

28 4. Receive, hold in trust, and disburse all assessments and other funds collected
29 pursuant to the Boll Weevil Eradication Act as trust funds of the Organization;
30 and

31 5. Make available all books, records of account, and minutes of proceedings of the
32 Organization for inspection or audit by the Commissioner at any reasonable time.

33 F.

34 1. Pursuant to the authority granted by the Boll Weevil Eradication Act, except
35 for instances of gross negligence, individual criminal actions or acts of
36 dishonesty, the board of directors and employees of the board of directors are not
37 individually liable to a cotton grower or other person for:

38 a. errors in judgment,

39 b. mistakes, or

40 c. omissions.

41 2. Under no circumstances shall the board of directors, the individual board
42 members, or employees of the board of directors be personally liable for any
43 bonds of the Organization.

44 3. A member of the board of directors or an employee of the board of directors is
45 not individually liable for an act or omission of another member or employee of
46 the board of directors.

1 ~~G. The board of directors shall serve without compensation but are entitled to~~
2 ~~reimbursement for reasonable and necessary expenses incurred in the discharge of their~~
3 ~~duties.~~

4
5 ~~§2-3-50.8. Certification of acreage in program.~~

6
7 ~~Every person growing cotton in this state shall annually certify to the board of directors~~
8 ~~the person's number of acres and provide the legal description and the United States~~
9 ~~Department of Agriculture Farm Services Agency (FSA) numbers for each field. The~~
10 ~~certification shall occur on or before July 20 of each year. The cotton grower shall also~~
11 ~~furnish to the board of directors any other information reasonably required to carry out~~
12 ~~the provisions of the Boll Weevil Eradication Act.~~

13
14 ~~§2-3-50.9a. Collection of assessment.~~

15
16 ~~A.~~

17 ~~1. The assessment imposed pursuant to the provisions of the Boll Weevil~~
18 ~~Eradication Act shall be levied on a cotton grower at the time of sale and shall be~~
19 ~~collected and remitted to the board of directors by the cotton gin serving as the~~
20 ~~selling agent for the cotton produced. The cotton gins shall furnish monthly~~
21 ~~reports to the board of directors on or before the fifteenth day of each month~~
22 ~~regarding the assessments collected, pay all of the assessments collected each~~
23 ~~month, and furnish the board with any other information reasonably requested by~~
24 ~~it to ensure the collection of the assessments for each grower.~~

25 ~~2. Pursuant to the provisions of the Boll Weevil Eradication Act no cotton shall be~~
26 ~~subject to assessment of a fee more than once.~~

27 ~~B.~~

28 ~~1. The cotton gin serving as selling agent for the cotton grower shall collect the~~
29 ~~assessment in the same manner as ginning costs are deducted from the purchase~~
30 ~~price of the cotton or from any funds advanced for that purpose.~~

31 ~~2. The board of directors, by registered or certified mail, shall notify each cotton~~
32 ~~gin of the duty to collect the assessment, the manner in which the assessment is to~~
33 ~~be collected, and the date on or after which the cotton gin is to begin collecting~~
34 ~~the assessment, the date by which an accounting of all assessments collected and~~
35 ~~paid will be submitted, and the date by which the balance of previously collected~~
36 ~~assessment shall be paid.~~

37 ~~3. The amount of the assessment collected shall be clearly shown on the sales~~
38 ~~invoice or other document evidencing the transaction. The cotton gin, as the~~
39 ~~seller's agent, shall furnish a copy of the document to the cotton grower.~~

40 ~~C.~~

41 ~~1. The cotton gin may rely upon the information or certification provided by the~~
42 ~~board of directors to the cotton gin regarding cotton acres and other related~~
43 ~~information as deemed necessary by the board of directors in determining the~~
44 ~~amount of assessment due and owing from the cotton grower.~~

45 ~~2. A cotton gin that uses due diligence in collecting an assessment from a cotton~~
46 ~~grower based upon information or a certification provided by the board of~~

1 directors regarding the cotton grower shall be relieved of any liability for any
2 errors or omissions in the assessment should it be determined that the assessment
3 was inaccurate.

4 ~~3~~ The provisions contained in this section apply to all cotton gins located in the
5 State of Oklahoma or in any other state. Any gin that, whether by design or
6 inadvertent act, fails to forward to the board of directors by June 1 of each year an
7 accounting of all assessments collected and paid, as well as payment for all
8 assessments previously collected but not paid, shall be subject to an
9 administrative penalty or fine pursuant to the Boll Weevil Eradication Act.

10 D. Every cotton grower shall keep accurate production records on the amount of cotton
11 ginned and the number of acres planted and harvested for a minimum of two (2) years.
12 Copies shall be furnished to any authorized agent of the board of directors or the State
13 Board of Agriculture at any time during reasonable business hours of the cotton grower
14 immediately upon oral request, or within ten (10) working days of any written request.

15 E. Failure to pay the required assessment or any remaining amount due shall result in an
16 administrative penalty or fine to the grower, or other legal action to the grower or to the
17 cotton gin when the assessment has been collected from the cotton grower.

18
19 ~~§2-3-50.10. Boll Weevil Eradication Fund.~~

20
21 A. There is hereby created the Boll Weevil Eradication Fund. The Boll Weevil
22 Eradication Fund shall be administered by the board of directors for the benefit of the
23 cotton growers in this state to eradicate and ensure the long term eradication and control
24 of boll weevils. The Boll Weevil Eradication Fund shall be established and maintained in
25 a bank or other depository approved by the Commissioner.

26 B. The Boll Weevil Eradication Fund shall consist of:

- 27 1. All monies received by the board of directors as proceeds from the assessment
28 imposed pursuant to the Boll Weevil Eradication Act;
- 29 2. Interest attributable to investment of money in the Boll Weevil Eradication
30 Fund; and
- 31 3. Monies received by the board of directors in the form of gifts, grants,
32 reimbursements, or from any other source designated by law for deposit to the
33 Boll Weevil Eradication Fund.

34 C. The monies deposited in the Boll Weevil Eradication Fund, including emergency
35 contingency funding for posteradication infestation, shall at no time become monies of
36 the state.

37 D. Monies in the Boll Weevil Eradication Fund shall only be expended for:

- 38 1. Implementation and management of the Boll Weevil Eradication Act; and
- 39 2. Costs incurred by the board of directors and the State Board of Agriculture for
40 the administration of the Boll Weevil Eradication Act.

41 E. Any debts or obligations of the organization shall not become or be construed to be
42 obligations of the Oklahoma Department of Agriculture, Food, and Forestry or this state.

43
44 ~~§2-3-50.11. Department of Agriculture, Food, and Forestry—Collection of assessment
45 and administrative penalty or fine—Disposition of penalty.~~

1 A. The board of directors may request the Oklahoma Department of Agriculture, Food,
2 and Forestry to provide for the collection of the assessment or for other enforcement
3 action necessary as determined by the board of directors for violations of the Boll Weevil
4 Eradication Act and for collection of any administrative penalty or fine from any person
5 who is determined to have violated any provision of the Boll Weevil Eradication Act.

6 B. Notwithstanding any other provision of the law, in an enforcement action brought by
7 the board of directors, the board of directors may collect, in addition to the assessment, a
8 fine from any person or cotton gin that is determined to have violated any provision of
9 the Boll Weevil Eradication Act.

10 C. Failure by any person to comply with any provisions of the Boll Weevil Eradication
11 Act may result in assessment of an administrative penalty or fine of not less than One
12 Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) for
13 each violation.

14 D. Any administrative penalty or fine collected pursuant to the provisions of this section
15 shall be deposited in the Boll Weevil Eradication Fund; provided, the Department shall
16 be reimbursed for any costs incurred by the Department in the enforcement of this
17 section.

18
19 ~~§2-3-50.14. Commissioner assistance in control of boll weevil eradication programs—~~
20 ~~Use of state appropriated monies prohibited—Reimbursement of Department's costs and~~
21 ~~expenses.~~

22
23 A. The Commissioner, upon the request of the board of directors, is authorized to assist in
24 the eradication and control of the boll weevil in this state.

25 B. State appropriated monies shall not be a funding source for activities conducted
26 pursuant the Boll Weevil Eradication Act. The Department shall be reimbursed for any
27 costs and expenses incurred for any assistance provided pursuant to the Boll Weevil
28 Eradication Act.

29
30 ~~§2-3-50.15. Cooperation with other entities—Written agreements.~~

31
32 The Commissioner is authorized to cooperate with any agency of the federal government,
33 any state contiguous to this state, any other agency in this state, or any person engaged in
34 growing, processing, marketing, or handling cotton in this state, or any group of persons,
35 in programs to effectuate the purposes of the Boll Weevil Eradication Act, and may enter
36 into written agreements to effectuate these purposes. The agreements may provide for
37 cost sharing, for division of duties and responsibilities pursuant to the Boll Weevil
38 Eradication Act and may include other provisions that effectuate the purposes of the Boll
39 Weevil Eradication Act.

40
41 ~~§2-3-50.16. Right of entry—Inspections and other activities—Warrants.~~

42
43 A.

44 1. The board of directors and the Oklahoma Department of Agriculture, Food, and
45 Forestry, or their authorized agents shall have authority, to:

46 a. enter cotton fields and other premises in order to carry out activities;

1 including but not limited to treatment with pesticides, monitoring, and
2 destruction of growing cotton and other host plants, as necessary to carry
3 out the provisions of the Boll Weevil Eradication Act,
4 b. make inspection of any fields or premises in this state and any property
5 for the purpose of determining if the property is infested with boll weevils,
6 and
7 c. examine and make photocopies of any records and documents relating
8 to the Boll Weevil Eradication Act.

9 2. The inspection and other activities may be conducted at any hour with the
10 notification of the owner or person in charge of the premises or property. If access
11 is denied, the board of directors, the Oklahoma Department of Agriculture, Food,
12 and Forestry, or the authorized agent of either shall have the right to apply to and
13 obtain from a district court an administrative warrant as necessary to enforce the
14 right of access and inspection as authorized pursuant to 2-14 of the Oklahoma
15 Code.

16 B. Any judge of this state shall, within the judge's territorial jurisdiction, and upon proper
17 statutory authority, issue administrative warrants for the purpose of conducting
18 administrative inspections and other activities authorized by the Boll Weevil Eradication
19 Act.

20
21 ~~§2-3-50.17. Rules.~~

22
23 A. The Oklahoma Department of Agriculture, Food, and Forestry is authorized to
24 promulgate rules, including, but not limited to:

- 25 1. Establishing quarantine areas in this state or any portion thereof at the request
26 of the board of directors;
27 2. Designating this state or any portion thereof as an "eradicated area"; and
28 3. Governing the storage or other handling in the eradicated or other quarantined
29 areas of regulated articles and the movement of regulated articles into or from
30 these areas, when the Department determines that an action is necessary, or
31 reasonably appears necessary, to prevent, eradicate, control, or retard the spread
32 of boll weevil.

33 B.

- 34 1. The Department shall promulgate rules establishing a reasonable schedule of
35 administrative penalties and fines for violations of the Boll Weevil Eradication
36 Act.
37 2. The Department shall promulgate rules necessary, expedient, or appropriate for
38 the performance, enforcement, or carrying out of any of the purposes, objectives,
39 or provisions of the Boll Weevil Eradication Act.
40 3. Any rules promulgated pursuant to the Boll Weevil Eradication Act, including
41 the establishment of quarantines, shall be promulgated in accordance with the
42 Administrative Procedures Act.

43
44 ~~§2-3-50.18. Destruction of cotton—Volunteer or noncommercial cotton.~~

45
46 A. When a person fails to meet the rules promulgated by the Oklahoma Department of

1 Agriculture, Food, and Forestry, the Commissioner, at the request of the board of
2 directors, shall have authority to destroy cotton in any area of the state not in compliance
3 with the rules.

4 B. Cotton in any area of the state from a volunteer or noncommercial source may be
5 destroyed or treated with pesticides by the Oklahoma Department of Agriculture, Food,
6 and Forestry upon request of the board of directors.

7
8 ~~§2-3-50.19. Unlawful acts – Moving infested article into state – Penalties.~~

9
10 A. It shall be unlawful for any person to store or handle any regulated article in an
11 eradicated or other quarantined area, or to move into or from an eradicated or other
12 quarantined area any regulated article, except under conditions as may be prescribed by
13 the rules promulgated by the State Board of Agriculture.

14 B. Any person who, except in compliance with the rules of the Department, moves any
15 regulated article into this state from any other state infested by boll weevils shall be
16 deemed guilty of a misdemeanor and, upon conviction, shall be subject to the penalty
17 provided in Section 3-50.20 of this title. Any person convicted of a violation may be
18 required to pay restitution for damages caused by the violation.

19
20 ~~§2-3-50.20. Violations – Penalties.~~

21
22 Any person who violates any of the provisions of the Boll Weevil Eradication Act or the
23 rules promulgated thereto, or who shall alter, forge, counterfeit, or use without authority
24 any certificate, permit, or other document provided for in the Boll Weevil Eradication
25 Act or in rules promulgated thereto shall, upon conviction, be guilty of a misdemeanor
26 and shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than One
27 Thousand Dollars (\$1,000.00).

28
29 ~~§2-3-50.21. Boll Weevil Eradication Organization – Relationship with Merit System of~~
30 ~~Personnel Administration – Seasonal employees.~~

31
32 A. The Oklahoma Boll Weevil Eradication Organization shall not be subject to the Merit
33 System of Personnel Administration.

34 B. The Oklahoma Boll Weevil Eradication Organization is authorized to employ seasonal
35 employees for projects throughout the calendar year. Project labor employed by the
36 Oklahoma Boll Weevil Eradication Organization may be employed for a period of time
37 necessary to complete the project. Regardless of the number of hours worked during any
38 fiscal year, project employees shall not be entitled to paid leave, paid holidays,
39 retirement, longevity, health, dental or life insurance, and disability benefits, and shall be
40 exempt from any laws, rules or practices providing for these benefits, or to state
41 employee minimum annualized salaries, salary increases or adjustments, unless
42 specifically authorized by law.

43
44 ~~§2-3-50.30. Review and evaluation of boll weevil eradication efforts.~~

45
46 The Oklahoma Department of Agriculture, Food, and Forestry may periodically conduct

1 ~~reviews to evaluate the ongoing boll weevil eradication and posteradication efforts in the~~
2 ~~state.~~

3

4 Section 3. This act shall become effective on March 31st, 2019.

5

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-529

By: Swearingin (OU)

AS INTRODUCED

An act relating to revenue and taxation; providing short title; providing for definitions; amending Title 68 O.S. 500.4; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Aircraft Fuel Tax & More” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

- A. “Commercial Aircraft” – Any aircraft that has been or is being flown for financial or other business profit.
- B. “Luggage” – Suitcases or other baggage or articles that are either temporarily surrendered to an airline or are stowed in a bin located above the seating on an aircraft.
- C. “Passenger” – Any person who purchases a ticket and boards an aircraft.
- D. “Pitch” – The amount of distance between one aircraft seat and the aircraft seat located immediately in front or behind of it.
- E. “Premium Cabin” – Any section of an aircraft that is physically separated from another section of an aircraft by a bulkhead, curtain, or other barrier in which a higher fare is charged to be seated in said section.
- F. “Private Aircraft” – Any aircraft that has never been and is not flown for financial or other business profit
- G. “Ticket” – Any agreement or contract between an aircraft operator and a passenger to board and be seated aboard a commercial aircraft.

Section 3. AMENDATORY 68 O.S. 500.4 is amended to read as follows:

- A. A tax is imposed on all gasoline, compressed natural gas, liquefied natural gas and all diesel fuel used or consumed in this state as follows:
 - 1. Gasoline, sixteen cents (\$0.16) per gallon;
 - 2. Diesel fuel, thirteen cents (\$0.13) per gallon;
 - 3. Compressed natural gas, five cents (\$0.05) per gasoline gallons equivalent (gge) until the credit authorized pursuant to the provisions of paragraph 1 of subsection A of Section 2357.22 of this title expires. Upon the expiration of the credit authorized pursuant to the provisions of paragraph 1 of subsection A of Section 2357.22 of this title, the rate of tax imposed upon compressed natural gas shall be equal to the tax rate imposed on diesel fuel using gasoline gallons equivalent (gge); and

- 1 4. Liquefied natural gas, five cents (\$0.05) per diesel gallon equivalent (dge) until
2 the credit authorized pursuant to the provisions of paragraph 1 of subsection A of
3 Section 2357.22 of this title expires. Upon the expiration of the credit authorized
4 pursuant to the provisions of paragraph 1 of subsection A of Section 2357.22 of
5 this title, the rate of tax imposed upon liquefied natural gas shall be equal to the
6 tax rate imposed on diesel fuel using diesel gallon equivalent (dge), which shall
7 be equal to six and six one-hundredths (6.06) pounds of liquefied natural gas.
- 8 B. A tax is imposed on all gasoline, diesel fuel, kerosene, and any other aircraft-specific fuel
9 used or consumed in this state for use as fuel to generate power in aircraft engines on
10 aircraft used exclusively for agricultural purposes or for training, testing or research on
11 aircraft engines in the amount of eight one-hundredths of one cent (\$0.0008) per gallon.
12 All gasoline, diesel fuel and kerosene, and any other aircraft-specific fuel sold for use
13 under this subsection shall not be subject to the excise tax levied in subsection A of this
14 section.
- 15 C. A tax is imposed on all gasoline, diesel fuel, kerosene, and any other aircraft-specific fuel
16 used or consumed in this state for use as fuel to generate power in aircraft engines on
17 aircraft used predominately for commercial purposes or for training, testing or research
18 on aircraft engines in the amount of five cents (\$0.05) per gallon. All gasoline, diesel
19 fuel and kerosene, and any other aircraft-specific fuel sold for use under this subsection
20 shall not be subject to the excise tax levied in subsection A of this section.
- 21 D. A tax is imposed on all gasoline, diesel fuel, kerosene, and any other aircraft-specific fuel
22 used or consumed in this state for use as fuel to generate power in aircraft engines on
23 aircraft used predominately for private, non-commercial, purposes or for training, testing
24 or research on aircraft engines in the amount of five cents (\$0.05) per gallon. All
25 gasoline, diesel fuel and kerosene, and any other aircraft-specific fuel sold for use under
26 this subsection shall not be subject to the excise tax levied in subsection A of this section.
- 27 E. Notwithstanding any exemption provided in Section 500.1 et seq. of this title, all gasoline
28 used or consumed in this state for use as fuel for farm tractors or stationary engines and
29 used exclusively for agricultural purposes shall be subject to a tax in the amount of two
30 and eight one-hundredths cents (\$0.0208) per gallon. All gasoline sold for use pursuant
31 to this subsection shall not be subject to the excise tax levied in subsection A of this
32 section. The term "farm tractor", as used herein, shall include all tractor-type, motorized
33 farm implements and equipment but shall not include motor vehicles of the truck-type,
34 pickup truck-type, automobiles and other motor vehicles required to be registered and
35 licensed each year under the Oklahoma Vehicle License and Registration Act.
- 36 F. It is the intent of this section to amend, revise, incorporate and recodify the tax imposed
37 on motor fuel and that the tax shall be conclusively presumed to be a direct tax and shall
38 be a direct tax on the retail or ultimate consumer precollected for the purpose of
39 convenience and facility to the consumer. The levy and assessment on other persons as
40 specified in this act shall be as agents of the state for the precollection of the tax. The
41 provisions of this section shall in no way affect the method of collecting the tax as
42 provided in this act. The tax imposed by this section shall be collected and paid at those
43 times, in the manner, and by those persons specified in this act.

44
45 Section 4. NEW LAW A new section of law to be codified in the Oklahoma
46 Statutes to read as follows:

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A. A tax is imposed on all tickets for commercial flights in a premium cabin in the amount of five dollars (\$5.00) per ticket.

1. This tax shall not apply to tickets for commercial flights in a non-premium cabin including for tickets for a passenger to be seated in a non-premium cabin with increased pitch.
2. This tax shall be adjusted for inflation once per year by the Oklahoma Tax Commission, using conversion metrics determined by the United States Government, in relation to the value of the United States Dollar in 2019. Adjustments for inflation shall begin on January 1st, 2022.

B. A tax is imposed on all luggage for commercial flights, in which the aircraft operator charges for the luggage, in the amount of fifty cents (\$0.50) per piece of luggage.

1. This tax shall not apply to luggage in which an aircraft operator does not charge for a particular piece of luggage.
2. This tax shall be adjusted for inflation once per year by the Oklahoma Tax Commission, using conversion metrics determined by the United States Government, in relation to the value of the United States Dollar in 2019. Adjustments for inflation shall begin on January 1st, 2022.

Section 5. This act shall become effective on July 1st, 2019.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-530

By: Thompson (OU)

AS INTRODUCED

An act relating to Education; providing short title; amending O.S. § 70-18-113.1; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Smaller Classes for Bigger Opportunities” Act of 2018.

Section 2. AMENDATORY O.S. § 70-18-113.1 is amended to read as follows:

A. The provisions of this subsection shall apply only to grades one through three.

1. Except as otherwise provided for in this section, no child shall be included in the average daily membership of a school district for the purpose of computing and paying state-appropriated funds if that child is regularly assigned to a teacher or to a class that includes more than ~~twenty (20)~~ eighteen (18) students.

2. If a class or classes in a grade exceed the class size limitation provided for in this subsection, the class size limitation and penalty shall not apply if:

- a. The creation of an additional class would cause a class to have fewer than ~~ten (10)~~ fourteen (14) students; and
- b. A teacher's assistant, as defined in Section 6-127 of this title, is employed to serve with each teacher in a class that exceeds the class size limitation provided for in this subsection.

3. No school district shall be penalized for exceeding class size limitations set forth in this subsection if the limitations are exceeded beginning after the first nine (9) weeks of the school year. Any school district found to be in violation of the provisions of this subsection shall receive a penalty in the State Aid formula as a reduction to State Aid to be determined as follows:

- a. Multiply each pupil in excess of the class size membership limit as provided in this subsection by the grade level weight and by the Base Foundation Support Level for the current school year, and
- b. Multiply each pupil in excess of the class size membership limit as provided in this subsection by the grade level weight and by the Incentive Aid guarantee for the current school year times ~~twenty (20)~~ eighteen (18), and
- c. Sum the products of subparagraphs a and b of this paragraph.

1 B. The provisions of this subsection shall apply only to grades four through six.
2

3 1. Except as otherwise provided for in this section, no child shall be included in the
4 average daily membership of a school district for the purpose of computing and paying
5 state-appropriated funds if that child is regularly assigned to a teacher or to a class that
6 includes more than ~~twenty (20)~~ twenty-two (22) students.
7

8 2. If a class or classes in a grade exceed the class size limitation provided for in this
9 subsection, the class size limitation and penalty shall not apply if the creation of an
10 additional class would cause a class to have fewer than ~~sixteen (16)~~ eighteen (18)
11 students.
12

13 3. No school district shall be penalized for exceeding class size limitations set forth in
14 this subsection if the limitations are exceeded beginning after the first nine (9) weeks of
15 the school year.
16

17 4. Any school district found to be in violation of the provisions of this subsection shall
18 receive a penalty in the State Aid formula as a reduction to State Aid to be determined as
19 follows:

- 20 a. Multiply each pupil in excess of the class size membership limit as provided
21 in this subsection by the grade level weight and by the Base Foundation
22 Support Level for the current school year, and
23 b. Multiply each pupil in excess of the class size membership limit as provided
24 in this subsection by the grade level weight and by the Incentive Aid
25 guarantee for the current school year times ~~twenty (20)~~ twenty-two (22) and
26 c. Sum the products of subparagraphs a and b of this paragraph.
27

28 C. Classes in the following subjects shall not be subject to the class size limitations
29 provided for in subsections A and B of this section:
30

31 1. Physical education; and
32

33 2. Chorus, band, orchestra and similar music classes, and
34

35 3. Art classes.
36

37 Section 3. This act shall become effective on June 1st, 2020.
38
39

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-531

By: Wagoner (OU)
Powell (OU)

AS INTRODUCED

An act relating to recycling; providing short title; amending O.S. § 41-118; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Renters Recycle” Act of 2018.

Section 2. AMENDATORY O.S. § 41-118 is amended to read as follows:

A. A landlord shall at all times during the tenancy:

1. Except in the case of a single-family residence, keep all common areas of his building, grounds, facilities and appurtenances in a clean, safe and sanitary condition;

2. Make all repairs and do whatever is necessary to put and keep the tenant's dwelling unit and premises in a fit and habitable condition;

3. Maintain in good and safe working order and condition all electrical, plumbing, sanitary, heating, ventilating, air-conditioning and other facilities and appliances, including elevators, supplied or required to be supplied by him;

4. Except in the case of one- or two-family residences or where provided by a governmental entity, provide and maintain appropriate receptacles and conveniences for the removal of ashes, garbage, rubbish and other waste incidental to the occupancy of the dwelling unit and arrange for the frequent removal of such wastes; and in municipalities offering recycling collection, provide and maintain appropriate receptacles and conveniences for recycling.

5. Except in the case of a single-family residence or where the service is supplied by direct and independently metered utility connections to the dwelling unit, supply running water and reasonable amounts of hot water at all times and reasonable heat.

B. The landlord and tenant of a dwelling unit may agree by a conspicuous writing independent of the rental agreement that the tenant is to perform specified repairs, maintenance tasks, alterations or remodeling.

C. Prior to the commencement of a rental agreement, if a landlord knows or has reason to know that the dwelling unit or any part of the premises was used in the

1 manufacture of methamphetamine, the landlord shall disclose this information to a
2 prospective tenant. Provided however, if the landlord has had the level of contamination
3 assessed within the dwelling unit or pertinent part of the premises, and it has been
4 determined that the level of contamination does not exceed one-tenth of one microgram
5 (0.1 mcg) per one hundred square centimeters (100 cm²) of surface materials within the
6 dwelling unit or pertinent part of the premises, no disclosure shall be required.
7
8

9 Section 3. This act shall become effective ninety (90) days after passage and
10 approval.
11

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-532

By: Wilson (OU)

AS INTRODUCED

An act relating to voting; providing short title; providing definitions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Holiday Voting” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. All Forms of Work: Corporate jobs, Farming jobs, Big and Small Business jobs, and any other job that conflicts with the voting dates.

Section 3. NEW LAW A new law to be codified into the Oklahoma statutes to read as follows:

1. The legally accepted voting dates of the state of Oklahoma shall be known as a day of holiday where all forms of work shall be shut down in order to allow people to vote.

Section 4. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OU-533

By: Wilson (OU)

AS INTRODUCED

An act relating to Animal Safety; providing short title; providing definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Animal Car Safety” Act of 2018.

Section 2. DEFINITIONS The following terms are to be defined as follows for the purposes of this act:

1. Legally Acceptable Animals: Dogs, Cats, and other non-wild, non-exotic, and non-endangered animals.

Section 3. NEW LAW A new law to be codified into the Oklahoma statutes to read as follows:

1. Legally acceptable animals one hundred (100) pounds and under shall be subject to car seats for animal safety and wreck prevention while driving.

Section 4. PENALTIES

1. Any owner or guardian in violation of Section 3 of this statute shall be sentenced up to three (3) years in jail, or a two-thousand dollar (\$2,000) fine for animal endangerment.

Section 5. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature

2nd Session of the 50th Legislature (2018)

House Bill No. ORU-501

Adams (ORU)

AS INTRODUCED

An act relating to Police officers not living in a certain county but representing another county; providing short title; providing for definitions; providing for codification and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

1 Section 1. This act shall be known as the “County Officers Act” Act of 2018.

2 Section 2. DEFINITIONS

3 A. “county-a political and administrative division of a state, providing certain local governmental
4 services.”

5 B. “police- the civil force of a national or local government, responsible for the prevention and
6 detection of crime and the maintenance of public order.”

7 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

8 A. police officers of a certain county must live and abide in said county

9 Section 4. PENALTIES

10 A. Any Officer found in violation of this bill shall be subject to a fine chosen by the Oklahoma
11 Department of Transportation not to exceed \$6,000.

12 Section 5. This act shall become effective in 90 days within passage and approval.

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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

24 House Bill No. ORU-502

Baker (ORU)

AS INTRODUCED

25 An act relating to police officer community service hours; providing short title;
26 providing for definitions; providing for codification and providing an effective
27 date.
28

29 BE IT ENACTED BY THE STATE OF OKLAHOMA

30 Section 1. This act shall be known as the “Police Unity” Act of 2018.

31 Section 2. DEFINITIONS

32 “Community service” — Interacting and participating in activities that will
33 strengthen the unity of the community

34 Section 3. NEW LAW A new section of law to be codified in the Oklahoma
35 Statutes to read as follows:

36 F. Each police department shall present a minimum of three (3) police officers to perform four
37 (4) hours of paid community service. The county sheriff’s office shall appoint groups of

1 three (3) officers who shall perform their allotted paid community service hours on a bi-
2 monthly rotation.
3

- 4 G. The county sheriff's office shall provide a list of local community programs and/or centers
5 for the purpose of completing paid community service hours. A minimum of two (2)
6 community centers and/or programs shall be recommended by the county sheriff's office
7 within the police department's district.
8
- 9 H. No more than two (2) groups of officers a year shall work with a certain program. All police
10 departments are prohibited from assigning all groups to one program unless a petition is
11 filed to the police commissioner.
12
- 13 I. The police department shall keep record of police officer hours, community programs and/or
14 centers worked, and payment for community service hours. The police commissioner shall
15 conduct an annual review and shall make all reports public record. The number of
16 community service hours a year shall amount to ninety-six (96). In the event of a small
17 police department, the county sheriff's office must file a petition for an hour reduction.
18

19 Section 4. This act shall become effective 90 days after passage and approval.
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24 Oklahoma Intercollegiate Legislature
25 2st Session of the 50th Legislature (2016)

26 House Bill No. ORU-503

Bowers (ORU)

27 Martin (ORU)

28 Wahl (ORU)

29 AS INTRODUCED

30 An act relating to school districts; providing short title; providing for definitions; providing for
31 codification and providing an effective date.

32 BE IT ENACTED BY THE STATE OF OKLAHOMA

33 Section 1. This act shall be known as the "Round Our Districts Up" Act of 2018.

34 Section 2. DEFINITIONS

- 35 A. "Most Senior" — Having the most years of experience out of a particular group.
36 B. "Consolidate" — To add two or more districts together and to create a new district
37 office that will oversee those districts.
38

39 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to
40 read as follows:

- 41 A. Each school district must serve at least 500 students.
42 B. Any district that serves less than 500 students will be consolidated into the next smallest
43 district adjacent to it until the school district serves at least 500 students.
44 C. The superintendent of the newly consolidated school district shall be the most senior
45 superintendent, until a new superintendent can be elected.

- 1 D. The school board of the newly consolidated school district shall be composed of the most
2 senior individuals of the school districts that are being consolidated, until a new school board
3 can be elected.
4 E. The most senior employees of the newly consolidated school district shall be allowed to keep
5 their jobs until the new superintendent and school board is able to hire employees on a
6 permanent basis as they see fit.
7 F. There shall be an election that will be held for each seat on the school board of the newly
8 consolidated school district. There shall also be an emergency election that will be held for
9 the superintendent of the newly consolidated. The elections must be held at least three (3)
10 weeks before the start of the school year.
11 G. This will take place once. The funds saved from this bill shall be reallocated towards
12 education as the legislature sees fit.
13

14 Section 4. This act shall become effective 2 years after passage and approval.
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19 Oklahoma Intercollegiate Legislature
20 1st Session of the 50th Legislature

21 House Bill No. ORU-504

22 Bowers(ORU)
23 Wilson (ORU)

24 An act relating to Private Prison Contractors ; Providing Short Title; Providing for
25 Codification; Providing for Penalties; Amending Title 57 O.S. Section 41;
26 Amending Title 57 O.S. Section 57-561; Amending Title 57 O.S. Section 57-
27 561.1; Amending Title 57 O.S. 563.3 and Providing for an effective date

28 AS INTRODUCED
29

30 BE IT ENACTED BY THE OKLAHOMA STATE LEGISLATURE
31

32 Section 1. This act shall be known as the “No More Mercenary Prisons” Act of 2018.
33

34 Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as
35 follows:

- 36 A. The state of Oklahoma, as well as all counties in Oklahoma, shall no longer enter
37 into any contract with a private prison contractor to construct a prison facility.
38 B. Any agreement that allows either the state of Oklahoma or any county in
39 Oklahoma to enter into a contract with a private prison contractor to construct a
40 private prison or to send prisoners to a private prison is hereby nullified.
41 C. The state of Oklahoma shall buy back these prisons from the contractor and shall
42 operate these prisons as necessary.
43

44 Section 3. PENALTIES

- 45 A. Any person convicted of violating this act shall be guilty of a felony and be
46 punished by five to twenty years in prison and a fine to exceed one million dollars.
47

1 Section 4. AMENDATORY Title 57 Section 41, is amended to read as follows

2 Every county, by authority of the board of county commissioners and at the expense of
3 the county, shall have a jail or access to a jail in another county for the safekeeping of prisoners
4 lawfully committed.

5 A county ~~may~~ shall no longer enter into contracts with private prison contractors to
6 provide and operate jail facilities for the county.
7

8 Section 5. AMENDATORY Title 57 Section 57-561, is amended to read as follows:

9 A. The Department of Corrections is hereby authorized to provide for incarceration, supervision,
10 and residential treatment at facilities other than those operated by the Department of Corrections.
11 Services offered for persons under the custody or supervision of the Department are to include,
12 but not be limited to, housing, alcoholism or drug treatment, mental health services, nursing
13 home care, or halfway house placement. Such services must meet standards prescribed and
14 established by the State Board of Corrections for implementing such a program, including but
15 not limited to standards concerning internal and perimeter security, discipline of inmates,
16 educational and vocational training programs, employment of inmates, and proper food, clothing,
17 housing, and medical care. Such services must be contracted for in accordance with Section 85.7
18 of Title 74 of the Oklahoma Statutes. Such services, if provided by private prison contractors,
19 shall be contracted for as required by this section.

20 B. The Department of Corrections is no longer authorized to lease existing facilities or portions
21 thereof from private prison contractors, counties or other governmental entities and operate such
22 facilities or portions thereof in the same manner as other state owned and operated prison
23 facilities. ~~All lease agreements entered into pursuant to this section shall be negotiated between~~
24 ~~the Department and the lessor. The Office of Management and Enterprise Services shall assist in~~
25 ~~the negotiations if requested by the Department of Corrections.~~

26 C. Subject to the requirements of this section and Section 561.1 of this title, the Department of
27 Corrections is ~~hereby~~ no longer authorized to provide for the construction or operation or both
28 construction and operation of correctional institutions of the Department of Corrections by
29 private prison contractors. Such operation shall meet standards prescribed by the State Board of
30 Corrections, including but not limited to, standards concerning internal and perimeter security,
31 discipline of inmates, educational and vocational training programs, and proper food, clothing,
32 housing, transportation, and medical care. Such services shall be contracted for in accordance
33 with the provisions of Section 561.1 of this title and the provisions of this section.

34 D. A comprehensive file for all private prison contractors interested in and capable of operating
35 an institution within the Department of Corrections or providing for the housing, care, and
36 control of inmates in a facility owned and operated by the contractor shall be maintained by the
37 Department. These files shall include:

- 38 1. A completed application form;
- 39 2. A resume of the contractor's staff and capability;
- 40 3. A completed performance evaluation form for past projects on which the contractor has
- 41 provided private prison services;
- 42 4. A list of past contracts with this state;
- 43 5. A list of contracts to provide similar services to other states or to the United States; and
- 44 6. The mailing address of each private prison contractor.

45 Any person or firm wishing to be a private prison contractor may request at any time to be
46 included in the comprehensive file and shall be provided necessary forms within twenty (20)

1 days of the request and the Department shall add such contractor to the list within twenty (20)
2 days of receipt of a properly completed application.

3 The Department may solicit evaluation of work done by private prison contractors from
4 members of the private sector, which evaluation shall be part of the comprehensive file.

5 E. If the Department intends to secure the services of a private prison contractor, all persons and
6 firms included in the file shall be notified through the mail of such intent. Such notification shall
7 contain the following information:

- 8 1. Description and scope of the project or projects;
- 9 2. Estimated time schedule for project;
- 10 3. Last date for submitting notice of interest in performing services to the Director; and
- 11 4. Other pertinent data.

12 Private prison contractors desiring consideration shall meet the requirements of this section and
13 to be considered shall submit a letter expressing interest in the project to the Department within
14 thirty (30) days of the postmark date of the letter of notification mailed by the Department.

15 Contractors shall file an updated application form at the request of the Department.

16 F. The Department shall define the scope of a proposed project, determine the various project
17 components, phases and timetables, and prepare detailed project descriptions to guide
18 prospective contractors. Before the Department awards a contract to a private prison contractor,
19 the plans shall be approved by the State Board of Corrections.

20 G. The Department shall review the files of the private prison contractors desiring consideration
21 for the project. After performing the analysis required by Section 561.1 of this title, the
22 Department shall select no less than three and no more than five contractors for more detailed
23 consideration. In the event interviews for more than one contract are being considered at the
24 same time, the number of contractors selected for more detailed consideration should be at least
25 twice the number of contracts contemplated. This initial screening should consider the
26 requirements of the project, as well as the following factors to be determined from the
27 comprehensive file, and replies to inquiries to former clients:

- 28 1. Specialized experience in the type of work contemplated;
- 29 2. Capacity of the contractor to accomplish the work in the required time; and
- 30 3. Past performance, from the performance evaluation form.

31 H. A full report of the evaluation procedures and recommendations of the Department shall be
32 prepared by the Department and submitted to the State Board of Corrections for the independent
33 review of the entire process.

34 I. 1. The Department shall select the contractor whose qualifications and project proposal most
35 substantially meet the criteria of the project description.

- 36 2. The Department shall execute the contract with the selected contractor, which contract shall
37 include a fair and reasonable fee.
- 38 3. The negotiated scope and fee shall be reported to the Board for the approval of the award of
39 the contract.

40 J. The Office of Management and Enterprise Services shall render assistance to the Department
41 of Corrections in implementing the contracting procedures provided for in this section. The
42 Office of Management and Enterprise Services may have a representative at any meeting
43 involving negotiations of a contract between the Department and a private prison contractor.
44 Before submission of the proposed contract to the Council on Bond Oversight, and prior to the
45 date as of which the proposed contract is executed by the State Board of Corrections, the
46 Attorney General and the Director of the Office of Management and Enterprise Services shall

1 review the proposed final version of the contract. The Attorney General and the Director of the
2 Office of Management and Enterprise Services shall have a period of fifteen (15) days from
3 receipt of the proposed final version of the contract to approve the contract and execute the
4 document. If either the Attorney General or the Director of the Office of Management and
5 Enterprise Services has objections to the proposed contract, the objections shall be
6 communicated in writing to the Department of Corrections. The Department of Corrections shall
7 take appropriate action regarding the objections and shall resubmit the proposed contract for
8 additional review. The Attorney General and the Office of Management and Enterprise Services
9 shall have an additional fifteen-day period to approve the proposed contract and to execute the
10 document. Failure of the Attorney General or the Director of the Office of Management and
11 Enterprise Services, respectively, to act within the fifteen-day period shall constitute approval of
12 the respective official to the proposed final version of the contract. The contract shall contain a
13 separate signature block or line for signature by the Attorney General and the Office of
14 Management and Enterprise Services. The contract shall contain a statement to be executed by
15 the Attorney General and the Director of the Office of Management and Enterprise Services that
16

17 each one of them, respectively, has reviewed the proposed contract for compliance with the
18 provisions of this section and Section 561.1 of this title, and all other applicable provisions of
19 law and that the contract conforms with those requirements. Neither the private prison contractor
20 nor the State Board of Corrections shall execute the contract until the document has been
21 executed by the Attorney General and the Director of the Office of Management and Enterprise
22 Services as required by this subsection unless the approval of the respective official has been
23 made as a result of failure to take action within the fifteen-day period prescribed by this
24 subsection.

25 K. The Director of the Office of Management and Enterprise Services is authorized to lease real
26 property and improvements thereon to a private prison contractor in conjunction with a contract
27 for private management of a state correctional institution located or to be built on the property.
28 Said lease may be entered into for one (1) year periods, renewable at the sole option of the State
29 of Oklahoma, but not to exceed a cumulative period of fifty (50) years.

30 L. Contracts awarded to private prison contractors pursuant to the provisions of this section shall
31 be entered into for a period specified in each contract, subject to availability of funds annually
32 appropriated by the Legislature for that purpose. No contract awarded pursuant to this section
33 shall provide for the encumbrance of funds beyond the amount available for a fiscal year.

34 M. No contract authorized by the provisions of this section shall be awarded until the private
35 prison contractor demonstrates to the satisfaction of the State Board of Corrections:

- 36 1. That the contractor possesses the necessary qualifications and experience to provide the
37 services specified in the contract;
- 38 2. That the contractor can provide the necessary qualified personnel to implement the terms of
39 the contract;
- 40 3. That the financial condition of the contractor is such that the terms of the contract can be
41 fulfilled;
- 42 4. That the contractor has the ability to comply with applicable court orders and corrections
43 standards; and
- 44 5. That, in the case of a contractor who will be providing the services in a nondepartmental
45 facility operated by said contractor, the contractor shall be able to meet accreditation standards

1 and receive accreditation, as required by the terms of the contract pursuant to subsection C of
2 Section 561.1 of this title.

3 N. No contract authorized by the provisions of this section shall be awarded until the private
4 prison contractor demonstrates to the satisfaction of the Board that the contractor can obtain
5 insurance or provide self-insurance to:

6 1. Indemnify the state against possible lawsuits arising from the operation of prison facilities by
7 the contractor; and

8 2. Compensate the state for any property damage or expenses incurred due to the operation of
9 prison facilities.

10 O. A private prison contractor shall not be bound by state laws or other legislative enactments
11 governing the appointment, qualifications, duties, salaries, or benefits of wardens,
12 superintendents, or other correctional employees, except that any personnel authorized to carry
13 and use firearms shall comply with the certification standards required by the provisions of
14 Section 3311 of Title 70 of the Oklahoma Statutes and be authorized to use firearms only to
15 prevent a felony, to prevent escape from custody, or to prevent an act which would cause death
16 or serious bodily injury to the personnel or to another person.

17 P. Any offense which would be a crime if committed within a state correctional institution also
18 shall be a crime if committed in an institution or facility operated by a private prison contractor.

19 Q. The Director or his designee shall monitor the performance of the contractor.
20

21 Section 6. AMENDED Title 57 Section 57-561.1, is amended to read as follows:

22 A. The Department of Corrections is hereby authorized to provide for incarceration, supervision,
23 and residential treatment at facilities other than those operated by the Department of Corrections.
24 Services offered for persons under the custody or supervision of the Department are to include,
25 but not be limited to, housing, alcoholism or drug treatment, mental health services, nursing
26 home care, or halfway house placement. Such services must meet standards prescribed and
27 established by the State Board of Corrections for implementing such a program, including but
28 not limited to standards concerning internal and perimeter security, discipline of inmates,
29 educational and vocational training programs, employment of inmates, and proper food, clothing,
30 housing, and medical care. Such services must be contracted for in accordance with Section 85.7
31 of Title 74 of the Oklahoma Statutes. Such services, if provided by private prison contractors,
32 shall be contracted for as required by this section.

33 B. The Department of Corrections is authorized to lease existing facilities or portions thereof
34 from private prison contractors, counties or other governmental entities and operate such
35 facilities or portions thereof in the same manner as other state owned and operated prison
36 facilities. All lease agreements entered into pursuant to this section shall be negotiated between
37 the Department and the lessor. The Office of Management and Enterprise Services shall assist in
38 the negotiations if requested by the Department of Corrections.

39 C. Subject to the requirements of this section and Section 561.1 of this title, the Department of
40 Corrections is hereby authorized to provide for the ~~construction or operation or both construction~~
41 ~~and operation~~ of correctional institutions of the Department of Corrections by private prison
42 contractors. Such operation shall meet standards prescribed by the State Board of Corrections,
43 including but not limited to, standards concerning internal and perimeter security, discipline of
44 inmates, educational and vocational training programs, and proper food, clothing, housing,
45 transportation, and medical care. Such services shall be contracted for in accordance with the
46 provisions of Section 561.1 of this title and the provisions of this section.

1 D. A comprehensive file for all private prison contractors interested in and capable of operating
2 an institution within the Department of Corrections or providing for the housing, care, and
3 control of inmates in a facility owned and operated by the contractor shall be maintained by the
4 Department. These files shall include:

- 5 1. A completed application form;
- 6 2. A resume of the contractor's staff and capability;
- 7 3. A completed performance evaluation form for past projects on which the contractor has
8 provided private prison services;
- 9 4. A list of past contracts with this state;
- 10 5. A list of contracts to provide similar services to other states or to the United States; and
- 11 6. The mailing address of each private prison contractor.

12 Any person or firm wishing to be a private prison contractor may request at any time to be
13 included in the comprehensive file, and shall be provided necessary forms within twenty (20)
14 days of the request and the Department shall add such contractor to the list within twenty (20)
15 days of receipt of a properly completed application.

16 The Department may solicit evaluation of work done by private prison contractors from
17 members of the private sector, which evaluation shall be part of the comprehensive file.

18 E. If the Department intends to secure the services of a private prison contractor, all persons and
19 firms included in the file shall be notified through the mail of such intent. Such notification shall
20 contain the following information:

- 21 1. Description and scope of the project or projects;
- 22 2. Estimated time schedule for project;
- 23 3. Last date for submitting notice of interest in performing services to the Director; and
- 24 4. Other pertinent data.

25 Private prison contractors desiring consideration shall meet the requirements of this section and
26 to be considered shall submit a letter expressing interest in the project to the Department within
27 thirty (30) days of the postmark date of the letter of notification mailed by the Department.

28 Contractors shall file an updated application form at the request of the Department.

29 F. The Department shall define the scope of a proposed project, determine the various project
30 components, phases and timetables, and prepare detailed project descriptions to guide
31 prospective contractors. Before the Department awards a contract to a private prison contractor,
32 the plans shall be approved by the State Board of Corrections.

33 G. The Department shall review the files of the private prison contractors desiring consideration
34 for the project. After performing the analysis required by Section 561.1 of this title, the
35 Department shall select no less than three and no more than five contractors for more detailed
36 consideration. In the event interviews for more than one contract are being considered at the
37 same time, the number of contractors selected for more detailed consideration should be at least
38 twice the number of contracts contemplated. This initial screening should consider the
39 requirements of the project, as well as the following factors to be determined from the
40 comprehensive file, and replies to inquiries to former clients:

- 41 1. Specialized experience in the type of work contemplated;
- 42 2. Capacity of the contractor to accomplish the work in the required time; and
- 43 3. Past performance, from the performance evaluation form.

44 H. A full report of the evaluation procedures and recommendations of the Department shall be
45 prepared by the Department and submitted to the State Board of Corrections for the independent
46 review of the entire process.

1 I. 1. The Department shall select the contractor whose qualifications and project proposal most
2 substantially meet the criteria of the project description.

3 2. The Department shall execute the contract with the selected contractor, which contract shall
4 include a fair and reasonable fee.

5 3. The negotiated scope and fee shall be reported to the Board for the approval of the award of
6 the contract.

7 J. The Office of Management and Enterprise Services shall render assistance to the Department
8 of Corrections in implementing the contracting procedures provided for in this section. The
9 Office of Management and Enterprise Services may have a representative at any meeting
10 involving negotiations of a contract between the Department and a private prison contractor.
11 Before submission of the proposed contract to the Council on Bond Oversight, and prior to the
12 date as of which the proposed contract is executed by the State Board of Corrections, the
13 Attorney General and the Director of the Office of Management and Enterprise Services shall
14 review the proposed final version of the contract. The Attorney General and the Director of the
15 Office of Management and Enterprise Services shall have a period of fifteen (15) days from
16 receipt of the proposed final version of the contract to approve the contract and execute the
17 document. If either the Attorney General or the Director of the Office of Management and
18 Enterprise Services has objections to the proposed contract, the objections shall be
19 communicated in writing to the Department of Corrections. The Department of Corrections shall
20 take appropriate action regarding the objections and shall resubmit the proposed contract for
21 additional review. The Attorney General and the Office of Management and Enterprise Services
22 shall have an additional fifteen-day period to approve the proposed contract and to execute the
23 document. Failure of the Attorney General or the Director of the Office of Management and
24 Enterprise Services, respectively, to act within the fifteen-day period shall constitute approval of
25 the respective official to the proposed final version of the contract. The contract shall contain a
26 separate signature block or line for signature by the Attorney General and the Office of
27 Management and Enterprise Services. The contract shall contain a statement to be executed by
28 the Attorney General and the Director of the Office of Management and Enterprise Services that
29 each one of them, respectively, has reviewed the proposed contract for compliance with the
30 provisions of this section and Section 561.1 of this title, and all other applicable provisions of
31 law and that the contract conforms with those requirements. Neither the private prison contractor
32 nor the State Board of Corrections shall execute the contract until the document has been
33 executed by the Attorney General and the Director of the Office of Management and Enterprise
34 Services as required by this subsection unless the approval of the respective official has been
35 made as a result of failure to take action within the fifteen-day period prescribed by this
36 subsection.

37 K. The Director of the Office of Management and Enterprise Services is authorized to lease real
38 property and improvements thereon to a private prison contractor in conjunction with a contract
39 for private management of a state correctional institution located or to be built on the property.
40 Said lease may be entered into for one (1) year periods, renewable at the sole option of the State
41 of Oklahoma, but not to exceed a cumulative period of fifty (50) years.

42 L. Contracts awarded to private prison contractors pursuant to the provisions of this section shall
43 be entered into for a period specified in each contract, subject to availability of funds annually
44 appropriated by the Legislature for that purpose. No contract awarded pursuant to this section
45 shall provide for the encumbrance of funds beyond the amount available for a fiscal year.

1 M. No contract authorized by the provisions of this section shall be awarded until the private
2 prison contractor demonstrates to the satisfaction of the State Board of Corrections:

- 3 1. That the contractor possesses the necessary qualifications and experience to provide the
4 services specified in the contract;
- 5 2. That the contractor can provide the necessary qualified personnel to implement the terms of
6 the contract;
- 7 3. That the financial condition of the contractor is such that the terms of the contract can be
8 fulfilled;
- 9 4. That the contractor has the ability to comply with applicable court orders and corrections
10 standards; and
- 11 5. That, in the case of a contractor who will be providing the services in a nondepartmental
12 facility operated by said contractor, the contractor shall be able to meet accreditation standards
13 and receive accreditation, as required by the terms of the contract pursuant to subsection C of
14 Section 561.1 of this title.

15 N. No contract authorized by the provisions of this section shall be awarded until the private
16 prison contractor demonstrates to the satisfaction of the Board that the contractor can obtain
17 insurance or provide self-insurance to:

- 18 1. Indemnify the state against possible lawsuits arising from the operation of prison facilities by
19 the contractor; and
- 20 2. Compensate the state for any property damage or expenses incurred due to the operation of
21 prison facilities.

22 O. A private prison contractor shall not be bound by state laws or other legislative enactments
23 governing the appointment, qualifications, duties, salaries, or benefits of wardens,
24 superintendents, or other correctional employees, except that any personnel authorized to carry
25 and use firearms shall comply with the certification standards required by the provisions of
26 Section 3311 of Title 70 of the Oklahoma Statutes and be authorized to use firearms only to
27 prevent a felony, to prevent escape from custody, or to prevent an act which would cause death
28 or serious bodily injury to the personnel or to another person.

29 P. Any offense which would be a crime if committed within a state correctional institution also
30 shall be a crime if committed in an institution or facility operated by a private prison contractor.

31 Q. The Director or his designee shall monitor the performance of the contractor.

32
33 Section 7. AMENDATORY Title 57 Section 57-563.3, is amended to read as follows:

34 ~~A. All private prison contractors and vendors operating in Oklahoma shall provide construction~~
35 ~~plans to the Department of Corrections for approval prior to commencement of construction of~~
36 ~~any new physical plant or addition to existing facilities. Approval shall be based on applicable~~
37 ~~American Correctional Association construction standards. Any private prison contractor or~~
38 ~~vendor that fails to comply with the requirements of this subsection shall be penalized according~~
39 ~~to the provisions of subsection E of this section.~~

40 B. A private prison contractor which does not have a contract with the Department of
41 Corrections, but which houses federal inmates or inmates of another state, within two (2) months
42 of commencing operations and thereafter as required by the Department of Corrections, shall:

- 43 1. Obtain from the Department of Corrections approval of all emergency response plans and the
44 internal and perimeter security of the facility of the private prison contractor. All emergency
45 plans for the private prison facility shall be approved by the Department of Corrections annually
46 on July 1 and within thirty (30) days of any subsequent change or modification to any plan. Such

1 approval shall be given only if the Director of the Department of Corrections determines that the
2 security and emergency response plan are adequate to protect the public;

3 2. Show, to the satisfaction of the Department of Corrections, that adequate food, housing and
4 medical care shall be available for inmates, that the facility will have the necessary qualified
5 personnel to operate the facility, that the financial condition of the private prison contractor is
6 such that the facility can be operated adequately, and that the facility has the ability to comply
7 with applicable court orders and American Correctional Association standards;

8 3. Furnish to the Department of Corrections satisfactory proof that the private prison contractor
9 has obtained insurance or is self-insured, in such a manner and in such an amount as the Director
10 of the Department of Corrections, after consulting with the Risk Management Administration,
11 may deem necessary and adequate to reimburse this state or a political subdivision of this state,
12 for expenses arising from any incident which occurs at said prison or which requires intervention
13 by this state or a political subdivision of this state. Such insurance, in addition, shall be in an
14 amount sufficient to indemnify this state and its officers and employees, for any liability or other
15 loss, including property damage, judgments, costs, attorney fees or other expenses arising from
16 the operation of the facility, and such facility shall in any event and regardless of the amount of
17 insurance available indemnify and hold harmless this state and its officers and employees, for
18 any and all acts of prison inmates, and/or all officers, employees and stockholders of such private
19 prison contractor for any liability arising out of acts of said inmates, officers, employees and
20 stockholders of such private prison contractor in relation to the operation of the facility. The
21 insurance required by this paragraph shall not provide coverage for more than one facility. If the
22 private prison contractor owns or operates more than one facility, separate insurance coverage
23 shall be obtained or provided for each facility;

24 4. Obtain written authorization from the governing board of any municipality in which the
25 facility is to be located, or if the facility is not to be located within a municipality, written
26 authorization from the board of county commissioners of the county in which the facility is to be
27 located; and

28 5. Ensure every employee or prospective employee of the private prison contractor has submitted
29 through the Department of Corrections a national criminal history records check, as defined by
30 Section 150.9 of Title 74 of the Oklahoma Statutes. The private prison contractor is hereby
31 authorized to reimburse employees for the cost of the search. The record required by this
32 paragraph shall include the name of the person, whether or not said person has been convicted of
33 any felony offense, a list of any felony convictions, and the dates of such convictions. The search
34 records from national criminal history records checks shall be maintained by the Department of
35 Corrections. The Department of Corrections shall not disseminate any national criminal history
36 records information to a private entity.

37 C. A private prison contractor which does not have a contract with the Department of
38 Corrections, but which houses federal inmates or inmates of another state shall attain
39 accreditation by the American Correctional Association within three (3) years of commencing
40 operation of the facility and thereafter shall maintain such accreditation.

41 D. The Department of Corrections shall monitor the performance of the private prison contractor
42 and the continued compliance of the private prison contractor with the provisions of this section
43 and Section 563.2 of this title. If at any time after commencing operations, a private prison
44 contractor, that is subject to the provisions of subsection B of this section, fails to comply with
45 any of said provisions, the Director of the Department of Corrections may order the facility to
46 cease operations. If a private prison contractor fails to attain or maintain the accreditation

1 required by subsection C of this section, the Director of the Department of Corrections shall
2 order the facility to take corrective action pursuant to the Department of Corrections monitoring
3 plan and, if corrective action is not pursued with due diligence, shall order the facility to cease
4 operations. This order may be enforced by injunction issued by a district court of this state.

5 E. If the requirements provided for in this section are not followed, the Director may recommend
6 that the State Board of Corrections assess the private prison contractor at least one-half (1/2) the
7 per diem rate up to but not to exceed the full per diem rate paid by the jurisdiction or
8 jurisdictions to the private prison contractor for the period of time a violation of subsection A of
9 this section continues and is not corrected with due diligence or when the Department of
10 Corrections has identified other physical plant security deficiencies based on American
11 Correctional Association standards and such deficiencies continue and are not corrected with due
12 diligence. The penalty provided for in this subsection shall not preclude the Director from
13 ordering the facility to cease operations.

14 F. The Department of Corrections may charge the private prison contractor a reasonable fee for
15 any services provided by the Department staff to include, but not limited to, the costs of
16 monitoring compliance with the provisions of paragraphs 1 and 2 of subsection B of this section.
17 The fee shall not exceed the cost incurred in performing the monitoring.

18 G. The Department of Corrections shall promulgate and adopt rules for the implementation of
19 this section.

20 H. All fees collected by the Department of Corrections pursuant to this section shall be deposited
21 with the State Treasurer to the credit of the Department of Corrections Revolving Fund.

22
23 Section 8. This act shall become effective 3 years after passage and approval.

24
25 Oklahoma Intercollegiate Legislature
26 2nd Session of the 50th Legislature (2018)

27 House Bill No. ORU-505

Brown (ORU)

28 AS INTRODUCED

29 An act relating patient load; providing short title; providing for definitions;
30 providing for penalties; providing for codification; providing for exemptions and
31 providing an effective date.

32 BE IT ENACTED BY THE STATE OF OKLAHOMA

33 Section 1. This act shall be known as the "Patient Load" Act of 2018.

34 Section 2. DEFINITIONS

35 "Registered Nurse"- Any person graduated from a certified nursing program and
36 licensed by the state of Oklahoma to promote health and wellness that helps
37 prevents illness, restore health, and care for the dying.

38 "Telemetry Unit"- A unit which carefully monitors and treats patients who require
39 specialized cardiac care, gastrointestinal diseases, diabetes, and other acute
40 diagnoses

41 "Antepartum Unit"- A unit which provides care for women experiencing high risk
42 pregnancies

43 "Step-Down Unit" - A unit which provides intermediate levels of care, between
44 the Intensive Care Units (ICUs) and the general medical-surgical units.

1 “Medical Surgical Unit”- A unit which provides generalized care to patients that
2 are non-critical.

3 “Patient”- Any person admitted to a hospital for any ailment and receiving
4 medical care.

5
6 Section 3. NEW LAW A new section of law to be codified in the Oklahoma
7 Statutes to read as follows

- 8 A. At all times during each shift within a unit of the hospital, and with a full
9 complement of ancillary and support staff, a direct care registered nurse may be
10 assigned to not more than the following number of patients in that unit:
11 B. One patient in trauma emergency units.
12 C. One patient in operating room units provided that a minimum of 1 additional person
13 serves as a scrub assistant in such unit.
14 D. Two patients in critical care units, including neonatal intensive care units, emergency
15 critical care and intensive care units, labor and delivery units, coronary care units,
16 acute respiratory care units, post anesthesia units, and burn units.
17 E. Three patients in emergency room units, pediatrics units, step-down units, telemetry
18 units, antepartum units, and combined labor, deliver, and postpartum units.
19 F. Five patients in medical-surgical units, intermediate care nursery units, acute care
20 psychiatric units, and other specialty care units.
21 G. Five patients in rehabilitation units and skilled nursing units.
22 H. Six patients in postpartum (3 couplets) units and well-baby nursery units.

23 Section 4. EXEMPTIONS

- 24 A. In the event of a declared State of Emergency the nurse to patient ratio will not be in
25 effect.
26

27 Section 5. PENALTIES

- 28 A. Any hospital found to be in violation of this act shall be subject to a \$5,000 fine per
29 nurse per day until they meet these requirements.
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31 Section 6. This act shall become effective 180 days after passage and approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. ORU-506

Brown (ORU)

AS INTRODUCED

An act relating to student identification cards; providing short title; providing for definitions; providing for codification and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Student Identification Card” Act of 2018.

Section 2. DEFINITION

“Student Identification card” – A card which is issued by a school, used to identify a student.

“National Suicide Prevention Lifeline”- A national network of local crisis centers that provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week

“Crisis Text Line”- Provides free crisis intervention through text message 24 hours a day every day.

“Local Non- Emergency Number”- a number which can reach the local authorities

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

J. Every middle school and high school student issued a school identification card shall include on the back of the identification card the phone numbers for the Crisis Text Line, National Suicide Prevention Lifeline, and the school’s campus security or police phone number

K. If a school does not have a campus security or campus police, then the back of the Identification card will include the local nonemergency phone number

Section 4. This act shall become effective at the end of the school year after passage and approval.

Oklahoma Intercollegiate Legislature
1st Session of 51st Legislature (2018)

House Bill No. ORU-507

LaForce(ORU)

AS INTRODUCED

An act relating to breastfeeding; providing short title; providing for codification and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Who Run Da World” Act of 2016.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma

Statutes to read as follows:

Breastfeeding accommodations for pupils.

A. Each public school shall provide reasonable accommodations to a lactating pupil on a school campus to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. Reasonable accommodations under this Section include, but are not limited to, all of the following:

- (1) Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child.
- (2) Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk.
- (3) Access to a power source for a breast pump or any other equipment used to express breast milk.
- (4) Access to a place to store expressed breast milk safely.

B. A lactating pupil on a school campus must be provided a reasonable amount of time to accommodate her need to express breast milk or breastfeed an infant child.

C. A public school shall provide the reasonable accommodations specified in subsections (A) and (B) of this Section only if there is at least one lactating pupil on the school campus.

D. A public school may use an existing facility to meet the requirements specified in subsection (A) of this Section.

E. A pupil may not incur an academic penalty as a result of her use, during the school day, of the reasonable accommodations specified in this Section and must be provided the opportunity to make up any work missed due to such use.

F. In instances where a student files a complaint of noncompliance with the requirements of this Section, the public or charter school shall implement a procedure with the schools board and notify the Department of Education.

Section 3. This act shall become effective 90 days after passage and approval.

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Oklahoma Intercollegiate Legislature
1st Session of the 51st Legislature (2018)

32 House Bill No. ORU-508

LaForce (ORU)

33 AS INTRODUCED

34 An act relating to electronic driver’s license; providing short title; providing for
35 codification and providing an effective date.

36 BE IT ENACTED BY THE STATE OF OKLAHOMA

37 Section 1. This act shall be known as the “DrivHER” Act of 2018.

38 Section 2. NEW LAW A new section of law to be codified in the Oklahoma
39 Statutes to read as follows:

40 A. The department of safety is authorized to develop a secure and uniform system, to be known
41 as the “electronic driver license system,” for authorizing persons to present or submit evidence of
42 a valid driver license in an optional electronic format in lieu of a physical driver license. An
43 acceptable electronic format includes display of electronic images on a cellular telephone or any
44 other type of portable electronic device. The department may contract with one (1) or more
45 entities to develop the electronic driver license system. The department or entity may develop a

1 mobile software application capable of being utilized through a person’s electronic device to
2 access an electronic image of the person’s driver license.

3 B. The department may accept donations and grants from any source to pay the expenses the
4 department incurs in the development of the electronic driver license system.

5 C. The department may take reasonable measures to publicize the electronic driver license
6 system to potential participants.

7 D. The department shall not charge a fee to participate in the electronic driver license system. -

8 E. In lieu of a physical driver license, a person who participates in the system may present or
9 submit evidence of possession of a valid driver license in an electronic format, which shall be
10 accepted as such evidence for identification and other purposes, including upon the request of a
11 law enforcement officer or a seller of alcoholic beverages. The electronic driver license system
12 shall allow law enforcement officers to verify the authenticity of the driver license. If a person
13 displays the evidence in an electronic format pursuant to this subsection, the person is not
14 consenting for a law enforcement officer to access any other contents of the electronic device.

15 F. The department shall disable, suspend, or terminate a person’s participation in the electronic
16 driver license system if: (1) The physical driver license issued to the participant has been
17 canceled, revoked, or suspended as provided in this chapter; or (2) The participant reports that
18 the participant’s electronic device has been lost or stolen.

19
20 Section 3. This act shall become effective 90 days after passage and approval.

21
22 Oklahoma Intercollegiate Legislature
23 2nd Session of the 50th Legislature (2018)

24
25 House Bill No. ORU-509

26 Martin (ORU)
27 Brennecke (ORU)

28 AS INTRODUCED

29
30 An act relating to first amendment rights at institutions of higher learning; providing
31 short title; providing for definitions; providing for penalties; providing for codification
32 and providing an effective date.

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34 BE IT ENACTED BY THE STATE OF OKLAHOMA

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36 Section 1. This act shall be known as the “Student Freedom” Act of 2018.

37
38 Section 2. DEFINITIONS

39
40 “Community college” — a community college under the jurisdiction of the
41 Oklahoma State Regents for Higher Education.

42
43 “Public forum” — both a traditional public forum, which is any open,
44 outdoor area on the campus of a university or community college, and a
45 designated public forum, which is any facility, building or part of a building that
46 the university or community college has opened to students or student
47 organizations for expression.

48
49 “University” — a university under the jurisdiction of the Oklahoma State

1 Regents for Higher Education.

2
3 “State accrediting agency” — a state-controlled agency authorized to grant
4 accreditation to educational institutions.

5
6 Section 3. NEW LAW A new section of law to be codified in the Oklahoma
7 Statutes to read as follows:

8
9 A. A university or community college that grants recognition to any student
10 organization or group may not discriminate against or deny recognition, equal
11 access or a fair opportunity to any student organization or group on the basis of
12 the religious, political, philosophical or other content of the organization's or
13 group's speech including worship.

14
15 B. A religious or political student organization may determine that ordering the
16 organization's internal affairs, selecting the organization's leaders and members,
17 defining the organization's doctrines and resolving the organization's disputes are
18 in furtherance of the organization's religious or political mission and that only
19 persons committed to that mission should conduct such activities.

20
21 C. A university or community college may not deny recognition or any privilege
22 or benefit to a student organization or group that exercises its rights pursuant to
23 subsection B.

24
25 Section 4. PENALTIES

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27 A. Any university or community college that violates this law shall lose their
28 accreditation from any state accrediting agency.

29
30 Section 5. This act shall become effective 90 days after passage and approval.

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Oklahoma Intercollegiate Legislature
2st Session of the 50th Legislature (2016)

House Bill No. ORU-510

By: Orth (ORU)

AS INTRODUCED

An act relating to soft drinks; providing short title; providing for definitions; providing for codification; providing for penalties: and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Sweet Tooth” Act of 2017.

Section 2. DEFINITIONS

“Sweetened Beverage” any sweetened nonalcoholic beverage sold for human consumption that has caloric sweeteners and contains more than 25 calories per 12 ounces, including, but not limited to, the following: soda water, ginger ale, root beer, all beverages commonly referred to as cola, lime, lemon, lemon-lime, and other flavored beverages, including any fruit or vegetable beverage containing less than 50 percent natural fruit juice or natural vegetable juice or combined natural fruit juice and natural vegetable juice, and all other drinks and beverages commonly referred to as “soda,” “soda pop,” “soft drinks,” “sports drinks,” “energy drinks,” “juice drinks,” “ice teas,” and “vitamin fortified waters.” “Sweetened beverage” does not include any of the following:

- (A) Any product sold in liquid form for consumption by infants, which is commonly referred to as “infant formula” or any product whose purpose is infant rehydration.
- (B) Any product sold in liquid form for use for weight reduction.
- (C) Water, to which no caloric sweeteners have been added.
- (D) Milk or milk products.
- (E) Medical food.
- (F) Any sweetened beverage containing 50 percent or more of natural fruit juice or natural vegetable juice or combined natural fruit juice and natural vegetable juice.
- (G) Syrups used in cooking.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. All sweetened beverages sold shall be taxed an additional 1 cent per fluid ounce.
- B. All revenues shall be collected and apportioned to the Department of Education

Section 4. PENALTIES

- A. Any person or persons found operating outside of these perimeters shall be subject to investigation by the Oklahoma Tax Commission.

Section 5. This act shall become effective May 1, 2018 after passage and approval.

Oklahoma Intercollegiate Legislature

AS INTRODUCED

An act relating to dignified death; providing short title; providing for definitions; providing for penalties; providing for codification and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Mercy” Act of 2017.

Section 2. DEFINITIONS

“Patient”- Any person admitted to a hospital or healthcare provider seeking medical attention.

“Attending physician” – A physician assigned to a patient who has completed his or her residency.

“Aid-in-dying-medication” – A drug used specifically to end human life, such as Secobarbital or Pentobarbital.

“Terminal illness” – A sickness or disease that will end in death.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- I. A patient’s attending physician shall have the power to fill an aid-in-dying medication prescription to a patient entering end of life care if:
 - a. The individual's attending physician has diagnosed the individual with a terminal illness with a prognosis of six months or less;
 - b. The individual's attending physician has determined that the individual has mental capacity; and
 - c. The individual has voluntarily expressed the wish to receive a prescription for medical aid-in-dying medication;
- J. The patient is eligible to request physician assisted suicide medication if:
 - a. The patient is 18 or older
 - b. The patient is a resident of the state of Oklahoma
 - c. He or she is capable of making and communicating health care decisions for him or herself and has made the request voluntarily.
- K. After a diagnosis is confirmed, and a request is made, the attending physician shall:
 - a. Refer the patient to a consulting physician to confirm the diagnosis
 - b. Request proof of residency in the state of Oklahoma
 - c. Refer the patient to a phycologist or other mental health professional to ensure the patient is mentally capable and making an informed decision
 - d. Discuss with the patient his or her medical diagnosis and prognosis of six months or less to live; feasible alternative or additional treatment; the risks of taking aid-

1 in-dying medication; and the possibility that a patient may fill the aid-in-dying
2 medication prescription but choose not to use it.

3 e. Request that the patient notify his or her next of kin about the prescription
4 request.

5 f. Inform the patient that the medication should be taken in a private place
6 with another person present.

7 L. The patient must request aid-in-dying medication twice orally, after the first request
8 is made, there shall be a fifteen (15) day waiting period before the next oral request
9 can be made. The patient must also submit one (1) written request to his or her
10 attending physician.

11 M. Requests to a physician for aid-in-dying medication shall have no impact on any of
12 the patient's health or life insurance policies.

13 N. Physicians and health care systems are not obligated to participate.

14 Section 4. PENALTIES

15 B. Any insurance company found in violation of this law shall be subject to a fine equal
16 to ten percent (10%) of the company's net income from the previous year.

17 C. Any physician or care giver found administering aid-in-dying medication outside of
18 these guidelines shall, in pursuant to Oklahoma law, be guilty of aiding suicide,
19 punishable by imprisonment in a state penitentiary for no less than seven (7) years.
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21 Section 5. This act shall become effective 90 days after passage and approval.
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36 Oklahoma Intercollegiate Legislature
37 2nd Session of the 50st Legislature (2018)

38 House Bill No. ORU-512

Orth (ORU)

39 AS INTRODUCED

40 An act relating to website translations; providing short title; providing for
41 codification and providing an effective date.

42 BE IT ENACTED BY THE STATE OF OKLAHOMA

43 Section 1. This act shall be known as the "Translation" Act of 2018.

44 Section 2. NEW LAW A new section of law to be codified in the Oklahoma
45 Statutes to read as follows:

1 A. All “.gov” websites owned and operated by actors and departments of the State
2 shall have a Spanish translation for every webpage in English.
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4 Section 3. This act shall become effective 1 year after passage and approval.
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23 Oklahoma Intercollegiate Legislature
24 2nd Session of the 50th Legislature (2018)
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26 House Bill No. ORU-513

By: Osorto (ORU)

27 AS INTRODUCED
28

29 An act relating to giving protections to victims of false allegations; providing for short
30 title; providing for definitions; providing for codification; providing for penalties and providing
31 an effective date.
32

33 BE IT ENACTED BY THE STATE OF OKLAHOMA
34

35 Section 1. This act shall be known as the “Protecting the Innocent and their
36 Earnings” Act of 2018.
37

38 Section 2. Definitions
39

40 “Put on Hold” Paused; Not terminated; To be held for some time.
41

42 Section 3. NEW LAW:
43

44 (A) Any individual under criminal investigation shall not lose governmental assistance or
45 awards given by institutions funded by the government until it is proven in the court of
46 law that the individual is guilty of the allegations.
47

(1) Awards and assistance that operate under a specific time constraint shall be

1 put on hold rather than terminated if the individual must leave their occupation in
2 which the awards or assistance were granted while the criminal proceedings are
3 carried out.

4
5 Section 4. Penalties

6
7 (A) Any institution or organization funded by the government that terminates awards or
8 assistance prior to having a court verdict over an individual's allegations will be
9 obligated to give 50% (fifty) of the original assistance or award plus the remaining
10 assistance or award that was yet to be used to the individual.

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12 Section 5. This act shall become effective 90 days after passage and approval.

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22 Oklahoma Intercollegiate Legislature
23 Xst Session of the Xth Legislature (2018)

24 House Bill No. ORU- 514
25 (ORU)

By: Osorto, Bowers

26 AS INTRODUCED

27 An act relating to Decreasing Incarceration Rates and Increasing Funding for Education;
28 providing for short title; amending 63 OK Stat § 63-2-402v1 providing for codification;
29 providing an effective date.

30 BE IT ENACTED BY THE STATE OF OKLAHOMA

31 Section 1. This act shall be known as the "Provide More by Removing the Inessential" Act
32 of 2018.

33 Section 2. AMENDATORY 63 OK Stat § 63-2-402v1 is hereby amended to read as follows:
34 63 OK Stat § 63-2-402v1

35 A. 1. It shall be unlawful for any person knowingly or intentionally to possess a controlled
36 dangerous substance unless such substance was obtained directly, or pursuant to a valid
37 prescription or order from a practitioner, while acting in the course of his or her professional
38 practice, or except as otherwise authorized by this act.

39 2. It shall be unlawful for any person to purchase any preparation excepted from the provisions
40 of the Uniform Controlled Dangerous Substances Act pursuant to Section 2-313 of this title in an
41 amount or within a time interval other than that permitted by Section 2-313 of this title.

42 3. It shall be unlawful for any person or business to sell, market, advertise or label any product
43 containing ephedrine, its salts, optical isomers, or salts of optical isomers, for the indication of
44 stimulation, mental alertness, weight loss, appetite control, muscle development, energy or other
45 indication which is not approved by the pertinent federal OTC Final Monograph, Tentative Final

1 Monograph, or FDA-approved new drug application or its legal equivalent. In determining
2 compliance with this requirement, the following factors shall be considered:

- 3 a. the packaging of the product,
- 4 b. the name of the product, and
- 5 c. the distribution and promotion of the product, including verbal representations made at the
6 point of sale.

7 B. Any person who violates this section with respect to:

8 1. Any Schedule I or II substance, except marijuana or a substance included in subsection D of
9 Section 2-206 of this title, is guilty of a felony punishable by imprisonment for not more than
10 five (5) years and by a fine not exceeding Five Thousand Dollars (\$5,000.00). A second violation
11 of this section with respect to a Schedule I or II substance, except marijuana or a substance
12 included in subsection D of Section 2-206 of this title, is a felony punishable by imprisonment
13 for not more than ten (10) years and by a fine not exceeding Ten Thousand Dollars (\$10,000.00).
14 A third or subsequent violation of this section with respect to a Schedule I or II substance, except
15 marijuana or a substance included in subsection D of Section 2-206 of this title, is a felony
16 punishable by imprisonment for not less than four (4) years nor more than fifteen (15) years and
17 by a fine not exceeding Ten Thousand Dollars (\$10,000.00);

18 2. Any Schedule III, IV or V substance, marijuana, a substance included in subsection D of
19 Section 2-206 of this title, or any preparation excepted from the provisions of the Uniform
20 Controlled Dangerous Substances Act is guilty of a misdemeanor punishable by confinement for
21 not more than ~~one (1) year~~ six (6) months and by a fine not exceeding One Thousand Dollars
22 (\$1,000.00);

23 3. Funds originally used by The Oklahoma Department of Corrections to pay for incarcerated
24 individuals during the sticken one (1) year sentence shall now be reallocated to The Oklahoma
25 State Department of Education.

26 ~~3.~~ 4. Any Schedule III, IV or V substance, marijuana, a substance included in subsection D of
27 Section 2-206 of this title, or any preparation excepted from the provisions of the Uniform
28 Controlled Dangerous Substances Act and who, during the period of any court-imposed
29 probationary term or within ten (10) years of the date following the completion of the execution
30 of any sentence or deferred judgment for a violation of this section, commits a second or
31 subsequent violation of this section shall, upon conviction, be guilty of a felony punishable by
32 imprisonment in the custody of the Department of Corrections for not less than one (1) year nor
33 more than five (5) years and by a fine not exceeding Five Thousand Dollars (\$5,000.00); or

34 ~~4.~~ 5. Any Schedule III, IV or V substance, marijuana, a substance included in subsection D of
35 Section 2-206 of this title, or any preparation excepted from the provisions of the Uniform
36 Controlled Dangerous Substances Act and who, ten (10) or more years following the date of
37 completion of the execution of any sentence or deferred judgment for a violation of this section,
38 commits a second or subsequent violation of this section shall, upon conviction, be guilty of a
39 felony punishable by imprisonment in the custody of the Department of Corrections for not less
40 than one (1) year nor more than five (5) years and by a fine not exceeding Five Thousand Dollars
41 (\$5,000.00).

42 C. Any person who violates any provision of this section by possessing or purchasing a
43 controlled dangerous substance from any person, in or on, or within one thousand (1,000) feet of
44 the real property comprising a public or private elementary or secondary school, public
45 vocational school, public or private college or university, or other institution of higher education,

1 recreation center or public park, including state parks and recreation areas, or in the presence of
2 any child under twelve (12) years of age, shall be guilty of a felony and punished by:

3
4 1. For a first offense, a term of imprisonment, or by the imposition of a fine, or by both, not
5 exceeding twice that authorized by the appropriate provision of this section. In addition, the
6 person shall serve a minimum of fifty percent (50%) of the sentence received prior to becoming
7 eligible for state correctional institution earned credits toward the completion of said sentence; or

8 2. For a second or subsequent offense, a term of imprisonment not exceeding three times that
9 authorized by the appropriate provision of this section and the person shall serve a minimum of
10 ninety percent (90%) of the sentence received prior to becoming eligible for state correctional
11 institution earned credits toward the completion of said sentence, and imposition of a fine not
12 exceeding Ten Thousand Dollars (\$10,000.00).

13 D. Any person convicted of any offense described in this section shall, in addition to any fine
14 imposed, pay a special assessment trauma-care fee of One Hundred Dollars (\$100.00) to be
15 deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2530.9 of this
16 title.

17 Added by Laws 1971, c. 119, § 2-402. Amended by Laws 1972, c. 229, § 5, emerg. eff. April 7,
18 1972; Laws 1981, c. 34, § 1, eff. Oct. 1, 1981; Laws 1984, c. 127, § 6, eff. Nov. 1, 1984; Laws
19 1987, c. 138, § 7, emerg. eff. June 19, 1987; Laws 1992, c. 86, § 2, eff. Sept. 1, 1992; Laws
20 1993, c. 311, § 1, emerg. eff. June 7, 1993; Laws 1995, c. 147, § 3, eff. Nov. 1, 1995; Laws
21 1997, c. 133, § 530, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 382, eff. July 1, 1999;
22 Laws 2004, c. 396, § 3, eff. Sept. 1, 2004; Laws 2009, c. 306, § 1, eff. Nov. 1, 2009; Laws 2012,
23 c. 228, § 10, eff. Nov. 1, 2012; Laws 2016, c. 220, § 1, eff. Nov. 1, 2016.

24 NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, §
25 530 from July 1, 1998, to July 1, 1999.

26 NOTE: Laws 2004, c. 530, § 3 amended the effective date of Laws 2004, c. 396, § 3 from Nov.
27 1, 2004, to Sept. 1, 2004.

28 Section 3. This act shall become effective 90 days after passage and approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

Senate/House Bill No. ORU-515

Shokunbi (ORU)

AS INTRODUCED

An act relating to amending Oklahoma seat belt laws; providing short title; amending 47 O.S. §47-12-417; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the "Safety up" Act of 2018.

Section 2. AMENDATORY §47-12-417 is hereby amended to read as follows:

§47-12-417. Operators and ~~front seat~~ all passengers required to wear safety belts -

Exemptions - Assessment of points prohibited - Fine and court costs limited -
Municipal ordinances.

- A. 1. Every operator and ~~front seat~~ all passengers of a Class A commercial motor vehicle, Class B commercial motor vehicle, Class C commercial motor vehicle or a passenger vehicle operated in this state shall wear a properly adjusted and fastened safety seat belt system, required to be installed in the motor vehicle when manufactured pursuant to 49 C.F.R., Section 571.208.
2. For the purposes of this section, "passenger vehicle" shall mean a Class D motor vehicle, but shall not include trucks, truck-tractors, recreational vehicles, motorcycles, or motorized bicycles, or a vehicle used primarily for farm use which is registered and licensed pursuant to the provisions of Section 1134 of this title.
- B. The Commissioner of Public Safety, upon application from a person who, for medical reasons, is unable to wear a safety seat belt system supported by written attestation of such fact from a physician licensed pursuant to Section 495 of Title 59 of the Oklahoma Statutes, may issue to the person an exemption from the provisions of this section. The exemption shall be in the form of a restriction appearing on the driver license of the person and shall remain in effect until the expiration date of the driver license. Nothing in this subsection shall be construed to prevent the person from applying for another exemption as provided for in this section. The issuance of an attestation by a physician and the subsequent issuance of an exemption by the Commissioner, in good faith, shall not give rise to, nor shall the physician and the state thereby incur, any liability whatsoever in damages or otherwise, to any person injured by reason of failure of the person to wear a safety seat belt system.
- C. This section shall not apply to an operator of a motor vehicle while performing official duties as a route carrier of the U.S. Postal Service.
- D. The Department of Public Safety shall not record or assess points for violations of this section on any license holder's traffic record maintained by the Department.
- E. Fine and court costs for violating the provisions of this section shall ~~not exceed~~ be Twenty Dollars (\$20.00).
- F. Municipalities may enact and municipal police officers may enforce ordinances prohibiting and penalizing conduct under provisions of this section, but the provisions of those ordinances shall be the same as provided for in this section, and the

1 enforcement provisions under those ordinances shall not be more stringent than those
2 of this section.

3 Added by Laws 1985, c. 123, § 2, eff. Feb. 1, 1987. Amended by Laws 1988, c. 271, § 2,
4 eff. March 1, 1989; Laws 1997, c. 290, § 1, eff. Nov. 1, 1997; Laws 2000, c. 99, § 4,
5 eff. Nov. 1, 2000; Laws 2002, c. 35, § 1, eff. Nov. 1, 2002; Laws 2005, c. 190, § 10,
6 eff. Sept. 1, 2005; Laws 2012, c. 207, § 7, emerg. eff. May 8, 2012.

7 Section 3. This act shall become effective 90 days after passage and approval.
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31 Oklahoma Intercollegiate Legislature
32 2nd Session of the 49th Legislature (2017)

33 Senate Bill No. ORU-516

Sparks (2017)

34 AS INTRODUCED

35 An act relating to vaccines and religious exemptions; providing short title; providing definitions;
36 providing codification; providing penalties; and providing an effective date.

37 BE IT ENACTED BY THE PEOPLE OF THE OKLAHOMA INTERCOLLEGIATE
38 LEGISLATURE

39 Section 1. This act shall be known as the “Vaccine Act” of 2017.

40 Section 2. DEFINITIONS

41 Religious: relating to or believing in a religion

42 Religion: the belief in and worship of a superhuman controlling power, especially
43 personal God or gods

44 Personal: of, affecting, or belonging to a particular person rather than to anyone else

45 Philosophical: relating or devoted to the study of the fundamental nature of knowledge,
46 reality, and existence

1 Reality: the world or the state of things as they actually exist, as opposed to an idealistic
2 or notional idea of them

3 Outbreak: The occurrence of more cases of disease than expected in a given area or
4 among a specific group of people over a particular period of time

5
6 Section 3. NEW LAW A new section of law to be codified in the Oklahoma
7 Statutes to read as follows:

- 8
9 A. All non-medical attempts at exemptions from mandatory vaccination in schools, including
10 those for religious, personal, and philosophical reasons, are hereby prohibited after an
11 outbreak has occurred in the county. Exemption termination will go into effect at the
12 beginning of the following school year.
13 B. There will only be exemption terminations of the respective vaccine that occurred in the
14 outbreak.

15 Section 4. PENALTIES

- 16 A. No minor child shall be admitted to any public, private, or parochial school operating in
17 this state unless and until certification is presented to the appropriate school authorities
18 from a licensed physician, or authorized representative of the State Department of Health,
19 that such child has received or is in the process of receiving, immunizations against
20 diphtheria, pertussis, tetanus, inactivated polio/oral polio, measles, mumps, rubella,
21 varicella, hepatitis A, and hepatitis B or is likely to be immune as a result of the disease.
22 This is in line with the current Oklahoma statutes.

23 Section 5. This act shall become effective 90 days after passage and approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 49th Legislature (2017)

Senate Bill No. ORU-517

Sparks (2017)

AS INTRODUCED

An act relating to tornado and storm shelters; providing short title; providing codification; providing penalties; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE OKLAHOMA INTERCOLLEGIATE LEGISLATURE

Section 1. This act shall be known as the “Storm Safety Act” of 2017.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. For all new construction, building contractors are now required to install one (1) above ground four(4)-person tornado or storm shelter in each home built. The price to the homeowner is to be the same cost of what would originally have been paid by the contractor. Upgrades to the shelter such as a 6-person shelter, or an in-ground shelter, are to be offered at what the contractor would have originally paid. The price is to be included with the total cost of the home, not as a separate charge. Shelters must be in place before the home/location closes.
- B. For all new construction, building contractors are now required to install one (1) eight(8)’ x twelve(12)’ above ground tornado or storm shelter in each apartment complex built per every twelve (12) people residing in the complex. The contractor is required to supply up to twenty (20) of these shelters, at original cost, to the complex. Additional shelters may be installed at the cost of the apartment complex owner, and are not required to be installed by the contractor. The price is to be included with the total cost of the apartment complex, not as a separate charge.
- C. For all new construction, building contractors are now required to install one (1) eight(8)’ x twelve(12)’ above ground tornado or storm shelter in each trailer park built per every twelve (12) people residing in the park. The contractor is required to supply up to fifteen (15) of these shelters, at original cost, to the park. Additional shelters may be installed at the cost of the trailer park owner, and are not required to be installed by the contractor. The price is to be included with the total cost of the trailer park, not as a separate charge.
- D. Existing public spaces will be given a maximum of four (4) years to comply with the new standards. Compliance is required by the fifth (5th) year after the law is passed.

Section 3. PENALTIES

- A. Any public space not in compliance with the new building standards by the fifth (5th) year after the law’s passage and approval will be fined an initial five-thousand dollars (\$5000). Each week of subsequent noncompliance will cause the space to be fined an additional one-thousand dollars (\$1000).

1 B. For new construction, a home will not be allowed to close until the required shelter is in
2 place. Homes existing before the passage and approval of the new law will not be affected by
3 any kind of penalty.

4 Section 4. This act shall become effective 90 days after passage and approval.

5 Oklahoma Intercollegiate Legislature
6 1st Session of the 51st Legislature (2018)

7 House Bill No. ORU-518

Wahl (ORU)

8 Sparks (ORU)

9 AS INTRODUCED

10 An act relating to smoking regulation; providing short title; amending 63 O.S. §63-1-
11 1523; providing for definitions; and providing an effective date.

12 BE IT ENACTED BY THE STATE OF OKLAHOMA

13 Section 1. This act shall be known as the “Free-Range Kale” Act of 2018.

14 Section 2. DEFINITIONS

15 C. “Certified Farmers’ Market” — a designated area in which farmers, growers, or
16 producers from a defined region gather on a regularly scheduled basis to sell at retail
17 farm food products to the public, as defined in OAC Title 310, Chapter 257-1-2.

18 Section 3. AMENDATORY §63-1-1523 is hereby amended to read as follows:
19 §63-1-1523. Smoking in certain places prohibited - Exemptions.

20 L. Except as specifically provided in the Smoking in Public Places and Indoor Workplaces Act,
21 no person shall smoke in a public place, in any part of a zoo to which the public may be
22 admitted, whether indoors or outdoors, in an indoor workplace, in any vehicle providing
23 public transportation, at a meeting of a public body, in a nursing facility licensed pursuant to
24 the Nursing Home Care Act, or in a child care facility licensed pursuant to the Oklahoma
25 Child Care Facilities Licensing Act. A nursing facility licensed pursuant to the Nursing
26 Home Care Act may designate smoking rooms for residents and their guests. Such rooms
27 shall be fully enclosed, directly exhausted to the outside, and shall be under negative air
28 pressure so that no smoke can escape when a door is opened and no air is recirculated to
29 nonsmoking areas of the building. Commercial airport operators may prohibit the use of
30 lighted tobacco in any area that is open to or used by the public whether located indoors or
31 outdoors, provided that the outdoor area is within one hundred seventy-five (175) feet from
32 an entrance.

33 M. 1. Except as otherwise provided in paragraph 2 of this subsection, a technology center
34 school district which offers an early childhood education program or in which children in
35 grades kindergarten through twelve are educated shall prohibit smoking, the use of snuff,
36 chewing tobacco or any other form of tobacco product in the educational facility buildings
37 and on the grounds of the facility by all persons including, but not limited to, full-time, part-
38 time, and contract employees, during the hours of 7:00 a.m. to 4:00 p.m., during the school
39 session, or when class or any program established for students is in session.

40 2. A technology center school district may designate smoking areas outside of buildings, away
41 from general traffic areas and completely out of sight of children under eighteen (18) years
42 of age, for use by adults attending training courses, sessions, meetings or seminars.

43 3. A technology center school district or college or university may designate smoking areas
44 outside the educational facility buildings for the use of adults during certain activities or
45 functions, including, but not limited to, athletic contests.

- 1 4. Smoking shall be prohibited in an educational facility as defined in the 24/7 Tobacco-free
2 Schools Act and as provided for in Section 3 of this act.
- 3 N. Nothing in this section shall be construed to prohibit educational facilities from having
4 more restrictive policies regarding smoking and the use of other tobacco products in the
5 buildings or on the grounds of the facility.
- 6 O. A private residence is not a "public place" within the meaning of the Smoking in Public
7 Places and Indoor Workplaces Act except that areas in a private residence that are used as a
8 licensed child care facility during hours of operation are "public places" within the meaning
9 of the Smoking in Public Places and Indoor Workplaces Act.
- 10 P. Smoking is prohibited in all vehicles owned by the State of Oklahoma and all of its agencies
11 and instrumentalities.
- 12 Q. Smoking of cigarettes, cigars, pipe tobacco, and other tobacco products shall not be
13 permitted within twenty-five (25) feet from an area comprised of sales personnel and
14 shopping customers of a certified farmers' market.
- 15 R. ~~F.~~ Veterans centers operated by this state pursuant to the provisions of Section 221 et seq. of
16 Title 72 of the Oklahoma Statutes shall be designated nonsmoking effective January 1, 2015,
17 at which time veterans centers may establish outdoor designated smoking areas for resident
18 veterans only. Smoking shall only be allowed in designated outdoor smoking areas until
19 January 1, 2018. Each veterans center described in this subsection shall be entirely
20 nonsmoking no later than January 1, 2018.
- 21 S. ~~G.~~ An employer not otherwise restricted from doing so may elect to provide smoking rooms
22 where no work is performed except for cleaning and maintenance during the time the room
23 is not in use for smoking, provided each smoking room is fully enclosed and exhausted
24 directly to the outside, in such manner that no smoke can drift or circulate into a
25 nonsmoking area. No exhaust from a smoking room shall be located within fifteen (15) feet
26 of any entrance, exit or air intake. If smoking is to be permitted in any space exempted in
27 subsection H of this section or in a smoking room pursuant to subsection I of this section,
28 such smoking space must either occupy the entire enclosed indoor space or, if it shares the
29 enclosed space with any nonsmoking areas, the smoking space shall be fully enclosed,
30 exhausted directly to the outside with no air from the smoking space circulated to any
31 nonsmoking area, and under negative air pressure so that no smoke can drift or circulate into
32 a nonsmoking area when a door to an adjacent nonsmoking area is opened. Air from a
33 smoking room shall not be exhausted within fifteen (15) feet of any entrance, exit or air
34 intake.
- 35 T. The Smoking in Public Places and Indoor Workplaces Act shall not prohibit smoking in:
36 1. Stand-alone bars, stand-alone taverns or cigar bars;
37 2. The room or rooms where licensed charitable bingo games are being operated, but only
38 during the hours of operation of such games;
39 3. Up to twenty-five percent (25%) of the guest rooms at a hotel or other lodging establishment;
40 4. Retail tobacco stores predominantly engaged in the sale of tobacco products and accessories
41 and in which the sale of other products is merely incidental and in which no food or
42 beverage is sold or served for consumption on the premises;
43 5. Workplaces where only the owner or operator of the workplace, or the immediate family of
44 the owner or operator, performs any work in the workplace, and the workplace has only
45 incidental public access;
46 6. Workplaces occupied exclusively by one or more smokers, if the workplace has only
47 incidental public access. "Incidental public access" means that a place of business has only
48 an occasional person, who is not an employee, present at the business to transact business or

- 1 make a delivery. It does not include businesses that depend on walk-in customers for any
2 part of their business;
- 3 7. Private offices occupied exclusively by one or more smokers;
- 4 8. Workplaces within private residences, except that smoking shall not be allowed inside any
5 private residence that is used as a licensed child care facility during hours of operation;
- 6 9. A facility operated by a post or organization of past or present members of the Armed Forces
7 of the United States which is exempt from taxation pursuant to Sections 501(c)(8),
8 501(c)(10) or 501(c)(19) of the Internal Revenue Code, 26 U.S.C., Section 501(c)(8),
9 501(c)(10) or 501(c)(19), when such facility is utilized exclusively by its members and their
10 families and for the conduct of post or organization nonprofit operations except during an
11 event or activity which is open to the public;
- 12 10. Any outdoor seating area of a restaurant; provided, smoking shall not be allowed within
13 fifteen (15) feet of any exterior public doorway or any air intake of a restaurant; and
- 14 11. Medical research or treatment centers, if smoking is integral to the research or treatment.
- 15 U. ~~H.~~ Notwithstanding any other provision of the Smoking in Public Places and Indoor
16 Workplaces Act, until March 1, 2006, restaurants may have designated smoking and
17 nonsmoking areas or may be designated as being a totally nonsmoking area. Beginning
18 March 1, 2006, restaurants shall be totally nonsmoking or may provide nonsmoking areas
19 and designated smoking rooms. Food and beverage may be served in such designated
20 smoking rooms which shall be in a location which is fully enclosed, directly exhausted to the
21 outside, under negative air pressure so smoke cannot escape when a door is opened, and no
22 air is recirculated to nonsmoking areas of the building. No exhaust from such room shall be
23 located within twenty-five (25) feet of any entrance, exit or air intake. Such room shall be
24 subject to verification for compliance with the provisions of this subsection by the State
25 Department of Health.
- 26 V. ~~J.~~ Added by Laws 1987, c. 151, § 3, eff. Nov. 1, 1987. Amended by Laws 1989, c. 232, § 1,
27 eff. Nov. 1, 1989; Laws 1994, c. 137, § 14, eff. July 1, 1994; Laws 1995, c. 274, § 51, eff.
28 Nov. 1, 1995; Laws 2000, c. 229, § 1, eff. Nov. 1, 2000; Laws 2001, c. 188, § 1, emerg. eff.
29 May 7, 2001; Laws 2002, c. 96, § 2, eff. July 1, 2002; Laws 2003, S.J.R. No. 21, § 4, eff.
30 Sept. 1, 2003; Laws 2007, c. 70, § 2, eff. Nov. 1, 2007; Laws 2012, c. 30, § 2, eff. Nov. 1,
31 2012; Laws 2014, c. 167, § 2, eff. Nov. 1, 2014; Laws 2015, c. 259, § 6.

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33 Section 4. This act shall become effective 90 days after passage and approval.
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Oklahoma Intercollegiate Legislature
1st Session of the 50th Legislature (2018)

45 House Bill No. ORU-519

Terry (ORU)

46 AS INTRODUCED

47 An act relating to the sale of alcohol in grocery stores; providing short title; providing for definitions;
48 providing for codification and providing an effective date.

1
2 BE IT ENACTED BY THE STATE OF OKLAHOMA

3
4 Section 1. This act shall be known as the “Sale of Alcohol Act” Act of 2018

5
6 Section 2. DEFINITIONS

7 “Grocery Store”- A store that sells food and household supplies.

8 “Employee”- One employed by another usually for wages or salary and in a position below
9 the executive level.

10 “Alcoholic Beverages”- drinks containing ethanol.

11 “Customers”- one that purchases a commodity or service

12
13 Section 3. NEW LAW

- 14
15 A. Grocery store employees of sixteen years of age or older may be permitted to check out and sell
16 alcoholic beverages, while at work, to customers that meet the required standards for alcohol
17 purchase in the state of Oklahoma.

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19 Section 4. This act shall become effective 90 days after passage and approval.
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36 Oklahoma Intercollegiate Legislature
37 1st Session of the 50th Legislature (2018)

38 House Bill No. ORU-520

Terry (ORU)

39
40 AS INTRODUCED

41 An act relating to corporal punishment in schools; providing short title; providing for definitions;
42 providing for codification; providing penalties and providing an effective date.
43

44 BE IT ENACTED BY THE STATE OF OKLAHOMA

45
46 Section 1. This act shall be known as the “Corporal Punishment” Act of 2018.

47
48 Section 2. DEFINITIONS
49

1 “Corporal Punishment”- punishment that involves hitting someone; physical punishment.

2
3 “School Official”- a teacher, school principal, president, chancellor, board member, trustee, registrar,
4 counselor, admissions officer, attorney, accountant, human resources professional, information systems
5 specialist, and support or clerical personnel employed by the school system.

6 “Student”- a person formally engaged in learning, enrolled in a school.

7 “Authority”- the power or right to give orders, make decisions, and enforce obedience.

8
9 Section 3. NEW LAW

10 A. No school officials may be permitted to administer corporal punishment to students under their
11 authority.

12 Section 4. PENALTIES-

13 A. Any school officials found in violation be subject for review and disciplinary action that is to be
14 decided by the school districts.

15 Section 5. This act shall be put into effect 90 days after its approval and passage.

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30 Oklahoma Intercollegiate Legislature
31 1st Session of the 50th Legislature (2018)

32 House Bill No. ORU-521

Terry (ORU)

33
34 AS INTRODUCED

35 An act relating to the youthful offender status; Providing for short title; providing for codification;
36 Amending Title 10A-2-5-206 and providing an effective date

37
38 BE IT ENACTED BY THE STATE OF OKLAHOMA

39
40 Section 1. This Act shall be known as the “Youthful Offender” Act of 2018.

41
42 Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to be read as
43 follows:

44 A. Trafficking in illegal drugs will no longer be reason to elevate the status of a minor to the status
45 of a youthful offender.

46
47 Section 3. AMENDATORY Title 10A is amended to read as follows

48 A. Any person fifteen (15), sixteen (16) or seventeen (17) years of age who is charged with:

49 1. Murder in the second degree;

1 2. Kidnapping;
2 3. Manslaughter in the first degree;
3 4. Robbery with a dangerous weapon or a firearm or attempt thereof;
4 5. Robbery in the first degree or attempt thereof;
5 6. Rape in the first degree or attempt thereof;
6 7. Rape by instrumentation or attempt thereof;
7 8. Forcible sodomy;
8 9. Lewd molestation;
9 10. Arson in the first degree or attempt thereof; or
10 11. Any offense in violation of Section 652 of Title 21 of the Oklahoma Statutes,
11 shall be held accountable for such acts as a youthful offender.
12 B. Any person sixteen (16) or seventeen (17) years of age who is charged with:
13 1. Burglary in the first degree or attempted burglary in the first degree;
14 2. Battery or assault and battery on a state employee or contractor while in the custody or
15 supervision of the Office of Juvenile Affairs;
16 3. Aggravated assault and battery of a police officer;
17 4. Intimidating a witness;
18 5. ~~Trafficking in or~~ manufacturing illegal drugs;
19 6. Assault or assault and battery with a deadly weapon;
20 7. Maiming;
21 8. Residential burglary in the second degree after two or more adjudications that are separated in
22 time for delinquency for committing burglary in the first degree or residential burglary in the
23 second degree;
24 9. Rape in the second degree; or
25 10. Use of a firearm while in commission of a felony,
26 shall be held accountable for such acts as a youthful offender.
27 C. The district attorney may file a petition alleging the person to be a delinquent or may file an
28 information against the accused person charging the person as a youthful offender. The district
29 attorney shall notify the Office of Juvenile Affairs upon the filing of youthful offender charges.
30 D. 1. Upon the filing of the information against such alleged youthful offender, a warrant shall
31 be issued which shall set forth the rights of the accused person, and the rights of the parents,
32 guardian or next friend of the accused person to be present at the preliminary hearing, and to
33 have an attorney present.
34 2. The warrant shall be personally served together with a certified copy of the information on the
35 alleged youthful offender and on a custodial parent, guardian or next friend of the accused
36 person.
37 3. When personal service of a custodial parent, guardian or next friend of the alleged youthful
38 offender cannot be effected, service may be made by certified mail to the last-known address of
39 the person, requesting a return receipt from the addressee only. If delivery is refused, notice may
40 be given by mailing the warrant and a copy of the information on the accused person by regular
41 first-class mail to the address where the person to be notified refused delivery of the notice sent
42 by certified mail. Where the address of a custodial parent, guardian or next friend is not known,
43 or if the mailed warrant and copy of the information on the accused person is returned for any
44 reason other than refusal of the addressee to accept delivery, after a distinct and meaningful
45 search of all reasonably available sources to ascertain the whereabouts of a custodial parent,
46 guardian or next friend has been conducted, the court may order that notice of the hearing be

1 given by publication one time in a newspaper of general circulation in the county. In addition,
2 the court may order other means of service of notice that the court deems advisable or in the
3 interests of justice.

4 4. Before service by publication is ordered, the court shall conduct an inquiry to determine
5 whether a thorough search has been made of all reasonably available sources to ascertain the
6 whereabouts of any party for whom notice by publication is sought.

7 E. The court shall commence a preliminary hearing within ninety (90) days of the filing of the
8 information pursuant to Section 258 of Title 22 of the Oklahoma Statutes, to determine whether
9 the crime was committed and whether there is probable cause to believe the accused person
10 committed the crime. If the preliminary hearing is not commenced within ninety (90) days, the
11 state shall be prohibited from seeking an adult sentence unless the ninety-day requirement is
12 waived by the defendant. If the whereabouts of the accused are unknown at the time of the filing
13 of the information or if the accused is a fugitive, the State of Oklahoma shall make reasonable
14 efforts to locate the accused in order to commence the proceedings. An accused who flees the
15 jurisdiction of the court or purposely avoids apprehension for the charges, waives the right to
16 have the preliminary hearing commenced within ninety (90) days of the filing of the information.
17 An accused who fails to cooperate with providing information in locating the accused parent,
18 guardian, or next friend for purpose of notice waives the right to have the preliminary hearing
19 commence within ninety (90) days of the filing of the information.

20 F. 1. The accused person may file a motion for certification to the juvenile justice system before
21 the start of the criminal preliminary hearing:

22 a. upon the filing of such motion, the complete juvenile record of the accused shall be made
23 available to the district attorney and the accused person,

24 b. at the conclusion of the state's case at the criminal preliminary hearing, the accused person may
25 offer evidence to support the motion for certification as a child.

26 2. If no motion to certify the accused person to the juvenile justice system has been filed, at the
27 conclusion of the criminal preliminary hearing the court may on its own motion hold a hearing
28 on the matter of the certification of the accused youthful offender to the juvenile system.

29 3. The court shall rule on the certification motion before ruling on whether to bind the accused
30 over for trial. When ruling on the certification motion, the court shall give consideration to the
31 following guidelines with the greatest weight given to subparagraphs a, b and c:

32 a. whether the alleged offense was committed in an aggressive, violent, premeditated or willful
33 manner,

34 b. whether the offense was against persons, and if personal injury resulted, the degree of personal
35 injury,

36 c. the record and past history of the accused person, including previous contacts with law
37 enforcement agencies and juvenile or criminal courts, prior periods of probation and
38 commitments to juvenile institutions,

39 d. the sophistication and maturity of the accused person and the accused person's capability of
40 distinguishing right from wrong as determined by consideration of the accused person's
41 psychological evaluation, home, environmental situation, emotional attitude and pattern of
42 living,

43 e. the prospects for adequate protection of the public if the accused person is processed through
44 the youthful offender system or the juvenile system,

1 f.the reasonable likelihood of rehabilitation of the accused person if the accused is found to have
2 committed the alleged offense, by the use of procedures and facilities currently available to the
3 juvenile court, and

4 g.whether the offense occurred while the accused person was escaping or in an escape status
5 from an institution for youthful offenders or juvenile delinquents.

6 4. In its decision on the motion for certification as an alleged juvenile delinquent, the court shall
7 detail findings of fact and conclusions of law to each of the above considerations and shall state
8 that the court has considered each of the guidelines in reaching its decision.

9 5. An order certifying a person or denying such certification to the juvenile justice system shall
10 be a final order, appealable when entered.

11 G. Upon conviction, sentence may be imposed as a sentence for a youthful offender as provided
12 by Section 2-5-209 of this title. If the youthful offender sentence is imposed as an adult sentence
13 as provided by Section 2-5-208 of this title, the convicted person may be incarcerated with the
14 adult population.

15 Section 4. This act shall become effective 120 days after approval.

16 Oklahoma Intercollegiate Legislature
17 1st Session of the 51st Legislature (2018)

18 House Bill No. ORU-522

Wahl (ORU)

19 AS INTRODUCED

20 An act relating to adding reflectors to Oklahoma roads; providing short title;
21 providing for definitions; providing for codification and providing an effective
22 date.

23 BE IT ENACTED BY THE STATE OF OKLAHOMA

24 Section 1. This act shall be known as the “Highways to Hell” Act of 2018.

25 Section 2. DEFINITIONS

26 “Raised pavement reflective markers” — Also known as Raised Pavement Markers
27 (RPM); a safety device used on roads that include a lens or sheeting that enhances
28 their visibility by retroreflecting automotive headlights.

29 “Median” — The median strip that separates opposing lanes of traffic on divided
30 roadways.

31 “Public Road” — a general term denoting a public way for purposes of vehicular
32 travel including the entire area within the right-of-way.

33 Section 3. NEW LAW A new section of law to be codified in the Oklahoma
34 Statutes to read as follows:

- 35 A. Any city in Oklahoma with a population numbering over forty-five thousand (45,000) that
36 repaints and/or repaves painted and paved public roads within city limits shall be required to add
37 raised pavement reflective markers to any painted yellow median lines. The installation of
38 reflective raised pavement markers (RPM) to public roads within the city limits shall abide by the
39 guidelines set forth by the U.S. Department of Transportation’s guidelines for the use of Raised
40 Pavement Markers.

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42 Section 4. This act shall become effective 90 days after passage and approval.
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Oklahoma Intercollegiate Legislature
1st Session of the 54rd Legislature (2018)
House Joint Resolution No. ORU-601
By: Wilson (ORU) Of the
House Osorto (ORU) Of the House

AS INTRODUCED

A Joint Resolution directing the Oklahoma State Election Board to refer to the people for their approval or rejection a prosed amendment to Article XVII of the Constitution of the State of Oklahoma, changing the duration of term limit for the Oklahoma Legislature; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 54TH OKLAHOMA INTERCOLLEGIATE LEGISLATURE:

SECTION 1. The Oklahoma State Election Board shall refer to the people for their approval or rejection, as and in the manner provided for by law, the following proposed amendment to Section V of Article XVII of the Constitution of the State of Oklahoma to read as follows.

Article XVII

Section V-17A: Limitation of time served in the Legislature.

1. Any member of the Legislature who is elected to office after the effective date of this amendment shall be eligible to serve no more than ~~12~~ 24 years in the Oklahoma State Legislature. Years in Legislative office need not be consecutive and years of service in both the Senate and the House of Representatives shall be added together and included in determining the total number of Legislative years in office. The years served by any member elected or appointed to serve less than a full Legislative term to fill a vacancy in office shall not be included in the ~~12-24~~-year limitation set forth herein; but no member who has completed ~~12~~ 24 years in office shall thereafter be eligible to serve a partial term. ~~Any member who is serving a Legislative term in office or who has been elected or appointed to serve a term in office on the effective date hereof shall be entitled to complete his or her term and shall be eligible to serve an additional 12 years thereafter.~~ This amendment shall be effective on the 1st day of the year following its adoption.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of the resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends Section V of Article XVII of the Constitution of the State of Oklahoma. It would increase the amount of time that a member can serve in the Oklahoma State

1 Legislature to twenty-four years because it takes experience to master the nuances of the
2 legislative process.

3
4 SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

5 YES FOR THE AMENDMENT

6 NO, AGAINST THE AMENDMENT

7
8 SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage
9 of this resolution, shall prepare and file one copy thereof, including the Ballot Title set forth in
10 SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.
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33 Oklahoma Intercollegiate Legislature
34 1st Session of the 50th Legislature (2018)

35 House Bill No. ORU-523

Wilson (ORU)

36 AS INTRODUCED

37 An Act relating to Firearm Caliber; Providing short title; Amending Title 21 Section
38 1290.6; Amending Title 21 Section 1290.14; Amending Title 21 Section 1290.18;
39 Providing an effective date.

40 BE IT ENACTED BY THE STATE OF OKLAHOMA

41 Section 1. This Act shall be known as the “The Big Guns” Act of 2018.

42 Section 2. AMENDATORY 21 O.S. Section 1290.6 is hereby amended as follows:

43 PROHIBITED AMMUNITION

44 Any concealed or unconcealed handgun when carried in a manner authorized by the
45 provisions of the Oklahoma Self-Defense Act and when loaded with any ammunition which is
46 either a restricted bullet as defined by Section 1289.19 of this title ~~or is larger than .45 caliber~~ or

1 is otherwise prohibited by law shall be deemed a prohibited weapon for purposes of the
2 Oklahoma Self-Defense Act. Any person violating the provisions of this section shall be
3 punished for a criminal offense as provided by Section 1272 of this title or any other applicable
4 provision of law. In addition to any criminal prosecution for a violation of the provisions of this
5 section, the licensee shall be subject to an administrative fine of Five Hundred Dollars (\$500.00),
6 upon a hearing and determination by the Oklahoma State Bureau of Investigation that the person
7 is in violation of the provisions of this section.

8 Added by Laws 1995, c. 272, § 6, eff. Sept. 1, 1995. Amended by Laws 2012, c. 259, § 27, eff.
9 Nov. 1, 2012.

10 Section 3. AMENDATORY 21 O.S. Section 21-1290.14 is hereby amended as follows:

11 SAFETY AND TRAINING COURSE

12 A. Each applicant for a license to carry a concealed or unconcealed handgun pursuant to
13 the Oklahoma Self-Defense Act must successfully complete a firearms safety and training course
14 in this state conducted by a registered and approved firearms instructor as provided by the
15 provisions of this section or from an interactive online firearms safety and training course
16 available electronically via the Internet approved and certified by the Council on Law
17 Enforcement Education and Training. The applicant must further demonstrate competence and
18 qualification with an authorized pistol of the type or types that the applicant desires to carry as a
19 concealed or unconcealed handgun pursuant to the provisions of the Oklahoma Self-Defense
20 Act, except certain persons may be exempt from such training requirement as provided by the
21 provisions of Section 1290.15 of this title.

22 B. The Council on Law Enforcement Education and Training (CLEET) shall establish
23 criteria for approving firearms instructors and interactive online firearms safety and training
24 courses available electronically via the Internet for purposes of training and qualifying
25 individuals for a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act.
26 Prior to submitting an application for CLEET approval as a firearms instructor, applicants shall
27 attend a firearms instructor school, meeting the following minimum requirements:

28 1. Firearms instructor training conducted by one of the following entities:

- 29 a. Council on Law Enforcement Education and Training,
- 30 b. National Rifle Association,
- 31 c. Oklahoma Rifle Association,
- 32 d. federal law enforcement agencies, or
- 33 e. other professionally recognized organizations;

34 2. The course shall be at least sixteen (16) hours in length;

35 3. Upon completion of the course, the applicant shall be qualified to provide instruction on
36 revolvers, semiautomatic pistols, or both; and

37 4. Receive a course completion certificate.

38 All firearms instructors shall be required to meet the eligibility requirements for a handgun
39 license as provided in Sections 1290.9, 1290.10, and 1290.11 of this title and the application
40 shall be processed as provided for applicants in Section 1290.12 of this title, including the state
41 and national criminal history records search and fingerprint search. A firearms instructor shall
42 be required to pay a fee of One Hundred Dollars (\$100.00) to the Council on Law Enforcement
43 Education and Training (CLEET) each time the person makes application for CLEET approval
44 as a firearms instructor pursuant to the provisions of the Oklahoma Self-Defense Act. The fee
45 shall be retained by CLEET and shall be deposited into the Firearms Instructors Revolving Fund.
46 CLEET shall promulgate the rules, forms and procedures necessary to implement the approval of

1 firearms instructors as authorized by the provisions of this subsection. CLEET shall periodically
2 review each approved instructor during a training and qualification course to assure compliance
3 with the rules and course contents. Any violation of the rules may result in the revocation or
4 suspension of CLEET and Oklahoma State Bureau of Investigation approval. Unless the
5 approval has been revoked or suspended, a firearms instructor's CLEET approval shall be for a
6 term of five (5) years. Beginning on July 1, 2003, any firearms instructor who has been issued a
7 four-year CLEET approval shall not be eligible for the five-year approval until the expiration of
8 the approval previously issued. CLEET shall be responsible for notifying all approved firearms
9 instructors of statutory and policy changes related to the Oklahoma Self-Defense Act. A
10 firearms instructor shall not be required to submit his or her fingerprints for a fingerprint search
11 when renewing a firearms instructor's CLEET approval.

12 C. 1. All firearms instructors approved by CLEET to train and qualify individuals for a
13 handgun license shall be required to apply for registration with the Oklahoma State Bureau of
14 Investigation after receiving CLEET approval. All firearms instructors teaching the approved
15 course for a handgun license must display their registration certificate during each training and
16 qualification course. Each approved firearms instructor shall complete a registration form
17 provided by the Bureau and shall have the option to pay a registration fee of either One Hundred
18 Dollars (\$100.00) for a five-year registration certificate or Two Hundred Dollars (\$200.00) for a
19 ten-year registration certificate to the Bureau at the time of each application for registration,
20 except as provided in paragraph 2 of this subsection. Registration certificates issued by the
21 Bureau shall be valid for a period of five (5) years or ten (10) years from the date of issuance.
22 The Bureau shall issue a five-year or ten-year handgun license to an approved firearms instructor
23 at the time of issuance of a registration certificate and no additional fee shall be required or
24 charged. The Bureau shall maintain a current listing of all registered firearms instructors in this
25 state. Nothing in this paragraph shall be construed to eliminate the requirement for registration
26 and training with CLEET as provided in subsection B of this section. Failure to register or be
27 trained as required shall result in a revocation or suspension of the instructor certificate by the
28 Bureau.

29 2. On or after July 1, 2003, the registered instructors listed in subparagraphs a and b of this
30 paragraph shall not be required to renew the firearms instructor registration certificate with the
31 Oklahoma State Bureau of Investigation at the expiration of the registration term, provided the
32 instructor is not subject to any suspension or revocation of the firearms instructor certificate.
33 The firearms instructor registration with the Oklahoma State Bureau of Investigation shall
34 automatically renew together with the handgun license authorized in paragraph 1 of this
35 subsection for an additional five-year term and no additional cost or fee may be charged for the
36 following individuals:

- 37 a. an active duty law enforcement officer of this state or any of its political
38 subdivisions or of the federal government who has a valid CLEET approval
39 as a firearms instructor pursuant to the Oklahoma Self-Defense Act, and
- 40 b. a retired law enforcement officer authorized to carry a firearm pursuant to
41 Section 1289.8 of this title who has a valid CLEET approval as a firearms
42 instructor pursuant to the Oklahoma Self-Defense Act.

43 D. The Oklahoma State Bureau of Investigation shall approve registration for a firearms
44 instructor applicant who is in full compliance with CLEET rules regarding firearms instructors
45 and the provisions of subsection B of this section, if completion of the federal fingerprint search
46 is the only reason for delay of registration of that firearms instructor applicant. Upon receipt of

1 the federal fingerprint search information, if the Bureau receives information which precludes
2 the person from having a handgun license, the Bureau shall revoke both the registration and the
3 handgun license previously issued to the firearms instructor.

4 E. The required firearms safety and training course and the actual demonstration of
5 competency and qualification required of the applicant shall be designed and conducted in such a
6 manner that the course can be reasonably completed by the applicant within an eight-hour
7 period. CLEET shall establish the course content and promulgate rules, procedures and forms
8 necessary to implement the provisions of this subsection. For the training and qualification
9 course, an applicant may be charged a fee which shall be determined by the instructor or entity
10 that is conducting the course. The maximum class size shall be determined by the instructor
11 conducting the course; provided, however, practice shooting sessions shall not have more than
12 ten participating students at one time. CLEET may establish criteria for assistant instructors and
13 any other requirements deemed necessary to conduct a safe and effective training and
14 qualification course. The course content shall include a safety inspection of the firearm to be
15 used by the applicant in the training course; instruction on pistol handling, safety and storage;
16 dynamics of ammunition and firing; methods or positions for firing a pistol; information about
17 the criminal provisions of the Oklahoma law relating to firearms; the requirements of the
18 Oklahoma Self-Defense Act as it relates to the applicant; self-defense and the use of appropriate
19 force; a practice shooting session; and a familiarization course. The firearms instructor shall
20 refuse to train or qualify any person when the pistol to be used or carried by the person is either
21 deemed unsafe or unfit for firing or is a weapon not authorized by the Oklahoma Self-Defense
22 Act. The course shall provide an opportunity for the applicant to qualify himself or herself on
23 either a derringer, a revolver, a semiautomatic pistol or any combination of a derringer, a
24 revolver and a semiautomatic pistol, ~~provided no pistol shall be capable of firing larger than .45~~
25 ~~caliber ammunition.~~ Any applicant who successfully trains and qualifies himself or herself with
26 a semiautomatic pistol may be approved by the firearms instructor on the training certificate for a
27 semiautomatic pistol, a revolver and a derringer upon request of the applicant. Any person who
28 qualifies on a derringer or revolver shall not be eligible for a semiautomatic rating until the
29 person has demonstrated competence and qualifications on a semiautomatic pistol. Upon
30 successful completion of the training and qualification course, a certificate of training and a
31 certificate of competency and qualification shall be issued to each applicant who successfully
32 completes the course. The certificate of training and certificate of competency and qualification
33 shall comply with the forms established by CLEET and shall be submitted with an application
34 for a handgun license pursuant to the provisions of paragraph 2 of subsection A of Section
35 1290.12 of this title. The certificate of training and certificate of competency and qualification
36 issued to an applicant shall be valid for a period of three (3) years.

37 F. There is hereby created a revolving fund for the Council on Law Enforcement
38 Education and Training (CLEET), to be designated the "Firearms Instructors Revolving Fund".
39 The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all
40 funds received for approval of firearms instructors for purposes of the Oklahoma Self-Defense
41 Act. All funds received shall be deposited to the fund. All monies accruing to the credit of said
42 fund are hereby appropriated and may be budgeted and expended by the Council on Law
43 Enforcement Education and Training, for implementation of the training and qualification course
44 contents, approval of firearms instructors and any other CLEET requirement pursuant to the
45 provisions of the Oklahoma Self-Defense Act or as may otherwise be deemed appropriate by
46 CLEET. Expenditures from said fund shall be made upon warrants issued by the State Treasurer

1 against claims filed as prescribed by law with the Director of the Office of Management and
2 Enterprise Services for approval and payment.

3 G. Firearms instructors shall keep on file for a period of not less than three (3) years a
4 roster of each training class, the safety test score of each individual, the caliber and type of
5 weapon each individual used when qualifying and whether or not each individual successfully
6 completed the training course. Firearms instructors shall be authorized to destroy all training
7 documents and records upon expiration of the three-year time period.

8 Added by Laws 1995, c. 272, § 14, eff. Sept. 1, 1995. Amended by Laws 1996, c. 1, § 1, emerg.
9 eff. Feb. 22, 1996; Laws 1996, c. 191, § 16, emerg. eff. May 16, 1996; Laws 1998, c. 286, § 5,
10 eff. July 1, 1998; Laws 2000, c. 382, § 1, eff. July 1, 2000; Laws 2003, c. 465, § 8, eff. July 1,
11 2003; Laws 2004, c. 549, § 4, eff. July 1, 2004; Laws 2005, c. 455, § 1, eff. Nov. 1, 2005; Laws
12 2012, c. 259, § 34, eff. Nov. 1, 2012; Laws 2013, c. 15, § 16, emerg. eff. April 8, 2013; Laws
13 2013, c. 86, § 1, eff. Nov. 1, 2013; Laws 2014, c. 4, § 3, emerg. eff. April 2, 2014; Laws 2014, c.
14 123, § 1, eff. Nov. 1, 2014; Laws 2015, c. 207, § 2, emerg. eff. May 1, 2015.

15 NOTE: Laws 2012, c. 304, § 91 repealed by Laws 2013, c. 15, § 17, emerg. eff. April 8, 2013.
16 Laws 2013, c. 139, § 1 repealed by Laws 2014, c. 4, § 4, emerg. eff. April 2, 2014.

17
18 Section 4. AMENDATORY 21 O.S. Section 1290.18 is hereby amended as follows:

19 APPLICATION FORM CONTENTS

20 The application shall be completed upon the sworn oath of the applicant as provided in
21 paragraph 5 of Section 1290.12 of this title. The application form shall be provided by the
22 Oklahoma State Bureau of Investigation and shall contain the following information in addition
23 to any other information deemed relevant by the Bureau:

- 24 1. Applicant's full legal name;
- 25 2. Applicant's birth name, alias names or nicknames;
- 26 3. Maiden name, if applicable;
- 27 4. County of residence;
- 28 5. Length of residency at the current address;
- 29 6. Previous addresses for the preceding three (3) years;
- 30 7. Place of birth;
- 31 8. Date of birth;
- 32 9. Declaration of citizenship and date United States citizenship was acquired, if
33 applicable;
- 34 10. Race;
- 35 11. Weight;
- 36 12. Height;
- 37 13. Sex;
- 38 14. Color of eyes;
- 39 15. Current driver license number;
- 40 16. Military service number, if applicable;
- 41 17. Law enforcement identification numbers, if applicable;
- 42 18. Current occupation;
- 43 19. Authorized type or types of pistol for which the applicant qualified as stated on the
44 certificate of training or exemption of training which shall be stated as either derringer, revolver,
45 semiautomatic pistol, or some combination of derringer, revolver and semiautomatic pistol ~~and~~
46 ~~the maximum ammunition capacity of the firearm shall be .45 caliber;~~

1 20. An acknowledgment that the applicant desires a handgun license as a means of lawful
2 self-defense and self-protection and for no other intent or purpose;

3 21. A statement that the applicant has never been convicted of any felony offense in this
4 state, another state or pursuant to any federal offense;

5 22. A statement that the applicant has none of the conditions which would preclude the
6 issuing of a handgun license pursuant to any of the provisions of Sections 1290.10 and 1290.11
7 of this title and that the applicant further meets all of the eligibility criteria required by Section
8 1290.9 of this title;

9 23. An authorization for the Oklahoma State Bureau of Investigation to investigate the
10 applicant and any or all records relating to the applicant for purposes of approving or denying a
11 handgun license pursuant to the provisions of the Oklahoma Self-Defense Act;

12 24. An acknowledgment that the applicant has been furnished a copy of the Oklahoma
13 Self-Defense Act and is knowledgeable about its provisions;

14 25. A statement that the applicant is the identical person who completed the firearms
15 training course for which the original training certificate is submitted as part of the application or
16 a statement that the applicant is the identical person who is exempt from firearms training for
17 which the original exemption certificate is submitted as part of the application, whichever is
18 applicable to the applicant;

19 26. A conspicuous warning that the application is executed upon the sworn oath of the
20 applicant and that any false or misleading answer to any question or the submission of any false
21 information or documentation by the applicant is punishable by criminal penalty as provided in
22 paragraph 5 of Section 1290.12 of this title;

23 27. A signed verification that the contents of the application are known to the applicant
24 and are true and correct;

25 28. Two separate places for the original signature of the applicant;

26 29. A place for attachment of a passport size photograph of the applicant; and

27 30. A place for the signature and verification of the identity of the applicant by the sheriff
28 or the sheriff's designee.

29 Information provided by the person on an application for a handgun license shall be
30 confidential except to law enforcement officers or law enforcement agencies.

31 Added by Laws 1995, c. 272, § 18, eff. Sept. 1, 1995. Amended by Laws 2012, c. 259, § 37, eff.
32 Nov. 1, 2012; Laws 2015, c. 200, § 1, eff. Nov. 1, 2015.

33 Section 5. This act shall become effective 90 days after passage and approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OSU-501

By: Buckalew (OSU)

AS INTRODUCED

An act relating to speeding tickets providing short title; providing for definitions; providing for codification; providing for exemptions; providing for penalties; and providing an effective date

BE IT ENACTED BY THE LEGISLATURE OF THE GREAT STATE OF OKLAHOMA:

Section 1. This act shall be known as “Income-based Speeding Ticket” Act of 2018

Section 2. DEFINITIONS

- A. “Speeding ticket” - a ticket issued for driving above the speed limit.
- B. “Defendant” - a person or company against whom a claim or charge is being brought in a court.
- C. “Impaired Driver” - the criminal offence of operating or having care or control of a motor vehicle while the person's ability to operate the motor vehicle is impaired by alcohol or a drug.

Section 3. NEW LAW A new law to be codified in the Oklahoma Statutes to read as follows:

- A. Every speeding ticket fine will be based on the income, after taxes, of the defendant;
 - a. The ticket shall not exceed a quarter of the defendant's yearly income after taxes
- B. All tickets given due to going at a speed severely under the speed limit, or minimum, is subject to the same consequences.
- C. The Internal Revenue Service will give access to the incomes of all residents in the state of Oklahoma to the police forces through a central database.
 - a. All those pulled over, who do not live in Oklahoma will also be subject to a fine based on their income;
 - i. This fine will come in the mail to their permanent residence no later than one week after the incident occurred.
- D. All revenue created through this new bill will be used to repair the roads throughout Oklahoma;
 - a. The revenue will also be used to fund safe driving programs and people who suffered at the hands of impaired drivers;
 - i. Fifty percent of the revenue created will be allocated to repairing Oklahoma roads;
 - ii. Twenty-five percent of the revenue created will be allocated to fund safe driving programs;
 - iii. The last twenty-five percent will be distributed to those who suffered at the hands of impaired drivers.

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Section 4. PENALTIES

A. Police departments failing to abide by this act are subject to a fine determined by the Oklahoma Department of Transportation

Section 5. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OSU-502

by: Buckalew (OSU)

AS INTRODUCED

An act relating to pension funding; providing short title; providing for definitions; providing for codification; providing for exemptions; providing for penalties; and providing an effective date

BE IT ENACTED BY THE LEGISLATURE OF THE GREAT STATE OF OKLAHOMA:

Section 1. This act shall be known as “Pension Funding” Act of 2018

Section 2. DEFINITIONS

- A. “Pension” - a fixed amount of money paid at regular intervals to a person in consideration of past services to the government of Oklahoma.
- B. “Retired” - no longer occupied with one's business or profession, permanently.
- C. “Sue” - to institute a process in law against; bring a civil action against.

Section 3. NEW LAW A new law to be codified in the Oklahoma Statutes to read as follows:

- A. The state of Oklahoma will be required to fully fund their pensions by the year 2030

- 1 a. This will be done by increasing taxes in the state by no more than twenty percent
2 of the taxes as of the passage of this bill;
3 i. Every two years the taxes will increase by two percent to allow for a
4 gradual increase until the year 2030;
5 ii. The increased taxes will only be to fund the pension plans for those who
6 will retire that work for the Oklahoma government.
7 A. The state of Oklahoma will be required to keep their promises of pension payments to
8 their current government workers at the time of this bill's passage:
9 a. Those Oklahoma government workers who start after the passage of this bill can
10 be promised different pension amounts than those currently working.
11 The current workers' pension amounts can not be lowered.

12
13 Section 4. PENALTIES

- 14 A. If the pensions are not fully funded by the year 2030 every retired worker who does not
15 receive the full amount of their promised pension will be entitled to sue the state of
16 Oklahoma for no more than the pension amount promised to them that they did not
17 receive;
18 a. A worker can only sue for the amount they were promised if they did not receive
19 the full amount;
20 b. A worker can not sue if the amount they have not received is less than one
21 hundred dollars.

22
23 Section 5. This act shall become effective 90 days after passage and approval
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AS INTRODUCED

An act relating to requiring safety provisions for all outlets below four feet; providing short title; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Outlet Safety” Act of 2018.

Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. Any electrical outlet below four feet must have an outlet plug cover that keeps electrical currents from being transmitted when the outlet is not in use.
- B. Enforcement
 - a. Home inspectors will be in charge of checking homes for outlet plug covers once every six months.

Section 3. PENALTIES

- A. Any resident who violates is subject to a fine that may not exceed one hundred dollars (\$100) per day per five outlets.

Section 4. This act shall become effective 90 days after passage and approval.

AS INTRODUCED

An act relating to banning mental health services seeking or purporting to change a person’s sexual orientation or gender identity on minors; providing for a short title; providing for definitions; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE GREAT STATE OF OKLAHOMA:

Section 1. This act shall be known as the “LGBTQ+ Child Protection” Act of 2018.

1
2 Section 2. DEFINITIONS

- 3 A. "Conversion therapy" means any practice or treatment that seeks or purports
4 to change an individual's sexual orientation or gender identity or an
5 individual's expression of their sexual orientation or gender identity.
6 B. "Sexual orientation" means a component of identity that includes a person's
7 sexual and emotional attraction to another person and the behavior and/or
8 social affiliation that may result from this attraction, and refers to the sex of
9 those whom one is sexually or romantically attracted to.
10 C. "Gender identity" means a component of identity that includes a person's
11 sense of themselves in relation to gender.
12 D. "Licensed mental health professional" is as defined in Oklahoma statute 43A-
13 1-103.
14

15 Section 3. NEW LAW A new law to be codified in the Oklahoma Statutes is to
16 read as follows:

- 17 A. A licensed mental health professional may not practice conversion therapy on
18 or engage in any services with similar goals as conversion therapy with any
19 person who is under the age of eighteen (18) years old.
20 1. This shall be the case even if:
21 a. The minor consents to conversion therapy or services with
22 similar goals as conversion therapy.
23 b. The parents of the minor consent to conversion therapy or
24 services with similar goals as conversion therapy.
25 c. The minor and the parents of the minor consent to conversion
26 therapy or services with similar goals as conversion therapy.
27 d. The minor is legally emancipated from their parents.
28 B. No state funds may be used for the purpose of:
29 1. Providing health coverage for conversion therapy for individuals of
30 any age;
31 2. Conducting, or referring an individual of any age to receive,
32 conversion therapy; or
33 3. Providing a grant to or contracting with any entity that conducts or
34 refers an individual of any age to receive conversion therapy.
35

36 Section 4. PENALTIES

- 37 A. A licensed mental health professional who engages in conversion therapy with
38 an individual who is a minor shall be considered to have engaged in
39 unprofessional and harmful conduct and shall be subject to discipline by the
40 appropriate licensing or certifying board.
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42 Section 5. This act shall become effective ninety (90) days after passage and
43 approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OSU-505

By: Dougherty (OSU)

AS INTRODUCED

An act relating to the assurance of pregnant people’s ability to make fully informed procreative decisions and levy malpractice lawsuits or wrongful birth actions against health care professionals who inhibit the making of such decisions; providing for a short title; providing for definitions; providing for codification; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE GREAT STATE OF OKLAHOMA:

Section 1. This act shall be known as the “Informed Procreative Decisions Protection” Act of 2018.

Section 2. DEFINITIONS

- A. “Abortion” means the term as is defined in Section 1-730 of Title 63 of the Oklahoma Statutes;
- B. “Wrongful birth action” means a cause of action that is brought by a parent or other person who is legally required to provide for the support of a child, which seeks economic or noneconomic damages because of a condition of the child that existed at the time of the child’s birth, and which is based on a claim that a person’s act or omission contributed to the mother’s not having obtained an abortion.

Section 3. NEW LAW A new law to be codified in the Oklahoma Statutes is to read as

follows:

- A. The law established in 63 OK Stat § 63-1-741.12 shall be considered null.

- 1 B. Any doctor or other health professional providing prenatal health care or
2 services to a pregnant person must tell the whole truth, and nothing but the
3 truth, to the pregnant person in regards to the condition of the fetus.
4 1. This shall be the case even if the doctor or other health professional
5 believes that detailing the condition of the fetus may increase the
6 likelihood of the pregnant person obtaining an abortion.
- 7 C. In a wrongful birth action, damages may indeed be recovered for any
8 condition that existed at the time of a child's birth if the claim is that the
9 defendant's misrepresentation or omission of the condition of the fetus
10 contributed to the pregnant person's not having obtained an abortion.
11 1. In such cases, the plaintiffs may be awarded monetary
12 compensation amounting to the combination of:
13 a. The cost of continuing the pregnancy, offset by the cost of
14 terminating the pregnancy and
15 b. The medical cost of caring for the child's condition(s) for
16 the period of time of the child's life expectancy or until the
17 child reaches the age of eighteen (18) years old, whichever
18 is the shorter period.

19
20 Section 4. PENALTIES

- 21 A. Any doctor or other health professional who misrepresents or omits the truth
22 regarding the condition of a fetus to the person who is pregnant with the fetus
23 shall be liable to have a medical malpractice lawsuit or wrongful birth action
24 levied against them and must provide any reparations determined by the
25 results of said lawsuit or action.
26

27 Section 5. This act shall become effective ninety (90) days after passage and
28 approval.
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41 Oklahoma Intercollegiate Legislature
42 2nd Session of the 50th Legislature (2018)
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2
3 AS INTRODUCED

4 An act relating to school health immunizations; providing short title; providing for
5 codification and providing an effective date.

6 BE IT ENACTED BY THE STATE OF OKLAHOMA

7
8 Section 1. This act shall be known as the “HPV Immunization” Act of 2017.

9
10 Section 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes
11 to read as follows:

- 12 A. The Department of Health, after consultation with the Department of Education,
13 shall adopt rules governing the immunization of children against, the testing for, and
14 the control of human papillomavirus.
15 B. The rules must include procedures for exempting a child from immunization
16 requirements. Immunizations shall be required for diphtheria, tetanus, pertussis,
17 measles, mumps, rubella, polio, hepatitis A, hepatitis B, chickenpox, human
18 papillomavirus, and other communicable diseases as determined by rules of the
19 Department of Health.
20 C. The manner and frequency of administration of the immunization or testing shall
21 conform to recognized standards of medical practice. The Department of Health shall
22 supervise and secure the enforcement of the required immunization.
23 D. Immunizations required by this section shall be available at no cost from the county
24 health departments.

25 Section 3. This act shall become effective 90 days after passage and approval.
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30 Oklahoma Intercollegiate Legislature
31 2nd Session of the 50th Legislature (2018)
32

33 House Bill No. OSU-507

By: Hickey, Lacey (OSU)

34
35 AS INTRODUCED

36
37 An act relating to crimes and punishments; providing short title; providing for definitions;
38 providing for codification; providing for penalties and providing an effective date.
39

40 BE IT ENACTED BY THE STATE OF OKLAHOMA

41
42 Section 1. This act shall be known as the “Don’t Do a Dead Dude” Act of 2018

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44 Section 2. DEFINITIONS

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A. "Sexual contact" shall be defined as the means of any direct or indirect touching, including oral contact, fondling or manipulating of any part of the genitals, anus, or female breast by any part of the body or by any object.

B. "Sexual intercourse" shall be defined as the means of penetration into the vulva or anus by any part of the body or by any object or masturbatory contact with the penis or vulva.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. It is unlawful for a person to engage in necrophilia. A person engages in necrophilia by:
- a. Having sexual intercourse with a dead human body.
 - b. Having sexual contact with a dead human body, other than the contact normally required to store, prepare, disinfect or embalm a dead human body according to standards of practice in the funeral industry.

Section 4. PENALTIES

- A. Any person(s) who violate this law shall be:
- a. Subject to a felony punishable by imprisonment in the State Penitentiary, not less than three (3) years.
 - b. Required to register pursuant to the Sex Offenders Registration Act.

Section 5. This act shall become effective ninety (90) days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OSU-508

By: Hickey, Lacey (OSU)

AS INTRODUCED

An act relating to higher education; providing short title; providing for definitions; providing for codification; providing for exceptions; providing for penalties and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Okla-HOME-A” Act of 2018.

Section 2. DEFINITIONS

“Public Institutions” shall be defined as a facility that is either an organizational part of a governmental entity or over which a governmental unit exercises final administrative control.

“Credit Hours” shall be defined as the unit of measurement used to measure educational credit, based on the number of hours in the classroom each week throughout the duration of the term.

“Employed” shall be defined as the condition of having a stable payment of taxable income.

“Federal Work Study Grant” shall be defined as a program that helps students enrolled in post-secondary education earn financial funding through a part-time employment program.

“Net Income” shall be defined as income after taxes and deductions are taken into account.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

A. Public Institutions of higher education shall grant in-state tuition rates to students that meet the following conditions:

- a. Have completed a minimum of twenty-eight (28) credit hours at any public institution of higher education within the state of Oklahoma, or equivalent of; and
- b. Have maintained at least a 3.0 grade point average (GPA) for said classes in paragraph (a); and
- c. Have been employed in the state of Oklahoma for at least thirty (30) days and work an arithmetic mean of at least fifteen (15) hours per week; and
- d. Are a citizen of the United States with proper documentation; and
- e. Have not been convicted or pled guilty to a felony or two (2) or more misdemeanors.

1 B. Any student previously qualified for in-state tuition rates under subsection (A) shall be
2 deemed ineligible upon breaching any of said qualifications defined in subsection (A).
3

4 Section 4. EXCEPTIONS
5

- 6 A. Public Institutions of higher education shall not be required to provide students qualifying
7 under section (3) of this law in-state tuition rates that:
8 a. Have accepted a Federal Work Study Grant for that Academic year; or
9 b. Whose family earns a net income of or greater than two-hundred thousand dollars
10 (\$200,000) annually.
11

12 Section 5. PENALTIES
13

- 14 A. Public Institutions of higher education in violation of this law shall be subject to:
15 a. A written warning upon first (1st) offense
16 b. Forfeiture of all funding from the State of Oklahoma for the fiscal year
17 subsequent to the violation upon second (2nd) offense.
18

19 Section 6. This act shall become effective ninety (90) days after passage and approval
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24 Oklahoma Intercollegiate Legislature
25 2nd Session of the 50th Legislature (2018)
26

27 House Bill No. OSU-509
28

By: Lara (OSU)

29 AS INTRODUCED
30

31 An act relating to the sale of meat; providing short title; providing for definitions;
32 providing for codification; providing for penalties; and providing an effective date.
33

34 BE IT ENACTED BY THE STATE OF OKLAHOMA
35

36 Section 1. This act shall be known as the “Meat Disclosure” Act of 2018.
37

38 Section 2. DEFINITIONS

- 39 A. “Retail Establishment” sells goods or services to the ultimate user or consumer for
40 personal use rather than business use.
41 B. “Carcass” the dead body of an animal.
42 C. “Food Plan” any plan offering meat for sale or the offering of such product in
43 combination with each other or with any other food or non food product or service for a
44 single price.
45

1 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to
2 read as follows:

- 3 A. No person or retail establishment advertising, offering for sale or selling all or part of a
4 carcass or food plan shall engage in any misleading or deceptive practices.
5

6 Section 4. PENALTIES

- 7 A. Failure to comply with the above section will result;
8 a. for the first violation, shall be fined Five Hundred dollars (\$500);
9 b. for the second violation, shall be fined One Thousand dollars (\$1,000);
10 c. for the third violation, shall be fined Two Thousand dollars (\$2,000), or Six (6)
11 months suspension from retail service.
12

13 Section 6. This act shall become effective 90 days after passage and approval.

14 Oklahoma Intercollegiate Legislature
15 2nd Session of the 50th Legislature (2018)
16

17 House Bill No. OSU-510

By: Martin (OSU)

18
19 AS INTRODUCED
20

21 An act relating to elephant safety; providing short title; providing for definitions;
22 providing for codification; providing for penalties and providing an effective date.
23

24 BE IT ENACTED BY THE STATE OF OKLAHOMA
25

26 Section 1. This act shall be known as the “Elephant Safety” Act of 2018.
27

28 Section 2. DEFINITIONS

- 29 A. “Bullhook” refers to a long rod with a sharp metal hook at one end.
30
31 B. “Ankus” refers to a rod that has a sharp spike and hook and resembling a short-
32 handled boat hook.
33

34 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes
35 to read as follows:

36 The use or authorization of bullhooks, ankus, baseball bats, axe handles, pitchforks, or
37 other devices designed to inflict pain for the purpose of training or controlling an
38 elephant is prohibited by any person who houses, possesses, manages, or is in direct
39 contact with an elephant in the state of Oklahoma. Use includes brandishing, exhibiting,
40 or displaying the device in the presence of an elephant. This includes zoos, circuses, and
41 other animal parks that house or exhibit elephants.
42

43 Section 4. PENALTIES

44 Any person that violates this prohibition is subject to a civil penalty of not less than one
45 thousand dollars (\$1,000) and not more than ten thousand dollars (\$10,000) and a
46 revocation of their permit.

1
2 Section 5. This act shall become effective 120 days after passage and approval.

3 Oklahoma Intercollegiate Legislature
4 2nd Session of the 50th Legislature (2018)

5
6 House Bill No. OSU-511

By: Martin (OSU)

7
8 AS INTRODUCED

9
10 An act relating to immunizations in the state of Oklahoma; providing short title;
11 providing for definitions, providing for codification, providing for penalties, and providing an
12 effective date.

13
14 BE IT ENACTED BY THE STATE OF OKLAHOMA

15
16 Section 1. This act shall be known as the “Immunizations for Public Health” Act of
17 2018.

18
19 Section 2. DEFINITIONS

- 20
21 A. “Immunization” means the process whereby a person is made immune or resistant to an
22 infectious disease, typically by the administration of a vaccine.
23
24 B. “Medical Exemption” refers to a situation in which a child is harmed by the vaccinations,
25 and a parent can receive an exemption. However, the parent must have a signed statement
26 from a physician.
27
28 C. “Personal Exemption” refers to a parent or guardian detailing the specific reasons for
29 their rejection of immunizations in a signed statement.
30
31 D. “Religious Exemption” refers to religious objections that can be summarized in a signed
32 statement to justify an immunization exemption.
33

34 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes
35 to read as follows:

- 36 A. All children entering public, private, or parochial school or state-regulated child care
37 centers in this state must be immunized against chickenpox, hepatitis-b, measles,
38 meningitis, mumps, diphtheria, polio, rubella, tetanus and whooping cough. They must
39 have a signed statement from a qualified physician to begin enrollment. The physician
40 must provide medical evidence of a condition or allergy where a certain immunization is
41 cautioned against and exemption is necessary to be eligible for a medical immunization
42 exemption. The Oklahoma State Department of Health will verify with the physician
43 before an exemption can be granted. Religious or personal beliefs do not qualify for
44 immunization exemption.
45 a. Any parent who does not want their child immunized can opt to homeschool their
46 child.

1 b. County health departments shall furnish the biologicals for this immunization for
2 children of parents or guardians who can prove that they cannot afford or
3 otherwise access vaccines elsewhere.
4

5 Section 4. PENALTIES
6

7 A. Any physician who provides any person with a false certificate of immunization
8 against chickenpox, hepatitis-b, measles, meningitis, mumps, diphtheria, polio,
9 rubella, tetanus and whooping cough is guilty of a misdemeanor and, upon
10 conviction, shall be fined no more than \$500 and face a maximum sentence of one
11 year in jail.
12

13 Section 5. This act shall become effective 90 days after passage and approval.
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29 Oklahoma Intercollegiate Legislature
30 2nd Session of the 50th Legislature (2018)

31
32 House Bill No. OSU-512

By: McDougal (OSU)

33
34 AS INTRODUCED
35

36 An act relating to the labeling of products containing gluten in public restaurants;
37 providing short title; providing for definitions; providing for codification and providing an
38 effective date.
39

40 BE IT ENACTED BY THE STATE OF OKLAHOMA
41

42 Section 1. This act shall be known as the “Celiac Awareness” Act of 2018.
43

44 Section 2. DEFINITIONS
45

46 A. “Gluten Intolerance” means to have Celiac Disease.

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- B. "Restaurant" means any public food service.
- C. "Food" means anything made for consumption.
- D. "Gluten" means a substance present in cereal grains, especially wheat, that is responsible for the elastic texture of dough. A mixture of two proteins, it causes illness in people with celiac disease.
- E. "FDA" means the Food and Drug Administration

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. Any restaurant or public food service that serves food with gluten in it must be accompanied by a conspicuous disclosure that is a font deemed acceptable by the FDA and that states "Contains Gluten" in English.
- B. The statement must be located near the;
 - a. Name of the product
 - b. Near the food

Section 4. PENALTIES

- A. Any restaurant who violates is subject to a fine that may not exceed five hundred dollars (\$500) per day per product sale per location.

Section 5. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OSU-513

By: McDougal (OSU)

AS INTRODUCED

An act relating to a possession of a firearm’s storage safety precautions; providing short title; providing for codification and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Firearm Child Proof” Act of 2017.

Section 2. DEFINITIONS

- A. “Firearm” - a rifle, pistol, or other portable gun.
- B. “Secured Gun Storage” – A secured storage area reserved to a gun(s).
- C. “Minor” – A person under the age of 18
- D. “Resident” – A person who permanently lives at the household.

Section 3. NEW LAW

- A. Every U.S. licensed gun owner that is a parent/guardian of a minor that is a resident of the household must have a secured gun storage in the home/property.
- B. Each registered firearm must have its own secured gun case or storage unless;
 - a. There is a working trigger lock individualized for that firearm
 - b. There is a designated secured gun storage with ample room for more than one weapon to be stored.

Section 4. PENALTIES

- A. Persons failing to abide by this law are subject to up to a one thousand dollar fine (\$500) per firearm without a secure gun storage or trigger lock.
- B. Persons gun license to be revoked.

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Section 5. This act shall become effective November 1, 2018 days after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OSU-514

By: Mead (OSU)

AS INTRODUCED

An act relating to ban the box providing short title; providing for definitions; providing for codification; providing for exemptions; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE GREAT STATE OF OKLAHOMA:

Section 1. This act shall be known as the “Ban the Box” Act of 2018.

Section 2. DEFINITIONS

- A. “Assessment” – Any evaluation made by an employer about an applicant.
- B. “Ban the Box”- refers to a question on job applications that asks applicants whether or not they have a criminal record.
- C. “Conditional offer” – An offer that is strictly based on conditions that the applicant must meet.

1 D. "Private Employer"- Any business that provides employment in the private
2 sector.

3 E. "Public Employer"- Any business that provides employment in the public
4 sector.

5
6 Section 3. NEW LAW A new law to be codified in the Oklahoma Statutes under,
7 is to read as follows:

8
9 A. Any public or private employer in the state of Oklahoma shall not:

10
11 a. Include a check box on an application that seeks to disclose an applicant's
12 criminal history.

13
14 b. Take into consideration an applicant's criminal background until after said
15 applicant has received a conditional offer.

16
17 B. Any public or private employer that intends to deny an applicant of employment solely
18 based on prior criminal convictions must:

19
20 a. Create a detailed assessment to help justify why an applicant was denied
21 employment.

22
23 b. Notify said applicant with the decision by writing. The notification shall
24 contain all of the following:

25
26 1. Explain the reasoning behind why the applicant was denied
27 employment.

28
29 2. Provide additional notice of how many days the applicant has to
30 respond.

31
32 C. Any applicant's response can include any information challenging the accuracy of the
33 provided notice.

34
35 D. Employers shall notify the applicant of their final decision.

36
37
38 Section 4. PENALTIES

39
40 A. Any public or private employer who fails to ban the box will be found of
41 unlawful employment practices.

42
43 B. Any public or private employer who fails to notify an applicant will face
44 repercussions determined by the Equal Employment Opportunity Commission
45 (EEOC).
46

1 Section 5. This act shall become effective 90 days after passage and approval.
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23 Oklahoma Intercollegiate Legislature
24 2nd Session of the 50th Legislature (2018)
25

26 House Bill No. OSU-515

By: Mead (OSU)

27
28 AS INTRODUCED
29

30 An act relating to eyewitness identification providing short title; providing for
31 definitions; providing for codification; providing for exemptions; providing for penalties; and
32 providing an effective date.
33

34 BE IT ENACTED BY THE LEGISLATURE OF THE GREAT STATE OF OKLAHOMA:
35

36 Section 1. This act shall be known as the “Eyewitness Identification Reform” Act of
37 2018.
38

39 Section 2. DEFINITIONS
40

- 41 A. “Administrator”- a person who conducts live or photo lineups.
42 B. “Blind”- when an administrator is unaware of the identity of said suspect.
43 C. “Blinded”- when an administrator may know who the suspect is, but is
44 unaware of which lineup member is being viewed by the eyewitness.
45 D. “Eyewitness”- a person who is willing to give a first-hand description of what
46 happened at the scene of a crime.

- 1 E. “Filler”- a person who is used in the identification procedure who is not
2 suspected of an offense.
- 3 F. “Law enforcement agency”- any state, county, or local entity that has an
4 eyewitness identification procedure in the state of Oklahoma.
- 5 G. “Live lineup”- an identification procedure in which a group of people
6 including the suspect are displayed in front of the eyewitness to determine
7 whether or not the eyewitness can correctly identify the alleged criminal.
- 8 H. “Photo lineup”- an identification procedure in which various photographs are
9 shown to the eyewitness for the purposes of identifying the alleged criminal.
- 10 I. “Alleged criminal”- a person who is believed to be the suspect by law
11 enforcement.
12

13 Section 3. NEW LAW A new law to be codified in the Oklahoma Statutes under,
14 is to read as follows:
15

16 A. Any state, county, or local law enforcement officers shall follow proper eyewitness
17 identification procedures as required or shall draft its own policy based upon practices
18 outlined in this bill.
19

20 1. Each law enforcement agency that administers eyewitness identification
21 procedures shall provide a copy of its written policies to Oklahoma’s Council of
22 Law Enforcement Education and Training (CLEET) and the District Attorney’s
23 Office.
24

25 2. Any law enforcement agency that chooses to draft its own policy on eyewitness
26 identification procedures must be based on the following:
27

28 a. Credible sources such as laboratory research based on eyewitness
29 memory.
30

31 b. Relevant policies, guidelines, and most effective practices of avoiding
32 false eyewitness identifications while enhancing the overall object of
33 eyewitness identifications.
34

35 3. Evidence-based practices must include the following:
36

37 a. Procedures during the selection of photographs and live lineup filler
38 photographs to help ensure that photographs and or participants are
39 consistent in appearance with said description of the alleged criminal.
40

41 b. Must not knowingly make suspect stand out from the rest of the lineup.
42

43 c. Any instructions given to eyewitness before starting any procedure must
44 contain a verbal statement stating that the alleged criminal may or may not
45 be present.
46

1 d. Regardless of the outcome of the procedure, all eyewitness statements
2 must be documented.

3
4 e. The ability to properly administer to anyone said person with a language
5 barrier.

6
7 f. For a live lineup identification procedure, if able, will assign an
8 administrator who is unaware of which person is the alleged criminal or
9 any other method of preventing outside influences.

10
11 g. For a photo lineup identification procedure, if able, will assign an
12 administrator who is capable of using a blind or blinded approach during
13 the procedure.

14
15 4. Any eyewitness identification procedure must be on video or audio recorded.

16
17 a. All law enforcement agencies must make available any written record
18 of eyewitness identification procedure to the public upon request.

19
20 Section 4. PENALTIES

21
22 A. Any law enforcement agency who fails to conduct or draft an eyewitness
23 identification policy procedure will not be admissible in a court of law.

24
25 B. Any law enforcement agency who fails to make available any record of said
26 procedure to the public will be held liable for the suppression of information.

27
28 Section 5. This act shall become effective 90 days after passage and approval.

29
30
31 Oklahoma Intercollegiate Legislature
32 2nd Session of the 50th Legislature (2018)

33
34 House Bill No. OSU-516

By: Murphey (OSU)

35
36 AS INTRODUCED

37
38 An act relating to taxation; providing short title; providing for codification; and providing
39 an effective date.

40
41 BE IT ENACTED BY THE STATE OF OKLAHOMA

42
43 **SECTION 1.** This act shall be known as the "Fair Tax" Act of 2017

44
45 **SECTION 2.** DEFINITIONS

- 1 A. Income Tax- tax levied by a government directly on income, especially an
- 2 annual tax on personal income
- 3 B. Abolish- formally put an end to (a system, practice, or institution)
- 4 C. Tax Year- is an annual accounting period for keeping records and
- 5 reporting income and expenses
- 6 D. Single Person- non-married individuals
- 7 E. Married- The legal union of a couple as spouses.
- 8 F. Property Tax- a tax levied on real or personal property
- 9 G. Corporate Tax- is a levy placed on the profit of a business

10
11 **SECTION 3. NEW LAW A** new section of law to be codified in the Oklahoma Statutes to read
12 as follows:

- 13 A. The Oklahoma Income Tax will be systematically abolished from now until 2023.
- 14 a. The new brackets starting in the 2019 Tax Year will be
- 15 i. For Single Person Taxpayers
- 16 ii. 0.4% on the first \$1,000 of taxable income. And will decrease each
- 17 year until 2024 by 0.1%
- 18 iii. .8% on taxable income between \$1,001 and \$2,500. And will
- 19 decrease each year until 2024 by 0.2%
- 20 iv. 1.6% on taxable income between \$2,501 and \$3,750. And will
- 21 decrease each year until 2024 by 0.4%
- 22 v. 2.4% on taxable income between \$3,751 and \$4,900. And will
- 23 decrease each year until 2024 by 0.6%
- 24 vi. 3.2% on taxable income between \$4,901 and \$7,200. And will
- 25 decrease each year until 2024 by 0.8%
- 26 vii. 4% on taxable income between \$7,201 and \$8,700. And will
- 27 decrease each year until 2024 by 1%
- 28 viii. 4.2% on taxable income of \$8,701 and above. And will decrease
- 29 each year until 2024 by 1.05%
- 30 b. For Married Taxpayers
- 31 i. 0.4% on the first \$2,000 of taxable income. And will decrease each
- 32 year until 2024 by 0.1%
- 33 ii. .8% on taxable income between \$2,001 and \$5,000. And will
- 34 decrease each year until 2024 by 0.2%
- 35 iii. 1.6% on taxable income between \$5,001 and \$7,500. And will
- 36 decrease each year until 2024 by 0.4%
- 37 iv. 2.4% on taxable income between \$7,501 and \$9,800. And will
- 38 decrease each year until 2024 by 0.6%

- 1 v. 3.2% on taxable income between \$9,801 and \$12,200. And will
2 decrease each year until 2024 by 0.8%
3 vi. 4% on taxable income between \$12,201 and \$15,000. And will
4 decrease each year until 2024 by 1%
5 vii. 4.2% on taxable income of \$15,001 and above. And will decrease
6 each year until 2024 by 1.05%
7 B. The Property Tax will systematically increase from now till 2023
8 a. The property tax of Oklahoma will increase by .0686% per year for five (5)
9 years starting in the 2019 Tax Year ending in 2024
10 C. Corporate Tax
11 a. The Corporate, and Franchise tax will be lowered to Five (5) percent
12 starting in the 2019 Tax Year
13

14 **SECTION 5.** This law shall be effective January 1st 2019 after passage and
15 approval.

16
17 Oklahoma Intercollegiate Legislature
18 2nd Session of the 50th Legislature (2018)
19

20 House Bill No. OSU-517

By: Murphey (OSU)

21
22 AS INTRODUCED
23

24 An act relating to Public Safety; providing short title; providing for codification; and
25 providing an effective date.
26

27 BE IT ENACTED BY THE STATE OF OKLAHOMA
28

29 **SECTION 1.** This act shall be known as the “Oklahoma Prevention Order Against Gun
30 Violence” Act of 2018

31 **SECTION 2. DEFINITIONS**

- 32 A. “Firearms” an arms weapon, such as but not limited to a rifle or pistol, from
33 which a projectile is fired by gunpowder.
34 B. “Personal Injury” physical injury inflicted on a person's body, as opposed to
35 damage to property or reputation.
36 C. “Affidavit” a written statement confirmed by oath or affirmation, for use as
37 evidence in court.
38 D. “Court Days” a day on which a court is in session

39 **SECTION 3. NEW LAW** A new section of law to be codified in the Oklahoma Statutes to read
40 as follows:

1 A. APPLICATION OF PREVENTION ORDER

- 2 a. A family member of an individual may submit an application to a State
3 court, on a form designed by the court, that:
- 4 i. describes the facts and circumstances necessitating that a gun
5 violence prevention order be issued against the named individual;
 - 6 ii. is signed by the applicant, under oath;
 - 7 iii. includes any additional information required by the State court or
8 magistrate (or other comparable judicial officer) to demonstrate
9 that possession of a firearm by the named individual poses a
10 substantial risk or a higher standard of risk of personal injury to the
11 named individual or others

12 B. EXAMINATION OF APPLICANT AND WITNESSES

- 13 a. A State court or magistrate (or other comparable judicial officer) may,
14 before issuing a gun violence prevention order
- 15 i. examine under oath, the individual who applied for the order and
16 any witnesses the individual produces
 - 17 ii. require that the individual or any witness submit a signed affidavit,
18 which describes the facts the applicant or witness believes
19 establish the grounds of the application
 - 20 iii. take an oral statement from the individual or witness under oath

21 C. STANDARD OF ISSUE OF ORDER

- 22 a. A State court or magistrate (or other comparable judicial officer) may
23 issue a gun violence prevention order upon a finding that there is a
24 reasonable suspicion that possession of a firearm by the named individual
25 poses a significant risk of personal injury to the named individual or others
- 26 b. NOTIFICATION - The court shall notify the United States Department of
27 Justice and Oklahoma Department of Public Safety of the gun violence
28 prevention order no later than 2 court days after issuing the order. The
29 court shall also notify the United States Department of Justice and
30 Oklahoma Department of Public Safety of any order restoring the ability
31 of the individual to own or possess firearms not later than 2 court days
32 after issuing the order to restore the individual's right to own or possess
33 any type of firearms that may be lawfully owned and possessed. Such
34 notice shall be submitted in an electronic format, in a manner prescribed
35 by the United States Department of Justice and Oklahoma Department of
36 Public Safety.
- 37 i. As soon as practicable after receiving a notification under clause
38 (b), the Oklahoma Department of Public Safety shall update the
39 background check databases of the Department, respectively, to
40

1 reflect the prohibitions articulated in the gun violence prevention
2 order

3 D. ISSUANCE OF PREVENTION WARRANT

4 a. After issuing a gun violence prevention order, a State court or magistrate
5 (or other comparable judicial officer) shall, upon a finding of probable
6 cause to believe that the named individual subject to the order has a
7 firearm in his custody or control, issue a gun violence prevention warrant
8 ordering the temporary seizure of all firearms specified in the warrant

9 i. a gun violence prevention warrant issued under subsection (a) shall
10 require that any firearm described in the warrant be taken from any
11 place, or from any individual in whose possession, the firearm may
12 be.

13 E. SERVICE OF GUN VIOLENCE PREVENTION ORDER

14 a. When serving a gun violence prevention order or warrant, a law
15 enforcement officer or process server shall provide the individual with a
16 form to request a hearing in accordance with paragraph (F)(v).

17 F. TEMPORARY SEIZURE OF FIREARMS

18 a. When a law enforcement officer takes property under a gun violence
19 prevention warrant or a gun violence prevention order, the law
20 enforcement officer shall give a receipt for the property taken, specifying
21 the property in detail, to the individual from whom it was taken. In the
22 absence of a person, the law enforcement officer shall leave the receipt in
23 the place where the law enforcement officer found the property, if such
24 information is available

25 i. TEMPORARY CUSTODY OF SEIZED FIREARMS - All
26 firearms seized pursuant to a gun violence prevention warrant shall
27 be retained by the law enforcement agency in custody, subject to
28 the order of the court that issued the warrant or to any other court
29 in which an offense with respect to the firearm is triable.

30 ii. LIMITATION ON SEIZURE OF FIREARMS - If the location to
31 be searched during the execution of a gun violence prevention
32 warrant is jointly occupied by multiple parties and a firearm is
33 located during the execution of the seizure warrant, and it is
34 determined that the firearm is owned by an individual other than
35 the individual named in the gun violence prevention warrant, the
36 firearm may not be seized if

37 1. the firearm is stored in a manner that the individual named
38 in the gun violence prevention warrant does not have
39 access to or control of the firearm; and

1 i. If the named individual is found at the hearing to pose a substantial
2 risk of personal injury to the named individual or others by owning
3 or possessing a firearm, the following shall apply:

4 1. The firearm or firearms seized pursuant to the warrant shall
5 be retained by the law enforcement agency for a period not
6 to exceed 3 year.

7 2. The named individual shall be prohibited from owning or
8 possessing, purchasing or receiving, or attempting to
9 purchase or receive a firearm for a period not to exceed 1
10 year.

11 3. The court shall notify the Department of Justice and
12 Oklahoma Department of Public Safety of the gun violence
13 prevention order not later than 10 court days after issuing
14 the order. The court shall also notify the Department of
15 Justice and Oklahoma Department of Public Safety of any
16 order restoring the ability of the individual to own or
17 possess firearms not later than 10 court days after issuing
18 the order to restore the individual's right to own or possess
19 any type of firearms that may be lawfully owned and
20 possessed. Such notice shall be submitted in an electronic
21 format, in a manner prescribed by the Department of
22 Justice and Oklahoma Department of Public Safety.

23 4. As soon as practicable after receiving a notification under
24 clause (iii), the Oklahoma Department of Public Safety
25 shall update the background check databases of the
26 Department, respectively, to reflect

27 a. the prohibitions articulated in the gun violence
28 prevention order; or

29 b. an order issued to restore an individual's right to
30 own or possess a firearm.

31 c. RETURN OF FIREARMS

32 i. If the court finds that the State has not met the required standard of
33 proof, any firearm seized pursuant to the warrant shall be returned
34 to the named individual within one (1) court week.

35 d. LIMITATION ON HEARING REQUIREMENT

36 i. If an individual named in a gun violence prevention warrant is
37 prohibited from owning or possessing a firearm for a period of 1
38 year or more by another provision of State or Federal law, a
39 hearing pursuant to subparagraph (F, a) is not required and the
40 court shall issue an order to hold the firearm until either the

1 individual is no longer prohibited from owning a firearm or the
2 individual sells or transfers ownership of the firearm to a licensed
3 firearm dealer.

4 H. RENEWING GUN VIOLENCE PREVENTION ORDER AND GUN
5 VIOLENCE PREVENTION WARRANT

- 6 a. Except as provided in subparagraph (F, c), if a law enforcement agency
7 has probable cause to believe that an individual who is subject to a gun
8 violence prevention order continues to pose a significant risk of personal
9 injury to the named individual or others by possessing a firearm, the
10 agency may initiate a request for a renewal of the order, on a form
11 designed by the court, describing the facts and circumstances necessitating
12 the request.
- 13 b. NOTICE - The individual named in the gun violence prevention order
14 requested to be renewed under subparagraph (H, a) shall be given written
15 notice and an opportunity to be heard on the matter.
- 16 c. HEARING - After notice is given under subparagraph (H, b), a hearing
17 shall be held to determine if a request for renewal of the order shall be
18 issued.
- 19 d. ISSUANCE OF RENEWAL - A State court may issue a renewal of a gun
20 violence prevention order if there is probable cause to believe that the
21 individual who is subject to the order continues to pose a significant risk
22 of personal injury to the named individual or others by possessing a
23 firearm.
- 24 e. NOTIFICATION - The court shall notify the Department of Justice and
25 the Oklahoma Department of Public Safety of a renewal of the gun
26 violence prevention order not later than 2 court days after renewing the
27 order. The court shall also notify the Department of Justice and the
28 Oklahoma Department of Public Safety of any order restoring the ability
29 of the individual to own or possess firearms not later than 2 court days
30 after issuing the order to restore the individual's right to own or possess
31 any type of firearms that may be lawfully owned and possessed. Such
32 notice shall be submitted in an electronic format, in a manner prescribed
33 by the Department of Justice and the Oklahoma Department of Public
34 Safety.
- 35 i. As soon as practicable after receiving a notification under clause
36 (H, e), the Oklahoma Department of Public Safety shall update the
37 background check databases of the Department, respectively, to
38 reflect—
- 39 1. the prohibitions articulated in the renewal of the gun
40 violence prevention order; or

1 AS INTRODUCED

2
3 An act relating to rehabilitation testing in the state of Oklahoma; providing short title;
4 providing for definitions; providing for codification and providing an effective date.

5
6 BE IT ENACTED BY THE STATE OF OKLAHOMA

7
8 Section 1. This act shall be known as the “Test-out” Act of 2017.

9
10 Section 2. DEFINITIONS

11
12 A. “Rehabilitation Testing” means a series of tests administered by that can conclude
13 whether the offender is eligible for rehabilitation.

14
15 B. “Offender” any person being charged for a crime.

16
17 C. “Criminal Psychologist” is one who studies the wills, thoughts, and intentions, and
18 reactions of criminals.

19
20 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes
21 to read as follows:

22
23 A. Any offender that commits a crime worthy of prison time, should be tested by
24 professional Criminal Psychologist for any and all relating evidence-based
25 supervision/ rehabilitation programs

26
27
28 Section 4. This act shall become effective 90 days after passage and approval.

29
30 Oklahoma Intercollegiate Legislature
31 2nd Session of the 50th Legislature (2018)

32
33 House Bill No. OSU-520

By: Russell (OSU)

34
35 AS INTRODUCED

36
37 An act relating to transportation of materials across the state; providing short title;
38 providing for codification and providing an effective date.

39
40 BE IT ENACTED BY THE STATE OF OKLAHOMA

41
42 Section 1. This act shall be known as the “No Trucks on my Roads” Act of 2018.

43
44 Section 2. DEFINITIONS

45
46 A. “cargo vehicle” any vehicle operated for profit, excluding those registered as

1 farm vehicles

- 2 B. "signed documentation" any documentation presented and approved by the
3 Oklahoma Department of Transportation
4

5
6 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes
7 to read as follows:
8

- 9 A. Any cargo vehicle consisting of three or more axles shall be limited to a travel
10 distance of 45 miles, on roads, with its original cargo.
11 B. Any cargo originating outside of Oklahoma, with a destination not in the state
12 shall not be permitted to enter the state of Oklahoma.
13 C. Cargo that must exceed the 45-mile range is required to be transported by rail,
14 air, ship, or other applicable means of transportation.
15 D. All vehicles consisting of three or more axles shall be required to carry signed
16 documentation consisting of the cargo origin and destination point(s).
17

18 Section 3. PENALTIES
19

- 20 A. Any vehicle operator found in violation of the aforementioned law shall be
21 fined in an amount not to exceed 50%, and not to fall below 10% of the
22 combined value of the cargo.
23 B. Individual counties shall be responsible for determining the amount fined on
24 non-interstate roads.
25 C. The fine for vehicles stopped on interstates shall be 45% of the combined
26 value of the cargo.
27

28 Section 4. After passage and approval, this bill shall take effect on October
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OSU-521

By: Russell (OSU)

AS INTRODUCED

An Act relating to Concealed Carry Laws of Oklahoma; providing short title; amending Title 21 O.S. 1277v1, subsection E and Title 21 O.S. 1277v2, subsection F; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Let Our Students Carry” Act of 2018.

Section 2. AMENDATORY Title 21 O.S. 1277v1, subsection E, is amended to read as follows:

~~E. No person in possession of a valid handgun license issued pursuant to the provisions of the Oklahoma Self-Defense Act shall be authorized to carry the handgun into or upon any college, university or technology center school property, except as provided in this subsection. For purposes of this subsection, the following property shall not be construed as prohibited for persons having a valid handgun license:~~

~~1. Any property set aside for the use or parking of any vehicle, whether attended or unattended, provided the handgun is carried or stored as required by law and the handgun is not removed from the vehicle without the prior consent of the college or university president or technology center school administrator while the vehicle is on any college, university or technology center school property;~~

~~2. Any property authorized for possession or use of handguns by college, university or technology center school policy; and~~

~~3. Any property authorized by the written consent of the college or university president or technology center school administrator, provided the written consent is carried with the handgun and the valid handgun license while on college, university or technology center school property.~~

~~The college, university or technology center school may notify the Oklahoma State Bureau of Investigation within ten (10) days of a violation of any provision of this subsection by a licensee. Upon receipt of a written notification of violation, the Bureau shall give a reasonable notice to the licensee and hold a hearing. At the hearing, upon a determination that the licensee has violated any provision of this subsection, the licensee may be subject to an administrative fine of Two Hundred Fifty Dollars (\$250.00) and may have the handgun license suspended for three (3) months.~~

~~Nothing contained in any provision of this subsection shall be construed to authorize or allow any college, university or technology center school to establish any policy or rule that has the effect of prohibiting any person in lawful possession of a handgun license from possession of a handgun allowable under such license in places described in paragraphs 1, 2, and 3 of this subsection. Nothing contained in any provision of this subsection shall be construed to limit the authority of any college, university or technology center school in this state from taking administrative action against any student for any violation of any provision of this subsection.~~

Section 3. AMENDATORY Title 21 O.S. 1277v2, subsection F, is amended to read as follows:

1 —F. No person in possession of a valid handgun license issued pursuant to the provisions of the
2 Oklahoma Self Defense Act shall be authorized to carry the handgun into or upon any college,
3 university or technology center school property, except as provided in this subsection. For purposes of
4 this subsection, the following property shall not be construed as prohibited for persons having a valid
5 handgun license:

6 1. Any property set aside for the use or parking of any vehicle, whether attended or unattended,
7 provided the handgun is carried or stored as required by law and the handgun is not removed from the
8 vehicle without the prior consent of the college or university president or technology center school
9 administrator while the vehicle is on any college, university or technology center school property;

10 2. Any property authorized for possession or use of handguns by college, university or technology
11 center school policy; and

12 3. Any property authorized by the written consent of the college or university president or
13 technology center school administrator, provided the written consent is carried with the handgun and the
14 valid handgun license while on college, university or technology center school property.

15 The college, university or technology center school may notify the Oklahoma State Bureau of
16 Investigation within ten (10) days of a violation of any provision of this subsection by a licensee. Upon
17 receipt of a written notification of violation, the Bureau shall give a reasonable notice to the licensee and
18 hold a hearing. At the hearing, upon a determination that the licensee has violated any provision of this
19 subsection, the licensee may be subject to an administrative fine of Two Hundred Fifty Dollars
20 (\$250.00) and may have the handgun license suspended for three (3) months.

21 Nothing contained in any provision of this subsection shall be construed to authorize or
22 allow any college, university or technology center school to establish any policy or rule
23 that has the effect of prohibiting any person in lawful possession of a handgun license from
24 possession of a handgun allowable under such license in places described in paragraphs 1,
25 2 and 3 of this subsection. Nothing contained in any provision of this subsection shall be
26 construed to limit the authority of any college, university or technology center school in
27 this state from taking administrative action against any student for any violation of any
28 provision of this subsection.

29 Section 4. After passage and approval, this bill shall take effect January 1, 2019.

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32
33 Oklahoma Intercollegiate Legislature
34 2nd Session of the 50th Legislature (2018)

35
36 House Bill No. OSU-522

By: Schultz (OSU)

37
38 AS INTRODUCED

39
40 An act relating to the sale and use of nicotine products for minors; providing short title;
41 providing for codification; providing for penalties; providing for exemptions, and providing an
42 effective date.

43
44 BE IT ENACTED BY THE STATE OF OKLAHOMA

45
46 Section 1. This act shall be known as the “No Smoking Minor” Act of 2018.

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Section 2. DEFINITIONS.

- A. "Tobacco Products" means any nicotine delivery product or device that is not approved by the U.S. Food and Drug Administration (FDA) for the purpose of nicotine dependence treatment, including, but not limited to cigarettes, cigars, snuff, chewing tobacco, electronic cigarettes and vaping devices.
- B. "Minors" A person under the age of Eighteen (18)
- C. "Furnishing" Supply someone with (something); give (something) to someone.
- D. "Retail Establishment" An establishment that sells goods or services to the ultimate user or consumer for personal use rather than business use.
- E. "Oklahoma Cigarette and Tobacco License" A permit granted to retailers in the state of Oklahoma to sell tobacco products.
- F. "Private Residence" A place of abode that is owned by a private citizen and is more than merely temporary.
- G. "Parent" A mother or father.
- H. "Legal Guardian" A person who has the legal authority (and the corresponding duty) to care for the personal and property interests of another person, called a ward.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. No minor shall consume or possess with intent to consume any and all tobacco products.

Section 4. PENALTIES:

- A. Any minor caught in violation of Section 3, Subsection A shall be guilty, upon conviction of:
 - a. the first violation, guilty of a class Three (3) misdemeanor, fined no more than Three Hundred dollars (\$300), or preform no more than Thirty (30) community service hours, or both such fine and community service;
 - b. the second violation, guilty of a class Two (2) misdemeanor, fined no more than Six Hundred dollars (\$600), or preform no more than Sixty (60) community service hours, or both such fine and community service;
 - c. the third or any subsequent violations, guilty of a class One (1) misdemeanor, fined no more than nine Hundred dollars (\$900), or preform no more than Ninety (90) community service hours or no more than One (1) year stay in the county juvenile detention center, or all such fines, community service, and detention;
- B. Any person that is caught furnishing tobacco products to a minor shall be guilty, upon conviction of:
 - a. the first violation, guilty of class Two (2) misdemeanor, fined no more than five Hundred dollars (\$500), or serve no more than one (1) year imprisonment in the County Jail, as prescribed by O.S. §2110, or both such fine and imprisonment;
 - b. the second violation, guilty of class One (1) misdemeanor, fined no more than two thousand Five Hundred dollars (\$2500), or serve no more than one (1) year imprisonment in the County Jail, as prescribed by O.S. §2110, or both such fine and imprisonment;

- 1 c. the third violation, guilty of a felony, fined no more than Five Thousand dollars
2 (\$5000), or serve no more than Two (2) years imprisonment in the State
3 Penitentiary, as prescribed by O.S. §219, or both such fine and imprisonment;
4 d. any subsequent violations shall add One (1) year imprisonment for each
5 additional violation to Section 4, Subsect. A, Sub-subsect. c.
6

7 C. Any retail establishment that sells tobacco product to a minor shall be:

- 8 a. upon the first violation, fined no more than One Thousand dollars (\$1,000);
9 b. upon the second violation, fined no more than Five Thousand dollars (\$5,000);
10 c. upon the third or subsequent violations, fined no more than Ten Thousand dollars
11 (\$10,000), or have the establishments Oklahoma Cigarette and Tobacco License
12 suspended for a period of One (1) calendar year.
13

14 Section 5. EXEMPTIONS
15

16 A. The consumption or possession of any tobacco products by minors shall be exempt to the
17 prescriptions above if the minor is in a private residence parent or legal guardian.
18

19 Section 6. This act shall become effective 90 days after passage and approval.
20

21 Oklahoma Intercollegiate Legislature
22 2nd Session of the 50th Legislature (2018)
23

24 House Bill No. OSU-523

By: Schultz (OSU)

25
26 AS INTRODUCED
27

28 An act relating to Voting; providing short title; providing for definitions; providing for
29 codification; providing for penalties; and providing an effective date.
30

31 BE IT ENACTED BY THE STATE OF OKLAHOMA
32

33 Section 1. This act shall be known as the “Right to Vote with Any Tax Payment” Act
34 of 2018.
35

36 Section 2. DEFINITIONS
37

38 A. “Minor” A person under the age of full legal responsibility.
39

40 B. “Municipal Elections” Of or relating to a town or city or its local government.
41

42 C. “Working Status” The status of a worker in a company on the basis of the contract
43 of work or duration of work done. A worker may be a full-time employee, part-time
44 employee, or an employee on a casual basis.
45

46 D. “W-2 IRS Form” The form that an employer must send to an employee and the

1 Internal Revenue Service (IRS) at the end of the year. The W-2 form reports an
2 employee's annual wages and the amount of taxes withheld from his or her paycheck.
3

4 E. "Legal Guardian" A person who has the legal authority (and the corresponding duty)
5 to care for the personal and property interests of another person, called a ward.
6

7 F. "States Issued ID" a card giving identifying data about a person, as full name, address,
8 age, and color of hair and eyes, and often containing a photograph
9

10 G. "Driver's License" A document permitting a person to drive a motor vehicle.
11

12 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes
13 to read as follows:

14 A) Any minor the age of sixteen (16) to seventeen (17) who works in this state will
15 be eligible to vote only in municipal elections.

16 B). The burden of establishing proof of employment shall be on the person
17 claiming working status.

18 a. A person wishing to claim working status;

19 i. Must submit a new W-2 IRS form upon one calendar year after
20 the previous filing date,

21 ii. Must present valid State issued ID or Driver's licenses
22

23 C) Any minor eligible for the participation will be required to have a legal guardian
24 signature upon registration for voting and on the voter registration card.
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26

27 Section 4. This act shall become effective 90 days after passage and approval.
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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OSU-524

By: Slagle, Craig (OSU)

AS INTRODUCED

An act relating to the removal of speed limits on interstate highways; providing short title; providing for definitions; providing for codification; providing for exceptions; providing for penalties; and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Free the Speedometer” Act of 2018.

Section 2. DEFINITIONS

- A. “Interstate highway” shall be defined as one of a system of expressways covering the 48 contiguous states.
- B. “Automobile” shall be defined as a road vehicle, typically with four wheels and two axles, powered by an internal combustion engine or electric motor and able to carry a small number of people.
- C. “Speed limit” shall be defined as the maximum speed at which a vehicle may legally travel on a particular stretch of road.
- D. “Motorcycle” shall be defined as a two-wheeled vehicle that is powered by a motor and has no pedals.
- E. “Operator” shall be defined as a person who has the legal authority to operate equipment or machines.
- F. “Vehicle” shall be defined as a thing used for transporting people or goods, especially on land, such as a car, truck, or cart.
- G. “Ramp” shall be defined as a slope or inclined plane for joining two different levels, as at the entrance or between floors of a building.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- 1 A. Interstate highways in the state of Oklahoma that have legally enforceable speed limits
2 shall henceforth have only advisory, non-enforceable speed limits for the following
3 vehicles:
4 a. The operators of automobiles; and
5 b. The operators of motorcycles.
6
7 B. The speed limits posted on the interstate highways shall still be legally enforceable for
8 any vehicle that is not applicable to the definition of “Automobile” under section (2) of
9 this law.

10
11 Section 4. EXCEPTIONS
12

- 13 A. All vehicles are subject to legally enforceable posted speed limits for the following
14 sections of interstate highway:
15 a. On/off ramps.
16 b. Construction zones.

17
18 Section 5. PENALTIES
19

- 20 A. The operators of vehicles that are not applicable to the definition of “Automobile” under
21 section (2) that break the legally enforced speed limit shall be subject to:
22 a. Upon first (1st) offense, no more than a \$100 fine and 1 point added to the
23 operator’s driver’s license against the operator’s driving record.
24 b. Upon second (2nd) and subsequent offenses, a fine of no less than \$500, and 2
25 points added to the operator’s driver’s license against their driving record.

26
27 Section 6. This act shall become effective one hundred and eighty (180) days after passage
28 and approval.
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38 Oklahoma Intercollegiate Legislature
39 2nd Session of the 50th Legislature (2018)

40 House Bill No. OSU-525

By: Slagle, Craig (OSU)

41 AS INTRODUCED

42 An act relating to crimes and punishments; providing short title; providing for definitions;
43 providing for codification; providing for penalties; and providing an effective date.
44

45 BE IT ENACTED BY THE STATE OF OKLAHOMA

1 Section 1. This act shall be known as “No Guns for the Wicked” Act of 2018.

2
3 Section 2. DEFINITIONS

4
5 A. “Firearm” shall be defined as a rifle, pistol, or other portable gun.

6
7 B. “Armaments” shall be defined as military weapons and equipment.

8
9 C. “Domestic violence” shall be defined as an act of violence or abuse by one person
10 against another in a domestic setting.

11
12 D. “Animal abuse” shall be defined as the infliction by omission or by commission by
13 humans of suffering or harm upon any non-human.

14
15 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read
16 as follows:

17
18 A. Any person convicted of domestic violence or animal abuse shall be prohibited from
19 owning firearms or armaments.

20 Section 4. PENALTIES

21 A. Any person that is convicted of breaking this law under section (3) shall be subject to:
22 1. Subject to a felony punishable by imprisonment in the State Penitentiary, for a
23 period of no less than five (5) years.

24
25 Section 5. This act shall become effective ninety (90) days after passage and approval.

26 Oklahoma Intercollegiate Legislature
27 2nd Session of the 50th Legislature (2018)

28
29 House Bill No. OSU-526

By: Sorrels (OSU)

30
31 AS INTRODUCED

32
33 An act relating to decriminalization of crimes against nature; providing short title;
34 providing for definitions; providing for codification and providing an effective date.

35
36 BE IT ENACTED BY THE STATE OF OKLAHOMA

37
38 Section 1. This act shall be known as the “Do As You Please” Act of 2018.

39
40 Section 2. DEFINITIONS

41
42 “Sexual Intercourse” shall be defined as vaginal intercourse or any insertion, however slight, of a
43 hand, finger or object into the vagina, vulva, or labia, excluding such insertion for medical

1 treatment or examination.

2
3 “Adultery” shall be defined as consensual sexual relations when one of the participants is legally
4 married to another.

5
6 “Buggery” shall be defined as anal intercourse between a man and either a man or a woman.

7
8 “Fellatio” shall be defined as the oral stimulation of the male sex organ

9
10 “Cunnilingus” shall be defined as the oral stimulation of the female sex organ

11
12 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read
13 as follows:

14 A. Any person accused of crimes against nature shall be free from punishment under the
15 law if:

16 a. The act in question is one of sexual intercourse, buggery, fellatio, and/or
17 cunnilingus

18 b. The act in question is with a consenting person of legal age defined by the state.

19
20 Section 4. This act shall become effective 69 days after passage and approval.
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2
3 AS INTRODUCED

4
5 An act relating to aviation fuel excise tax, amending 68 O.S. Section 500.4; increasing
6 such excise tax; providing short title; providing for codification and providing an effective date.

7
8 BE IT ENACTED BY THE STATE OF OKLAHOMA

9
10 Section 1. This act shall be known as the “Oklahoma Airport Rejuvenation” Act of
11 2018.

12
13 Section 2. AMENDATORY 68 O.S. Section 500.4 Subsection B, is amended
14 to read as follows:

15
16 Section 500.4. A. A tax is imposed on all gasoline, compressed natural gas,
17 liquefied natural gas and all diesel fuel used or consumed in this state as follows:

18
19 1. Gasoline, sixteen cents (\$0.16) per gallon;

20
21 2. Diesel fuel, thirteen cents (\$0.13) per gallon;

22
23 3. Compressed natural gas, five cents (\$0.05) per gasoline gallons equivalent
24 (gge) until the credit authorized pursuant to the provisions of paragraph 1 of subsection A
25 of Section 2357.22 of this title expires. Upon the expiration of the credit authorized
26 pursuant to the provisions of paragraph 1 of subsection A of Section 2357.22 of this title,
27 the rate of tax imposed upon compressed natural gas shall be equal to the tax rate
28 imposed on diesel fuel using gasoline gallons equivalent (gge); and

29
30 4. Liquefied natural gas, five cents (\$0.05) per diesel gallon equivalent (dge) until
31 the credit authorized pursuant to the provisions of paragraph 1 of subsection A of Section
32 2357.22 of this title expires. Upon the expiration of the credit authorized pursuant to the
33 provisions of paragraph 1 of subsection A of Section 2357.22 of this title, the rate of tax
34 imposed upon liquefied natural gas shall be equal to the tax rate imposed on diesel fuel
35 using diesel gallon equivalent (dge), which shall be equal to six and six one-hundredths
36 (6.06) pounds of liquefied natural gas.

37
38 B. A tax is imposed on all gasoline, diesel fuel and kerosene used or consumed in
39 this state for use as fuel to generate power in aircraft engines or for training, testing or
40 research on aircraft engines in the amount of ~~eight one hundredths of one cent (\$0.0008)~~
41 thirty two hundredths of one cent (\$0.0032) per gallon. All gasoline, diesel fuel and
42 kerosene sold for use under this subsection shall not be subject to the excise tax levied in
43 subsection A of this section.

44
45 C. Notwithstanding any exemption provided in Section 500.1 et seq. of this title,
46 all gasoline used or consumed in this state for use as fuel for farm tractors or stationary

1 engines and used exclusively for agricultural purposes shall be subject to a tax in the
2 amount of two and eight one-hundredths cents (\$0.0208) per gallon. All gasoline sold for
3 use pursuant to this subsection shall not be subject to the excise tax levied in subsection
4 A of this section. The term "farm tractor", as used herein, shall include all tractor-type,
5 motorized farm implements and equipment but shall not include motor vehicles of the
6 truck-type, pickup truck-type, automobiles and other motor vehicles required to be
7 registered and licensed each year under the Oklahoma Vehicle License and Registration
8 Act.

9
10 D. It is the intent of this section to amend, revise, incorporate and recodify the tax
11 imposed on motor fuel and that the tax shall be conclusively presumed to be a direct tax
12 and shall be a direct tax on the retail or ultimate consumer precollected for the purpose of
13 convenience and facility to the consumer. The levy and assessment on other persons as
14 specified in this act shall be as agents of the state for the precollection of the tax. The
15 provisions of this section shall in no way affect the method of collecting the tax as
16 provided in this act. The tax imposed by this section shall be collected and paid at those
17 times, in the manner, and by those persons specified in this act.

18
19 Section 3. This act shall become effective 90 days after passage and approval.
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24 Oklahoma Intercollegiate Legislature
25 2nd Session of the 50th Legislature (2018)
26

27 House Bill No. OSU-601

By: A. Stephens(OSU)

28
29 AS INTRODUCED
30

31 A Joint Resolution directing the Secretary of State to refer to the people for their approval
32 or rejection of a proposed amendment to Article XXIII, providing ballot title, and directing
33 filing.
34

35 BE IT ENACTED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
36 2ND SESSION OF THE 50TH OKLAHOMA INTERCOLLEGIATE LEGISLATURE:
37

38 Section 1. The Secretary of State shall refer to the People, in a manner provided by
39 law, the following amendment to the Constitution:
40

41 ~~SECTION XXIII-1A. Right to work.~~
42

43 ~~A. As used in this section, "labor organization" means any organization of any kind, or~~
44 ~~agency or employee representation committee or union, that exists for the purpose, in whole or in~~
45 ~~part, of dealing with employers concerning wages, rates of pay, hours of work, other conditions~~
46 ~~of employment, or other forms of compensation.~~

1
2 ~~B. No person shall be required, as a condition of employment or continuation of~~
3 ~~employment, to:~~

4
5 ~~1. Resign or refrain from voluntary membership in, voluntary affiliation with, or~~
6 ~~voluntary financial support of a labor organization;~~

7
8 ~~2. Become or remain a member of a labor organization;~~

9
10 ~~3. Pay any dues, fees, assessments, or other charges of any kind or amount to a~~
11 ~~labor organization;~~

12
13 ~~4. Pay to any charity or other third party, in lieu of such payments, any amount~~
14 ~~equivalent to or pro rata portion of dues, fees, assessments, or other charges regularly~~
15 ~~required of members of a labor organization; or~~

16
17 ~~5. Be recommended, approved, referred, or cleared by or through a labor~~
18 ~~organization.~~

19
20 ~~C. It shall be unlawful to deduct from the wages, earnings, or compensation of an~~
21 ~~employee any union dues, fees, assessments, or other charges to be held for, transferred to, or~~
22 ~~paid over to a labor organization unless the employee has first authorized such deduction.~~

23
24 ~~D. The provisions of this section shall apply to all employment contracts entered into~~
25 ~~after the effective date of this section and shall apply to any renewal or extension of any existing~~
26 ~~contract.~~

27
28 ~~E. Any person who directly or indirectly violates any provision of this section shall be~~
29 ~~guilty of a misdemeanor.~~

30
31 Section 2. The Ballot Title for the proposed Constitutional amendment as set forth in
32 Section 1 of this resolution shall be in the following form:

33
34 **BALLOT TITLE**

35
36 Legislative Referendum No.____
37 Question No.____

38
39 **THE GIST OF THE PROPOSITION IS AS FOLLOWS:**

40 This Measure Amends Section 1 of Article XXIII of the Constitution. This strikes the
41 language of Section 1-A of Article XXIII of the Oklahoma Constitution.

42
43 **SHALL THE PROPOSAL BE APPROVED?**

44
45 **FOR THE PROPOSAL – YES** _____

46

1 AGAINST THE PROPOSAL – NO _____
2

3 Section 3. The Chief Clerk of the House of Representatives, immediately after the
4 passage of this resolution, shall prepare and file one copy thereof, including the Ballot Title set
5 forth in Section 2 hereof, with the Secretary of State and one copy with the Attorney General.
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31 Oklahoma Intercollegiate Legislature
32 2nd Session of the 50th Legislature (2018)
33

34 House Bill No. OSU-528

By: Stephens (OSU)

35
36 AS INTRODUCED
37

38 An act relating to the taxation of the sale of firearms in the State of Oklahoma and the
39 appropriation of the revenue generated by the taxation; providing short title; providing for
40 codification and providing an effective date.
41

42 BE IT ENACTED BY THE STATE OF OKLAHOMA
43

44 Section 1. This act shall be known as the “Sportsman Recreational Funding” Act of
45 2017.
46

1 Section 2. DEFINITIONS

- 2
- 3 A. "Firearms" is any device designed to or may readily be converted to expel a projectile by
- 4 the action of an explosive.
- 5
- 6 B. "Merchants" are individuals that are defined in the Uniform Commercial Code § 2-104
- 7
- 8 C. "Recreational usage" is any usage of a firearm that is not for a purely commercial usage.
- 9 This includes, but not limited to, the following: hunting, competition shooting, and target
- 10 practice.

11

12 Section 3 NEW LAW A new section of law to be codified in the Oklahoma

13 Statutes to read as follows:

- 14
- 15 A. Any merchant who deals in the business of transacting firearms will collect an excise tax
- 16 of five dollars (\$5) for every firearm sold to any non-retail customer for recreational
- 17 usage
- 18 B. The excise tax will be applied after all other sales taxes are applied to the transaction so
- 19 that it has no effect to the amount of sales tax paid.
- 20 C. All merchants will be required to inform all customers affected by the tax about the
- 21 effects that the tax will have on their purchase, before they make their purchase. This can
- 22 be done as a direct statement made to the customer, or it can be printed on signage placed
- 23 in a relatively visible area.
- 24
- 25 D. Appropriation of revenue generated by the tax
- 26 1. All revenue generated by the tax will be appropriated to the Oklahoma Department of
- 27 Wildlife Conservation (ODWC).
- 28 2. The ODWC will consider revenue generated by the tax as a major source of revenue
- 29 and consider it separate from other sources of revenue. The amount of revenue
- 30 generated will be published alongside other sources of revenue in its annual financial
- 31 reports.
- 32
- 33 E. Enforcement
- 34 1. The Oklahoma Tax Commission will adopt new rules for the collection of the excise
- 35 tax from retailers
- 36 2. The Oklahoma Tax Commission will ensure that all revenue will be given to the
- 37 ODWC
- 38
- 39 F. Penalties
- 40 1. Any retailers that fail to collect the excise tax will be given subject to a fine
- 41 determined by the Oklahoma Tax Commission.
- 42 2. Any retailer that fails to satisfies Section 3-C will be subjected a fine of two hundred
- 43 and fifty dollars (\$250) by the Oklahoma Attorney General.

44

45 Section 5. This act shall become effective 90 days after passage and approval.

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Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OSU-529

By: Swearingen-OSU

AS INTRODUCED

An act relating to the eligibility to carry handguns; providing short title; providing for codification and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Equal Carry” Act of 2018.

Section 2. AMENDATORY 21 O.S. 2011, Section 1290.9, as last amended by Section 1, chapter 85, O.S.L. 2014 (21 O.S. Supp. 2014, Section 1290.9), is to be amended as follows:

ELIGIBILITY

The following requirements shall apply to any person making application to the Oklahoma State Bureau of Investigation for a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act. The person must:

- 1. Be a citizen of the United States;
- 2. Establish a residency in the State of Oklahoma. For purposes of the Oklahoma Self-Defense Act, the term "residency" shall apply to any person who either possesses a valid Oklahoma driver license or state photo identification card, and physically maintains a residence in this state or to any person, including the spouse of such person, who has permanent military orders within this state and possesses a valid driver license from another state where such person and spouse of such person claim residency;
- 3. Be at least ~~twenty-one (21) years of age~~ eighteen (18) years of age;
- 4. Complete a firearms safety and training course and demonstrate competence and qualifications with the type of pistol to be carried by the person as provided in Section 1290.14 of this title, and submit proof of training and qualification or an exemption for training and qualification as authorized by Section 1290.14 of this title;
- 5. Submit the required fee and complete the application process as provided in Section 1290.12 of this title; and
- 6. Comply in good faith with the provisions of the Oklahoma Self-Defense Act.

Section 3. This act shall become effective 90 days after passage and approval.

3
4 AS INTRODUCED

5
6 An act relating to access to medical records; providing short title; providing for
7 codification and providing an effective date.

8
9 BE IT ENACTED BY THE STATE OF OKLAHOMA

10
11 Section 1. This act shall be known as the "Open Medical Records" Act of 2018.

12
13 Section 2. AMENDATORY 76 O.S. 2011, Section 19, as last amended by Section 1,
14 chapter 100, O.S.L. 2016 (76 O.S. Supp. 2015, Section 19), is to be amended as follows:

15
16 A. 1. Any person who is or has been a patient of a doctor, hospital, or other medical institution shall be
17 entitled, upon request, to obtain access to the information contained in the patient's medical records, including
18 any x-ray or other photograph or image or pathology slide. Disclosure regarding a deceased patient shall
19 require either a court order or a written release of an executor, administrator or personal representative
20 appointed by the court, or if there is no such appointment, by the spouse of the patient or, if none, by any
21 responsible member of the family of the patient. As used in this paragraph, "responsible family member"
22 shall mean the parent, adult child, adult sibling or other adult relative who was actively involved in providing
23 care to or monitoring the care of the patient as verified by the doctor, hospital or other medical institution
24 responsible for the care and treatment of such person.

25
26 2. Any person who is or has been a patient of a doctor, hospital, or other medical institution shall be
27 furnished copies of all records, including any x-ray, other photograph or image or pathology slide, pertaining
28 to that person's case upon request at no cost to such person or to the personal representative, spouse or
29 responsible family member of such person. ~~and upon the tender of the expenses enumerated in this paragraph.~~
30 ~~The cost of each copy to such person or to the personal representative, spouse or responsible family member~~
31 ~~of such person, not including any x ray or other photograph or image or pathology slide, shall be fifty cents~~
32 ~~(\$0.50) for each page.~~ Requests for medical records from attorneys, insurance companies and by way of
33 subpoena shall be charged a base fee of Ten Dollars (\$10.00) in addition to the fifty cents (\$0.50) for each
34 page of records that are not x-ray, other photographs, images, or pathology slides, and five dollars' (\$5.00) per
35 x-ray, other photographs, images, or pathology slides. ~~per page charges required pursuant to this section, plus~~
36 ~~postage or delivery fee.~~ The physician, hospital or other medical professionals and institutions, or their
business associates as the term is defined in Section 160.103 of Title 45 of the United States Code of Federal

- 1 Regulations shall produce the records in digital form at the rate of thirty cents (\$0.30) per page if:
- 2 a. the entire request can be reproduced from an electronic health record system,
 - 3 b. the medical record is specifically requested to be delivered in electronic format, and
 - 4 c. the medical record can be delivered electronically.
 - 5 d. the request for medical records is from an attorney, insurance company, and by way of
 - 6 subpoena.

7 Digital records of a patient shall be available to such person, to the personal representative, spouse, or
8 responsible family member of such person at no cost. If a provider or business associate transmits the records
9 electronically, no postage shall be charged, but a delivery charge shall apply. In no event shall a charge for
10 the reproduction of electronically stored and delivered medical records pursuant to this paragraph exceed Two
11 Hundred Dollars (\$200.00) plus postage or delivery fee. The cost of each x-ray, other photograph or image, or
12 pathology slide to such person or to the legal representative of such person shall be Five Dollars (\$5.00). The
13 physician, hospital, or other medical professionals and institutions, or their business associates as the term is
14 defined in Section 160.103 of Title 45 of the United States Code of Federal Regulations, shall not charge a
15 person who requests their own record a fee for searching, retrieving, reviewing, and preparing medical records
16 of the person. No mailing fee shall be charged for copies provided by facsimile. All requests for medical
17 records made pursuant to this subsection shall be subject to the fees described in this section regardless of
18 where the copies or electronic versions of such records are actually produced.

19 3. The provisions of paragraphs 1 and 2 of this subsection shall not apply to psychological, psychiatric,
20 mental health or substance abuse treatment records. In the case of psychological, psychiatric, mental health or
21 substance abuse treatment records, access to information contained in the records shall be obtained pursuant to
22 Section 1-109 of Title 43A of the Oklahoma Statutes.

23 B. 1. In cases involving a claim for personal injury or death against any practitioner of the healing arts
24 or a licensed hospital, or a nursing facility or nursing home licensed pursuant to Section 1-1903 of Title 63 of
25 the Oklahoma Statutes arising out of patient care, where any person has placed the physical or mental
26 condition of that person in issue by the commencement of any action, proceeding, or suit for damages, or
27 where any person has placed in issue the physical or mental condition of any other person or deceased person
28 by or through whom the person rightfully claims, that person shall be deemed to waive any privilege granted
29 by law concerning any communication made to a physician or health care provider with reference to any
30 physical or mental condition or any knowledge obtained by the physician or health care provider by personal
31 examination of the patient; provided that, before any communication, medical or hospital record, or testimony

1 is admitted in evidence in any proceeding, it must be material and relevant to an issue therein, according to
2 existing rules of evidence. Psychological, psychiatric, mental health and substance abuse treatment records
3 and information from psychological, psychiatric, mental health and substance abuse treatment practitioners
4 may only be obtained provided the requirements of Section 1-109 of Title 43A of the Oklahoma Statutes are
5 met.

6 2. Any person who obtains any document pursuant to the provisions of this section shall provide copies
7 of the document to any opposing party in the proceeding upon payment of the expense of copying the
8 document pursuant to the provisions of this section.

9 C. This section shall not apply to the records of an inmate in a correctional institution
10 when the correctional institution believes the release of such information to be a threat to
11 the safety or security of the inmate or the institution.

12
13 Section 3. This act shall become effective 90 days after passage and approval.
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21 Oklahoma Intercollegiate Legislature
22 2nd Session of the 50th Legislature (2018)
23

24 House Bill No. OSU-531

By: Tindle (OSU)

25
26 AS INTRODUCED
27

28 An act relating to the Oklahoma minimum wage; providing short title; providing for
29 codification, providing for exemptions, and providing an effective date.
30

31 BE IT ENACTED BY THE STATE OF OKLAHOMA
32

33 Section 1. This act shall be known as the “Fair Wage” Act of 2018.
34

35 Section 2. DEFINITIONS

36 A. “Minimum Hourly Wage” the lowest wage an employer is legally
37 allowed to pay an employee.

38 B. “Employer” any person, entity, or business that exchanges
39 compensation for labor.

40 C. “Employee” anyone compensated for labor.

41 D. “Minor” anyone under the age of 18 years old.

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Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. The minimum hourly wage in the State of Oklahoma shall be set at \$10.50 per hour.
- B. The minimum hourly wage of the State of Oklahoma shall be required to increase by at least 1% of the total minimum hourly wage each year to keep up with national inflation rates.
 - 1. Nothing in this legislation shall be assumed to mean that wages cannot increase by more than the prescribed 1% minimum each year.

Section 4. EXEMPTIONS

- A. Minor employees are exempt from the State of Oklahoma minimum wage requirements, but:
 - 1. They must be compensated at least at the federal minimum hourly wage.
 - 2. Employers must increase their hourly wage to the State of Oklahoma hourly minimum wage the day they turn 18 years old.
 - 3. Minor employees who work more than twenty-eight (28) hours per week during the school year and thirty-two (32) hours per week during the summer school recess must be compensated at the State of Oklahoma hourly minimum wage.

Section 5. PENALTIES

- A. Employers found noncompliant with this wage standard by the Oklahoma Department of Labor shall be fined \$1000 per day per affected employee until compliance is met or exceeded.
- B. Employers shall be required to compensate employees for any unpaid wages due to the employer's negligence.

Section 5. EFFECTIVE DATE

This act shall become effective January 1, 2020 after passage and approval.

Oklahoma Intercollegiate Legislature
2nd Session of the 50th Legislature (2018)

House Bill No. OSU-532

By: Tindle (OSU)

AS INTRODUCED

An act relating to home education; providing short title; providing for codification and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Home Education Review and Parental Obligation” Act of 2018.

Section 2. DEFINITIONS

- A. “Home Schooling” an education program conducted, in compliance with the below requirements, by the parent or legal guardian of the child or children.
- B. “Parent or Legal Guardian” a person having legal custody of a child or children.
- C. “Public School” a State of Oklahoma public school, including public charter schools.
- D. “Private School” a school that is financially independent of public funding sources.
- E. “School Board” the local or state authority responsible for the direction and maintenance of public schools.
- F. “School District” a geographical unit for the local management of public schools.

Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as follows:

- A. A parent or legal guardian who chooses to provide home schooling in the State of Oklahoma shall provide written notification to their local school board in their school district of residence on an official form developed by the Oklahoma State Board of Education which: (a) Indicates consent to the requirements in this law; and (b) Shall be submitted to the local school administration of the school the child or children in question are eligible to attend at least 15 days, not including Saturdays, Sundays, or State holidays, prior to the first date of home instruction.
- B. For each year in which a home schooling program continues, the parent or legal guardian shall file a Home Schooling Notification Form identifying each child being

- 1 home schooled, no later than August 1st of each year,
- 2 C. A parent or legal guardian shall notify the local school administration of the school
- 3 the child or children are eligible to attend in writing of any discontinuation of home
- 4 schooling for any reason 15 days, not including Saturdays, Sundays, or State
- 5 holidays, prior to discontinuation of home schooling.
- 6 D. The home schooling program for each student shall:
- 7 1. Provide thorough, regular instruction of sufficient duration to implement the
- 8 home school program and meet or exceed the 180 day of student instruction state
- 9 minimum.
- 10 2. Provide instruction that includes, but need not be limited to, language arts,
- 11 mathematics, science, social studies, art, music, health, and physical education.
- 12 E. Nothing in this chapter shall be interpreted to require that home schooling should
- 13 include programs or methods used by the State's public schools. Nor shall any home
- 14 schooling program be required to adhere to specific curricular frameworks or any
- 15 other program of instruction adopted by the State's public schools.
- 16 F. A parent or legal guardian who chooses to administer a home schooling program shall
- 17 maintain a portfolio of home schooling materials for each child which includes
- 18 evidence of the child's current work, such as examples of the child's writings,
- 19 worksheets, workbooks, creative materials, assessments, or any other materials that
- 20 demonstrate that the child is engaged in thorough, regular educational activities in a
- 21 range of subjects.
- 22 1. The portfolio should be maintained for every year the child is home schooled and
- 23 made available for review by the local school district administration upon written
- 24 request.
- 25 G. The local school district administration may, at its discretion, request to review the
- 26 portfolio of home schooling materials described in Subsection F, provided that the
- 27 following requirements are met:
- 28 1. The request is made in writing.
- 29 2. The review is held at a time and place mutually agreeable to the representative of
- 30 the local school district administration and the parent or legal guardian.
- 31 3. There are not more than two (2) reviews conducted during a school year.
- 32 4. The purpose of the review is to ensure that the child is receiving thorough, regular
- 33 home schooling instruction, consistent with this chapter.
- 34 5. Nothing in this section shall be interpreted to require a regular periodic review of
- 35 all portfolios.
- 36 H. A child receiving home schooling may participate free of charge in the regularly
- 37 scheduled standardized testing programs that are administered in the public school the
- 38 child is eligible to attend.
- 39 I. Upon application of a child to enroll in a State of Oklahoma public school from a
- 40 home schooling program, placement of the child and any credits to be awarded
- 41 toward high school graduation shall be determined by evaluation. The evaluation may
- 42 include administration of standardized tests, other examinations, and interviews with
- 43 the child.

44 Section 4. PENALTIES

- 45 A. If upon review of the home instruction portfolio, the local school district administration
- 46 determines that a student is not receiving thorough, regular education consistent with the

1 requirements set forth in this chapter, the local school district administration shall provide
2 a written Notification of Deficiencies to the parent or legal guardian, within 30 days of
3 the review, not including Saturdays, Sundays, or State holidays.

- 4 B. A parent or legal guardian must respond in writing to the written Notification of
5 Deficiencies no later than 30 days, not including Saturdays, Sundays, or State holidays,
6 after the date of the written Notification of Deficiencies; and provide the local school
7 district administration with a Corrective Action Plan with evidence that each deficiency
8 has been or is being corrected. The parent or legal guardian may request a meeting with
9 the local school district administration before the Corrective Action Plan is due, to
10 present evidence of compliance or otherwise discuss the deficiencies identified by the
11 local school district administration.
- 12 C. The local school district administration shall notify the parent or legal guardian in writing
13 of the acceptance of the Corrective Action Plan with evidence that a deficiency has been
14 corrected, or the need for further modification consistent with this chapter:
- 15 1. The local school district administration shall respond within 15 days of the date of
16 the Plan, not including Saturdays, Sundays, or State holidays.
 - 17 2. The parent or legal guardian may request, and the local school district
18 administration shall grant, a meeting to discuss the local school district
19 administration response to the Plan.
 - 20 3. The parent or legal guardian shall implement the Plan as approved by the local
21 school district administration.
- 22 D. In the event the Corrective Action Plan fails to correct deficiencies, and the home
23 schooling program therefore does not conform to the requirements of this chapter, the
24 local school district administration shall issue a Letter of Non-Compliance, which shall
25 state the basis for its determination of non-compliance. Each Letter shall include a
26 statement about the parent's or legal guardian's ability to seek review of the Letter with
27 an appeal in writing to the State Superintendent of Education and the right to judicial
28 review of a final decision by the State Superintendent of Education.
- 29 E. An appeal to the State Superintendent of Education involving the Letter of Non-
30 Compliance must be filed with the local school district administration and the Oklahoma
31 State Board of Education within 15 calendar days of the date of the Letter.
- 32 F. Within 45 days of the date of a final decision issued by the State Superintendent of
33 Education, requiring the parent or legal guardian to enroll the child or children in a public
34 or non-public school, the parent or legal guardian shall enroll the child or children in a
35 public or non-public school.

36
37 Section 5. This act shall become effective in the 2019-2020 school year after passage
38 and approval.

39
40 Oklahoma Intercollegiate Legislature
41 2st Session of the 50th Legislature (2017)

42
43 House Bill No. OSU-533

By: Hickey(OSU)

44
45 AS INTRODUCED
46

1 An act relating to Prisoners rights to organ gifting; providing short title; providing
2 definitions; providing for codification; providing for penalties; and providing an effective date.

3
4 BE IT ENACTED BY THE STATE OF OKLAHOMA

5
6 Section 1. This act shall be known as the “Gift of Life” Act of 2017.

7
8 Section 2. DEFINITIONS

9
10 A. Imprisoned Persons/Inmate- A person who is currently serving time in the Oklahoma
11 justice system.

12 B. Donate/Gift- The means to give an organ

13 C. Organ(s)- Any part of the human body identified to be donated/gifted

14 D. Family members- A person who is either related by blood or direct marriage to the
15 inmate.

16 E. Committee on Organ gifting and donation- A group of people identified in section 3
17 subsection B. who hears cases for donation/gifting.

18 F. Organ gifting/donation form- Requested paperwork to identify inmate’s wishes

19 G. Jail/prison- Place where the inmate is held for the duration of their sentence

20 H. Warden- The head of said jail/prison

21 I. Physician- a person who is legally qualified to practice medicine; doctor of medicine.

22 J. Psychologist- a specialist in psychology

23 K. Inmate Peer- A fellow individual also serving time

24
25 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read as
26 follows:

27
28 A. It shall be legal for all imprisoned persons to have the right to donate their organs as long
29 as they follow the following rules:

- 30 1. If serving a non-death penalty sentence the inmate shall be allowed to
31 donate to family members and other extreme cases approved by the
32 committee on organ gifting and donation

33 i. If death shall occur during sentence the inmate shall be able to donate their organs after death
34 and under extreme circumstances during life to family members.

- 35 ~~2. If serving a death penalty sentence the inmate shall be allowed to donate~~
36 ~~their organs following execution/death. Any inmate convicted to life in~~
37 ~~prison or the death sentence, shall be allowed to donate their organs at any~~
38 ~~time; waving their rights to any further retrials, and consenting to an~~
39 ~~immediate euthanization for donation.~~

- 40 3. Any inmate wishing to donate their organs either to family, others or after
41 execution must have organ gifting/donation form filed with the jail/prison.

42 .This paperwork shall be as simple as checking a box stating “I wish to donate my organs after
43 execution/death”.

44 i. If wishing to donate to family or other extreme cases inmate must fill out a request form with the
45 following information:

- 46 1. What organ(s) you wish to gift/donate

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2. Who will receive said gift/donation
 3. Why you would like to gift/donate
 4. How urgent the patient in need of donation is
- ii. All paperwork and requests will be filed with the warden of the jail/prison the inmate is serving in within a period of twenty-four hours
- B. A committee of 5 shall hear extreme and abnormal cases for organ donation brought forth by an inmate through a requested gifting/donation form.
1. The committee of 5 shall consist of:
 - .The original sentencing Judge
 1. If not available any judge appointed by the state shall step in.
 - i. Physician appointed by the state
 - ii. Psychologist appointed by the state
 - iii. Warden of said jail/prison
 - iv. One inmate peer selected by the inmate

17 Section 4. PENALTIES

- 18
- 19 A. If the inmate is not offered the ability to fill out paperwork on gifting/donating or request
- 20 form for gifting/donation the warden at fault shall:
- 21 1. On a first offense the warden shall be put on probation for a time set by
 - 22 the Oklahoma Department of Corrections, through the office of the
 - 23 Inspector General.
 - 24 2. On a second offense the warden shall be suspended without pay for no
 - 25 less than 1 month and no more than 6 months set by the Oklahoma
 - 26 Department of Corrections, through the office of the Inspector General.
 - 27 3. On the third offense the warden shall be fired from their position at said
 - 28 jail/prison.
- 29 B. If the inmate is denied organ gifting/donating rights except in cases heard by the
- 30 committee on organ gifting and donation the warden at fault shall be fired immediately following
- 31 the misuse of authority.
- 32

33 Section 5. This act shall become effective 90 days after passage and approval.

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Oklahoma Intercollegiate Legislature
1st Session of the 50th Legislature (2018)

House Bill No. TU-501

By: Loveless (TU)

AS INTRODUCED

An act relating to immigration law; providing short title; providing for definitions; providing for codification and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Abolish ICE” Act of 2018.

Section 2. DEFINITIONS

- a) “Conviction” means the outcome of a trial in which a criminal defendant is found guilty.
- (b) “Eligible for release from custody” means that the individual may be released from custody because one of the following conditions has occurred:(1) All criminal charges against the individual have been dropped or dismissed. (2) The individual has been acquitted of all criminal charges filed against him or her. (3) The individual has served all the time required for his or her sentence. (4) The individual has posted a bond. (5) The individual is otherwise eligible for release under state or local law, or local policy. (c) “Hold request” means a federal Immigration and Customs Enforcement (ICE) request that a local law enforcement agency maintain custody of an individual currently in its custody beyond the time he or she would otherwise be eligible for release in order to facilitate transfer to ICE and includes, but is not limited to, Department of Homeland Security (DHS) Form I-247D.
- (d) “Notification request” means an Immigration and Customs Enforcement request that a local law enforcement agency inform ICE of the release date and time in advance of the public of an individual in its custody and includes, but is not limited to, DHS Form I-247N.
- (e) “Transfer request” means an Immigration and Customs Enforcement request that a local law enforcement agency facilitate the transfer of an individual in its custody to ICE, and includes, but is not limited to, DHS Form I-247X.
- (f) “Law enforcement official” means any local agency or officer of a local agency authorized to enforce criminal statutes, regulations, or local ordinances or to operate jails or to maintain custody of individuals in jails, and any person or local agency authorized to operate juvenile detention facilities or to maintain custody of individuals in juvenile detention facilities. (g)

1 “Local agency” means any city, county, city and county, special district, or other political
2 subdivision of the state. (h) “serious felony” means any of the following: (1) Murder or
3 voluntary manslaughter; (2) mayhem; (3) rape; (4) sodomy by force, violence, duress, menace,
4 threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or
5 another person; (5) oral copulation by force, violence, duress, menace, threat of great bodily
6 injury, or fear of immediate and unlawful bodily injury on the victim or another person; (6) lewd
7 or lascivious act on a child under 14 years of age; (7) any felony punishable by death or
8 imprisonment in the state prison for life; (8) any felony in which the defendant personally inflicts
9 great bodily injury on any person, other than an accomplice, or any felony in which the
10 defendant personally uses a firearm; (9) attempted murder; (10) assault with intent to commit
11 rape or robbery; (11) assault with a deadly weapon or instrument on a peace officer; (12) assault
12 by a life prisoner on a noninmate; (13) assault with a deadly weapon by an inmate; (14) arson;
13 (15) exploding a destructive device or any explosive with intent to injure; (16) exploding a
14 destructive device or any explosive causing bodily injury, great bodily injury, or mayhem; (17)
15 exploding a destructive device or any explosive with intent to murder; (18) any burglary of the
16 first degree; (19) robbery or bank robbery; (20) kidnapping; (21) holding of a hostage by a
17 person confined in a state prison; (22) attempt to commit a felony punishable by death or
18 imprisonment in the state prison for life; (23) any felony in which the defendant personally used
19 a dangerous or deadly weapon.

20
21 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read
22 as follows:

23
24 A law enforcement official shall have discretion to cooperate with immigration authorities only
25 if doing so would not violate any federal, state, or local law, or local policy. Additionally, the
26 specific activities described in Section 3 subsection B shall only occur under the following
27 circumstances: (1) The individual has been convicted of a serious or violent felony. (2) The
28 individual has been convicted of a felony punishable by imprisonment in the state prison. (3)
29 The individual has been convicted within the past five years of a misdemeanor for a crime that is
30 punishable as either a misdemeanor or a felony for, or has been convicted within the last 15 years
31 of a felony for, any of the following offenses: Assault, Battery, Use of threats, Sexual abuse,
32 sexual exploitation, or crimes endangering children, Child abuse or endangerment, Burglary,
33 robbery, theft, fraud, forgery, or embezzlement, Driving under the influence of alcohol or drugs
34 (but only for a conviction that is a felony), Obstruction of justice, Bribery, Escape, Unlawful
35 possession or use of a weapon, firearm, explosive device, or weapon of mass destruction,
36 Possession of an unlawful deadly weapon, An offense involving the felony possession, sale,
37 distribution, manufacture, or trafficking of controlled substances, Vandalism with prior
38 convictions, Gang-related offenses, A crime resulting in death, or involving the personal
39 infliction of great bodily injury, Possession or use of a firearm in the commission of an offense,
40 An offense that would require the individual to register as a sex offender, False imprisonment,
41 slavery, and human trafficking, Criminal profiteering and money laundering, Torture and
42 mayhem, A crime threatening the public safety, Elder and dependent adult abuse, A hate crime,
43 Stalking, Soliciting the commission of a crime, An offense committed while on bail or released
44 on his or her own recognizance, Rape, sodomy, oral copulation, or sexual penetration, or
45 Kidnapping.

46 Oklahoma law enforcement agencies shall not: (1) Use agency or department moneys or

1 personnel to investigate, interrogate, detain, detect, or arrest persons for immigration
2 enforcement purposes, including any of the following: (A) Inquiring into an individual's
3 immigration status. (B) Detaining an individual on the basis of a hold request. (C) Providing
4 information regarding a person's release date or responding to requests for notification by
5 providing release dates or other information unless that information is available to the public, or
6 is in response to a notification request from immigration authorities. Responses are never
7 required, but are permitted under this subdivision, provided that they do not violate any local law
8 or policy. (D) Providing personal information about an individual, including, but not limited to,
9 the individual's home address or work address unless that information is available to the
10 public. (E) Making or intentionally participating in arrests based on civil immigration
11 warrants.. (F) Performing the functions of an immigration officer. (2) Place peace officers
12 under the supervision of federal agencies or employ peace officers deputized as special federal
13 officers or special federal deputies for purposes of immigration enforcement. All peace officers
14 remain subject to Oklahoma law governing conduct of peace officers and the policies of the
15 employing agency. (3) Use immigration authorities as interpreters for law enforcement matters
16 relating to individuals in agency or department custody. (4) Transfer an individual to
17 immigration authorities unless authorized by a judicial warrant or judicial probable cause
18 determination. (5) Provide office space exclusively dedicated for immigration authorities
19 for use within a city or county law enforcement facility. (6) Contract with the federal
20 government for use of Oklahoma law enforcement agency facilities to house individuals as
21 federal detainees. (b) Notwithstanding the limitations in subdivision (a), this section does not
22 prevent any Oklahoma law enforcement agency from doing any of the following that does not
23 violate any policy of the law enforcement agency or any local law or policy of the jurisdiction in
24 which the agency is operating: (1) Investigating, enforcing, or detaining upon reasonable
25 suspicion of, or arresting for a violation of, Section 1326(a) of Title 8 of the United States Code
26 that may be subject to the enhancement specified in Section 1326(b)(2) of Title 8 of the United
27 States Code and that is detected during an unrelated law enforcement activity. Transfers to
28 immigration authorities are permitted under this subsection only in accordance with paragraph
29 (4) of subdivision (a). (2) Responding to a request from immigration authorities for information
30 about a specific person's criminal history, including previous criminal arrests, convictions, or
31 similar criminal history information, where otherwise permitted by state law. (3) Conducting
32 enforcement or investigative duties associated with a joint law enforcement task force, including
33 the sharing of confidential information with other law enforcement agencies for purposes of task
34 force investigations, so long as the following conditions are met: (A) The primary purpose of the
35 joint law enforcement task force is not immigration enforcement. (B) The enforcement or
36 investigative duties are primarily related to a violation of state or federal law unrelated to
37 immigration enforcement. (C) Participation in the task force by an Oklahoma law enforcement
38 agency does not violate any local law or policy to which it is otherwise subject. (4) Making
39 inquiries into information necessary to certify an individual who has been identified as a
40 potential crime or trafficking victim for a T or U Visa pursuant to Section 1101(a)(15)(T) or
41 1101(a)(15)(U) of Title 8 of the United States Code or to comply with Section 922(d)(5) of Title
42 18 of the United States Code. (5) Giving immigration authorities access to interview an
43 individual in agency or department custody.(c) (1) If an Oklahoma law enforcement agency
44 chooses to participate in a joint law enforcement task force, for which an Oklahoma law
45 enforcement agency has agreed to dedicate personnel or resources on an ongoing basis, it shall

1 submit a report annually to the Department of Justice, as specified by the Attorney General. The
2 law enforcement agency shall report the following information, if known, for each task force of
3 which it is a member: (A) The purpose of the task force. (B) The federal, state, and local law
4 enforcement agencies involved. (C) The total number of arrests made during the reporting
5 period. (D) The number of people arrested for immigration enforcement purposes. (2) All law
6 enforcement agencies shall report annually to the Department of Justice, in a manner specified
7 by the Attorney General, the number of transfers pursuant to paragraph (4) of subdivision (a),
8 and the offense that allowed for the transfer, pursuant to paragraph (4) of subdivision (a). (3) All
9 records described in this subdivision shall be public records, however personal identifying
10 information may be redacted prior to public disclosure. To the extent that disclosure of a
11 particular item of information would endanger the safety of a person involved in an
12 investigation, or would endanger the successful completion of the investigation or a related
13 investigation, that information shall not be disclosed. (4) If more than one Oklahoma law
14 enforcement agency is participating in a joint task force that meets the reporting requirement
15 pursuant to this section, the joint task force shall designate a local or state agency responsible for
16 completing the reporting requirement. (d) The Attorney General, by March 1, 2020, and
17 annually thereafter, shall report on the total number of arrests made by joint law enforcement
18 task forces, and the total number of arrests made for the purpose of immigration enforcement by
19 all task force participants, including federal law enforcement agencies. To the extent that
20 disclosure of a particular item of information would endanger the safety of a person involved in
21 an investigation, or would endanger the successful completion of the investigation or a related
22 investigation, that information shall not be included in the Attorney General's report. The
23 Attorney General shall post the reports required by this subdivision on the Attorney General's
24 Internet Web site. (e) This section does not prohibit or restrict any government entity or official
25 from sending to, or receiving from, federal immigration authorities, information regarding the
26 citizenship or immigration status, lawful or unlawful, of an individual, or from requesting from
27 federal immigration authorities immigration status information, lawful or unlawful, of any
28 individual, or maintaining or exchanging that information with any other federal, state, or local
29 government entity. (f) Nothing in this section shall prohibit a Oklahoma law enforcement agency
30 from asserting its own jurisdiction over criminal law enforcement matters. (g) The Attorney
31 General, by October 1, 2019, in consultation with the appropriate stakeholders, shall publish
32 model policies limiting assistance with immigration enforcement to the fullest extent possible
33 consistent with federal and state law at public schools, public libraries, health facilities operated
34 by the state or a political subdivision of the state, courthouses, Division of Labor Standards
35 Enforcement facilities, the Agricultural Labor Relations Board, the Division of Workers
36 Compensation, and shelters, and ensuring that they remain safe and accessible to all Oklahoma
37 residents, regardless of immigration status. All public schools, health facilities operated by the
38 state or a political subdivision of the state, and courthouses shall implement the model policy, or
39 an equivalent policy. The Agricultural Labor Relations Board, the Division of Workers'
40 Compensation, the Division of Labor Standards Enforcement, shelters, libraries, and all other
41 organizations and entities that provide services related to physical or mental health and wellness,
42 education, or access to justice, including the University of Oklahoma, are encouraged to adopt
43 the model policy. (h) For any databases operated by state and local law enforcement agencies,
44 including databases maintained for the agency by private vendors, the Attorney General shall, by
45 October 1, 2019, in consultation with appropriate stakeholders, publish guidance, audit criteria,

1 and training recommendations aimed at ensuring that those databases are governed in a manner
2 that limits the availability of information therein to the fullest extent practicable and consistent
3 with federal and state law, to anyone or any entity for the purpose of immigration enforcement.
4 All state and local law enforcement agencies are encouraged to adopt necessary changes to
5 database governance policies consistent with that guidance. (i) The Department of Justice may
6 implement, interpret, or make specific this chapter without taking any regulatory action. (j) The
7 Department of Corrections and Rehabilitation shall: (k) In advance of any interview between the
8 United States Immigration and Customs Enforcement (ICE) and an individual in department
9 custody regarding civil immigration violations, provide the individual with a written consent
10 form that explains the purpose of the interview, that the interview is voluntary, and that he or she
11 may decline to be interviewed or may choose to be interviewed only with his or her attorney
12 present. The written consent form shall be available in English, Spanish, Chinese, Tagalog,
13 Vietnamese, and Korean. (2) Upon receiving any ICE hold, notification, or transfer request,
14 provide a copy of the request to the individual and inform him or her whether the department
15 intends to comply with the request. (b) The Department of Corrections and Rehabilitation shall
16 not: (1) Restrict access to any in-prison educational or rehabilitative programming, or credit-
17 earning opportunity on the sole basis of citizenship or immigration status, including, but not
18 limited to, whether the person is in removal proceedings, or immigration authorities have issued
19 a hold request, transfer request, notification request, or civil immigration warrant against the
20 individual. (2) Consider citizenship and immigration status as a factor in determining a person's
21 custodial classification level, including, but not limited to, whether the person is in removal
22 proceedings, or whether immigration authorities have issued a hold request, transfer request,
23 notification request, or civil immigration warrant against the individual. (l) The provisions of
24 this act are severable. If any provision of this act or its application is held invalid, that invalidity
25 shall not affect other provisions or applications that can be given effect without the invalid
26 provision or application.

27
28 Section 4. This act shall become effective 90 days after passage and approval.
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34 Oklahoma Intercollegiate Legislature
35 1st Session of the 50th Legislature (2018)
36

37
38 House Bill No. TU-502
39

By: Loveless (TU)
40

41 AS INTRODUCED
42

43 An Act relating to public health and safety; creating the Killing Eugenics Act of 2018; defining
44 certain terms; prohibiting performance of abortion due to diagnosis of Down syndrome or
45 genetic abnormality of unborn child; providing certain penalties; excluding liability of certain

1 woman; providing for construction; providing for severability; permitting certain individuals to
2 intervene if constitutionality is challenged; providing for codification; and providing an effective
3 date.
4

5
6 BE IT ENACTED BY THE STATE OF OKLAHOMA
7

8 Section 1. This act shall be known as the "Killing Eugenics" Act of 2018.

9 Section 2. DEFINITIONS

10 1. "Abortion" means the act of using or prescribing any instrument, medicine, drug or any
11 other substance, device or means with the intent to terminate the clinically diagnosable
12 pregnancy of a woman with knowledge that the termination by those means will with reasonable
13 likelihood cause the death of the unborn child. Such use, prescription or means is not an
14 abortion if done with the intent to:

- 15 a. save the life or preserve the health of the unborn child or the mother,
- 16 b. remove a dead unborn child caused by spontaneous abortion, or
- 17 c. remove an ectopic pregnancy;

18 2. "Down syndrome" refers to a chromosome disorder associated either with an extra
19 chromosome 21 (in whole or in part) or an effective trisomy for chromosome 21. Down
20 syndrome is sometimes referred to as "trisomy 21 syndrome";

21 3. "Genetic abnormality" means any defect, disease or disorder that is inherited genetically.
22 The term genetic abnormality includes, but is not limited to: any physical disability, any mental
23 disability or retardation, any physical disfigurement, scoliosis, dwarfism, Down syndrome,
24 albinism, amelia or any other type of physical or mental abnormality or disease;

25 4. "Incompetent" means any person who has been adjudged a disabled person and has had a
26 guardian appointed for him or her under the Oklahoma Guardianship and Conservatorship Act;

27 5. "Minor" means any person under the age of eighteen (18) who is not and has not been
28 married and has not been legally emancipated;

29 6. "Physician" means any person licensed to practice medicine in this state. The term
30 includes allopathic doctors and osteopathic doctors;

31 7. "Pregnant woman" means any female, including those who have not reached the age of
32 eighteen (18), who is in the reproductive condition of having an unborn child in her uterus; and

33 8. "Unborn child" means the offspring of human beings from conception until birth.
34

35 Section 3. NEW LAW

36 A new section of law to be codified in the Oklahoma Statutes as Section 1-731.5 of Title 63,
37 unless there is created a duplication in numbering, reads as follows:

38 A. No person may intentionally perform or attempt to perform an abortion with knowledge
39 that the pregnant woman is seeking the abortion solely because the unborn child has been
40 diagnosed with either Down syndrome or a potential for Down syndrome.

41 B. If this section is held invalid as applied to the period of pregnancy prior to viability, then
42 it shall remain applicable to the period of pregnancy subsequent to viability.

43 C. No person may intentionally perform or attempt to perform an abortion with knowledge
44 that the pregnant woman is seeking the abortion solely because the unborn child has been
45 diagnosed with either a genetic abnormality or a potential for a genetic abnormality.

46 D. If this section is held invalid as applied to the period of pregnancy prior to viability, then

1 it shall remain applicable to the period of pregnancy subsequent to viability.

2
3 Section 4. PENALTIES

4 Any physician or other person who intentionally or knowingly performs or attempts to perform
5 an abortion prohibited by the Prenatal Nondiscrimination Act of 2018 shall be guilty of a
6 misdemeanor and shall be fined not less than Ten Thousand Dollars (\$10,000.00).

7 B. Any physician who performs an abortion in violation of this act shall be considered to
8 have engaged in unprofessional conduct for which his or her license to provide healthcare
9 services in the State of Oklahoma shall be suspended or revoked by the State Board of Medical
10 Licensure and Supervision or the State Board of Osteopathic Examiners.

11
12 Section 5. This act shall become effective 90 days after passage and approval.
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24 Oklahoma Intercollegiate Legislature
25 1st Session of the 50th Legislature (2018)

26
27 House Bill No. TU-503

By: Loveless (TU)

28
29
30 AS INTRODUCED

31
32 An act relating to check cashing; providing short title; providing for definitions; providing for
33 codification and providing an effective date.
34
35

36 BE IT ENACTED BY THE STATE OF OKLAHOMA

37
38 Section 1. This act shall be known as the "Payday Loan" Act of 2018.
39

40 Section 2. DEFINITIONS

41
42 payday loans- small, short term, unsecured loans that borrowers commit to repay from their next
43 paycheck or a regular income payment

44 ""Annual percentage rate" means the rate charged for borrowing, expressed as a single
45 percentage number that represents the actual yearly cost of funds over the term of a loan and
46 includes any fees or additional costs associated with the transaction. The annual percentage rate

1 shall be determined in accordance with the federal Truth in Lending Act for closed-end loans."

2 Section 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes to read
3 as follows:

4 (a) A customer shall have the right to rescind a deferred deposit, on or before the close of
5 business on the next day of business at the location where the deferred deposit was originated, by
6 returning the principal in cash or the original check disbursed by the check casher to fund the
7 deferred deposit. The check casher may not charge the customer for rescinding the loan and
8 shall return to the customer any postdated check taken as collateral for the deferred deposit or
9 any electronic equivalent. (b) The check casher shall conspicuously disclose the right of
10 rescission to the customer in the written agreement made.

11 (a) If a customer notifies a check casher that the customer will be or is unable to repay the
12 deferred deposit prior to the maturity of the loan term in writing, the check casher shall inform
13 the customer that the customer may convert the customer's deferred deposit to a loan installment
14 plan. The check casher shall convert the deferred deposit to a loan installment plan if the
15 customer requests such conversion. (b) Each agreement for a loan installment plan shall be in
16 writing and acknowledged by both the customer and the check casher. The check casher shall
17 not assess any other fee, interest charge, or other charge on the customer as a result of converting
18 the deferred deposit into a loan installment plan. (c) The loan installment plan agreement shall
19 provide payment terms for the total amount due on the deferred deposit as follows: (1) For a
20 loan amount of \$400 or less, a period of at least ninety days; and (2) For a loan amount over
21 \$400, a period of at least one hundred eighty days; provided that the loan term shall not be longer
22 than six months. (d) Payments for the loan installment plan shall not exceed five per cent of a
23 customer's monthly gross income, calculated at the time of conversion from a deferred deposit to
24 a loan installment plan. The loan installment plan shall provide for equal installment payments;
25 provided that the final loan installment payment may be a balance of the loan installment plan.

26 (e) The customer shall provide proof of income at the time of the conversion from a deferred
27 deposit to a loan installment plan; provided that if the customer fails to provide proof of income
28 or does not have income, the deferred deposit shall become due and payable. (f) All outstanding
29 principal, costs, and fees allowed by this chapter, associated with the deferred deposit loan
30 converted to a loan installment plan, shall be amortized over the life of the loan installment plan.

31 (g) The customer may pay the balance of the loan installment plan at any time. The check
32 casher shall not charge any penalty, fee, or charge to the customer for prepayment of the loan
33 installment plan by the customer. If the customer prepays the loan installment prior to the
34 maturity of the loan installment term, the check casher shall refund to the customer a prorated
35 portion of the unearned cost and fees, based upon the ratio of time left before maturity to the loan
36 installment term. (h) The check casher shall conspicuously disclose the availability of a loan
37 installment plan to the customer in the written agreement made. (i) A check casher's violation of
38 any of the requirements for loan installment plans shall be a violation of this chapter.

39 (a) A check casher may not threaten criminal prosecution as a method of collecting a delinquent
40 deferred deposit or threaten to take any legal action against the customer that is not otherwise
41 permitted by law. (b) Unless invited by the customer, a check casher shall not visit a customer's
42 residence or place of employment for the purpose of collecting a delinquent deferred deposit. A
43 check casher shall not impersonate a law enforcement officer or make any statements that might
44 be construed as indicating an official connection with any federal, state, or county law
45 enforcement agency or any other governmental agency while engaged in collecting a deferred
46 deposit. (c) A check casher shall not communicate with a customer in a manner intended to

1 harass, intimidate, abuse, or embarrass a customer, including but not limited to communication at
2 an unreasonable hour, with unreasonable frequency, by threats of force or violence, or by use of
3 offensive language. A communication shall be presumed to have been made for the purposes of
4 harassment if it is initiated by the check casher for the purposes of collection and the
5 communication is made: (1) With a customer or the customer's spouse in any form, manner, or
6 place, more than three times in a seven day period; (2) With a customer at the customer's place
7 of employment more than one time in a seven day period or made to a customer after the check
8 casher has been informed that the customer's employer prohibits such communications; (3)
9 With the customer or the customer's spouse at the customer's place of residence between the
10 hours of 9:00 p.m. and 7:30 a.m.; or (4) To a party other than the customer, the customer's
11 attorney, the check casher's attorney, or a consumer reporting agency if otherwise permitted by
12 law except for purposes of acquiring location or contact information about the customer. (d) A
13 check casher shall maintain a communication log of all telephone and written communications
14 with a customer initiated by the check casher regarding any collection efforts, including date,
15 time, and the nature of each communication. (e) This section shall apply to any employee,
16 agent, or third party assignee of a check casher, for purposes of collection.

17 (a) No check casher may defer the deposit of a check except as provided in this section. (b)
18 Each deferred deposit shall be made pursuant to a written agreement that has been signed by the
19 customer and the check casher or an authorized representative of the check casher. The written
20 agreement shall contain [a] (1) The name of the customer; (2) The transaction date; (3)
21 The principal amount of the deferred deposit; (4) The annual percentage rate charged for the
22 deferred deposit; (5) A statement of the total amount of any fees charged for the deferred
23 deposit, expressed both in United States currency and as an annual percentage rate[.]; (6) The
24 dollar amount of each periodic payment that is due over the life of the deferred deposit; (7) The
25 name, address, and telephone number of any agent or third-party assignee involved in the
26 deferred deposit; (8) A notice that the customer has the right to rescind a deferred deposit
27 pursuant to the requirements of section 3 subsection A; and (9) A notice that the customer has
28 the ability to convert a deferred deposit into a loan installment plan pursuant to the requirements
29 of section 3 subsection B. The written agreement shall authorize the check casher to defer
30 deposit of the personal check until a specific date not later than thirty-two days from the date the
31 written agreement was signed. The written agreement shall not permit the check casher to accept
32 collateral[.], except for the customer's postdated personal check in an amount permitted by this
33 chapter. (c) The face amount of the check shall not exceed \$600 and the deposit of a
34 personal check written by a customer pursuant to a deferred deposit transaction may be deferred
35 for no more than thirty-two days. A check casher may charge [a fee for] an annual percentage
36 rate of no more than thirty-six per cent for deferred deposit of a personal check [in an amount not
37 to exceed fifteen per cent of the face amount of the check]. (d) The check casher shall not
38 charge any penalty, fee, or charge to the customer for prepayment of the deferred deposit by the
39 customer. If the customer prepays the deferred deposit prior to the maturity of the loan term, the
40 check casher shall refund to the customer a prorated portion of any unearned cost and fees, based
41 upon the ratio of time left before maturity to the loan term.(e) A check casher shall not enter into
42 an agreement for deferred deposit with a customer during the period of time that an earlier
43 agreement for a deferred deposit for the same customer is in effect. A deferred deposit
44 transaction shall not be repaid, refinanced, or consolidated by or with the proceeds of another
45 deferred deposit transaction.(f) A check casher who enters into a deferred deposit agreement and
46 accepts a check passed on insufficient funds, or any assignee of that check casher, shall not be

1 entitled to recover damages. Instead, the check casher may charge and recover a fee for the
2 return of a dishonored check in an amount not greater than \$20.(g) No amount in excess of the
3 amounts authorized by this section and no collateral products such as insurance shall be directly
4 or indirectly charged by a check casher pursuant or incident to a deferred deposit agreement.
5

6 Section 4. This act shall become effective 90 days after passage and approval.
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10 STATE OF OKLAHOMA
11 1st Session of the 50th Legislature (2018)
12

13 House Bill No. TU-504

By: Giovannetti (TU)

14 AS INTRODUCED

15 An act relating to those diagnosed with terminal illness the right to physician-
16 assisted death; providing short title; providing for definitions; providing for
17 codification and providing an effective date.
18
19
20

21 BE IT ENACTED BY THE STATE OF OKLAHOMA:

22 SECTION 1. This act shall be known and cited as the “Oklahoma Death
23 With Dignity Act” of 2018

24 SECTION 2. DEFINITIONS

25 “Adult” means an individual that is eighteen (18) years or older;

26 “Aid-in-dying drug” means the drug prescribed and administered to the patient
27 which, when ingested, will result in the death of the patient;

28 “Attending physician” means the patient’s primary physician involved in the
29 diagnosis, care, and treatment of his or her terminal disease;

30 “Capacity to make medical decisions” means the patient’s physical, mental, and
31 emotionally ability to make decisions regarding his or her medical treatment; this
32 includes being willing, capable, and informed. It must be in the opinion of the
33 court and determined by the attending or consulting physician, or the mental
34 health specialist involved;

35 “Consulting physician” means a secondary physician who is qualified by training
36 or experience to confirm the patient’s diagnosis and prognosis;

37 “Death with dignity” means physician-assisted death with no legal repercussions
38 for the patient’s family, health care provider, or physician. Furthermore, the cause
39 of death on the patient’s death certificate will be listed as “physician-assisted
40 death” rather than “suicide;”

41 “Health care provider” means a person or facility permitted by law to administer
42 health care or dispense medication for business or profession.

43 “Medically confirmed” means the patient’s diagnosis and prognosis by the
44 attending physician is confirmed by the consulting physician after examining the
45 patient and the patient’s relevant medical records;

46 “Mental health specialist” means a licensed psychologist or psychiatrist who is

1 permitted by law to diagnose the patient with mental health disorders that may
2 affect their decision to partake in physician-assisted death, such as: depression,
3 suicidal thoughts, schizophrenia, or paranoid personality disorder;

4 “Patient” means a person under the care of a physician;

5 “Physician” means a doctor of medicine or osteopathy licensed by the State
6 Board of Medical Licensure and Supervision to practice medicine;

7 “Physician-assisted death” means the death of a patient who has made a capable
8 decision to be prescribed an aid-in-dying drug and has ingested the drug;

9 “Self-administer” means the patient ingests a drug by their own choice; this
10 includes individually agreeing to the prescription of the drug and individually
11 ingesting the drug by some physical means with no outside aid;

12 “Terminal disease” is a diagnosed and confirmed disease that is incurable and
13 will, with reasonable medical judgement, result in death within six (6) months.
14

15 SECTION 3. NEW LAW A new section of law to be codified in the
16 Oklahoma Statutes reads as follows:

17 A. To make a written request for an aid-in-dying drug to perform physician-
18 assisted death in accordance with the Oklahoma Death With Dignity Act, a
19 patient must be an adult, have no current mental illnesses diagnosed by a mental
20 health specialist, be determined by an attending physician and consulting
21 physician to be terminally ill with six (6) or less months to live, be a resident of
22 Oklahoma, and have a capacity to make medical decisions.

23 B. The attending physician shall:

24 1. Diagnose the patient with a terminal disease after thorough medical
25 examination and declare that the patient has six (6) or less months to live based on
26 reasonable medical judgement;

27 2. Inform the patient of his or her diagnosis and prognosis;

28 3. Refer the patient to a consulting physician for confirmation of his or her initial
29 diagnosis and prognosis and of the patient’s capacity to make medical decisions;

30 4. Confirm patient is a resident of Oklahoma;

31 5. To ensure an informed decision, inform the patient of:

- 32 a. the risks and results of ingesting an aid-in-dying drug;
- 33 b. the ability to not take the aid-in-dying drug after prescription;
- 34 c. the ability to ingest the aid-in-dying drug in the presence of

35 loved ones

36 without fear of legal repercussions;

- 37 d. other options, including counseling, hospice care, and pain

38 control;

39 6. Verify that the patient is informed and capable of making medical decisions;

40 7. Ensure all documentation and procedures have been completed in compliance
41 with the Oklahoma Death With Dignity Act;

42 8. Write the prescription for the aid-in-dying drug after the patient has been
43 deemed eligible;

44 9. Dispense the aid-in-dying drug through pharmacist;

45 10. Sign the patient’s death certificate.
46

1 C. The consulting physician shall:

- 2 1. Verify that the patient is informed, capable, and willing;
3 2. Confirm the attending physician's diagnosis and prognosis.

4 D. The mental health specialist shall:

- 5 1. Verify that the patient is informed, capable, and willing;
6 2. Provide the patient with a reasonable psychological evaluation that determines
7 that the patient does not have current psychological disorders that may affect their
8 decision, suicidal thoughts or tendencies, or lack of a capability to make medical
9 decisions;
10 3. Refer the patient to counseling if he or she has suicidal
11 thoughts;
12 4. Provide the attending physician and consulting physician with documents
13 containing information from the evaluation relevant to physician-assisted death.
14

15 E. A valid request for physician-assisted death under the Oklahoma Death With
16 Dignity Act shall be the form described in Section 3 Subsection J of this act and
17 shall be in compliance with the following guidelines. The request must:

- 18 1. Be signed by the attending physician, consulting physician, and mental health
19 specialist;
20 2. Be signed by two (2) witnesses to confirm that the patient has not been
21 manipulated or coerced, or is incapable of acting voluntarily. One witness may
22 not:
23 a. bear any relation by blood, marriage, or adoption to the
24 patient;
25 b. have the potential of gaining an inheritance from the
26 patient's estate;
27 c. be involved with the patient's health care provider;
28 3. Be presented twice, once as an initial request and once as a confirmation of
29 the initial requested, within thirty (30) days;
30 4. Be presented while all other qualifiers for physician-assisted death under the
31 Oklahoma Death With Dignity Act remain constant and true;
32 5. Be followed with a third and final oral request immediately before the patient
33 receives a prescription for an aid-in-dying drug.
34

35 F. Before the attending physician prescribes the patient an aid-in-dying drug, the
36 following documents must be available:

- 37 1. An initial request for physician-assisted death in writing;
38 2. A confirmation of the initial request for physician-assisted
39 death in writing;
40 3. The attending physician's written diagnosis and prognosis and the consulting
41 physician's written confirmation of the attending physician's diagnosis and
42 prognosis;
43 4. The attending physician's and consulting physician's written verification that
44 the patient is willing, capable of making medical decisions, and informed;
45 5. The mental health specialist's evaluation of the patient and confirmation that
46 the patient has no existing psychological disorders or suicidal thoughts that may

1 affect the patient’s decision;
2 6. A written confirmation from the attending physician that all steps required
3 under the Oklahoma Death With Dignity Act have been taken.
4

5 G. The Oklahoma Death With Dignity Act shall not allow or be associated with
6 means of death that are involuntary or inhumane, including lethal injection,
7 suicide, physician-assisted suicide, mercy killing, murder, or euthanasia.
8

9 H. The following immunities shall be in place for physician-assisted death under
10 the Oklahoma Death With Dignity Act:

- 11 1. All individuals involved, including the attending physician, consulting
12 physician, mental health specialist, patient, and members of the patient’s family
13 shall not be subject to criminal charges unless there is a failure to follow the law
14 set in place by the Oklahoma Death With Dignity Act;
- 15 2. No businesses or organizations may punish those involved solely for their
16 involvement;
- 17 3. The patient’s primary attending physician is not required to participate and
18 may send patient’s medical records to a different physician.

19 The following penalties shall be in place for failure to follow the law set in place
20 for physician-assisted death under the Oklahoma Death With Dignity Act:

- 21 1. Class A felony for those found guilty for forging or altering relevant
22 documents without permission or authorization;
- 23 2. Class A felony for those found guilty for coercing the patient into physician-
24 assisted death against his or her will for personal gain.
25

26 J. A new section of law to be codified in the Oklahoma Statutes reads as
27 follows:

28 A request for a prescription for an aid-in-dying drug authorized by the Oklahoma
29 Death With Dignity Act must follow the following format:
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33 REQUEST FOR MEDICATION
34 TO END MY LIFE IN A HUMANE
35 AND DIGNIFIED MANNER
36

37 I, _____, am an adult of sound mind.
38 I am suffering from _____, which my attending physician has determined is a
39 terminal disease and which has been medically confirmed by a consulting
40 physician.
41 I have been fully informed of my diagnosis, prognosis, the nature of medication to
42 be prescribed and potential associated risks, the expected result, and the feasible
43 alternatives, including comfort care, hospice care and pain control.
44 I request that my attending physician prescribe medication that will end my life in
45 a humane and dignified manner.
46 INITIAL ONE:

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_____ I have informed my family of my decision and taken their opinions into consideration.

_____ I have decided not to inform my family of my decision.

_____ I have no family to inform of my decision.

I understand that I have the right to rescind this request at any time.
I understand the full import of this request and I expect to die when I take the medication to be prescribed. I further understand that although most deaths occur within three hours, my death may take longer and my physician has counseled me about this possibility.

I make this request voluntarily and without reservation, and I accept full moral responsibility for my actions.

Signed: _____

Dated: _____

DECLARATION OF WITNESSES

- We declare that the person signing this request:
- (a) Is personally known to us or has provided proof of identity;
 - (b) Signed this request in our presence;
 - (c) Appears to be of sound mind and not under duress, fraud or undue influence;
 - (d) Is not a patient for whom either of us is attending physician.

_____ Witness 1/Date

_____ Witness 2/Date

NOTE: One witness shall not be a relative (by blood, marriage or adoption) of the person signing this request, shall not be entitled to any portion of the person's estate upon death and shall not own, operate or be employed at a health care facility where the person is a patient or resident. If the patient is an inpatient at a healthcare facility, one of the witnesses shall be an individual designated by the facility.

SECTION 4. This act shall become effective 90 days after passage and approval.

Oklahoma Intercollegiate Legislature
1st Session of the 50th Legislature

House Bill No. TU-505

By: Moore (TU) and Powell (TU)

AS INTRODUCED

An act relating to the amending of the Oklahoma Penal Code Title 21, Chapter 48, Section 1201; providing short title; providing for definitions; providing for codification and providing an effective date.

BE IT ENACTED BY THE STATE OF OKLAHOMA

Section 1. This act shall be known as the “Defense of the Fourth Estate” Act of 2018.

Section 2. DEFINITIONS

Hate speech-any kind of communication in speech, writing or behavior that incite hatred or intolerance and abhor a person or a social group on the basis of who they are, in other words based on their identity factors like race, religion, ethnicity, nationality, age, gender, sex, sexual orientation, or other factors; noting all incitement to discrimination, hostility or violence is hate speech, not all hate speech constitutes incitement.

Media-all broadcasting medium, like newspapers and magazines (online and print) television, radio, and billboards and all other public forms of media constitute the media.

Discrimination- the selection for unfavourable treatment of an individual or individuals on the basis of: gender, race, colour or ethnic or national origin, religion, disability, sexual orientation, social class, age, marital status or family responsibilities, or as a result of any conditions or requirements that do not accord with the principles of fairness.

Producer- the person or group who created the content, meaning the entity who said or wrote the content.

Section 3. AMENDATORY

An amended section of law to be codified in the Oklahoma Statutes to read as follows:

Every editor, or proprietor, reporter, or producer of any newspaper and other media forms who willfully publishes in such newspaper forms of media as true, any statement which he has not good reason to believe to be true, with intent to

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increase thereby the sales of copies of such paper, amplify hate speech, and incite discrimination is guilty of a misdemeanor felony punishable by imprisonment of no less than () years and a fine of no less than \$().

Section 4. This act shall become effective 90 days after passage and approval.