



Legislative Report, Feb. 21, 2020

The first three weeks of the session have been very busy with a number of Committee meetings. The deadline for bills to be out of the assigned Committee is Thursday, February 27th, so next week promises to be very busy also. ACEC OKLAHOMA has had several successes during these early weeks, and we still have a couple of hurdles to cross before next week's deadline.

HOUSE BILL 1546, by Representative Ryan Martinez is ACEC OKLAHOMA's request bill which would make **Indemnification and Duty To Defend clauses in public contracts void and unenforceable**. The bill passed the House Business and Commerce Committee on February 19th by a vote of 16-1, and is now awaiting action by the full House. Once we know the time frame in which the bill will be heard on the floor, ACEC OKLAHOMA will issue a "Legislative Alert" and provide you with all of the information you need to contact your State Representative. Please be watching for the Alert.

HOUSE BILL 2880 by Representative Mike Sanders is ACEC OKLAHOMA's second request bill this session, and deals with Peer Review services offered by engineers and architects. **It makes privileged the reports, statements, memoranda, proceedings, findings and other records submitted to or generated by any peer review committee or peer reviewer and not subject to discovery, subpoena or other means of legal compulsion for their release to any person or entity or be admissible in evidence in any judicial or administrative proceeding. This is a BIG deal!!!** Currently, the records, reports, etc., of a peer review are admissible and discoverable, and expose the peer review committee/reviewer to a great deal of professional liability regardless of whether or not the "engineer of record" incorporated the finding of the committee/reviewer into the final design plans. And, this applies to both preconstruction and post-construction peer reviews.

The bill will be heard on Wednesday, February 26th in the House Business & Commerce Committee. Watch for a "Legislative Alert" with additional details and information.

SENATE BILL 1309 by Senator John Michael Montgomery was a new version of a House bill from last session (HB 1096) which would have required those providing professional or technical services to government to install "tracking software" on all computers. The software would track key strokes, mouse movements, and take screen shots on 3-6 minute intervals, and required the service provider to archive the data for 7 years. The company backing the bill has the only such software available in the marketplace, and is attempting to have similar legislation passed in almost all states. Senate Bill 1309 was a watered-down version, but still was bad legislation and a "solution looking for a problem." The bill was heard before the Senate Business, Commerce and Tourism Committee Thursday afternoon, February 20th. After much discussion and many questions of the author, the bill **FAILED in Committee on a vote of 3-7**. ACEC OKLAHOMA was one of a number of groups opposed to the onerous and unnecessary legislation, and we are very happy with the outcome.


SENATE BILL 1775 by Senator Greg Treat would consolidate the Oklahoma Turnpike Authority into the Oklahoma Department of Transportation. The Governor has proposed this consolidation as an effort to address duplication of services currently independently performed by both agencies. While ACEC OKLAHOMA agrees there may be some functions which could be combined, we are very concerned with the possibility of co-mingling of the funds of the two agencies, which could cause major issues for both. The bill was approved by the Senate Transportation Committee, but Senator Treat "struck title" on the bill as it is still a "work in progress."


While there were several other bills of interest which are making their way through the process, most are still "works in progress" with authors still trying to come up with final language, or, still in discussion with stakeholder groups. So, we'll save discussion on those bills for future reports.


Below is the complete list of bills which ACEC OKLAHOMA is tracking. The 2019 bills are so-called "Carry Over Bills" which are still technically alive until certain deadlines pass. The 2020 bills are new bills introduced this session which we are watching closely. **Highlighted** bills are ones we are actively following and/or working, with the balance on our "watch" list.


If you have any questions, please don't hesitate to contact ACEC OKLAHOMA for more information.

2019 Tracking List

HB1053  **Short Title:** [insurance - Small Employer Health Insurance Reform Act - application - health plans - codification - effective date] (Amended by House, Amended by Senate, Carryover Bill)
Paraphrase: HB1053, by Rep. Marcus McEntire, R-Duncan and Sen. Greg Treat, R-Oklahoma City, removes the requirement under the Small Employer Health Insurance Reform Act that a "bona fide association" be actively in existence for at least five years. The bill also reduces the number of employees that must be covered under an applicable plan to one from two. (Amended by House, Amended by Senate, Carryover Bill)
Effective Date: 11/01/2019 **Emergency:** No
Principal Authors: McEntire, Marcus (H); Treat, Greg (S)
Status: CCR Submitted to House **Status Date:** 05/16/2019

HB1096  **Short Title:** An Act relating to state government; stating legislative intent; providing for application of law; defining term; requiring certain contracts be subject to certain software; providing for requirements of software; requiring storage of certain data collection for time certain; prohibiting charging for access to software; providing for procurement of software from independent entity; providing for codification; providing for noncodification; and providing an effective date. (Amended by House, Carryover Bill, Committee Substitute)
Paraphrase: HB1096, by Rep. Mike Osburn, R-Edmond and Sen. Julie Daniels, R-Bartlesville, adds a requirement to certain state agency contracts. For professional or technical services contracts in excess of \$100,000, the bill requires the contractor to use software to verify that hours billed for work performed on a computer are legitimate. It requires data collected by this software to be considered financial and accounting records belonging to the contractor and must be collected for a period of 7 years. It prohibits the contractor from charging the agency for access to or use of the verification software. (Amended by House, Carryover Bill, Committee Substitute)
Effective Date: 11/01/2019 **Emergency:** No
Principal Authors: Osburn, Mike (H); Daniels, Julie (S)
Status: H General Order **Status Date:** 02/27/2019

HB1950  **Short Title:** [motor fuel tax fees - licensing and registration - apportionment - State Highway Construction and Maintenance Fund - repealer - effective date] (Amended by House, Stricken Title, Carryover Bill, Committee Substitute)
Paraphrase: HB1950, by Rep. Dustin Roberts, R-Durant and Sen. Stephanie Bice, R-Oklahoma City, creates the Motor Fuels Tax Fee. It levies a tax of \$150 upon every electric-drive motor vehicle, \$60 upon every plug-in hybrid-drive motor vehicle and \$30 upon every hybrid-drive motor vehicle. It requires the fee to accrue and be collectable under the same circumstances and be payable in the same manner and times as applicable under the Oklahoma Vehicle License and Registration Act. It requires the fee be paid in full for the then current year at the time such a vehicle is first registered in a calendar year. It requires the collection and payment be a prerequisite to licensing or registration. It requires the revenue collected therein to be deposited in the State Treasury to the credit of the State Highway Construction and Maintenance Fund. It repeals language related to the Motor Fuels Tax Fee. (Amended by House, Stricken Title, Carryover Bill, Committee Substitute)
Effective Date: 11/01/2019 **Emergency:** No
Principal Authors: Roberts, Dustin (H); Bice, Stephanie (S)
Status: H General Order **Status Date:** 02/27/2019

SB0079  **Short Title:** An Act relating to public buildings and public works; amending Section 1, Chapter 252, O.S.L. 2017 (61 O.S. Supp. 2018, Section 139), which relates to the Public Competitive Bidding Act of 1964; specifying authority to enter into cooperative purchasing agreements; establishing authority to enter into certain cooperative purchasing agreements for the acquisition of certain commodities or services; providing definitions; modifying definitions; and providing an effective date. (Carryover Bill)


Paraphrase: SB0079, by Sen. Micheal Bergstrom, R-Adair and Rep. Mark Lepak, R-Claremore, permits school districts, including a technology school district, to participate in, sponsor, conduct or administer a piggybacking purchase agreement. It adds public construction projects to the list of projects that may be acquired under a cooperative or piggybacking purchasing agreement and permits the participation of public agency procurement units or external procurement units. The bill provides that any school district, including a technology school district, that purchases any commodities and services, including public construction contracts, as specified by the provisions of the bill satisfies the requirement to seek competitive bids or proposals provided that the public agency procurement unit or external procurement unit satisfied the laws of its jurisdiction in procurement of the contract. The bill removes the requirement that purchases by a local public procurement unit be required to satisfy any procurement regulation, including The Central Purchasing Act, the Public Competitive Bidding Act, the Finance Act, related administrative rules and federal regulations that may apply due to the federal source of the funding for the anticipated purchase. The bill defines applicable terms. (Carryover Bill)

Effective Date: 11/01/2019 **Emergency:** No

Principal Authors: Bergstrom, Micheal (S); Lepak, Mark (H)

Status: Referred to Subcommittee **Status Date:** 03/20/2019

Committee(1): **H Appropriations & Budget, Education (H)**


SB0353  **Short Title:** An Act relating to design professional services agreements; defining term; declaring certain provisions void and unenforceable; stating exceptions; stating applicability of act; providing for codification; and providing an effective date. (Carryover Bill)


Paraphrase: SB0353, by Sen. Stephanie Bice, R-Oklahoma City, defines the term "design professional services agreement." It declares void and unenforceable any provision in a design professional services agreement that requires an entity or that entity's insurer to indemnify, insure, defend, or hold harmless another entity against liability for damage arising out of death or bodily injury to persons, or damage to property, which arises out of the negligence or fault of the indemnitee, its agents, representatives, subcontractors, suppliers, or an entity for whom an indemnitor is not otherwise legally responsible. It exempts any provision in a design professional services agreement that requires an entity or that entity's insurer to indemnify another entity against liability for damage arising out of death or bodily injury to persons, or damage to property, provided that a lawful indemnification cannot exceed an amount that is proportionate to the degree or percentage of negligence or fault for which the indemnitor and an entity for which the indemnitor is legally responsible are adjudicated liable. It also exempts any obligation under worker's compensation or coverage or insurance specifically relating to workers' compensation. It also declares void and unenforceable any provision, covenant, clause, or understanding in a design professional services agreement that conflicts with the provisions and intent of the bill or attempts to circumvent its provisions by making the agreement subject to the laws of another state, or that requires any litigation, arbitration, or other dispute resolution proceeding arising from the agreement to be conducted in another state. (Carryover Bill)


Effective Date: 11/01/2019 **Emergency:** No


Principal Authors: Bice, Stephanie (S)

Status: S General Order **Status Date:** 02/26/2019


SB0376  **Short Title:** [roads and bridges - Oklahoma First Act - letting contracts - contract awarding procedure - noncodification - effective date] (Amended by House, Amended by Senate, Stricken Title, Carryover Bill, Stricken enacting clause, Committee Substitute)
Paraphrase: SB0376, by Sen. Robert Standridge, R-Norman and Rep. Avery Frix, R-Muskogee, requires preference to be given to bidders for state highway projects that commit to use Oklahoma-owned businesses to perform the work. It suspends the preference if federal funding would be jeopardized or if an inconsistency with federal law arises. (Amended by House, Amended by Senate, Stricken Title, Carryover Bill, Stricken enacting clause, Committee Substitute)
Effective Date: 11/01/2019 **Emergency:** No
Principal Authors: Standridge, Robert (S); Frix, Avery (H)
Status: H General Order **Status Date:** 04/11/2019

SB0689  **Short Title:** An Act relating to the Department of Transportation; establishing a moratorium for the hiring of certain positions; allowing for legislative review of certain hiring processes; providing for codification; providing an effective date; and declaring an emergency. (Carryover Bill)
Paraphrase: SB0689, by Sen. Mark Allen, R-Spiro, requires a moratorium to exist for the hiring, contracting or subcontracting of consulting engineers with the Department of Transportation beginning July 1, 2019, through July 1, 2020. It allows the Legislature to review the process by which consulting engineers are hired, contracted or subcontracted by the Department of Transportation and make recommendations to the Department for future cost savings associated with the employment of consulting engineers. (Carryover Bill)
Effective Date: 07/01/2019 **Emergency:** Yes
Principal Authors: Allen, Mark (S)
Status: Referred to Subcommittee **Status Date:** 02/06/2019
Committee(1): S Appropriations, General Gov. & Transportation (S)

SB0698  **Short Title:** [public buildings and public works - Public Facilities Act - at-risk construction management - effective date] (Amended by Senate, Stricken Title, Carryover Bill)
Paraphrase: SB0698, by Sen. Marty Quinn, R-Claremore and Rep. Kevin West, R-Moore, requires that following the Request for Qualifications in accordance with the Public Competitive Bidding Act of 1974, firms determined to be qualified as a political subdivision or school district must establish a final selection process for the construction manager, which requires the qualified prospective construction managers to develop a more detailed qualified-based proposal response. It requires the information to be contained in the detailed response in determining the final selection of the construction manager to include specified criteria. (Amended by Senate, Stricken Title, Carryover Bill)
Effective Date: 11/01/2019 **Emergency:** No
Principal Authors: Quinn, Marty (S); West, Kevin (H)
Status: S General Order **Status Date:** 02/28/2019

SB0762  **Short Title:** An Act relating to public bidding and public contracts; amending 60 O.S. 2011, Section 176, as last amended by Section 22, Chapter 42, O.S.L. 2017 (60 O.S. Supp. 2018, Section 176), which relates to trusts in furtherance of public functions; clarifying statutory reference; authorizing certain public trusts and public agencies to provide certain local bid preference of certain amount under certain conditions; requiring entities to adopt certain policy; stating requirements; defining term; providing for exceptions; amending 61 O.S. 2011, Section 103, as last amended by Section 2, Chapter 186, O.S.L. 2013 (61 O.S. Supp. 2018, Section 103), which relates to the Public Competitive Bidding Act of 1974; authorizing certain public trusts and public agencies to provide certain local bid preference of certain amount under certain conditions; (Amended by House, Amended by Senate, Carryover Bill, Committee Substitute)
Paraphrase: SB0762, by Sen. Roland Pederson, R-Burlington and Rep. Kevin West, R-Moore, authorizes a local bid preference of no more than 5 percent of the bid price, if the public entity seeking the bid determines there is an economic benefit. It requires the local bid to come from within 200 miles of the job site, but not outside of Oklahoma. (Amended by House, Amended by Senate, Carryover Bill, Committee Substitute)
Effective Date: 11/01/2019 **Emergency:** No
Principal Authors: Pederson, Roland (S); West, Kevin (H)
Status: Conferees Named - Senate **Status Date:** 05/02/2019
Committee(1): Conf. SB0762 (S)

2020 Tracking List

HB1546  **Short Title:** An Act relating to contracts; creating the Contracts Reform Act; providing for noncodification; and providing an effective date. (Carryover Bill)


Paraphrase: HB1546, by Rep. Charles McCall, R-Atoka, voids any provision in a contract or subcontract related to architectural, licensed engineering, or licensed land surveying services, which requires an entity or its insurer to indemnify another entity against death, bodily injury or property damage out of negligence. (Carryover Bill)

Passed Committee 16-1 on 2-19-20. Awaiting Floor Action in House

Effective Date: 11/01/2020 **Emergency:** No

Principal Authors: McCall, Charles (H)

Status: H General Order **Status Date:** 02/20/2020

HB2880  **Short Title:** An Act relating to professions and occupations; defining terms; making certain peer review records privileged information; providing that certain records not be discoverable or admissible in trial; declaring certain holder of privilege; authorizing peer review committee to report and discuss information and findings without waiver of privilege; providing immunity from civil liability for certain acts performed in good faith; providing for codification; and providing an effective date.


Paraphrase: HB2880, by Rep. Mike Sanders, R-Kingfisher, modifies language related to engineers and land surveyors. It defines certain terms. It makes privileged the reports, statements, memoranda, proceedings, findings and other records submitted to or generated by any peer review committee or peer reviewer and not subject to discovery, subpoena or other means of legal compulsion for their release to any person or entity or be admissible in evidence in any judicial or administrative proceeding. It establishes that information contained in such records will not be discoverable or admissible at trial in the form of testimony by an individual who participated in the peer review process. It permits a peer review committee or peer reviewer to report to and discuss activities, information and findings with other peer review committees or peer reviewers or to the design professional who retains, employs, designates or appoints the peer reviewer or peer review committee and with any officer, director or quality control director, risk manager or employed design professional without waiver of the privilege and makes the records of all such peer review committees or peer reviewers relating to such report privileged. It establishes that each peer reviewer and member of a peer review committee will be immune from civil liability, so long as the acts are performed in good faith, without malice, and are reasonably related to the scope of inquiry of the peer review process. It provides the immunity is intended to cover only outside peer reviews by a third-party design professional who is not an employee, coworker or partner of the design professional whose design is being peer reviewed and has no other role in the project besides performing the peer review.

Effective Date: 11/01/2020 **Emergency:** No

Principal Authors: Sanders, Mike (H)

Status: Second Reading - Referred to House Committee **Status Date:** 02/04/2020

Committee(1): H Business and Commerce (H)

HB3098  **Short Title:** An Act relating to professions and occupations; amending 59 O.S. 2011, Sections 46.1, as amended by Section 1, Chapter 234, O.S.L. 2014, 46.2, as amended by Section 2, Chapter 234, O.S.L. 2014, 46.3, as amended by Section 3, Chapter 234, O.S.L. 2014, 46.4, as last amended by Section 4, Chapter 234, O.S.L. 2014, 46.7, as last amended by Section 1, Chapter 24, O.S.L. 2015, 46.9, as amended by Section 7, Chapter 234, O.S.L. 2014, 46.10, 46.12, 46.14, as last amended by Section 3, Chapter 363, O.S.L. 2019, 46.17, 46.18, as amended by Section 10, Chapter 234, O.S.L. 2014, 46.19, 46.21, as amended by Section 12, Chapter 234, O.S.L. 2014, 46.21b, as amended by Section 13, Chapter 234, O.S.L. 2014, 46.24, as last amended by Section 4, Chapter 363, O.S.L. 2019, 46.25, 46.28, as amended by Section 17, Chapter 234, O.S.L. 2014, 46.31, as last amended by Section 5, Chapter 363, O.S.L. 2019, 46.34, as amended by Section 23, Chapter 234, O.S.L. 2014, 46.38, as amended by Section 25, Chapter 234, O.S.L. 2014, 46.39, as amended by Section 26, Chapter 234, O.S.L. 2014, 46.40 and 46.41, as amended by Section 27, Chapter 234, O.S.L. 2014 (59 O.S. Supp. 2019, Sections 46.1, 46.2, 46.3, 46.4, 46.7, 46.9, 46.14, 46.18, 46.21, 46.21b, 46.24, 46.28, 46.31, 46.34, 46.38, 46.39 and 46.41), which relate to the State Architectural and Registered Interior Designers Act; modifying short title; modifying purpose of act; modifying various references to name of act; modifying definitions; defining terms; re-creating Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers of Oklahoma; extending sunset date; increasing membership of Board; providing for use of certain code groups; modifying registration of interior designers; modifying waiver of educational and examination requirements; providing an effective date; and declaring an emergency. (Emergency Measure)


Paraphrase: HB3098, by Rep. Mike Osburn, R-Edmond, recreates the Board of Governors of the Licensed Architects, Landscape Architects and Registered Commercial Interior Designers of Oklahoma to include 13 members, two of which are to be registered commercial interior designers and two lay members. The bill defines a registered commercial interior designer as one who plans, designs and prepares plans and interior technical submissions for certain Code Use Groups defined in the act. The bill defines interior technical submissions as drawings, plans, specifications, studies and any other technical reports or documents related to nonstructural interior components which are issued in the course of practicing registered commercial interior design with intent to be considered as a formal or final document. The bill defines a registered commercial interior design as a rendering or offering to render certain services in connection with the design and construction, enlargement or alteration of a building or a group of buildings which have as their main purpose human occupancy or habitation and which the state-adopted International Building Code and International Fire Code are applicable. The removes the qualification a registered commercial interior designer must hold a degree from an interior design program accredited by the Council of Interior Design Accreditation and proof of a minimum of two years of full-time diversified and appropriate experience within established standards. (Emergency Measure)

Effective Date: 07/01/2020 **Emergency:** Yes

Principal Authors: Osburn, Mike (H)

Status: Second Reading - Referred to House Committee **Status Date:** 02/04/2020

Committee(1): H Government Efficiency (H) 

HB3112  **Short Title:** An Act relating to revenue and taxation; authorizing income tax credit for certain qualifying occupations; defining terms; specifying amount of tax credit; prohibiting credit from reducing income tax liability to less than designated amount; providing for carryover; providing for codification; and providing an effective date.


Paraphrase: HB3112, by Rep. Brian Hill, R-Mustang, awards a tax credit to employees with certain degrees from programs that have been accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology engineering in the field of electronics, physics, solar energy, chemistry or related fields of study as an employee or an independent contractor on behalf of a private for-profit business establishment or a government unit engaged in research, development, production or sale of batteries designed for power storage capacity over an extended period. The bill sets the credit at \$5,000 per year for the taxable years beginning on or after Jan. 1, 2021, and ending no later than Dec. 31, 2025 for a time period not to exceed five years. The bill does not make the credit refundable though it may be carried over for the subsequent five taxable years.

Effective Date: 01/01/2021 **Emergency:** No

Principal Authors: Hill, Brian (H)

Status: Referred to Committee **Status Date:** 02/13/2020

Committee(1): [H Appropriations & Budget \(H\)](#)

HB3115  **Short Title:** An Act relating to revenue and taxation; amending Section 1, Chapter 317, O.S.L. 2018, as amended by Section 1, Chapter 388, O.S.L. 2019 (68 O.S. Supp. 2019, Section 2357.404), which relates to income tax credits for certain manufacturers; modifying definitions; and declaring an emergency. (Emergency Measure)


Paraphrase: HB3115, by Rep. Brian Hill, R-Mustang, expands the sales tax exemption for vehicle manufacturing and automotive parts manufacturing jobs to qualifying businesses in Oklahoma that are undergoing business expansion or engaged in the hiring of new engineering positions. (Emergency Measure)

Effective Date: // **Emergency:** Yes

Principal Authors: Hill, Brian (H)

Status: Referred to Committee **Status Date:** 02/11/2020

Committee(1): [H Appropriations & Budget \(H\)](#)

HB3152  **Short Title:** An Act relating to building codes; creating the Building Codes Reform Act of 2020; providing for noncodification; and providing an effective date.


Paraphrase: HB3152, by Rep. Ryan Martinez, R-Edmond, creates the Building Codes Reform Act of 2020.

Effective Date: 11/01/2020 **Emergency:** No

Principal Authors: Martinez, Ryan (H)

Status: Committee Reassignment **Status Date:** 02/19/2020

Committee(1): [H Business and Commerce \(H\)](#)

HB3192  **Short Title:** An Act relating to revenue and taxation; amending Section 1, Chapter 483, O.S.L. 2019 (68 O.S. Supp. 2019, Section 2357.405), which relates to an income tax credit with respect to certain software or cybersecurity employees; modifying definitions; modifying references; modifying provisions related to qualifying employers and qualified employees; providing an effective date; and declaring an emergency. (Emergency Measure)



Paraphrase: HB3192, by Rep. John Pfeiffer, R-Mulhall, modifies the income tax credit with respect to certain software or cybersecurity employees. It removes engineering or software engineering from the definition of the term "accredited program" and replaces it with computer engineering. The bill removes language that permits qualified employers to participate in the Oklahoma Quality Jobs Program Act, the Small Employer Quality Jobs Incentive Act and the 21st Century Quality Jobs Incentive Act. (Emergency Measure)


Effective Date: 07/01/2020 **Emergency:** Yes


Principal Authors: Pfeiffer, John (H)


Status: Referred to Committee **Status Date:** 02/17/2020


Committee(1): [H Appropriations & Budget \(H\)](#)

HB3220  **Short Title:** An Act relating to electric vehicles; creating the Electric Vehicles Modernization Act; providing for noncodification; and providing an effective date.
Paraphrase: HB3220, by Rep. Dustin Roberts, R-Durant, creates the Electric Vehicle Modernization Act.
Effective Date: 11/01/2020 **Emergency:** No
Principal Authors: Roberts, Dustin (H)
Status: Committee Reassignment **Status Date:** 02/06/2020
Committee(1): [H Transportation \(H\)](#) 

HB3249  **Short Title:** An Act relating to roads and bridges; creating the Roads and Bridges Act of 2020; providing for noncodification; and providing an effective date.
Paraphrase: HB3249, by Rep. Jon Echols, R-Oklahoma City, creates the Roads and Bridges Act of 2020.
Effective Date: 11/01/2020 **Emergency:** No
Principal Authors: Echols, Jon (H)
Status: Second Reading - Referred to House Committee **Status Date:** 02/04/2020
Committee(1): [H Rules \(H\)](#)

HB3250  **Short Title:** An Act relating to roads and bridges; creating the Roads and Bridges Act; providing for noncodification; and providing an effective date.
Paraphrase: HB3250, by Rep. Jon Echols, R-Oklahoma City, creates the Roads and Bridges Act.
Effective Date: 11/01/2020 **Emergency:** No
Principal Authors: Echols, Jon (H)
Status: Second Reading - Referred to House Committee **Status Date:** 02/04/2020
Committee(1): [H Rules \(H\)](#)

HB3275  **Short Title:** An Act relating to public buildings and public works; amending 61 O.S. 2011, Section 103, as last amended by Section 2, Chapter 405, O.S.L. 2019 (61 O.S. Supp. 2019, Section 103), which relates to competitive bidding; increasing public construction contract amount; amending 60 O.S. 2011, Section 176, as last amended by Section 1, Chapter 405, O.S.L. 2019 (60 O.S. Supp. 2019, Section 176), which relates to trusts for public functions; increasing construction contract amount; and providing an effective date.
Paraphrase: HB3275, by Rep. Brad Boles, R-Marlow, requires all public construction contracts exceeding \$75,000 to awarded to the lowest bidder unless otherwise permitted by law.
Effective Date: 11/01/2020 **Emergency:** No
Principal Authors: Boles, Brad (H)
Status: Second Reading - Referred to House Committee **Status Date:** 02/04/2020
Committee(1): [H County & Municipal Government \(H\)](#)


HB3514  **Short Title:** An Act relating to transportation; defining term; directing Department of Transportation to promulgate certain rules and procedures; requiring contracts be available in electronic form; requiring paperless system allow electronic signatures; requiring engineered plans be available in certain electronic form; requiring certain digital inspection process; providing certain process parameters; providing for codification; and providing an effective date.

Paraphrase: HB3514, by Rep. Avery Frix, R-Muskogee, requires the Department of Transportation to promulgate rules and procedures to make its construction-contracting process paperless. All contracts shall be available in electronic form and shall be able to accept digital signatures of both parties to the contract. It requires the system created to have security procedures in place to verify the digital signatures of the parties to the contract. It requires the Department of Transportation to promulgate rules and procedures to provide for all engineered plans for construction to be available in an electronic three-dimensional format. It requires the Department of Transportation to promulgate rules and procedures to provide a digital inspection process that allows for real-time, transparent and accountable review of the process for Department construction projects.

Effective Date: 11/01/2020 **Emergency:** No

Principal Authors: Frix, Avery (H)

Status: H General Order **Status Date:** 02/12/2020

HB3518  **Short Title:** An Act relating to circuit engineering districts; creating the Circuit Engineering Districts Modernization Act; providing for noncodification; and providing an effective date.


Paraphrase: HB3518, by Rep. Todd Russ, R-Cordell, creates the Circuit Engineering Districts Modernization Act.

Effective Date: 11/01/2020 **Emergency:** No

Principal Authors: Russ, Todd (H)

Status: Second Reading - Referred to House Committee **Status Date:** 02/04/2020

Committee(1): [H Rules \(H\)](#)

HB3913  **Short Title:** An Act relating to transportation funding; making an appropriation to the County Improvements for Roads and Bridges Fund; stating amount; identifying source; stating purpose; providing for noncodification; providing an effective date; and declaring an emergency. (Appropriation Bill, Emergency Measure)


Paraphrase: HB3913, by Rep. Kevin Wallace, R-Wellston and Rep. Todd Russ, R-Cordell, appropriates \$20 million to the County Improvements for Roads and Bridges Fund for the fiscal year ending June 30, 2021 from any monies not otherwise appropriate from the General Revenue Fund. (Appropriation Bill, Emergency Measure)

Effective Date: 07/01/2020 **Emergency:** Yes

Principal Authors: Russ, Todd (H); Wallace, Kevin (H)

Status: Committee Reassignment **Status Date:** 02/06/2020

Committee(1): [H Appropriations & Budget \(H\)](#)

HB3925  **Short Title:** An Act relating to public buildings and public works; creating the Oklahoma First Reform Act of 2020; providing for noncodification; and providing an effective date.


Paraphrase: HB3925, by Rep. Mark Lepak, R-Claremore, creates the Oklahoma First Reform Act of 2020.


Effective Date: 11/01/2020 **Emergency:** No


Principal Authors: Lepak, Mark (H)


Status: Second Reading - Referred to House Committee **Status Date:** 02/04/2020


Committee(1): [H Rules \(H\)](#)


HB4001  **Short Title:** An Act relating to sunset; amending 59 O.S. 2011, Section 475.3, as last amended by Section 3, Chapter 259, O.S.L. 2017 (59 O.S. Supp. 2019, Section 475.3), which relates to the State Board of Licensure for Professional Engineers and Land Surveyors; recreating the Board; and modifying termination date.
Paraphrase: HB4001, by Rep. Tom Gann, R-Inola, recreates the State Board of Licensure for Professional Engineers and Land Surveyors.
Effective Date: // **Emergency:** No
Principal Authors: Gann, Tom (H)
Status: Second Reading - Referred to House Committee **Status Date:** 02/04/2020
Committee(1): H Rules (H)


HB4010  **Short Title:** An Act relating to circuit engineering districts; creating the Circuit Engineering Districts Reform Act; providing for noncodification; and providing an effective date.
Paraphrase: HB4010, by Rep. Kevin Wallace, R-Wellston, creates the Circuit Engineering Districts Reform Act.
Effective Date: 11/01/2020 **Emergency:** No
Principal Authors: Wallace, Kevin (H)
Status: Second Reading - Referred to House Committee **Status Date:** 02/04/2020
Committee(1): H Rules (H)


HB4028  **Short Title:** An Act relating to the Department of Transportation; directing the promulgation of rules and procedures to conduct certain traffic study; directing the modification of certain plan; setting time frame for study completion and implementation of modifications; providing for codification; and providing an effective date.
Paraphrase: HB4028, by Rep. Charles McCall, R-Atoka, requires the Department of Transportation to promulgate rules and procedures to conduct a traffic study to identify rural areas where robust economic development has created traffic flow difficulties due to outdated road infrastructure. It requires, once identified, the department to promulgate rules to modify the formula in its Eight-Year Construction Work Plan to give more prioritization for road construction projects in rural areas where such emergent economic development has outgrown current roadway infrastructure. The bill requires the study and implementation of the modification of the Eight-Year Construction Work Plan to begin by Nov. 1, 2021.
Effective Date: 11/01/2020 **Emergency:** No
Principal Authors: McCall, Charles (H)
Status: H General Order **Status Date:** 02/11/2020


SB1192  **Short Title:** An Act relating to roads and bridges; amending 69 O.S. 2011, Section 1316, which relates to control of access; modifying the number of days required for certain notification of appointment; making certain report available electronically; and providing an effective date.
Paraphrase: SB1192, by Sen. Robert Standridge, R-Norman, increases the number of days from five to seven that commissioners after being notified of their appointment are required to appraise and apportion the benefits to such lots and tracts of land, exclusive of streets and alleys located within the assessment district, after having taken an oath to make a full and impartial apportionment. It requires the report be made available electronically to the Board of County Commissioners.
Effective Date: 11/01/2020 **Emergency:** No
Principal Authors: Standridge, Robert (S)
Status: Second Reading - Referred to Senate Committee **Status Date:** 02/04/2020
Committee(1): S Transportation (S)


SB1193  **Short Title:** An Act relating to the Electric Vehicles Revenue Solutions Task Force; creating task force; stating purpose; stating membership; requiring appointments by certain date; providing for staffing and travel reimbursement; providing for administrative support; requiring report by certain date; providing for noncodification; and declaring an emergency.
Paraphrase: SB1193, by Sen. Robert Standridge, R-Norman, requires audits of the State Transportation Commission and the Oklahoma Department of Transportation be submitted to the governor, Senate president pro tempore and House speaker.
Effective Date: // **Emergency:** Yes
Principal Authors: Standridge, Robert (S)
Status: S General Order **Status Date:** 02/18/2020


SB1269  **Short Title:** An Act relating to the Oklahoma Water Resources Board; directing the Board to develop a comprehensive state flood plan; establishing requirements of plan; instructing Board to send plan to certain persons; creating the State Flood Resiliency Revolving Fund; establishing terms of fund; providing for codification; and providing an effective date.
Paraphrase: SB1269, by Sen. Dave Rader, R-Tulsa and Rep. Lonnie Sims, R-Jenks, requires the Oklahoma Water Resources Board, contingent on available funding, to prepare and adopt a comprehensive state flood plan. It establishes requirements for the plan. It requires the board, upon adoption of the flood plan, to deliver the plan to the governor, Senate president pro tempore and House speaker. The bill creates the State Flood Resiliency Revolving Fund for the benefit of the Oklahoma Water Resources Board and its funds used to implement the recommendations and provisions of the comprehensive flood plan.
Effective Date: 11/01/2020 **Emergency:** No
Principal Authors: Rader, Dave (S); Sims, Lonnie (H)
Status: S General Order **Status Date:** 02/19/2020


SB1309  **Short Title:** An Act relating to information technology; establishing exemption from payment for certain information technology projects unless hours are verifiable by automatic billing verification software; providing requirements for such automatic billing verification software; requiring that software be procured from independent entity; providing for limit on transfer of data by contractor; providing exemptions; providing for codification; and providing an effective date.
Paraphrase: SB1309, by Sen. John Montgomery, R-Lawton, prohibits state agencies from paying for hours worked on a computer and billed by the hour to the state unless those hours are verifiable by data generated by automatic billing verification software for any information technology that is more than one year behind schedule or for which the amount spent on the project is at least \$1 million more than the original cost estimate. It requires any such automatic billing verification software to meet criteria specified therein. It requires the software to be procured by the contractor from an independent entity. It requires the data collected by the automatic billing verification software to be considered financial records belonging to the contractor. It provides exemptions.
Effective Date: 11/01/2020 **Emergency:** No
Principal Authors: Montgomery, John (S)
Status: S Committee - Do Pass Failed **Status Date:** 02/20/2020
Committee(1): S General Government (S)

SB1316  **Short Title:** An Act relating to counties and county officers; authorizing an online bidding process; providing requirements of the online bidding process; providing for codification; providing an effective date; and declaring an emergency. (Emergency Measure)
Paraphrase: SB1316, by Sen. Lonnie Paxton, R-Tuttle, allows a purchasing agent to use online bidding to obtain bids as authorized by The Oklahoma Central Purchasing Act or the Public Building Construction and Plan Act for the purchase of goods, services, construction or information when a county purchasing agent determines that electronic or online bidding is more advantageous than other procurement methods provided by the laws of the state. (Emergency Measure)
Effective Date: 07/01/2020 **Emergency:** Yes
Principal Authors: Paxton, Lonnie (S)
Status: Second Reading - Referred to Senate Committee **Status Date:** 02/06/2020
Committee(1): **S General Government (S)**

SB1329  **Short Title:** An Act relating to the Public Competitive Bidding Act of 1974; amending Section 3, Chapter 472, O.S.L. 2019 (61 O.S. Supp. 2019, Section 103.8), which relates to location of company headquarters; establishing that reporting requirements apply to certain agencies; deleting requirement that reporting obligations shall apply to contracts awarded to out-of-state companies; and providing an effective date.
Paraphrase: SB1329, by Sen. John Montgomery, R-Lawton and Rep. Judd Strom, R-Copan, amends requirements that state agencies accepts any type of contract to name the city, state and country of the seeking or awarded work to only agencies with an annual payroll of \$10.0 million or more. The bill removes requirements about awarded contracts to companies not headquartered in Oklahoma.
Effective Date: 11/01/2020 **Emergency:** No
Principal Authors: Montgomery, John (S); Strom, Judd (H)
Status: Second Reading - Referred to Senate Committee **Status Date:** 02/06/2020
Committee(1): **S General Government (S)**

SB1360  **Short Title:** An Act relating to the Oklahoma Central Purchasing Act; amending 74 O.S. 2011, Section 85.2, as last amended by Section 27, Chapter 358, O.S.L. 2013 (74 O.S. Supp. 2019, Section 85.2), which relates to definitions; modifying definition for limited purpose; and providing an effective date.
Paraphrase: SB1360, by Sen. Ron Sharp, R-Shawnee, requires, for purposes of the Oklahoma Central Purchasing Act only, that a nonprofit corporation be considered a state agency to the extent such corporation receives any funds from the state.
Effective Date: 11/01/2020 **Emergency:** No
Principal Authors: Sharp, Ron (S)
Status: S Committee - Laid Over **Status Date:** 02/20/2020
Committee(1): **S General Government (S)**

SB1403  **Short Title:** An Act relating to the County Road Improvement Act; amending 69 O.S. 2011, Section 687.1, as amended by Section 1, Chapter 193, O.S.L. 2013 (69 O.S. Supp. 2019, Section 687.1), which relates to circuit engineering districts; deleting requirement for independent audit; providing for operational audits by the State Auditor and Inspector; authorizing promulgation of rules; updating statutory references; and providing an effective date.
Paraphrase: SB1403, by Sen. Chuck Hall, R-Perry, requires the State Auditor and Inspector to perform an operational audit of each circuit engineering district upon completion of each fiscal year. It authorizes the State Auditor and Inspector to promulgate rules.
Effective Date: 11/01/2020 **Emergency:** No
Principal Authors: Hall, Chuck (S)
Status: S Committee - Do Pass as Amended **Status Date:** 02/20/2020
Committee(1): **S General Government (S)**

SB1450  **Short Title:** An Act relating to work zone safety; defining term; authorizing the promulgation of certain rules and procedures; requiring the promulgation of certain rules and procedures; providing certain rule requirements; providing for codification; and providing an effective date.


Paraphrase: SB1450, by Sen. Micheal Bergstrom, R-Adair, authorizes the Department of Transportation to promulgate necessary rules to develop a smart work zone system. The bill defines the term and listed components of a "smart work zone system." The bill requires the department to initiate at least two such systems before December 31, 2020. It also requires the department to promulgate rules for contracting with third parties who place or provide temporary traffic control devices within or near construction zones. The bill requires the rules mandate the department to pay a daily agreed-upon rate for the use or rental of such temporary traffic control devices for each day the devices are in use in a construction zone area.

Effective Date: 11/01/2020 **Emergency:** No

Principal Authors: Bergstrom, Micheal (S)

Status: S Committee - Laid Over **Status Date:** 02/18/2020

Committee(1): [S Transportation \(S\)](#)

SB1451  **Short Title:** An Act relating to transportation; defining term; directing Department of Transportation to promulgate certain rules and procedures; requiring contracts be available in electronic form; requiring paperless system allow electronic signatures; requiring engineered plans be available in certain electronic form; requiring certain digital inspection process; providing certain process parameters; providing for codification; and providing an effective date.


Paraphrase: SB1451, by Sen. Micheal Bergstrom, R-Adair, requires the Department of Transportation to promulgate rules and procedures to make its construction contracting process paperless. It requires all contracts to be available in electronic form and be able to accept digital signatures of both parties to the contract. It requires the system to have security procedures in place to verify the digital signatures of the parties to the contract. It requires the Department to promulgate rules and procedures to provide for all engineered plans for construction to be available in an electronic three-dimensional format. It requires the Department to promulgate rules and procedures to provide a digital inspection process that allows for real-time, transparent and accountable review of the process for Department construction projects.

Effective Date: 11/01/2020 **Emergency:** No

Principal Authors: Bergstrom, Micheal (S)

Status: S Committee - Laid Over **Status Date:** 02/18/2020

Committee(1): [S Transportation \(S\)](#)

SB1552  **Short Title:** An Act relating to turnpikes; amending 47 O.S. 2011, Section 11-801, as last amended by Section 1, Chapter 55, O.S.L. 2019 (47 O.S. Supp. 2019, Section 11-801), which relates to speed limits; modifying maximum speed limits for certain sections of turnpikes; providing for exceptions to certain maximum speed limits; updating statutory reference; providing an effective date; and declaring an emergency. (Emergency Measure)


Paraphrase: SB1552, by Sen. Robert Standridge, R-Norman, requires the Oklahoma Turnpike Authority to authorize a maximum limit of 85 miles per hour during daylight hours for automobiles on the turnpike system in counties with a population of 150,000 people or less according to the latest decennial census. It allows the Oklahoma Turnpike Authority to declare a special hazard exists on any portion of a turnpike where the maximum has been designated to 85 miles per hour and designate a lower speed limit for that portion of the turnpike. (Emergency Measure)

Effective Date: 07/01/2020 **Emergency:** Yes

Principal Authors: Standridge, Robert (S)

Status: Second Reading - Referred to Senate Committee **Status Date:** 02/06/2020

Committee(1): [S Transportation \(S\)](#)

SB1557  **Short Title:** An Act relating to public buildings and public works; amending 61 O.S. 2011, Section 204, as last amended by Section 10, Chapter 302, O.S.L. 2013 (61 O.S. Supp. 2019, Section 204), which relates to the Public Facilities Act; authorizing licensed architects and engineers employed by certain state agencies to develop and issue solicitations; updating statutory language; and declaring an emergency. (Emergency Measure)


Paraphrase: SB1557, by Sen. James Leewright, R-Bristow, authorizes architects and engineers employed by agencies to issue solicitations under the Public Facilities Act. (Emergency Measure)

Effective Date: 11/01/2020 **Emergency:** No

Principal Authors: Leewright, James (S)

Status: Second Reading - Referred to Senate Committee **Status Date:** 02/06/2020

Committee(1): [S General Government \(S\)](#)

SB1564  **Short Title:** An Act relating to public buildings and public works; amending 61 O.S. 2011, Section 212, as amended by Section 330, Chapter 304, O.S.L. 2012 (61 O.S. Supp. 2019, Section 212), which relates to performance based efficiency contracts; modifying maximum length of certain financing contracts; providing method for calculating cost savings attributable to performance based efficiency contracts; and providing an effective date.


Paraphrase: SB1564, by Sen. Chuck Hall, R-Perry and Rep. Brad Boles, R-Marlow, provides a calculation of savings attributable to performance-based efficiency contracts.

Effective Date: 11/01/2020 **Emergency:** No

Principal Authors: Hall, Chuck (S); Boles, Brad (H)

Status: S Committee - Do Pass as Amended **Status Date:** 02/20/2020

Committee(1): [S General Government \(S\)](#)


SB1679  **Short Title:** An Act relating to occupational regulation; providing short title; creating the “Interstate-Mobility and Universal-Recognition Occupational Licensing Act; defining terms; adding provisions for occupational licenses or government certification by recognition for qualified applicants from other states; setting certain criteria; providing recognition of work experience; authorizing recognition of private certifications; providing for jurisprudential examination; requiring certain written decision within certain time; allowing certain appeals; directing compliance with certain laws; exempting supreme court occupations; stating and construing certain license limitations; setting certain application costs; stating certain preemption; providing for codification; and providing an effective date.


Paraphrase: SB1679, by Sen. Micheal Bergstrom, R-Adair, creates the Interstate-Mobility and Universal-Recognition Occupational Licensing Act. It defines terms used therein. It requires a board to issue an occupational license or government certification to a person upon application, if all the specified criteria apply. It requires that if another state has issued the person a government certification but Oklahoma requires an occupational license to work, the Oklahoma-based board must issue an occupational license to the person if the person otherwise satisfies the provisions therein. It provides an appeal process for a decision of the board.

Effective Date: 11/01/2020 **Emergency:** No

Principal Authors: Bergstrom, Micheal (S)

Status: Second Reading - Referred to Senate Committee **Status Date:** 02/06/2020

Committee(1): [S Business, Commerce & Tourism \(S\)](#) 

SB1775  **Short Title:** An Act relating to the Oklahoma Turnpike Authority; consolidating the Oklahoma Turnpike Authority as a division within the Oklahoma Department of Transportation; authorizing certain authority; transferring certain personnel, funds, records, encumbrances, equipment and other items; providing requirements pertaining to transfer of employees; amending 69 O.S. 2011, Sections 1703, 1704, 1705, as amended by Section 1, Chapter 282, O.S.L. 2013, 1705.2, 1706, 1707, as amended by Section 1, Chapter 50, O.S.L. 2018, 1708, 1709, 1710, 1711 (69 O.S. Supp. 2019, Sections 1705 and 1707), which relate to the creation of the Oklahoma Turnpike Authority, definitions, authority, restaurants and dump stations, grade separations, acquisition of lands, condemnation proceedings, turnpike revenue bonds, securing bonds by trust agreement, tolls and use of revenues; providing for creation consolidation; modifying statutory reference; providing for codification; and providing an effective date.


Paraphrase: SB1775, by Sen. Greg Treat, R-Oklahoma City, consolidates the Oklahoma Turnpike Authority as a division within the Oklahoma Department of Transportation.

Effective Date: 11/01/2020 **Emergency:** No

Principal Authors: Treat, Greg (S)

Status: Referred to Committee **Status Date:** 02/18/2020

Committee(1): [S Appropriations \(S\)](#)

SB1886  **Short Title:** An Act relating to the Oklahoma Aeronautics Commission; amending 3 O.S. 2011, Section 85, as last amended by Section 1, Chapter 304, O.S.L. 2018 (3 O.S. Supp. 2019, Section 85), which relates to powers and duties of the Commission; adding certain duties regarding the regulation of certain unmanned aerial systems; and providing an effective date.

Paraphrase: SB1886, by Sen. Micheal Bergstrom, R-Adair, adds the regulation of Unmanned Aerial Systems in the state and the promulgation of necessary rules for the administration and regulation of the systems to the duties of the Aeronautics Commission.


Effective Date: 11/01/2020 **Emergency:** No

Principal Authors: Bergstrom, Micheal (S)

Status: Second Reading - Referred to Senate Committee **Status Date:** 02/10/2020

Committee(1): [S Transportation \(S\)](#)

Committee(2): [S Appropriations \(S\)](#)

SB1888  **Short Title:** An Act relating to transportation; defining term; directing Department of Transportation to promulgate certain rules and procedures; requiring contracts be available in electronic form; requiring paperless system allow electronic signatures; requiring engineered plans be available in certain electronic form; requiring certain digital inspection process; providing certain process parameters; providing for codification; and providing an effective date.

Paraphrase: SB1888, by Sen. Mark Allen, R-Spiro, requires the Department of Transportation shall promulgate rules and procedures to make its construction contracting process paperless. It requires all contracts be available in electronic form and be able to accept digital signatures of both parties to the contract. It requires the system created have security procedures in place to verify the digital signatures of the parties to the contract. The bill defines appropriate terms. It also requires the department to promulgate rules and procedures to provide a digital inspection process that allows for real-time, transparent and accountable review of the process for department construction projects. It establishes requirements for the process.

Effective Date: 11/01/2020 **Emergency:** No

Principal Authors: Allen, Mark (S)

Status: Second Reading - Referred to Senate Committee **Status Date:** 02/10/2020

Committee(1): [S Transportation \(S\)](#)

Committee(2): [S Appropriations \(S\)](#)

TSB1891



Short Title: An Act relating to occupations and professions; creating the Universal Occupational Licensing Recognition Act; providing short title; providing for recognition of certain occupational licenses and certifications for certain persons; providing criteria for issuing certain licenses; recognizing disqualifying criminal history for certain licensure or certifications; allowing state-to-state reciprocal agreements; prohibiting licensure under certain conditions; permitting examination for licensure; requiring Oklahoma licensing laws and jurisdiction to apply to reciprocal licenses; excepting certain provisions for reciprocal licensure; stating fingerprint clearance and interstate compact requirements; recognizing certain out-of-state work experience for certain purpose; recognizing certain private certification for certain purpose; requiring periodic review of all licenses; stating minimum review period; stating criteria for review; providing for codification; and providing an effective date.

Paraphrase: SB1891, by Sen. Adam Pugh, R-Edmond, creates the Universal Occupational License Recognition Act. It requires an occupational license or certificate be issued, in the discipline applied for and at the same practice level as determined by the regulating entity, to a person who establishes residency in this state or is married to an active duty member of the armed forces of the United States and who is accompanying the member to an official permanent change of station to a military installation located in this state when certain criteria are met. The bill states it does not prevent a regulating entity from entering into a reciprocity agreement with another state or jurisdiction for persons married to active duty members of the armed forces of the United States, except that the agreement may not allow out-of-state licensees or certificate holders to obtain a license or certificate by reciprocity in this state if the applicant has not met standards that are substantially equivalent to or greater than the standards required in this state as determined by the regulating entity on a case-by-case basis. It permits a regulating entity that administers an examination on laws of this state as part of its license or certificate application requirement to require an applicant to take and pass an examination on the laws of this state. It states a person licensed pursuant to this act is subject to the laws regulating the person's practice in this state and is subject to the regulating entity's jurisdiction. It provides for exemptions. It provides for recognition of out-of-state work experience under certain conditions. It provides for recognition of private certification in other states under certain circumstances. It requires all state occupational or professional licenses be reviewed not less than once every four years to determine if the license is necessary and if necessary, use the least restrictive regulation to protect consumers from present, significant and substantiated harms that threaten public health and safety. It requires the review address specific questions.

Effective Date: 11/01/2020 **Emergency:** No

Principal Authors: Pugh, Adam (S)

Status: S Committee - Do Pass as Amended **Status Date:** 02/20/2020

Committee(1): S Business, Commerce & Tourism (S)

Committee(2): S Appropriations (S)