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Agency	Title	Agency	Title
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Notices of Rulemaking Intent

Prior to adoption and gubernatorial/legislative review of a proposed PERMANENT rulemaking action, an agency must publish a Notice of Rulemaking Intent in the *Register*. In addition, an agency may publish a Notice of Rulemaking Intent in the *Register* prior to adoption of a proposed EMERGENCY or PREEMPTIVE rulemaking action.

A Notice of Rulemaking Intent announces a comment period, or a comment period and public hearing, and provides other information about the intended rulemaking action as required by law, including where copies of proposed rules may be obtained.

For additional information on Notices of Rulemaking Intent, see 75 O.S., Section 303.

TITLE 5. OKLAHOMA ABSTRACTORS BOARD CHAPTER 11. ADMINISTRATION OF ABSTRACTORS ACT

[OAR Docket #23-995]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Regulation of Licensees, Certificate Holders, and Permit Holders

5:11-5-3. Preparation of abstracts [AMENDED]

SUMMARY:

The proposed revisions to Chapter 11 to restore the ability for the consumer to choose their preferred abstract format and offer guidance on the handling of abstracts when converting from one format to another to ensure the integrity of the abstract is maintained.

AUTHORITY:

Oklahoma Abstractors Board; 1 § 1-22 B. et. seq.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 5:00 p.m. on February 15, 2024 at the following address: Katherine Smith, Oklahoma Abstractors Board, 421 NW 13th St., Suite 180, Oklahoma City, OK 73103, or Katherine.Smith@abstract.ok.gov.

PUBLIC HEARING:

A public hearing during the regularly scheduled Board Meeting will be held at 10:00 a.m. on Tuesday, February 20, 2024 at the 421 NW 13th Street, OLEERS Conference Room, Oklahoma City, Oklahoma. Anyone who wishes to speak must sign in at the door by 9:50 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Abstractors Board requests that business entities affected by these proposed rules provide the Board, within the comment period, in dollar amounts if possible, the increase in the level of direct services, revenue loss, or other costs expected to be incurred by costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Katherine Smith, at the above addresses, before the close of the comment period on February 15, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by visiting www.abstract.ok.gov or contacting the Oklahoma Abstractors Board, 421 NW 13th St., Suite 180, Oklahoma City, OK 73103, 405-522-5019, Fax 405-522-5503 or via electronic mail to Katherine.smith@abstract.ok.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement has been prepared and may be viewed by visiting <http://www.abstract.ok.gov>.

CONTACT PERSON:

Katherine Smith, State Administrator of Abstracting, (405) 522-5019, Katherine.Smith@abstract.ok.gov.

[OAR Docket #23-995; filed 12-19-23]

TITLE 25. OKLAHOMA DEPARTMENT OF AEROSPACE AND AERONAUTICS CHAPTER 1. ~~COMMISSION~~ DEPARTMENT OPERATIONS

[OAR Docket #23-1005]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

25:1-1-1. Purpose [AMENDED]

25:1-1-3. Definitions [AMENDED]

25:1-1-4. Organization and responsibilities of Commission [AMENDED]

25:1-1-5. Director [AMENDED]

25:1-1-6. Prohibited activities for ~~Commission~~ Department employees [AMENDED]

25:1-1-7. Printed material; fees [AMENDED]

25:1-1-8. Windsock program [AMENDED]

SUMMARY:

The proposed permanent rules will modify the agency name per the requirements set forth in SB 782 that became effective November 1, 2023. Changes include defining aerospace and department, updating the definition of commission and director, and clarifying the operational difference of commission and department throughout the chapter.

AUTHORITY:

3 O.S. Section 85; Oklahoma Department of Aerospace and Aeronautics

COMMENT PERIOD:

Persons wishing to present their views in writing may do so from January 16, 2024, through February 16,

Notices of Rulemaking Intent

2024, at the following address: Oklahoma Department of Aerospace and Aeronautics, 110 N Robinson Ave, Suite 200, Oklahoma City, OK 73102, or by email to michelle.bouziden@aerospace.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 9:00 a.m. on Tuesday, February 20, 2024, at the Oklahoma Department of Aerospace and Aeronautics, 110 N. Robinson Ave., Oklahoma City, OK 73102. Anyone who wishes to speak must sign in at the door by 9:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained from the Oklahoma Department of Aerospace and Aeronautics, 110 N Robinson Ave, Suite 200, Oklahoma City, OK 73102. The proposed rules will also be available on the ODAA's website at <https://oklahoma.gov/aerospace>.

RULE IMPACT STATEMENT:

Pursuant to 3 O.S. Section 85, a rule impact statement will be prepared and may be obtained from the Oklahoma Department of Aerospace and Aeronautics at the above address beginning Tuesday, January 30, 2024.

CONTACT PERSON:

Michelle Bouziden, Senior Project and Grants Manager, Oklahoma Department of Aerospace and Aeronautics, 110 N. Robinson, Suite 200, Oklahoma City, OK 73102, michelle.bouziden@aerospace.ok.gov (405) 604-6912.

[OAR Docket #23-1005; filed 12-21-23]

TITLE 25. OKLAHOMA DEPARTMENT OF AEROSPACE AND AERONAUTICS CHAPTER 15. OAC AIRPORT CONSTRUCTION PROGRAM

[OAR Docket #23-1028]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

25:15-1-1. Purpose [AMENDED]

25:15-1-2. Definitions [AMENDED]

25:15-1-3. Planning [AMENDED]

25:15-1-4. Programming Implementation Airport Grant and Loan Program Requirements and Procedures [AMENDED]

25:15-1-5. Airport Compliance [NEW]

SUMMARY:

The proposed permanent rules will modify the agency name per the requirements set forth in SB 782 that became effective November 1, 2023. Changes include updating the chapter name, defining department, updating the definition of commission and non-primary entitlement funds, and clarifying

the operational difference of commission and department throughout the chapter. Additional changes include updating airport construction program projects, funding information, clarifying fuel system project qualifications, updating airport sponsor assurances, and adding airport compliance information.

AUTHORITY:

3 O.S. Section 85; Oklahoma Department of Aerospace and Aeronautics

COMMENT PERIOD:

Persons wishing to present their views in writing may do so from January 16, 2024, through February 16, 2024, at the following address: Oklahoma Department of Aerospace and Aeronautics, 110 N Robinson Ave, Suite 200, Oklahoma City, OK 73102, or by email to michelle.bouziden@aerospace.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 9:00 a.m. on Tuesday, February 20, 2024, at the Oklahoma Department of Aerospace and Aeronautics, 110 N. Robinson Ave., Oklahoma City, OK 73102. Anyone who wishes to speak must sign in at the door by 9:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained from the Oklahoma Department of Aerospace and Aeronautics, 110 N Robinson Ave, Suite 200, Oklahoma City, OK 73102. The proposed rules will also be available on the ODAA's website at <https://oklahoma.gov/aerospace>.

RULE IMPACT STATEMENT:

Pursuant to 3 O.S. Section 85, a rule impact statement will be prepared and may be obtained from the Oklahoma Department of Aerospace and Aeronautics at the above address beginning Tuesday, January 30, 2024.

CONTACT PERSON:

Michelle Bouziden, Senior Project and Grants Manager, Oklahoma Department of Aerospace and Aeronautics, 110 N. Robinson, Suite 200, Oklahoma City, OK 73102, michelle.bouziden@aerospace.ok.gov (405) 604-6912.

[OAR Docket #23-1028; filed 12-22-23]

TITLE 25. OKLAHOMA DEPARTMENT OF AEROSPACE AND AERONAUTICS CHAPTER 25. AEROSPACE AND AVIATION EDUCATION GRANT PROGRAM

[OAR Docket #23-1017]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

25:25-1-1. Purpose [AMENDED]

- 25:25-1-2. Requirements for receiving funding for an Aerospace and Aviation Education Grant Program [AMENDED]
- 25:25-1-3. Criteria selection for applicants [AMENDED]
- 25:25-1-4. Procedures for awarding funding to an Aerospace and Aviation Education Grant Program [AMENDED]

SUMMARY:

The proposed permanent rules will modify the agency name per the requirements set forth in SB 782 that became effective November 1, 2023. Changes include clarifying the operational difference of commission and department throughout the chapter and defining a program's start date.

AUTHORITY:

3 O.S. Section 85; Oklahoma Department of Aerospace and Aeronautics

COMMENT PERIOD:

Persons wishing to present their views in writing may do so from January 16, 2024, through February 16, 2024, at the following address: Oklahoma Department of Aerospace and Aeronautics, 110 N Robinson Ave, Suite 200, Oklahoma City, OK 73102, or by email to michelle.bouziden@aerospace.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 9:00 a.m. on Tuesday, February 20, 2024, at the Oklahoma Department of Aerospace and Aeronautics, 110 N. Robinson Ave., Oklahoma City, OK 73102. Anyone who wishes to speak must sign in at the door by 9:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained from the Oklahoma Department of Aerospace and Aeronautics, 110 N Robinson Ave, Suite 200, Oklahoma City, OK 73102. The proposed rules will also be available on the ODAA's website at <https://oklahoma.gov/aerospace>.

RULE IMPACT STATEMENT:

Pursuant to 3 O.S. Section 85, a rule impact statement will be prepared and may be obtained from the Oklahoma Department of Aerospace and Aeronautics at the above address beginning Tuesday, January 30, 2024.

CONTACT PERSON:

Michelle Bouziden, Senior Project and Grants Manager, Oklahoma Department of Aerospace and Aeronautics, 110 N. Robinson, Suite 200, Oklahoma City, OK 73102, michelle.bouziden@aerospace.ok.gov (405) 604-6912.

[OAR Docket #23-1017; filed 12-21-23]

**TITLE 25. OKLAHOMA DEPARTMENT OF AEROSPACE AND AERONAUTICS
CHAPTER 30. AIRCRAFT PILOT AND PASSENGER PROTECTION ACT**

[OAR Docket #23-1029]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 1. General Provisions [AMENDED]
- Subchapter 3. Application Requirements [AMENDED]
- Subchapter 7. Notice, Determination and Department ~~Commission~~ Actions [AMENDED]
- Subchapter 9. Permits [AMENDED]
- Subchapter 11. Miscellaneous Provisions [AMENDED]

SUMMARY:

The proposed permanent rules will modify the agency name per the requirements set forth in SB 782 that became effective November 1, 2023. Changes include defining department, updating the definition of commission, and clarifying the operational difference of commission and department throughout the chapter. Clarity is also given on when a permit is not required to be filed.

AUTHORITY:

3 O.S. Section 85; Oklahoma Department of Aerospace and Aeronautics

COMMENT PERIOD:

Persons wishing to present their views in writing may do so from January 16, 2024, through February 16, 2024, at the following address: Oklahoma Department of Aerospace and Aeronautics, 110 N Robinson Ave, Suite 200, Oklahoma City, OK 73102, or by email to michelle.bouziden@aerospace.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 9:00 a.m. on Tuesday, February 20, 2024, at the Oklahoma Department of Aerospace and Aeronautics, 110 N. Robinson Ave., Oklahoma City, OK 73102. Anyone who wishes to speak must sign in at the door by 9:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained from the Oklahoma Department of Aerospace and Aeronautics, 110 N Robinson Ave, Suite 200, Oklahoma City, OK 73102. The proposed rules will also be available on the ODAA's website at <https://oklahoma.gov/aerospace>.

RULE IMPACT STATEMENT:

Pursuant to 3 O.S. Section 85, a rule impact statement will be prepared and may be obtained from the Oklahoma Department of Aerospace and Aeronautics at the above address beginning Tuesday, January 30, 2024.

Notices of Rulemaking Intent

CONTACT PERSON:

Michelle Bouziden, Senior Project and Grants Manager, Oklahoma Department of Aerospace and Aeronautics, 110 N. Robinson, Suite 200, Oklahoma City, OK 73102, michelle.bouziden@aerospace.ok.gov (405) 604-6912.

[OAR Docket #23-1029; filed 12-22-23]

Department of Aerospace and Aeronautics at the above address beginning Tuesday, January 30, 2024.

CONTACT PERSON:

Michelle Bouziden, Senior Project and Grants Manager, Oklahoma Department of Aerospace and Aeronautics, 110 N. Robinson, Suite 200, Oklahoma City, OK 73102, michelle.bouziden@aerospace.ok.gov (405) 604-6912.

[OAR Docket #23-1006; filed 12-21-23]

**TITLE 25. OKLAHOMA DEPARTMENT OF AEROSPACE AND AERONAUTICS
CHAPTER 35. ANEMOMETER TOWER REGULATIONS**

[OAR Docket #23-1006]

**TITLE 25. OKLAHOMA DEPARTMENT OF AEROSPACE AND AERONAUTICS
CHAPTER 40. WIND ENERGY RULES**

[OAR Docket #23-1007]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions [AMENDED]

Subchapter 5. Establishment of Database [AMENDED]

SUMMARY:

The proposed permanent rules will modify the agency name per the requirements set forth in SB 782 that became effective November 1, 2023. Changes include defining department, updating the definition of commission, and clarifying the operational difference of commission and department throughout the chapter.

AUTHORITY:

3 O.S. Section 85; Oklahoma Department of Aerospace and Aeronautics

COMMENT PERIOD:

Persons wishing to present their views in writing may do so from January 16, 2024, through February 16, 2024, at the following address: Oklahoma Department of Aerospace and Aeronautics, 110 N Robinson Ave, Suite 200, Oklahoma City, OK 73102, or by email to michelle.bouziden@aerospace.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 9:00 a.m. on Tuesday, February 20, 2024, at the Oklahoma Department of Aerospace and Aeronautics, 110 N. Robinson Ave., Oklahoma City, OK 73102. Anyone who wishes to speak must sign in at the door by 9:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained from the Oklahoma Department of Aerospace and Aeronautics, 110 N Robinson Ave, Suite 200, Oklahoma City, OK 73102. The proposed rules will also be available on the ODAA's website at <https://oklahoma.gov/aerospace>.

RULE IMPACT STATEMENT:

Pursuant to 3 O.S. Section 85, a rule impact statement will be prepared and may be obtained from the Oklahoma

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions [AMENDED]

Subchapter 3. Submittal Requirements for Federal Aviation Administration and Department of Defense Documentation [AMENDED]

Subchapter 5. Oklahoma Department of Aerospace and Aeronautics Commission Actions to the Oklahoma Strategic Military Planning Commission [AMENDED]

SUMMARY:

The proposed permanent rules will modify the agency name per the requirements set forth in SB 782 that became effective November 1, 2023. Changes include defining department, updating the definition of director, and updating the agency name throughout the chapter.

AUTHORITY:

17 O.S. Section 160.20 and 160.21; Oklahoma Department of Aerospace and Aeronautics

COMMENT PERIOD:

Persons wishing to present their views in writing may do so from January 16, 2024, through February 16, 2024, at the following address: Oklahoma Department of Aerospace and Aeronautics, 110 N Robinson Ave, Suite 200, Oklahoma City, OK 73102, or by email to michelle.bouziden@aerospace.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 9:00 a.m. on Tuesday, February 20, 2024, at the Oklahoma Department of Aerospace and Aeronautics, 110 N. Robinson Ave., Oklahoma City, OK 73102. Anyone who wishes to speak must sign in at the door by 9:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained from the Oklahoma Department of Aerospace and Aeronautics, 110 N Robinson Ave, Suite 200, Oklahoma City, OK 73102. The

proposed rules will also be available on the ODAA's website at <https://oklahoma.gov/aerospace>.

RULE IMPACT STATEMENT:

Pursuant to 3 O.S. Section 85, a rule impact statement will be prepared and may be obtained from the Oklahoma Department of Aerospace and Aeronautics at the above address beginning Tuesday, January 30, 2024.

CONTACT PERSON:

Michelle Bouziden, Senior Project and Grants Manager, Oklahoma Department of Aerospace and Aeronautics, 110 N. Robinson, Suite 200, Oklahoma City, OK 73102, michelle.bouziden@aerospace.ok.gov (405) 604-6912.

[OAR Docket #23-1007; filed 12-21-23]

**TITLE 45. ALCOHOLIC BEVERAGE LAWS
ENFORCEMENT COMMISSION
CHAPTER 10. PROVISIONS AND
PENALTIES APPLICABLE TO ALL
LICENSEES**

[OAR Docket #23-1051]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Provisions Applicable to All Licensees

- 45:10-3-7 [AMENDED]
- 45:10-3-10 [AMENDED]
- 45:10-3-11 [AMENDED]
- 45:10-3-16 [AMENDED]
- 45:10-3-17 [AMENDED]
- 45:10-3-18 [AMENDED]
- 45:10-3-19 [AMENDED]
- 45:10-3-20 [AMENDED]
- 45:10-3-22 [AMENDED]
- 45:10-3-23 [AMENDED]
- 45:10-3-24 [AMENDED]
- 45:10-3-25 [AMENDED]
- 45:10-3-26 [AMENDED]
- 45:10-3-30 [AMENDED]
- 45:10-3-31 [AMENDED]
- 45:10-3-32 [AMENDED]
- Subchapter 5. Penalties
- 45:10-5-1 [AMENDED]

SUMMARY:

The ABLE Commission proposes amending these administrative rules for compliance with current statutory requirements. The proposed rule changes reflect changes to ABLE's governing statutes and rule requirements of an agency with rulemaking authority as set forth in the Administrative Procedures Act; 75 O.S., §§ 302, 305, and 307 and 37A O.S., § 1-107.

AUTHORITY:

Alcoholic Beverage Laws Enforcement Commission; 37A O.S., Sections 1-107.

COMMENT PERIOD:

Written and oral comments will be accepted until 1:30 p.m. on February 15, 2024, at the ABLE Commission, 50 NE 23rd St., Oklahoma City, OK 73105, Attn: Lori Carter, or by email to lori.carter@able.ok.gov.

PUBLIC HEARING:

A public hearing will be held on February 16, 2024, at 1:30 p.m., at 50 NE 23rd St., Oklahoma City, OK 73105.

Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door by 10:00 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the ABLE Commission, 50 NE 23rd St., Oklahoma City, OK 73105, Attn: Lori Carter, or by email to lori.carter@able.ok.gov. The proposed rules may also be viewed on the agency's website at oklahoma.gov/able-commission.html.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement will be prepared and may be obtained from the ABLE Commission Office at the above address beginning January 30, 2024.

CONTACT PERSON:

Lori Carter, Assistant Director, and General Counsel, (405) 521-3484 or James Crawford, Assistant Attorney General, (405) 522-3787, james.crawford@oag.ok.gov.

[OAR Docket #23-1051; filed 12-22-23]

**TITLE 45. ALCOHOLIC BEVERAGE LAWS
ENFORCEMENT COMMISSION
CHAPTER 20. RETAIL SPIRIT STORES,
MIXED BEVERAGE, CATERERS, SPECIAL
EVENTS AND BOTTLE CLUBS**

[OAR Docket #23-1052]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 3. Retail Spirit Stores
- 45:20-3-7 [AMENDED]
- Subchapter 5. Mixed Beverage, Caterer, Special Event, Additional Hours
- 45:20-5-3 [AMENDED]
- 45:20-5-4 [REVOKED]
- 45:20-5-8 [AMENDED]
- Subchapter 7. Bottle Clubs - in Counties Applicable [REVOKED]
- 45:20-7-1 [REVOKED]
- 45:20-7-2 [REVOKED]
- 45:20-7-3 [REVOKED]
- 45:20-7-4 [REVOKED]
- 45:20-7-5 [REVOKED]

Notices of Rulemaking Intent

45:20-7-6 [REVOKED]

SUMMARY:

The ABLE Commission proposes the amendment and revocation of these administrative rules for compliance with current statutory requirements. The proposed rule changes reflect numerous changes to ABLE's governing statutes and rule requirements of an agency with rulemaking authority as set forth in the Administrative Procedures Act; 75 O.S., §§ 302, 305, and 307 and 37A O.S., § 1-107. These changes primarily consist of grammatical updates and revocation of rules impacted by statutory changes.

AUTHORITY:

Alcoholic Beverage Laws Enforcement Commission; 37A O.S., Sections 1-107.

COMMENT PERIOD:

Written and oral comments will be accepted until 1:30 p.m. on February 15, 2024, at the ABLE Commission, 50 NE 23rd St., Oklahoma City, OK 73105, Attn: Lori Carter, or by email to lori.carter@able.ok.gov.

PUBLIC HEARING:

A public hearing will be held on February 16, 2024, at 1:30 p.m., at 50 NE 23rd St., Oklahoma City, OK 73105.

Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door by 10:00 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the ABLE Commission, 50 NE 23rd St., Oklahoma City, OK 73105, Attn: Lori Carter, or by email to lori.carter@able.ok.gov. The proposed rules may also be viewed on the agency's website at oklahoma.gov/able-commission.html.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement will be prepared and may be obtained from the ABLE Commission Office at the above address beginning January 30, 2024.

CONTACT PERSON:

Lori Carter, Assistant Director, and General Counsel, (405) 521-3484 or James Crawford, Assistant Attorney General, (405) 522-3787, james.crawford@oag.ok.gov.

[OAR Docket #23-1052; filed 12-22-23]

TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION CHAPTER 25. WINEMAKERS, SELF-DISTRIBUTION, DIRECT SHIPMENT

[OAR Docket #23-1053]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. Winery Premises, Festivals, and Tradeshows

45:25-1-2 [AMENDED]

45:25-1-5 [AMENDED]

45:25-1-6 [NEW]

Subchapter 3. Self-Distribution License

45:25-3-2 [AMENDED]

45:25-3-6 [NEW]

SUMMARY:

The ABLE Commission proposes the addition of these administrative rules for compliance with current statutory requirements. The proposed rules reflect changes to ABLE's governing statutes and rule requirements of an agency with rulemaking authority as set forth in the Administrative Procedures Act; 75 O.S., §§ 302, 305, and 307 and 37A O.S., § 1-107. The proposed rules for Chapter 25 of Title 45 are an effort to align with current statutory language. Proposed administrative rule 45:25-1-6 includes the establishment of a licensing fee authorized by H.B. 1715, 59th Leg, 1st Reg. Sess. (Okla. 2023).

AUTHORITY:

Alcoholic Beverage Laws Enforcement Commission; 37A O.S., Sections 1-107.

COMMENT PERIOD:

Written and oral comments will be accepted until 1:30 p.m. on February 15, 2024, at the ABLE Commission, 50 NE 23rd St., Oklahoma City, OK 73105, Attn: Lori Carter, or by email to lori.carter@able.ok.gov.

PUBLIC HEARING:

A public hearing will be held on February 16, 2024, at 1:30 p.m., at 50 NE 23rd St., Oklahoma City, OK 73105.

Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door by 10:00 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the ABLE Commission, 50 NE 23rd St., Oklahoma City, OK 73105, Attn: Lori Carter, or by email to lori.carter@able.ok.gov. The proposed rules may also be viewed on the agency's website at oklahoma.gov/able-commission.html.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement will be prepared and may be obtained from the ABLE Commission Office at the above address beginning January 30, 2024.

CONTACT PERSON:

Lori Carter, Assistant Director, and General Counsel, (405) 521-3484 or James Crawford, Assistant Attorney General, (405) 522-3787, james.crawford@oag.ok.gov.

[OAR Docket #23-1053; filed 12-22-23]

**TITLE 45. ALCOHOLIC BEVERAGE LAWS
ENFORCEMENT COMMISSION
CHAPTER 30. MANUFACTURERS, WINE
AND SPIRIT WHOLESALERS, BREWERS,
NONRESIDENT SELLERS AND BEER
DISTRIBUTORS**

[OAR Docket #23-1054]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Manufacturers and Wine and Spirits
Wholesalers

45:30-3-4 [AMENDED]

45:30-3-5 [AMENDED]

45:30-3-6 [AMENDED]

45:30-3-9 [AMENDED]

Subchapter 5. Brewers, Nonresident Sellers, and Beer
Distributors

45:30-5-15 [AMENDED]

45:30-5-18 [AMENDED]

SUMMARY:

The ABLE Commission proposes amending these administrative rules for compliance with current statutory requirements. The proposed rules reflect numerous changes to ABLE's governing statutes and rule requirements of an agency with rulemaking authority as set forth in the Administrative Procedures Act; 75 O.S., §§ 302, 305, and 307 and 37A O.S., § 1-107. These changes primarily consist of grammatical updates and the amending of rules impacted by statutory changes.

AUTHORITY:

Alcoholic Beverage Laws Enforcement Commission; 37A O.S., Sections 1-107.

COMMENT PERIOD:

Written and oral comments will be accepted until 1:30 p.m. on February 15, 2024, at the ABLE Commission, 50 NE 23rd St., Oklahoma City, OK 73105, Attn: Lori Carter, or by email to lori.carter@able.ok.gov.

PUBLIC HEARING:

A public hearing will be held on February 16, 2024, at 1:30 p.m., at 50 NE 23rd St., Oklahoma City, OK 73105.

Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door by 10:00 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the ABLE Commission, 50 NE 23rd St., Oklahoma City, OK 73105, Attn: Lori Carter, or by email to lori.carter@able.ok.gov. The proposed rules may also be viewed on the agency's website at oklahoma.gov/able-commission.html.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement will be prepared and may be obtained from the ABLE Commission Office at the above address beginning January 30, 2024.

CONTACT PERSON:

Lori Carter, Assistant Director, and General Counsel, (405) 521-3484 or James Crawford, Assistant Attorney General, (405) 522-3787, james.crawford@oag.ok.gov.

[OAR Docket #23-1054; filed 12-22-23]

**TITLE 45. ALCOHOLIC BEVERAGE LAWS
ENFORCEMENT COMMISSION
CHAPTER 35. EVENTS,
AIRLINE/RAILROAD, HOTEL/MOTEL**

[OAR Docket #23-1055]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. Special Events

45:35-1-2 [REVOKED]

45:35-1-5 [REVOKED]

Subchapter 3. Public Events

45:35-3-2 [REVOKED]

45:35-3-5 [REVOKED]

Subchapter 5. Charitable Events

45:35-5-2 [REVOKED]

45:35-5-4 [REVOKED]

45:35-5-5 [REVOKED]

45:35-5-6 [REVOKED]

SUMMARY:

The ABLE Commission proposes revoking these administrative rules for compliance with current statutory requirements. The proposed revocation of these rules reflect numerous changes to ABLE's governing statutes and rule requirements of an agency with rulemaking authority as set forth in the Administrative Procedures Act; 75 O.S., §§ 302, 305, and 307 and 37A O.S., § 1-107. The proposed revocation of these rules for Chapter 35 of Title 45 are an effort to align current statutory language.

AUTHORITY:

Alcoholic Beverage Laws Enforcement Commission; 37A O.S., Sections 1-107.

COMMENT PERIOD:

Written and oral comments will be accepted until 1:30 p.m. on February 15, 2024, at the ABLE Commission, 50 NE 23rd St., Oklahoma City, OK 73105, Attn: Lori Carter, or by email to lori.carter@able.ok.gov.

PUBLIC HEARING:

A public hearing will be held on February 16, 2024, at 1:30 p.m., at 50 NE 23rd St., Oklahoma City, OK 73105.

Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door by 10:00 a.m.

Notices of Rulemaking Intent

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the ABLE Commission, 50 NE 23rd St., Oklahoma City, OK 73105, Attn: Lori Carter, or by email to lori.carter@able.ok.gov. The proposed rules may also be viewed on the agency's website at oklahoma.gov/able-commission.html.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement will be prepared and may be obtained from the ABLE Commission Office at the above address beginning January 30, 2024.

CONTACT PERSON:

Lori Carter, Assistant Director, and General Counsel, (405) 521-3484 or James Crawford, Assistant Attorney General, (405) 522-3787, james.crawford@oag.ok.gov.

[OAR Docket #23-1055; filed 12-22-23]

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the ABLE Commission, 50 NE 23rd St., Oklahoma City, OK 73105, Attn: Lori Carter, or by email to lori.carter@able.ok.gov. The proposed rules may also be viewed on the agency's website at oklahoma.gov/able-commission.html.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement will be prepared and may be obtained from the ABLE Commission Office at the above address beginning January 30, 2024.

CONTACT PERSON:

Lori Carter, Assistant Director, and General Counsel, (405) 521-3484 or James Crawford, Assistant Attorney General, (405) 522-3787, james.crawford@oag.ok.gov.

[OAR Docket #23-1056; filed 12-22-23]

TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION CHAPTER 60. TOBACCO

[OAR Docket #23-1056]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Notification
45:60-3-1 [AMENDED]

SUMMARY:

The ABLE Commission proposes amending this administrative rule for compliance with current statutory requirements. The proposed amendment reflects changes to ABLE's governing statutes and rule requirements of an agency with rulemaking authority as set forth in the Administrative Procedures Act; 75 O.S., §§ 302, 305, and 307 and 37A O.S., § 1-107.

AUTHORITY:

Alcoholic Beverage Laws Enforcement Commission; 37A O.S., Sections 1-107.

COMMENT PERIOD:

Written and oral comments will be accepted until 1:30 p.m. on February 15, 2024, at the ABLE Commission, 50 NE 23rd St., Oklahoma City, OK 73105, Attn: Lori Carter, or by email to lori.carter@able.ok.gov.

PUBLIC HEARING:

A public hearing will be held on February 16, 2024, at 1:30 p.m., at 50 NE 23rd St., Oklahoma City, OK 73105.

Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door by 10:00 a.m.

TITLE 75. ATTORNEY GENERAL CHAPTER 30. STANDARDS AND CRITERIA FOR ADULT VICTIMS OF HUMAN SEX TRAFFICKING PROGRAMS

[OAR Docket #23-1065]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

75:30-1-1 [AMENDED]
75:30-1-1.1 [AMENDED]
75:30-1-1.2 [NEW]

75:30-1-2 [AMENDED]

Subchapter 3. Sexual Assault Programs for Adult Victims/Survivors of Sexual Violence as a Result of Human Sex Trafficking

75:30-3-1 [AMENDED]
75:30-3-1.1 [AMENDED]
75:30-3-2 [AMENDED]

Subchapter 5. Client Records and Confidentiality

75:30-5-2 [AMENDED]
75:30-5-3.1 [AMENDED]
75:30-5-4 [AMENDED]
75:30-5-7 [AMENDED]

Subchapter 7. Physical Environments

75:30-7-1 [AMENDED]
75:30-7-2 [AMENDED]
75:30-7-4 [AMENDED]
75:30-7-7 [AMENDED]

Subchapter 11. Personnel And Volunteers

Part 5. Training
75:30-11-12 [AMENDED]

75:30-11-12.1 [AMENDED]
Subchapter 13. Governing Authority
75:30-13-2 [AMENDED]
Subchapter 15. Client Rights, for Adult Victims of Human
Sex Trafficking Programs
75:30-15-3 [AMENDED]

SUMMARY:

The proposed permanent rules will allow the Oklahoma Attorney General to fulfill its legislative mandate under 74 O.S.2021, § 18p-6 in conjunction with House Bill 4210 (2022), 2022 Okla. Sess. Laws ch. 296, § 2 (codified at 74 O.S.Supp.2022, Section 18r). First, the rules set forth general provisions such as definitions and the rules' purpose. Second, the rules establish criteria and language that distinguishes human trafficking from other crime *i.e.* domestic violence etc. Third, the rules establish criteria by which entities who provide services to victims of human trafficking must operate all programs to obtain formal certification through the Oklahoma Attorney General's office. Finally, the rules also specify what required documentation that service providers must submit to demonstrate to the governing body to be eligible to receive human trafficking funds from the Oklahoma Attorney General.

AUTHORITY:

74 O.S.2021, § 18p-6, specifically subsection B.

COMMENT PERIOD:

Written comments will be accepted from the date of publication in the Oklahoma Register through February 16, 2024, by mail to the Oklahoma Office of the Attorney General, 313 NE 23rd St., ATTN: Thomas Schneider, Rulemaking Liaison, Oklahoma City, OK 73105, or by email to rules@oag.ok.gov.

PUBLIC HEARING:

A public hearing will be held on Friday, February 16, 2024, at 3:30 p.m., at the Office of the Attorney General, 313 N.E. 21st St., Oklahoma City, OK 73105, to provide an opportunity for persons to orally present their views related to the proposed permanent rules. Each person will be allowed a maximum of five (5) minutes to speak and must sign in at the door by 3:35 p.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Although no increase in costs to businesses are anticipated, any business entity that may be affected by these proposed rules is requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Thomas R. Schneider at the contact information below during the period from January 17, 2024, to February 16, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting the individuals below or by visiting the Attorney General's website, www.oag.ok.gov. You may also mail a written request to Oklahoma Office of the Attorney General, ATTN: General Counsel, 313 NE 23rd St., Oklahoma City, OK 73105.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement is being prepared and will be available for review on and after January 31, 2024, but not before the date that a notice of rulemaking is published. A copy of the rule impact statement will be available online at www.oag.ok.gov, or requested through email at the contact information below.

CONTACT PERSON:

Thomas R. Schneider, Deputy General Counsel to the Attorney General, (405) 521-3921 or Thomas.Schneider@oag.ok.gov or rules@oag.ok.gov

[OAR Docket #23-1065; filed 12-22-23]

**TITLE 75. ATTORNEY GENERAL
CHAPTER 45. PHARMACY BENEFIT
MANAGEMENT COMPLIANCE AND
ENFORCEMENT**

[OAR Docket #23-1066]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 1. General Provisions [NEW]
75:45-1-1 through 75:45-1-2 [NEW]
- Subchapter 2. Rules of Procedure [NEW]
75:45-2-1 through 75:45-2-5 [NEW]
- Subchapter 3. Network Access Review [NEW]
75:45-3-1 through 75:45-3-5 [NEW]

SUMMARY:

The Attorney General proposes these emergency rules to fulfill the office's obligations required by the passage of H.B. 1843, 2023 Okla. Sess. Laws ch. 293, amending the Patient's Right to Pharmacy Choice Act, 36 O.S.Supp.2023, §§ 6958-6971. The proposed permanent rules set forth definitions; rules of procedure for hearings; and regulations governing examinations and investigations by the Attorney General of pharmacy benefit managers and retail network access audits; and provides for restitution, enforcement, recovery of fees, and other forms of enforcement. These proposed permanent rules will

AUTHORITY:

Patient's Right to Pharmacy Choice Act, 36 O.S.Supp.2023, §§ 6958-6971, *as amended* (eff. November 1, 2023) and the Attorney General's implied powers derived from the Attorney General's express powers under the Act; bill request submitted asking for express authority from the Legislature

COMMENT PERIOD:

Written comments will be accepted from the date of publication in the Oklahoma Register through February 16, 2024, by mail to the Oklahoma Office of the Attorney General, 313 NE 23rd St., ATTN: Thomas Schneider, Rulemaking Liaison, Oklahoma City, OK 73105, or by email to rules@oag.ok.gov.

Notices of Rulemaking Intent

PUBLIC HEARING:

A public hearing will be held on Friday, February 16, 2024, at 1:30 p.m., at the Office of the Attorney General, 313 N.E. 21st St., Oklahoma City, OK 73105, to provide an opportunity for persons to orally present their views related to the proposed permanent rules. Each person will be allowed a maximum of five (5) minutes to speak and must sign in at the door by 1:35 p.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Thomas R. Schneider or Michael Leake at the contact information below during the period from January 17, 2024, to February 16, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting the individuals below or by visiting the Attorney General's website, www.oag.ok.gov/pharmacy-benefit-managers-compliance-and-enforcement. You may also mail a written request to Oklahoma Office of the Attorney General, ATTN: General Counsel, 313 NE 23rd St., Oklahoma City, OK 73105.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement is being prepared and will be available for review on and after January 31, 2024, but not before the date that a notice of rulemaking is published. A copy of the rule impact statement will be available online at www.oag.ok.gov/pharmacy-benefit-managers-compliance-and-enforcement, or requested through email at the contact information below.

CONTACT PERSON:

Thomas R. Schneider, Deputy General Counsel to the Attorney General, (405) 521-3921 or Thomas.Schneider@oag.ok.gov or rules@oag.ok.gov (for rulemaking questions); Michael Leake, Deputy Attorney General, (405) 521-3921 or Michael.Leake@oag.ok.gov (for substantive questions)

[OAR Docket #23-1066; filed 12-22-23]

TITLE 75. ATTORNEY GENERAL **CHAPTER 50. OPIOID SETTLEMENT** **PAYMENTS AND ABATEMENT GRANTS**

[OAR Docket #23-1067]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions [NEW]
75:50-1-1 through 75:50-1-2 [NEW]
Subchapter 2. Opioid Settlement Payments [NEW]
75:50-2-1 [NEW]
Subchapter 3. Opioid Abatement Grants [NEW]
75:50-3-1 through 75:50-1-7 [NEW]
Appendix A. Opioid Distribution Calculation Table [NEW]
Appendix B. County Tiers [NEW]
Appendix C. Municipality Tiers [NEW]
Appendix D. Common Education School District Tiers [NEW]
Appendix E. Technology School District Tiers [NEW]
Appendix F. Collaborative Multi-Applicant Tiers [NEW]
Appendix G. Scoring Rubric [NEW]

SUMMARY:

The proposed permanent rules will allow the Opioid Abatement Board to fulfill its legislative mandate under the Political Subdivisions Opioid Abatement Grants Act, 74 O.S. 2021, §§ 30.1-30.8. First, the rules set forth general provisions such as definitions and the rules' purpose. Second, the rules establish a table for weighing statutory factors for the distribution of opioid funds to non-litigating political subdivisions in the opioid distributors and retailers & Allergan settlements. Third, the rules create the process by which political subdivisions apply for and receive opioid grant awards. The rules also specify what required documentation that political subdivisions must submit to demonstrate governing body approval for seeking opioid funds from the Board; an appeals process with certain and exclusive grounds for appeal; requirements for merger or dissolution; reporting requirements and processes; subsequent applications for grant money; and procedures for recipients that spend the opioid grant awards on or for non-approved purposes. Finally, the rules provide for a tier-based awards for maximum available funding by political subdivision type and population or enrollment.

AUTHORITY:

Political Subdivisions Opioid Abatement Grants Act, 74 O.S. 2021, §§ 30.1-30.8, specifically § 30.7(G) (giving the Attorney General authority to proposed rules for the Board's approval).

COMMENT PERIOD:

Written comments will be accepted from the date of publication in the Oklahoma Register through February 16, 2024, by mail to the Oklahoma Office of the Attorney General, 313 NE 23rd St., ATTN: Thomas Schneider, Rulemaking Liaison, Oklahoma City, OK 73105, or by email to rules@oag.ok.gov.

PUBLIC HEARING:

A public hearing will be held on Friday, February 16, 2024, at 2:30 p.m., at the Office of the Attorney General, 313 N.E. 21st St., Oklahoma City, OK 73105, to provide an opportunity for persons to orally present their views related to the proposed permanent rules. Each person will be allowed a maximum of

five (5) minutes to speak and must sign in at the door by 2:35 p.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Although no increase in costs to businesses are anticipated, any business entity that may be affected by these proposed rules is requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Thomas R. Schneider at the contact information below during the period from January 17, 2024, to February 16, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting the individuals below or by visiting the Attorney General's website, www.oag.ok.gov/opioid-abatement-board. You may also mail a written request to Oklahoma Office of the Attorney General, ATTN: General Counsel, 313 NE 23rd St., Oklahoma City, OK 73105.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement is being prepared and will be available for review on and after January 31, 2024, but not before the date that a notice of rulemaking is published. A copy of the rule impact statement will be available online at www.oag.ok.gov/opioid-abatement-board or requested through email at the contact information below.

CONTACT PERSON:

Thomas R. Schneider, Deputy General Counsel to the Attorney General, (405) 521-3921 or Thomas.Schneider@oag.ok.gov or rules@oag.ok.gov

[OAR Docket #23-1067; filed 12-22-23]

**TITLE 150. OKLAHOMA DEPARTMENT OF COMMERCE
CHAPTER 175. PREP INFRASTRUCTURE PROJECTS PROGRAM**

[OAR Docket #23-998]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Chapter 175. PREP Infrastructure Projects Program [NEW]

SUMMARY:

This action is to implement the PREP Infrastructure Projects Program as implemented in the House Bill No. 4456 of the 2nd Session of the 58th Oklahoma Legislature. This clarifies terms used in the act and provides the process for application and

approval of participation under the Act. None of the actions being taken with respect to these rules increase costs of the agency or the agency's clients/partners.

AUTHORITY:

The legislation establishing the Oklahoma Department of Commerce 74 O.S. §§ 5001 et seq.; 62 O.S. § 256.

COMMENT PERIOD:

Written and oral comments will be accepted from January 16, 2024, through February 15, 2024, during regular business hours by contacting Thomas Grossnicklaus, Chief of Staff/General Counsel, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, 73104, (405) 815-5153, or thomas.grossnicklaus@okcommerce.gov.

PUBLIC HEARING:

A public hearing will be held on February 20, 2024, at 9:00 A.M. on, at Gallery 1-2, 900 North Stiles Avenue, Oklahoma City, Oklahoma. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by the end of the comment period to Thomas Grossnicklaus, General Counsel, Oklahoma Department of Commerce at 900 North Stiles Avenue, Oklahoma City, OK 73104. The Department is unaware of any business entities affected by the proposed changes.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained without charge from the Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, by contacting Thomas Grossnicklaus at (405) 815-5153, or thomas.grossnicklaus@okcommerce.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement has been prepared and is available at the offices of the Oklahoma Department of Commerce (address below).

CONTACT PERSON:

Thomas Grossnicklaus, Chief of Staff/General Counsel, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, 73104, (405) 815-5153 or thomas.grossnicklaus@okcommerce.gov.

[OAR Docket #23-998; filed 12-19-23]

Notices of Rulemaking Intent

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 1. STATE BOARD OF EDUCATION

[OAR Docket #23-1030]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

210:1-1-1. ~~Purpose~~ Declaration of Foundational Values
[AMENDED]

210:1-1-7. Purpose [NEW]

SUMMARY:

These proposed rules would define the foundational values and principles of public education in the state of Oklahoma for use by the State Department of Education.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 1-105, 3-104

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 20, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on Tuesday, February 20, 2024 at the Hodge Education Building, State Board Room, Room 120, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal

Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1030; filed 12-22-23]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 1. STATE BOARD OF EDUCATION

[OAR Docket #23-1031]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Due Process

210:1-5-6. Suspension and/or revocation of certificates
[AMENDED]

SUMMARY:

This amendment updates the administrative rule addressing the procedure for responding to the Department's application to revoke or suspend a certificate. The added content requires respondents who intend to contest an application to provide notification of such intent to the Secretary of the Board of Education within a timely period. Alternatively, if the respondent is represented by counsel, then such counsel must file a responsive pleading that conforms to the Oklahoma Rules of Civil Procedure.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 1-105, 3-104

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 20, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on Tuesday, February 20, 2024, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard,

Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1031; filed 12-22-23]

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 1. STATE BOARD OF EDUCATION**

[OAR Docket #23-1032]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 3. Departmental Precepts
 - 210:1-3-4. Annuities contracts [REVOKED]
- Subchapter 5. Due Process
 - 210:1-5-7. Teacher evaluation, dismissal, and nonreemployment [REVOKED]
- Subchapter 9. Interlocal Cooperative Agreements [REVOKED]
 - 210:1-9-1. Purpose [REVOKED]
 - 210:1-9-2. Definitions [REVOKED]
 - 210:1-9-3. Enabling provisions/restrictions [REVOKED]
 - 210:1-9-4. Conditions applicable to interlocal cooperative agreements [REVOKED]

SUMMARY:

These changes recognize the agency's commitment to reducing red tape by repealing unnecessary, costly, ineffective, duplicative, or outdated regulations. In response to the Governor's Executive Order 2020-03, the agency flagged many regulations eligible for repeal but then neglected to implement those changes. This rulemaking would revoke each regulation flagged as unnecessary, costly, ineffective, duplicative, or outdated within Chapter 1 of OAC Title 210.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 1-105, 3-104.

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 20, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on Tuesday, February 20, 2024, at the Hodge Education Building, State Board Room, Room 120, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education

Notices of Rulemaking Intent

Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1032; filed 12-22-23]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 10. SCHOOL ADMINISTRATION AND INSTRUCTIONAL SERVICES

[OAR Docket #23-1033]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

210:10-1-6. Computer assisted pupil accounting
[REVOKED]

210:10-1-10. Accreditation rating [REVOKED]

SUMMARY:

These changes recognize the agency's commitment to reducing red tape by repealing unnecessary, costly, ineffective, duplicative, or outdated regulations. In response to the Governor's Executive Order 2020-03, the agency flagged many regulations eligible for repeal but then neglected to implement those changes. This rulemaking would revoke each regulation flagged as unnecessary, costly, ineffective, duplicative, or outdated within Chapter 10 of OAC Title 210.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 1-105, 3-104.

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 20, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on Tuesday, February 20, 2024, at the Hodge Education Building, State Board Room, Room 120, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>.

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1033; filed 12-22-23]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 10. SCHOOL ADMINISTRATION AND INSTRUCTIONAL SERVICES

[OAR Docket #23-1034]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

210:10-1-16. Oklahoma Academic Scholar and other student recognitions [AMENDED]

SUMMARY:

These proposed amendments add the Classical Learning Test to the list of tests eligible for use for the Oklahoma Academic Scholar recognition or the Seal of Biliteracy. These amendments also add a graduation seal in civics to the types of recognitions available from the Department.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 3-104, 11-103.2

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 20, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the

individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on Tuesday, February 20, 2024, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1034; filed 12-22-23]

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 10. SCHOOL ADMINISTRATION AND INSTRUCTIONAL SERVICES**

[OAR Docket #23-1035]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 2. Parental Rights
- 210:10-2-2. Definitions [AMENDED]
- 210:10-2-3. Requirements [AMENDED]
- 210:10-2-4. Noncompliance [AMENDED]

SUMMARY:

The amendment adds provisions regarding school district liability for independent contractor actions within their school district that violate the Parents' Bill of Rights.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. § 3-104; 70 O.S. § 11-105.1; 25 O.S. §§ 2001-2005

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 20, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on Tuesday, February 20, 2024, at the Hodge Education Building, State Board Room, Room 120, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1035; filed 12-22-23]

Notices of Rulemaking Intent

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 10. SCHOOL ADMINISTRATION AND INSTRUCTIONAL SERVICES

[OAR Docket #23-1036]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 13. Student Assessment and School Accountability

210:10-13-2. Oklahoma School Testing Program (OSTP) scope and general administration [AMENDED]

210:10-13-18. Oklahoma School Accountability System [AMENDED]

SUMMARY:

These amendments update the accountability rules to comply with the most recent guidance from the U.S. Department of Education regarding data review for report cards and moves provisions between the accountability and assessment rules to improve rule clarity.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 3-104, 3-168, 1210.541

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 20, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on Tuesday, February 20, 2024, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State

Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1036; filed 12-22-23]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 10. SCHOOL ADMINISTRATION AND INSTRUCTIONAL SERVICES

[OAR Docket #23-1037]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 17. Federal Programs Complaint Procedures

210:10-17-1. Complaint procedures [AMENDED]

SUMMARY:

These rulemaking recommendations involve updating procedures for receiving and resolving complaints related to federal programs, reviewing appeals of prior decisions, and conducting independent on-site investigations of reported complaints.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. § 3-104; 34 C.F.R. Part 299, Subpart F

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 20, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on Tuesday, February 20, 2024 at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must

sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1037; filed 12-22-23]

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 20. STAFF**

[OAR Docket #23-1038]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 9. Professional Standards: Teacher Education and Certification

Part 1. General Teaching Certificate Requirements

210:20-9-12. General education requirements of individuals who already hold baccalaureate degrees [REVOKED]

210:20-9-14. Alternative plan for student teaching requirements [REVOKED]

Subchapter 11. Professional Standards: Accreditation Standards for Approved Teacher Education Programs

210:20-11-1. Evaluation process [REVOKED]

210:20-11-2. Specific Standards for Program Approval [REVOKED]

210:20-11-3. General education and professional education [REVOKED]

210:20-11-4. Specialization standards [REVOKED]

210:20-11-6. NCATE/State joint visits [REVOKED]

Subchapter 15: Residency Program

210:20-15-3. Residency committee [REVOKED]

210:20-15-4. Variations to the residency program regulations [REVOKED]

Subchapter 24. Science and Mathematics Advanced Recruiting Technique (SMART) Program

210:20-24-1. Purpose [REVOKED]

210:20-24-2. Science and Mathematics Advanced Recruiting Technique (SMART) Program [REVOKED]

Subchapter 26. Academic Achievement Award Program

210:20-26-1. Purpose [REVOKED]

210:20-26-2. Selection and payment criteria [REVOKED]

210:20-26-3. Qualified employees [REVOKED]

SUMMARY:

These changes recognize the agency's commitment to reducing red tape by repealing unnecessary, costly, ineffective, duplicative, or outdated regulations. In response to the Governor's Executive Order 2020-03, the agency flagged many regulations eligible for repeal but then neglected to implement those changes. This rulemaking would revoke each regulation flagged as unnecessary, costly, ineffective, duplicative, or outdated within Chapter 20 of OAC Title 210.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 1-105, 3-104.

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 20, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on Tuesday, February 20, 2024, at the Hodge Education Building, State Board Room, Room 120, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building,

Notices of Rulemaking Intent

2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>.

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1038; filed 12-22-23]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 20. STAFF

[OAR Docket #23-1039]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 23. School Board Members

210:20-23-3. Requirements for new and incumbent school board member training [AMENDED]

210:20-23-4. Requirements for continuing education; certificates; costs [AMENDED]

SUMMARY:

This amendment removes the automatic approval of the Oklahoma State School Boards Association as a provider of approved instruction for board member training. The organization remains eligible for written approval of the Department like all other providers.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 3-104, 5-110, 5-110.1

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 20, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person."

Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on Tuesday, February 20, 2024, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1039; filed 12-22-23]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 20. STAFF

[OAR Docket #23-1040]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 29. Standards of Performance and Conduct for Teachers

210:20-29-25. Principle III [AMENDED]

SUMMARY:

This amendment allows for dismissal of a certified teacher for sexual acts, acts that appeal to the prurient interest in sex, or

acts that excessively promote sexuality either in the presence of a minor or in a manner available to a minor online.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 3-104, 6-101.21

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 16, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Friday, February 16, 2024, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1040; filed 12-22-23]

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 25. FINANCE**

[OAR Docket #23-1041]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions
210:25-1-2. Equal Protection [NEW]

SUMMARY:

This amendment complies with Executive Order 2023-31 and acts to comply with the U.S. Constitution and the Oklahoma Constitution on equal protection by restricting the use of state funds, property, or resources for purposes of diversity, equity, and inclusion (DEI).

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; Okla. Const. art. II, § 36A; Okla. Const. art. VI, § 2; Executive Order 2023-31; 70 O.S. §§ 3-104, 3-104.3, 3-103.4; 18-117

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 16, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on Friday, February 16, 2024, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal

Notices of Rulemaking Intent

Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1041; filed 12-22-23]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 25. FINANCE

[OAR Docket #23-1042]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Budgeting and Business Management
Part 1. Implementation
210:25-5-4. Accounting [AMENDED]

SUMMARY:

This rule proposes a change to the deadlines for a statement of actual income and expenditures of the district or charter school for the fiscal year that ended the preceding June 30. In particular, this change would move the deadline for additional corrections from September 30 to November 1. Additionally, the rule proposes the removal of the further "good cause" second extension for districts, as moving the first extension deadline to November 1st would render the "good cause" statement unnecessary.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 3-104, 5-135, 5-135.2

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 20, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on Tuesday, February 20, 2024, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must

sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1042; filed 12-22-23]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 35. STANDARDS FOR ACCREDITATION OF ELEMENTARY, MIDDLE LEVEL, SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS

[OAR Docket #23-979]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools
Part 22. Standard XII: Academic Performance
210:35-3-210. Purpose [NEW]
210:35-3-211. Applicability of the Standard [NEW]
210:35-3-212. Metrics for Academic Deficiencies [NEW]

SUMMARY:

These rules would comply with the Legislature's requirement that accreditation standards be consistent with an academic results-oriented approach. The rules propose requiring that a school district must provide enough instruction

that at least half its students reach the basic performance level or above in state assessments for English Language Arts and Math. When a school district fails to meet that measurement, it receives an academic deficiency and may face additional scrutiny for repeated academic failure.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 3-104, 3-104.3, 3-104.4

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 15, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Thursday, February 15, 2024, at the Hodge Education Building, State Board Room, Room 120, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>.

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education

Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-979; filed 12-11-23]

TITLE 210. STATE DEPARTMENT OF EDUCATION

CHAPTER 35. STANDARDS FOR ACCREDITATION OF ELEMENTARY, MIDDLE LEVEL, SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS

[OAR Docket #23-980]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools
Part 9. Standard V: The School Staff
210:35-3-86. Qualifications; personnel records; health and safety [AMENDED]

SUMMARY:

These amendments propose applying an accreditation deficiency to school districts that maintain the active employment of a certified employee during an investigation that results in certificate revocation. These amendments also propose applying an accreditation deficiency to school districts that maintain the active employment of a non-certified employee during an investigation that finds they committed a felony.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 3-104, 3-104.1, 3-104.3, 3-104.4

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 15, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Thursday, February 15, 2024, at the Hodge Education Building, State Board Room, Room 120, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

Notices of Rulemaking Intent

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>.

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-980; filed 12-11-23]

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 35. STANDARDS FOR ACCREDITATION OF ELEMENTARY, MIDDLE LEVEL, SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS

[OAR Docket #23-981]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools
Part 21. Standard XI: Accreditation Status
210:35-3-201. Statement of the standard [AMENDED]

SUMMARY:

These amendments propose adding a new accreditation status of accredited with distinction, recognizing the best schools in the state. The rules also require the Department to maintain a public rubric used for school districts that seek to be accredited with distinction.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 3-104, 3-104.3, 3-104.4

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 15, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Thursday, February 15, 2024, at the Hodge Education Building, State Board Room, Room 120, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>.

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-981; filed 12-11-23]

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 35. STANDARDS FOR ACCREDITATION OF ELEMENTARY, MIDDLE LEVEL, SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS**

[OAR Docket #23-1043]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools
Part 5. Standard III: Administration and Organization
210:35-3-48. Local board responsibilities/staff relationships [AMENDED]

SUMMARY:

This amendment removes an illegal direction to local boards regarding how they oversee the administrative functions of their school.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. § 3-104; 70 O.S. § 5-117

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 20, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on Tuesday, February 20, 2024, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1043; filed 12-22-23]

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 35. STANDARDS FOR ACCREDITATION OF ELEMENTARY, MIDDLE LEVEL, SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS**

[OAR Docket #23-1044]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools
Part 17. Standard IX: Financial Support
210:35-3-167. School District Transparency Act [NEW]

SUMMARY:

This rule would deem a school deficient in their accreditation status should the State Board of Education find that the district in question is not compliant with making their financial information publicly accessible on their website. The rule also offers a timeline for corrective action before State Board review.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 3-104, 3-104.3, 3-104.4, 5-135.4.

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 20, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

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PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on Tuesday, February 20, 2024, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1044; filed 12-22-23]

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 35. STANDARDS FOR ACCREDITATION OF ELEMENTARY, MIDDLE LEVEL, SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS**

[OAR Docket #23-1045]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools
Part 25. Standard XIV: Freedom of Religion [NEW]
210:35-3-251. Voluntary prayer [NEW]

210:35-3-252. Minute of silence in public schools [NEW]

SUMMARY:

These new rules enforce compliance with existing law regarding school districts permitting voluntary prayer and offering a minute of silence. These rules also ensure that verifying compliance with the existing statutes is part of the accreditation process.

AUTHORITY:

State Board of Education; Okla. Const. art. XIII, § 5; 70 O.S. §§ 3-104, 3-104.3, 3-103.4.

COMMENT PERIOD:

Written comments on the proposed rule(s) will be accepted from January 16, 2024, until 4:30 p.m. on February 20, 2024. Written comments in electronic form will be accepted during the open public comment period via email at rules@sde.ok.gov. During the open public comment period, written comments may also be hand delivered to the agency during regular business hours or via regular mail to the individual at the address shown below under "Contact Person." Oral comments may be submitted for the record at the public hearing at the time, date, and place shown below.

PUBLIC HEARING:

A public hearing is scheduled for 2:00 p.m. on Tuesday, February 20, 2024, at the Hodge Education Building, State Board Room, Room 1-20, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Persons wishing to speak must sign in at the door of the State Board Room prior to the start of the hearing. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rule(s) may be obtained for review by the public from the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Electronic copies of proposed rules are also available for review thirty (30) days prior to the hearing on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available for review at the Office of Legal Services, State Department of Education, Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma on and after the date of publication of this Notice of Rulemaking Intent. A copy of the RIS will also be available on the State Department of Education Legal Services website at: <http://ok.gov/sde/administrative-rules>

CONTACT PERSON:

Bryan Cleveland, General Counsel, Office of Legal Services, State Department of Education, Hodge Education

Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599. Telephone number: (405) 522-6295.

[OAR Docket #23-1045; filed 12-22-23]

**TITLE 230. STATE ELECTION BOARD
CHAPTER 10. THE COUNTY ELECTION BOARD**

[OAR Docket #23-1018]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 3. Election Personnel
 - Part 3. The Precinct Election Board
 - 230:10-3-27.1. Substitute Precinct Officials [AMENDED]
 - 230:10-3-28.1. Special-purpose precinct workers [AMENDED]
 - 230:10-3-32. Nepotism prohibited [REVOKED]
 - 230:10-3-35. No double compensation [AMENDED]
 - Subchapter 5. Election Training
 - Part 1. The County Election Board
 - 230:10-5-1. Statewide and regional workshops [AMENDED]
 - 230:10-5-7. Inspections [AMENDED]
 - Part 3. The Precinct Election Board
 - 230:10-5-13. Reimbursement for training [AMENDED]
 - Subchapter 7. General Administration of the County Election Board Office
 - Part 1. Meetings of the Board
 - 230:10-7-2. Scheduling meetings [AMENDED]
 - 230:10-7-12. Chairman presides [AMENDED]
 - 230:10-7-16. Retention of minutes [AMENDED]
 - Part 15. Polling Places
 - 230:10-7-108. Number and location of polling places [AMENDED]
 - 230:10-7-109. Changes in polling place [AMENDED]

SUMMARY:

The proposed amendments to the rules in Chapter 10 relate to outdated or unnecessary rules, processes, or procedures, many of which are due to more recent Legislative changes. For example, there is no longer a Chief Clerk position within the County Election Board nor are there Precinct Election Boards. Further, the compensation amounts are being increased for precinct officials in 2024 pursuant to Senate Bill 290 from the 2023 Legislative session. The revocation of the rule related to nepotism is already prescribed in state law.

AUTHORITY:

Rulemaking authority is granted by Title 26 O.S., Section 2-107, to the Secretary of the State Election Board.

COMMENT PERIOD:

Persons may submit written comments through February 15, 2024 to Rachel Rogers at:

Mailing Address: State Election Board, P. O. Box 53156, Oklahoma City, OK 73152.

Email: rachel.rogers@elections.ok.gov. Physical Address: Room G28, State Capitol Building, 2300 N. Lincoln Blvd., Oklahoma City.

PUBLIC HEARING:

A public hearing has not been scheduled; however, pursuant to 75 O.S., Section 303(B)(9), "persons may demand a hearing" by writing Rachel Rogers at State Election Board, P. O. Box 53156, Oklahoma City, OK 73152 or by email at rachel.rogers@elections.ok.gov and received no later than 5:00 p.m. on February 15, 2024.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed amendments are available in the office of the State Election Board, Room G28, State Capitol Building, Oklahoma City, and on the State Election Board website.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement is being prepared and will be available for review no later than January 31, 2024 at the above addresses.

CONTACT PERSON:

Rachel A. Rogers, Director of Policy and Legal Affairs, State Election Board. (405) 521-6962. rachel.rogers@elections.ok.gov

ADDITIONAL INFORMATION:

N/A

[OAR Docket #23-1018; filed 12-21-23]

**TITLE 230. STATE ELECTION BOARD
CHAPTER 15. VOTER REGISTRATION**

[OAR Docket #23-1019]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 3. Voter Outreach
 - Part 1. Responsibilities for Voter Outreach
 - 230:15-3-1. Responsibility for voter outreach [AMENDED]
 - Subchapter 5. Application for Voter Registration
 - Part 1. Qualifications for Registration
 - 230:15-5-1. Persons eligible to register to vote [AMENDED]
 - 230:15-5-3. Felons ineligible to register to vote [AMENDED]
 - 230:15-5-4. Exceptions for felony convictions [AMENDED]
- Part 27. Online Voter Registration Application Services

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- 230:15-5-140. Online submission of applications for voter registration authorized [AMENDED]
Subchapter 9. Receiving and Processing Voter Registration Applications
Part 1. Responsibilities of the State Election Board for Voter Registration
230:15-9-6. Notification of new voter registration to prior state [NEW]
Part 5. Processing Voter Registration Applications
230:15-9-18.1. Assigning voter registration addresses in the Street Guide [AMENDED]
230:15-9-20. Processing applications for name change [AMENDED]
230:15-9-21. Processing applications for change of residence address or mailing address [AMENDED]
230:15-9-22. Processing applications for change of political affiliation [AMENDED]
230:15-9-23. Processing duplicate application for voter registration [AMENDED]
230:15-9-25. Processing applications for restricted records status [AMENDED]
Part 7. Acknowledgment of Voter Registration Applications
230:15-9-30. Processing voter identification cards returned undelivered by post office [AMENDED]
Subchapter 11. Voter Registration List Maintenance
Part 1. Cancellation of Voter Registration
230:15-11-4. Processing cancellations of registration [AMENDED]
230:15-11-8. Cancellation for felony conviction [AMENDED]

SUMMARY:

Many of the proposed amendments in Chapter 15 are part of an ongoing effort to update the title due to the implementation of online voter registration. Proposed amendments in Part 1 of Subchapter 5 were necessary to conform the language with state statute. The State Election Board is proposing a new rule in Subchapter 9. This would allow the agency to provide notice to a voter's previous state of residence when the voter submits a new Oklahoma Voter Registration Application indicating such previous residence information. The updates in Part 1 of Subchapter 11 relate to new legislation from 2023 (Senate Bill 377), which added additional reasons for canceling a voter's registration, such as when the court clerk excuses a registered voter from jury duty for being a non-citizen.

AUTHORITY:

Rulemaking authority is granted by Title 26 O.S., Section 2-107, to the Secretary of the State Election Board.

COMMENT PERIOD:

Persons may submit written comments through February 15, 2024 to Rachel Rogers at:

Mailing Address: State Election Board, P. O. Box 53156, Oklahoma City, OK 73152.

Email: rachel.rogers@elections.ok.gov. Physical Address: Room G28, State Capitol Building, 2300 N. Lincoln Blvd., Oklahoma City.

PUBLIC HEARING:

A public hearing has not been scheduled; however, pursuant to 75 O.S., Section 303(B)(9), "persons may demand a hearing" by writing Rachel Rogers at State Election Board, P. O. Box 53156, Oklahoma City, OK 73152 or by email at rachel.rogers@elections.ok.gov and received no later than 5:00 p.m. on February 15, 2024.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed amendments are available in the office of the State Election Board, Room G28, State Capitol Building, Oklahoma City, and on the State Election Board website.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement is being prepared and will be available for review no later than January 31, 2024 at the above addresses.

CONTACT PERSON:

Rachel A. Rogers, Director of Policy and Legal Affairs, State Election Board. (405) 521-6962. rachel.rogers@elections.ok.gov

ADDITIONAL INFORMATION:

N/A

[OAR Docket #23-1019; filed 12-21-23]

TITLE 230. STATE ELECTION BOARD CHAPTER 20. CANDIDATE FILING

[OAR Docket #23-1020]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Filing Candidacy for Federal, State, County, and Other Elective Office

Part 1. When, Where, and How to File Candidacy for Elective Office

230:20-3-4. Forms for filing Declaration of Candidacy for federal, state, county, school district, and statutory municipal offices prescribed by Secretary of the State Election Board [AMENDED]

Part 7. State and County Election Board Procedures for Receiving, Reviewing, and Accepting Declarations of Candidacy

230:20-3-33. Filing fees and petitions for federal, state, and county offices [AMENDED]

230:20-3-37. Receiving, reviewing, and accepting Declarations of Candidacy [AMENDED]

Subchapter 5. Contests of Candidacy

230:20-5-5. Date for hearing contest [AMENDED]

230:20-5-6. Notice to contestee [AMENDED]

230:20-5-7. Contest of candidacy hearing [AMENDED]

230:20-5-10. Contestee may answer [AMENDED]

230:20-5-11. Burden of proof on petitioner [NEW]

SUMMARY:

Proposed amendments to this Chapter are the result of new legislation requiring a Voter Registration Verification Form to be made part of Declarations of Candidacy. Additionally, the burden of proof for contests of candidacy has been added back to the rules consistent with the legal advice from the Attorney General's Office on the required burden for these evidentiary hearings.

AUTHORITY:

Rulemaking authority is granted by Title 26 O.S., Section 2-107, to the Secretary of the State Election Board.

COMMENT PERIOD:

Persons may submit written comments through February 15, 2024 to Rachel Rogers at:

Mailing Address: State Election Board, P. O. Box 53156, Oklahoma City, OK 73152.

Email: rachel.rogers@elections.ok.gov. Physical Address: Room G28, State Capitol Building, 2300 N. Lincoln Blvd., Oklahoma City.

PUBLIC HEARING:

A public hearing has not been scheduled; however, pursuant to 75 O.S., Section 303(B)(9), "persons may demand a hearing" by writing Rachel Rogers at State Election Board, P. O. Box 53156, Oklahoma City, OK 73152 or by email at rachel.rogers@elections.ok.gov and received no later than 5:00 p.m. on February 15, 2024.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed amendments are available in the office of the State Election Board, Room G28, State Capitol Building, Oklahoma City, and on the State Election Board website.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement is being prepared and will be available for review no later than January 31, 2024 at the above addresses.

CONTACT PERSON:

Rachel A. Rogers, Director of Policy and Legal Affairs, State Election Board. (405) 521-6962. rachel.rogers@elections.ok.gov

ADDITIONAL INFORMATION:

N/A

[OAR Docket #23-1020; filed 12-21-23]

**TITLE 230. STATE ELECTION BOARD
CHAPTER 25. BALLOT PRINTING**

[OAR Docket #23-1021]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 11. Absentee Ballots

230:25-11-1. Order of names for absentee ballots for Primary [AMENDED]

Subchapter 13. Placing Parties, Candidates, Propositions on Ballot

230:25-13-1.1. Separate ballots for entities [AMENDED]

230:25-13-1.3. Using color to designate ballots for parties or entities [AMENDED]

SUMMARY:

The minor amendments to this Chapter are intended to conform the rule to the statutory language related to color designation utilized on ballots.

AUTHORITY:

Rulemaking authority is granted by Title 26 O.S., Section 2-107, to the Secretary of the State Election Board.

COMMENT PERIOD:

Persons may submit written comments through February 15, 2024 to Rachel Rogers at:

Mailing Address: State Election Board, P. O. Box 53156, Oklahoma City, OK 73152.

Email: rachel.rogers@elections.ok.gov. Physical Address: Room G28, State Capitol Building, 2300 N. Lincoln Blvd., Oklahoma City.

PUBLIC HEARING:

A public hearing has not been scheduled; however, pursuant to 75 O.S., Section 303(B)(9), "persons may demand a hearing" by writing Rachel Rogers at State Election Board, P. O. Box 53156, Oklahoma City, OK 73152 or by email at rachel.rogers@elections.ok.gov and received no later than 5:00 p.m. on February 15, 2024.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed amendments are available in the office of the State Election Board, Room G28, State Capitol Building, Oklahoma City, and on the State Election Board website.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement is being prepared and will be available for review no later than January 31, 2024 at the above addresses.

CONTACT PERSON:

Rachel A. Rogers, Director of Policy and Legal Affairs, State Election Board. (405) 521-6962. rachel.rogers@elections.ok.gov

Notices of Rulemaking Intent

ADDITIONAL INFORMATION:

N/A

[OAR Docket #23-1021; filed 12-21-23]

TITLE 230. STATE ELECTION BOARD CHAPTER 30. ABSENTEE VOTING

[OAR Docket #23-1022]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 5. Applications for Absentee Ballots
- 230:30-5-8.2. Validity of applications for absentee ballots for all elections [AMENDED]
- 230:30-5-9. Rejected applications [AMENDED]
- Subchapter 7. Absentee Voting Boards
- 230:30-7-4. Appointments shall be made promptly [REVOKED]
- 230:30-7-6.2. Designation of in-person absentee polling place [AMENDED]
- 230:30-7-11.1. Preparation of polling place and voting device for in-person absentee voting [AMENDED]
- 230:30-7-12. Processing applications for in-person absentee ballots in MESA [AMENDED]
- 230:30-7-14. Verifying voter registration information and status of in-person absentee voters [AMENDED]
- Subchapter 9. Processing Applications
- 230:30-9-2. Forms needed for processing [AMENDED]
- 230:30-9-4. Applications from persons not registered to vote [AMENDED]
- 230:30-9-9. Obtaining absentee ballot applications submitted online [AMENDED]
- Subchapter 11. Receiving and Processing Absentee Ballots
- 230:30-11-1.1. Receiving hand-delivered absentee ballots from voters [AMENDED]

SUMMARY:

Amendments to the rules in this Chapter are related to processing and receiving absentee ballots consistent with state statute. These proposed amendments remove the word "internet" when it should more appropriately state "secure network" in reference to early voting procedure.

AUTHORITY:

Rulemaking authority is granted by Title 26 O.S., Section 2-107, to the Secretary of the State Election Board.

COMMENT PERIOD:

Persons may submit written comments through February 15, 2024 to Rachel Rogers at:

Mailing Address: State Election Board, P. O. Box 53156, Oklahoma City, OK 73152.

Email: rachel.rogers@elections.ok.gov. Physical Address: Room G28, State Capitol Building, 2300 N. Lincoln Blvd., Oklahoma City.

PUBLIC HEARING:

A public hearing has not been scheduled; however, pursuant to 75 O.S., Section 303(B)(9), "persons may demand a hearing" by writing Rachel Rogers at State Election Board, P. O. Box 53156, Oklahoma City, OK 73152 or by email at rachel.rogers@elections.ok.gov and received no later than 5:00 p.m. on February 15, 2024.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed amendments are available in the office of the State Election Board, Room G28, State Capitol Building, Oklahoma City, and on the State Election Board website.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement is being prepared and will be available for review no later than January 31, 2024 at the above addresses.

CONTACT PERSON:

Rachel A. Rogers, Director of Policy and Legal Affairs, State Election Board. (405) 521-6962. rachel.rogers@elections.ok.gov

ADDITIONAL INFORMATION:

N/A

[OAR Docket #23-1022; filed 12-21-23]

TITLE 230. STATE ELECTION BOARD CHAPTER 35. ELECTION CONDUCT

[OAR Docket #23-1023]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 3. County Election Board Responsibilities
- Part 5. Precinct Official Payroll
- 230:35-3-30. Pre-Election Expense Claim [AMENDED]
- 230:35-3-33. Funds for Precinct Official compensation [AMENDED]
- 230:35-3-35. Prepare and register vouchers for Precinct Officials and Absentee Voting Board members [AMENDED]
- 230:35-3-36. Inspector receives vouchers [REVOKED]
- 230:35-3-36.1. Absentee Voting Board members receive vouchers [AMENDED]
- 230:35-3-37. Inspector distributes vouchers [REVOKED]
- 230:35-3-38. Inspector ~~receives~~ ~~compensation~~ returns Precinct Expense Claim [AMENDED]
- 230:35-3-39. ~~Alternative~~ ~~procedure~~ Procedure for distribution of vouchers [AMENDED]
- 230:35-3-40. Vouchers for substitutes [AMENDED]
- Part 7. Final Preparations
- 230:35-3-58. Wednesday preparations [AMENDED]

- Part 9. Distributing Supplies and Ballots
- 230:35-3-65. Notifying Inspectors [AMENDED]
- 230:35-3-66. Issuing supplies and ballots [AMENDED]
- Part 11. Election Day
- 230:35-3-75. Precinct procedures in ~~Election Day Reference and Problem Solver~~ section of Precinct Official ~~Notebook~~ Manual [AMENDED]
- 230:35-3-76. Familiarity with procedure necessary [AMENDED]
- 230:35-3-77. Arrival at County Election Board office [AMENDED]
- 230:35-3-78. Availability [AMENDED]
- Subchapter 5. Instructions for Precinct Officials
- Part 1. Precinct ~~Election Board~~ Officials
- 230:35-5-1. Purpose [AMENDED]
- 230:35-5-2. Publication of ~~Election Day Reference and Problem Solver~~ the Precinct Official Manual [AMENDED]
- 230:35-5-8. Authority of Inspector [AMENDED]
- Part 3. Preparations for Election Day
- 230:35-5-16. Inspection of polling place [AMENDED]
- Part 7. General Guidelines
- 230:35-5-39. Violations of the law [AMENDED]
- 230:35-5-40. Problems [AMENDED]
- Part 11. Processing the Voter
- 230:35-5-55. Routine for Judge [AMENDED]
- 230:35-5-57. Routine for Inspector [AMENDED]
- 230:35-5-59. Voter assistance [AMENDED]
- Part 15. After the Polls Close
- 230:35-5-75.1. Obtaining Detail and Tally Report [AMENDED]
- Part 29. Violations of the Law
- 230:35-5-146. Action when laws are violated [AMENDED]

SUMMARY:

Amendments to this Chapter were necessary due to the upcoming statutory increase in compensation for precinct officials (Senate Bill 290). Further, there have been updates to the procedure for how vouchers for precinct officials are handled. Lastly, there is a change in the title of the publication precinct officials must utilize - it is now entitled Precinct Official Manual (also known as "Notebook").

AUTHORITY:

Rulemaking authority is granted by Title 26 O.S., Section 2-107, to the Secretary of the State Election Board.

COMMENT PERIOD:

Persons may submit written comments through February 15, 2024 to Rachel Rogers at:

Mailing Address: State Election Board, P. O. Box 53156, Oklahoma City, OK 73152.

Email: rachel.rogers@elections.ok.gov. Physical Address: Room G28, State Capitol Building, 2300 N. Lincoln Blvd., Oklahoma City.

PUBLIC HEARING:

A public hearing has not been scheduled; however, pursuant to 75 O.S., Section 303(B)(9), "persons may demand a

hearing" by writing Rachel Rogers at State Election Board, P. O. Box 53156, Oklahoma City, OK 73152 or by email at rachel.rogers@elections.ok.gov and received no later than 5:00 p.m. on February 15, 2024.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed amendments are available in the office of the State Election Board, Room G28, State Capitol Building, Oklahoma City, and on the State Election Board website.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement is being prepared and will be available for review no later than January 31, 2024 at the above addresses.

CONTACT PERSON:

Rachel A. Rogers, Director of Policy and Legal Affairs, State Election Board. (405) 521-6962. rachel.rogers@elections.ok.gov

ADDITIONAL INFORMATION:

N/A

[OAR Docket #23-1023; filed 12-21-23]

**TITLE 260. OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES
CHAPTER 65. CONSTRUCTION AND PROPERTIES PLANNING AND REAL ESTATE SERVICES**

[OAR Docket #23-1000]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Chapter 65. Construction and Properties Planning and Real Estate Services [AMENDED]

SUMMARY:

Amendments are necessary to clarify remedies for administrative appeals made by consultants or contractors, and to allow certain building inspections to be conducted when in the best interest of the State. Amendments are also proposed to increase the amount of insurance that is required on state construction projects in order to adequately protect the interest of the State. Additional amendments are proposed to codify and clarify fees charged for construction and contracting services. Previously, certain fees were grouped together, and OMES is proposing to specify each fee individually for clarification and transparency. The proposed fees do not represent any increase, except for the addition of a 1% fee for project management and contract administration on emergency projects. Amendments may also be made to modernize language, streamline processes, correct scrivener's errors, and simplify and clarify the rules.

Notices of Rulemaking Intent

AUTHORITY:

61 O.S. §§62, 103, 202.1, 204, 209, 211; Director of the Office of Management and Enterprise Services.

COMMENT PERIOD:

Persons may submit written comments to Kimberlee Williams at the email address listed below during the period from January 16, 2024 through February 16, 2024.

PUBLIC HEARING:

A public hearing has been scheduled for 8:30 to 9:30 a.m., February 16, 2024, at the Office of Management and Enterprise Services in the Will Rogers Building in the State Capitol Complex, 2401 N. Lincoln Blvd., Innovation Conference Room (Room 214), Oklahoma City, OK.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

This proposed rulemaking action is not expected to impose costs on business entities.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Kimberlee Williams at the email address listed below. The proposed rules will also be available on the Office of Management and Enterprise Services website at www.omes.ok.gov

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303, a rule impact statement has been prepared and is available by contacting Kimberlee Williams at the email listed below.

CONTACT PERSON:

Kimberlee Williams, Deputy General Counsel, Kimberlee.Williams@omes.ok.gov, or (405) 522-3615.

[OAR Docket #23-1000; filed 12-20-23]

TITLE 330. OKLAHOMA HOUSING FINANCE AGENCY CHAPTER 80. HOUSING STABILITY PROGRAM

[OAR Docket #23-1001]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Chapter 80. Housing Stability Program [NEW]

SUMMARY:

On June 2, 2023, the Oklahoma State Legislature passed HB 1031, with an effective date of July 1, 2023. HB 1031 created the Oklahoma Housing Stability Program and named Oklahoma Housing Finance Agency ("OHFA") as the administrator. HB 1031 further established the Oklahoma Homebuilder Program and the Oklahoma Increased Housing Program. Thus, creating both the Homebuilder Revolving

Fund and the Oklahoma Increased Housing Revolving Fund. These programs and funds provide for OHFA to make grants to homebuyers and loans to homebuilders and developers to build and develop housing for rent and for purchase across the State of Oklahoma. These proposed Housing Stability Program Rules are being undertaken to define administrative guidelines for the loaning and granting of these funds.

AUTHORITY:

Administrative Procedures Act, 75 O.S. §§ 250.3(3), 303 et seq., Board of Trustees of OHFA; Amended Trust Indenture of OHFA and Bylaws of OHFA.

COMMENT PERIOD:

Persons wishing to present their views orally or in writing may submit written or oral comments to Corey Bornemann at Oklahoma Housing Finance Agency on or before February 16, 2024. Written comments will be accepted until 4:00 p.m. on February 16, 2024. Written comments should be sent to Oklahoma Housing Finance Agency, Post Office Box 26720, Oklahoma City, Oklahoma 73126, Attn: Corey Bornemann.

PUBLIC HEARING:

The Oklahoma Housing Finance Agency will hold a public hearing at 10:00 a.m. on Friday February 16, 2024, at 100 Northwest 63rd Street, Board Room East and West, Oklahoma City, Oklahoma 73116. All interested persons are invited to attend and present their views.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

OHFA requests that all business entities, developers, contractors, applicants, etc., provide OHFA on or before, February 16, 2024, in dollar amounts, if possible, the level of costs (indirect or direct including reporting, record keeping, etc.) expected to be incurred due to compliance with the proposed rules.

COPIES OF PROPOSED RULES:

A copy of the proposed rule changes will be posted to the OHFA website at www.ohfa.org. You may also request an emailed attachment of the proposed Rules. Printed copies of the Rules may be obtained by contacting Corey Bornemann, at the Oklahoma Housing Finance Agency, Post Office Box 26720, Oklahoma City, Oklahoma 73126, (405) 419-8134. Persons requesting more than one (1) copy of these proposed rules will be charged \$5.00 per copy.

RULE IMPACT STATEMENT:

A rule impact statement will be issued and made available on or before January 29, 2024, at the offices of OHFA or on the website at www.ohfa.org.

CONTACT PERSON:

Corey Bornemann, 1-(405)-419-8134.

[OAR Docket #23-1001; filed 12-20-23]

**TITLE 390. COUNCIL ON LAW
ENFORCEMENT EDUCATION AND
TRAINING
CHAPTER 1. AGENCY AUTHORITY AND
OBJECTIVES**

[OAR Docket #23-1008]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- 390:1-2.1. [AMENDED]
- 390:1-1-4. [AMENDED]
- 390:1-1-6. [AMENDED]
- 390:1-1-12. [AMENDED]

SUMMARY:

- Amendments to 390:1-2.1.
- New definitions to "CLEET profile email address" and "Online profile."
- Amendments to 390:1-1-4.
- (1) (E) (vi) Advisory Council to elect chair and vice-chair every two years.
- (1) (F) (viii) Drug Dog Advisory Council to elect chair and vice-chair every two years.
- (1) (G) (viii) Bomb Dog Advisory Council to elect chair and vice-chair every two years.
- (1) (H) Changing verbiage for the Curriculum Review Board from three to two for committee member absences annually.
- (1) (i) Curriculum Review Board to elect chair and vice-chair every two years.
- (2) (D) (vii) Private Security Advisory Committee to elect chair and vice-chair every two years.
- Amendments to 390:1-1-6.
- (b) Copies of public information may be obtained from the Council office during regular business hours upon receipt of a written request by submitting a request through CLEET's online portal and tendering and payment of a fee (if required) to cover the cost of providing copies of the requested.
- (e) Responses to information requests will be governed by Pursuant to 51 O.S., Section 24A.8.
- (f) Request for information must be submitted as follows:
 - (1) Individual requests for records will only be accepted if received by U.S. Mail or through CLEET's online portal or as otherwise directed by CLEET a designated email address, if any.
 - (2) Agency requests for records will only be accepted if receiving through CLEET's online portal or as otherwise directed by CLEET agency letterhead and received by U.S. Mail with original signature. If the Agency requesting the records has an email address ending in .org, .gov, state, or .us then an email request is sufficient.
 - (3) Other information requests shall be submitted in writing. Requesters may be required to provide adequate Protective Orders for Materials Produced by CLEET or other documentation before materials may be produced. If

documents requested are not submitted by the individual or a law enforcement agency for investigative purposes, an Order to Compel and Protective Order for Materials Produced by CLEET must be received. This Order must be certified by the issuing Court.

(4) A subpoena without an Order to Compel and Protective Order for Materials Produced by CLEET is not sufficient.

(g)(f) All social security numbers except for the last four digits will be redacted from any documents supplied by CLEET.

(h)(g) All residential addresses will be redacted from any documents supplied by CLEET.

Amendments to 390:1-1-12.

390:1-1-12. Professional services, eventEvents and course fees

(a) Professional services, events,Events and courses identified by the Director, or the director's designee, shall be subject to fees authorized in 70 O.S. 3311(B)(13). Costs will be advertised at the time the event or course is announced.

(b) Professional services, event, fees include the following:

(1) Document requests (duplicate certification or license cards, copies of individual training records, and other specialized document requests) will be charged \$10.00 unless another statutory fee applies.

(c) Costs for events and courses will be advertised at the time the event or course is announced.

(1) Courses may be offered at a per student rate. CLEET shall establish this rate based on the anticipated course costs. These costs may include items such as instructor fees (if any), training materials, travel costs (motel, per diem and transportation), facility rental (if any) and any other incidental costs incurred.

(2) Courses may be offered at an agency rate. CLEET shall establish this rate based on the anticipated course costs associated with CLEET providing an instructor or instructors for a course hosted by an agency. These costs may include items such as training materials, travel costs (motel, per diem and transportation), facility rental fees (if any) and any other incidental costs incurred.

(d)(b) Payment of fees shall be submitted with an application form at least five working days prior to the event.

(e)(e) Forms of payment accepted by CLEET are found in Rule 390:1-1-13.

(f)(d) Cancellations for an event or course must be made two working days in advance of the scheduled training date. Applications not cancelled shall be charged the full fee amount.

(g)(e) The full fee amount for an event or course will be refunded in the event of a cancellation by CLEET due to unforeseen circumstances or at the request of the Director or the director's designee.

(h)(f) Failure to pay any assessed fee shall result in an action against a certification or license pursuant to OAR Chapter 2. Administrative Procedures.

AUTHORITY:

Council on Law Enforcement Education and Training; 20 O.S., § 1313.2; 21 O.S., §§ 1289.8 and 1290.1; 51 O.S., §§

Notices of Rulemaking Intent

24-A et seq.; 59 O.S., §§ 1350.1 et seq.; 59 O.S., §§ 1750.1 through 1750.14 and 1451 through 1476; 70 O.S., § 3311 et seq., § 3311.2 through 3311.13; 74 O.S., §§ 4111 et seq.; 75 O.S., §§ 250 et seq. and 250.3

COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 15, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 20, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 15, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-206-0278 or from the CLEET web site at www.ok.gov/cleet.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on January 29, 2024, at the CLEET offices and web address listed above.

CONTACT PERSON:

Shelly Lowrance, Executive Administrative Assistant, contact information: (405) 239-5152 or shelly.lowrance@cleet.state.ok.us.

[OAR Docket #23-1008; filed 12-21-23]

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 2. ADMINISTRATIVE PROCEDURES

[OAR Docket #23-1009]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

390:2-1-2. [AMENDED]

SUMMARY:

Amendments to 390:2-1-2. Denials, reprimands, suspensions, revocations, disciplinary penalties, fines.

(c) (8) If a party fails to appear at the scheduled hearings without prior notification or good cause, the hearing officer shall default the party, and enter an order sustaining the allegations set forth in the notice and recommending to the Director or designee that imposing the sanctions set forth therein should be imposed; or if the State sustains its burden, the hearing examiner shall ~~not~~ submit to the Director or designee findings of fact and conclusions of law and a dispositional recommendation accordingly.

(10) The designated hearing officer shall render written findings of fact and conclusions of law and a dispositional recommendation to the Director or designee ~~a decision~~ based upon the law and the evidence presented at the hearing.

(11) The Director or designee shall make the final agency order in each case, whether a hearing was held or not. Each party shall be notified of the final agency order in the case which shall be, in written order form, ~~of~~ and shall include the findings of fact and conclusions of law relating to the action and the final disposition of the case.

(12) A party may appeal the final agency order ~~hearing officer's decision~~ as set forth in 75 O.S. Section 250 et. seq. of the Administrative Procedures Act.

AUTHORITY:

Council on Law Enforcement Education and Training; 11 O.S., § 34-101 and § 34-102; 20 O.S., § 1313.2; 21 O.S., §§ 1289.8, 1290.1, and §§ 1290.14 through 1290.15; 59 O.S., §§ 1350.1 et seq.; 59 O.S., §§ 1750.1 through 1750.14 and 1451 through 1476; 70 O.S., § 3311 et seq.; 75 O.S., § 250 et seq., and § 250.3.

COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 15, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 20, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 15, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-206-0278 or from the CLEET web site at www.ok.gov/cleet.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on January 29, 2024, at the CLEET offices and web address listed above.

CONTACT PERSON:

Shelly Lowrance, Executive Administrative Assistant, contact information: (405) 239-5152 or shelly.lowrance@cleet.state.ok.us.

[OAR Docket #23-1009; filed 12-21-23]

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 10. PEACE OFFICER CERTIFICATION**

[OAR Docket #23-1010]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

390:10-1-4. [AMENDED]

390:10-1-6. [AMENDED]

SUMMARY:

Amendments to 390:10-1-2. Peace officer employment standards

(c) All peace officers, reserve officers and tribal officers are required to maintain with CLEET, their current mailing address. Notice of change of address or telephone number must be made within ten (10) days of the effective change through CLEET's online portal or as otherwise directed by CLEET or in writing, with an original signature.

Amendments to 390:10-1-6. Certification by reciprocity

Any officer seeking Oklahoma Peace Officer certification, who has been certified by a state peace officer standards and training agency as a peace officer in another state, or any officer who has been certified as a federal peace officer by a Council recognized federal law enforcement agency, or any military police officer who has comparable training to an Oklahoma peace officer as determined by CLEET, may obtain certification by reciprocity, under the following conditions:

(1) The officer must meet the minimum peace officer employment standards set forth by law, ~~military service is generally not recognized as federal law enforcement employment.~~

(2) The officer must have been employed as a full-time peace officer ~~for at least three (3) consecutive months~~ within the five (5) two (2) year period immediately preceding the request for Oklahoma certification.

AUTHORITY:

Council on Law Enforcement Education and Training; 70 O.S., § 3311.2 through 3311.13.

COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 15, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 20, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 15, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-206-0278 or from the CLEET web site at www.ok.gov/cleet.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on January 29, 2024, at the CLEET offices and web address listed above.

CONTACT PERSON:

Shelly Lowrance, Executive Administrative Assistant, contact information: (405) 239-5152 or shelly.lowrance@cleet.state.ok.us.

[OAR Docket #23-1010; filed 12-21-23]

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 15. BASIC PEACE OFFICER CERTIFICATION TRAINING**

[OAR Docket #23-1011]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. Basic Academy Programs

390:15-1-9. [AMENDED]

Notices of Rulemaking Intent

Subchapter 4. Basic Peace Officer Certification Academy Program

390:15-4-10. [AMENDED]

SUMMARY:

Amendments to 390:15-1-9. Council instructors

Subchapter 1. Basic Academy Programs

(a) Instructors who teach in the Basic Academy shall possess CLEET instructor certification or shall possess professionally recognized training and experience in the assigned subject area (refer to OAC Rule 390:25-1-10 (a) 1-5). Instructors for the Legal Block must be attorneys currently licensed by the Oklahoma Supreme Court.

(c) Basic Academy skills instructors ~~of record or lead instructors~~ must ~~attend and successfully~~ complete a minimum of 20 hours CLEET-cataloged approved continuing education related to their instructorship specialty ~~instructor refresher/update course at least once~~ every three years.

(d) Basic Academy skills instructors must possess CLEET specialized instructor certification. ~~Skills instructors must teach or assist in a Basic Academy at least once every three years.~~ Skills instructors who assist in a CLEET approved Basic Academy, will satisfy the 20-hour requirement within 3 years ~~to be a Lead instructor or an instructor of record or lead~~ in any subsequent CLEET approved Basic Academy.

Amendments to 390: 15-4-10. Student responsibilities

Subchapter 4. Basic Peace Officer Certification Academy Program

(a) (1) BPOC applicants who are employed and/or commissioned as a peace officer by a law enforcement agency must submit ~~an~~ fulltime basic academy initial BPOC application to CLEET for approval to attend a BPOC entity's academy. An application fee may be charged at a rate set by CLEET. Such applicants may also be required by the BPOC entity to submit an application to the entity.

AUTHORITY:

Council on Law Enforcement Education and Training; 20 O.S., §1313.2; 70 O.S., § 3311 through 3311.13.

COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 15, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 20, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be

incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 15, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-206-0278 or from the CLEET web site at www.ok.gov/cleet.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on January 29, 2024, at the CLEET offices and web address listed above.

CONTACT PERSON:

Shelly Lowrance, Executive Administrative Assistant, contact information: (405) 239-5152 or shelly.lowrance@cleet.state.ok.us.

[OAR Docket #23-1011; filed 12-21-23]

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 20. RESERVE OFFICER CERTIFICATION AND TRAINING

[OAR Docket #23-1012]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

390:20-1-10. [AMENDED]

390:20-1-11. [AMENDED]

SUMMARY:

Amendment to 390:20-1-10. CLEET monitoring of Reserve Academies

~~In order to enhance the relationships between CLEET and the Reserve Academies throughout the state, a CLEET staff member may attend, participate in, and/or monitor each Reserve Academy as follows:~~ Authorized Reserve Academies are subject to CLEET review and monitoring at any time, with or without prior notice. CLEET representatives are authorized to review any paperwork associated with a Reserve Academy and to observe all classroom and skills instruction and training. CLEET representatives will oversee the administration of all Reserve Academy progress and certification examinations.

~~(1) Attend opening night of the school;~~

~~(2) Monitor classroom session(s);~~

~~(3) Monitor firearms qualifications;~~

~~(4) Administer the Reserve Officer progress and certification examinations; and~~

~~(5) Attend graduation ceremony, upon invitation.~~

Amendments to 390:20-1-11. Notice of compliance with employment standards

(a) A properly completed CLEET Initial Reserve Academy Application Student Enrollment Packet must be submitted through CLEET's online portal at least ten (10) business days prior to the applicable Reserve Pre-Academy review. ~~prior to admission to an Academy.~~

AUTHORITY:

Council on Law Enforcement Education and Training; 11 O.S., § 34-101; 19 O.S., § 547; 63 O.S., §§ 683.1 et seq.; 70 O.S., § 3311 through 3311.13

COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 15, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 20, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 15, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-206-0278 or from the CLEET web site at www.ok.gov/cleet.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on January 29, 2024, at the CLEET offices and web address listed above.

CONTACT PERSON:

Shelly Lowrance, Executive Administrative Assistant, contact information: (405) 239-5152 or shelly.lowrance@cleet.state.ok.us.

[OAR Docket #23-1012; filed 12-21-23]

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 25. CONTINUING LAW ENFORCEMENT EDUCATION**

[OAR Docket #23-1013]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

390:25-1-8. [AMENDED]

390:25-1-9. [AMENDED]

SUMMARY:

Amendments to 390:25-1-8. Outside law enforcement schools and seminars

(b) (3) Requests for local training incentive cataloging for any outside school or seminar, shall be submitted via CLEET's online portal made in writing in a format approved by CLEET and shall minimally contain the following information:

Amendments to 390:25-1-9. Law enforcement Instructor Certification Program

(c) Request to host school. To host an Instructor School for CLEET certification in either Basic Instructor Development or Specialized Instructor Development, the requesting agency shall complete an Off-site Instructor School application and submit it through the field representative assigned to the quadrant in which the agency is physically located.

AUTHORITY:

Council on Law Enforcement Education and Training; 70 O.S., § 3311 through 3311.13.

COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 15, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 20, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 15, 2024.

Notices of Rulemaking Intent

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-206-0278 or from the CLEET web site at www.ok.gov/cleet.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on January 29, 2024, at the CLEET offices and web address listed above.

CONTACT PERSON:

Shelly Lowrance, Executive Administrative Assistant, contact information: (405) 239-5152 or shelly.lowrance@cleet.state.ok.us.

[OAR Docket #23-1013; filed 12-21-23]

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 35. REGULATION OF PRIVATE SECURITY INDUSTRY

[OAR Docket #23-1014]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

390:35-1-3. [AMENDED]

Subchapter 5. License Requirements

390:35-5-2.1. [AMENDED]

390:35-5-3. [AMENDED]

390:35-5-11. [AMENDED]

Subchapter 7. Application Procedure

390:35-7-1. [AMENDED]

Subchapter 15. Training Requirements

390:35-15-1. [AMENDED]

390:35-5-2. [AMENDED]

SUMMARY:

Subchapter 1. General Provisions

Amendments to 390:35-1-3. Definitions

"CLEET profile email address" means the latest email address provided by the licensee to the CLEET online portal.

"Online portal" means any mechanism designated by CLEET by which business with applicants, licensees, agencies, certificate holders, the public, and/or others may be conducted remotely using the Internet.

Subchapter 5. Renewals and continuing education

Amendments to 390:35-5-2.1. Renewals and continuing education

(b) Renewal applications are submitted through CLEET's online portal and will be accepted up to thirty (30) days after the date of expiration of the applicant's license. If the renewal application is received more than thirty (30) days after the expiration date of the applicant's license, a letter will be ~~mailed~~ emailed to the ~~applicants~~ applicant's CLEET profile

email address with instructions to submit a completed new application and complete licensing fee. Continuing education will still be required even if the applicant has to submit a new application. Renewal applications will be accepted no more than sixty (60) days before the date of expiration of the applicant's license. If the renewal application is received more than sixty (60) days before the expiration date of the applicant's license, the payment received and a letter will be ~~mailed~~ emailed to the ~~applicants~~ applicant's CLEET profile email address with instructions of when to submit a completed renewal application and licensing fee.

(d) A licensee who has timely submitted a request for renewal with payment and has failed to meet the minimum training requirements will be ~~mailed~~ emailed a letter to the applicant's CLEET profile email address along with a penalty citation as listed in Appendix C requiring proof of continuing education and disposition of the fine within fifteen (15) days. No license will be issued without verification of the minimum hours of continuing education and disposition of the above mentioned citation.

Amendments to 390:35-5-3. Conditional licenses

(b) (3) Receipt of a fingerprint return ~~completed OSBI records name check~~.

Amendments to 390:35-5-11. Temporary licenses; out-of-state practitioners

(1) Said private investigator or security guard must ~~immediately, or as soon as possible~~, register with CLEET through its online portal no fewer than three (3) business days before the private investigator or security guard intends to enter into Oklahoma to conduct business;

Subchapter 7. Application Procedure

Amendment to 390:35-7-1. Applications

Applications may be completed through CLEET's online portal or other method authorized by CLEET. CLEET only has access to fingerprint returns for thirty (30) days after fingerprints are submitted to OSBI. Other documents are only good for ninety (90) days after issuance or completion date unless otherwise indicated on the printed form.

Subchapter 15. Training Requirements

Amendment to 390:35-15.1. Private security school accreditation

(d) (1) Phase 1 "Basic" - A course of instruction related to general private security tasks and includes a minimum of 20 hours of training.

(2) Phase 2 "Security Guard" - A course of instruction specifically related to the tasks of unarmed security guards and includes a minimum of 20 hours of training.

(3) Phase 3 "Private Investigator" - A course of instruction specifically related to the tasks of private investigators and includes a minimum of 35 hours of training.

(4) Phase 4 "Firearms" - A course of instruction and familiarization in the care, handling, and firing of revolvers ~~or~~ and semi-automatic handguns and includes a minimum of 32 hours of training.

Amendments to 390:35-15-2. Schools, school coordinators, and instructors

(a) Unless otherwise provided in 390:35-15-2, CLEET shall recognize only those training courses that are conducted at approved schools. Approval to conduct private security training ~~may~~shall be requested by submitting an making written application through CLEET's online portal to the Director.

AUTHORITY:

Council on Law Enforcement Education and Training; 21 O.S., § 1290.27; 59 O.S., §§ 1350.1 et seq. and 1750.1 through 1750.14; 70 O.S., § 3311 et seq.

COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 15, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 20, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 15, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-206-0278 or from the CLEET web site at www.ok.gov/cleet.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on January 29, 2024, at the CLEET offices and web address listed above.

CONTACT PERSON:

Shelly Lowrance, Executive Administrative Assistant, contact information: (405) 239-5152 or shelly.lowrance@cleet.state.ok.us.

[OAR Docket #23-1014; filed 12-21-23]

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 55. FACILITIES MANAGEMENT**

[OAR Docket #23-1015]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- 390:55-1-2. [AMENDED]
- 390:55-1-7 [AMENDED]
- 390:55-1-10. [AMENDED]
- 390:55-1-12. [AMENDED]

SUMMARY:

Amendments to 390:55-1-2. Definitions

"AARC or Advanced Active Response Center" means the active shooter response training facility.

"Emergency Response Course" means the law enforcement driving driver training course and related skills pad.

Amendments to 390:55-1-7. Complex access, operational hours and access requirements

(a) General business hours are from 8:00 a.m. to ~~5:00~~4:30 p.m., Monday through Friday, excluding state holidays.

Amendments to 390:55-1-10. Reservation requests

(a) (1) A sponsor shall submit an application for a reservation on a form designated by CLEET together with a check or purchase order for any applicable fees (Reference OAC 390:55-1-11) to CLEET at least ten (10) working days but no more than six (6) months prior to the beginning date of the proposed event or exhibit. Requests for individual lodging reservations shall be made at least five (5) working days in advance on a form designated by CLEET. Individual lodging reservations for CLEET sponsored events will not require advance payment or deposit. The application must be submitted during CLEET's business hours of 8:00 a.m. and ~~5:00~~ 4:30 p.m., Monday through Friday, excluding state holidays.

(3) ~~CLEET may restrict use of the skills training facilities for firearms, driving and defensive tactics.~~The approval of any use of CLEET facilities will be at the sole discretion of the Director or designee.

(d) The full fee amount for a reservation will be refunded in the event of a cancellation of a reservation by CLEET due to ~~unforeseen~~unforeseen circumstances or at the request of the Director or the director's designee.

Amendments to 390:55-1-12. Provisions for events

(10) ~~No outside catered events or food service will be allowed unless approved by the contracted vendor providing cafeteria services for CLEET.~~Catered events and food services must be approved by CLEET and be in compliance with any applicable facility food services contract. Arrangements must be made directly with the contracted vendor providing cafeteria services for CLEET if such food services are desired.

Notices of Rulemaking Intent

AUTHORITY:

Council on Law Enforcement Education and Training; 70 O.S., §§ 3311 et seq.

COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 15, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 20, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 15, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-206-0278 or from the CLEET web site at www.ok.gov/cleet.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on January 29, 2024, at the CLEET offices and web address listed above.

CONTACT PERSON:

Shelly Lowrance, Executive Administrative Assistant, contact information: (405) 239-5152 or shelly.lowrance@cleet.state.ok.us.

[OAR Docket #23-1015; filed 12-21-23]

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 60. REGULATING BAIL ENFORCERS

[OAR Docket #23-1016]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Application Requirements
390:60-5-1. [AMENDED]

390:60-5-3. [AMENDED]

390:60-5-5. [AMENDED]

Subchapter 13. Private Bail Enforcer Schools

390:60-13-1. [AMENDED]

390:60-13-2. [AMENDED]

SUMMARY:

Subchapter 5. Application requirements

Amendments to 390:60-5-1. Bail Enforcer applicant requirements

(d) ~~Under oath, the~~The applicant shall certify that the applicant has no disqualifying convictions as specified in the Bail Enforcement and Licensing Act or by CLEET rule, or must disclose the disqualifying convictions and state that more than five (5) years have lapsed since the completion of the sentence for a disqualifying conviction.

(e) The applicant must submit fingerprints in the manner and form directed by CLEET ~~provide CLEET and the Oklahoma State Bureau of Investigation with individual fingerprints~~ for a state and national criminal history records search.

(f) The applicant must submit an acceptable digital ~~supply CLEET two (2) current individual passport sized photographs~~ photograph with the completed CLEET application.

(h) The applicant must affirm state, under oath, that the applicant is not currently undergoing treatment for a mental illness, condition, or disorder.

(i) The applicant must state, ~~under oath~~, whether the applicant has ever been adjudicated incompetent or committed to a mental institution.

(j) The applicant must state, ~~under oath~~, whether the applicant has any history of illegal drug use or alcohol abuse.

(l) The applicant must state, ~~under oath~~, whether the applicant has ever been charged with any misdemeanor domestic violence offense.

(p) The submission of the ~~signature of the applicant on the Application through CLEET's online portal~~ shall be considered an attestation that the Applicant has read these Rules, and agrees to obey these Rules.

Amendments to 390:60-5-3. ~~Request~~ Applications ~~for applications~~

(a) ~~An application may be requested at the following address: CLEET, Bail Enforcement Division, 2401 Egypt Road, Ada, Oklahoma, 74820-0669. Bail Enforcer applications may be completed through CLEET's online portal or other method authorized by CLEET. CLEET only has access to fingerprint returns for thirty (30) days after fingerprints are submitted to OSBI. Other documents are only good for ninety (90) days after issuance or completion date unless otherwise indicated on the printed form.~~

~~(b) Requests will be handled in the most expeditious and cost effective manner.~~

~~(b) Requests will be handled in the most expeditious and cost effective manner.~~

Amendments 390:60-5-5. Accuracy and completeness of application

(c) If an application is incomplete, CLEET will process any payments in accordance with statutory requirements, and will notify the applicant that the application is incomplete. No further action will be taken on the application until all required information is received by CLEET. Upon receipt of the notification that the application is deficient, the applicant will have thirty (30) days to provide needed documents or make the necessary corrections. At the end of the thirty (30) day application period, and absent substantive progress toward providing documents or information necessary to complete the application, CLEET will return the application fees less the established processing fees. CLEET will offer no further consideration of the incomplete application.

Subchapter 13. Private Bail enforcer schools

Amendments to 390:60-13.1. Private school accreditation

(e) (1) Phase 1 - A course of instruction related to general private security or bail enforcer tasks and includes a minimum of 20 hours of training.

(2) Phase 2 - A course of instruction specifically related to the tasks of unarmed security guards and unarmed bail enforcers and includes a minimum of 20 hours of training.

(3) Phase 3 - A course of instruction specifically related to the tasks of private investigators and bail enforcers and includes a minimum of 35 hours of training.

(4) Phase 4 "Firearms" - A course of instruction and familiarization in the care, handling, and firing of revolvers or semi-automatic handguns and includes a minimum of 32 hours of training.

(5) Phase 5 - A course of instruction specifically related to the tasks of Bail Enforcers and includes a minimum of 40 hours of training.

Amendments to 390:60-13-2. Schools, school coOrdinators, and instructors

(a) Unless otherwise provided in CLEET Rules, CLEET shall recognize only those training courses that are conducted at approved schools. Approval to conduct Bail Enforcer training may be requested by ~~making written~~ submitting an application through CLEET's online portal to the Director.

AUTHORITY:

Council on Law Enforcement Education and Training; 59 O.S., §§ 1301, 1303, 1327, 1328, 1329, 1332, 1332.1.1, 1350.1 through 1350.20, and 1750.1 through 1750.14; 70 O.S., §§ 3311 et seq.

COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 15, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 20, 2024, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 15, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, 405-239-5152, 405-206-0278 or from the CLEET web site at www.ok.gov/cleet.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on January 29, 2024, at the CLEET offices and web address listed above.

CONTACT PERSON:

Shelly Lowrance, Executive Administrative Assistant, contact information: (405) 239-5152 or shelly.lowrance@cleet.state.ok.us.

[OAR Docket #23-1016; filed 12-21-23]

**TITLE 420. OKLAHOMA LIQUEFIED PETROLEUM GAS BOARD
CHAPTER 1. ADMINISTRATIVE RULES OF PROCEDURE**

[OAR Docket #23-1003]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

420:1-1-2. Organization [AMENDED]

SUMMARY:

The proposed revision provides clarification on when Board member elections outlined in 52 O.S. § 420.3 shall occur.

AUTHORITY:

Oklahoma Liquefied Petroleum Gas Board; 52 O.S., § 420.3.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m. on February 15, 2024, at the following address: Chandra Heitzinger, Administrator, 2501 N. Lincoln Blvd., Suite 218, Oklahoma City, OK 73105, or Chandra.Heitzinger@lpgas.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 9:30 a.m. on February 16, 2024, at the LP Gas Administration conference room 2501 N.

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Lincoln Blvd., Suite 218, Oklahoma City, OK 73105. Anyone who wishes to speak must sign in at the door by 9:30 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The LP Gas Board requests that business entities affected by these proposed rules provide the LP Gas Administration written information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity as a result of compliance with the proposed rules. Business entities may submit this information in writing to Chandra Heitzinger, at the above address, before the close of the comment period on February 15, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the LP Gas Administration, 2501 N. Lincoln Blvd., Suite 218, Oklahoma City, OK 73105. The proposed rules are also available on the LP Gas website <http://www.lpgas.ok.gov>.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a rule impact statement will be prepared and may be obtained from the LP Gas Administration at the above address beginning January 31, 2024.

CONTACT PERSON:

Chandra Heitzinger, Administrator, (405) 521-2458, Chandra.Heitzinger@lpgas.ok.gov.

[OAR Docket #23-1003; filed 12-21-23]

TITLE 420. OKLAHOMA LIQUEFIED PETROLEUM GAS BOARD CHAPTER 10. LIQUEFIED PETROLEUM GAS ADMINISTRATION

[OAR Docket #23-1004]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

420:10-1-3. Definitions [AMENDED]

420:10-1-5. Permits [AMENDED]

420:10-1-9. Issuing of certificates of permits [AMENDED]

420:10-1-20. Suspension or revocation of registration permits and fines; appeals [AMENDED]

SUMMARY:

The proposed revisions to the rules: add definitions of words, phrases, and terms to add clarification to terms used in the rules; reduce the inactive Class 10 permit renewal fee to three hundred fifty dollars (\$350.00) from four hundred dollars (\$400.00); add a new endorsement for the Class IV permit for recreational home maintenance personnel; increase the initial inspection fee and the annual reinspection fee for a Class VIII Un-Odorized LPG permit from one hundred dollars (\$100.00)

to two hundred fifty dollars (\$250.00) to account for increased costs to the agency related to inspections; add "Fuel Handler Permit" to the list of permit types that may be required for Class I dealers; and to add language that was erroneously struck in 2021 regarding possible offenses for disciplinary action.

The fees for the inspections of Class VIII Un-Odorized LPG Permit were added last year and the costs associated with these inspections are higher than initially anticipated. By raising these costs that Administration is able to better offset the costs to the Administration of sending Officers to the same facility multiple times due to applicant's improper construction and/or installation of LPG devices.

AUTHORITY:

Oklahoma Liquefied Petroleum Gas Board; 52 O.S., § 420.3.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m. on February 15, 2024, at the following address: Chandra Heitzinger, Administrator, 2501 N. Lincoln Blvd., Suite 218, Oklahoma City, OK 73105, or Chandra.Heitzinger@lpgas.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 9:30 a.m. on February 16, 2024, at the LP Gas Administration conference room 2501 N. Lincoln Blvd., Suite 218, Oklahoma City, OK 73105. Anyone who wishes to speak must sign in at the door by 9:30 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The LP Gas Board requests that business entities affected by these proposed rules provide the LP Gas Administration written information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity as a result of compliance with the proposed rules. Business entities may submit this information in writing to Chandra Heitzinger, at the above address, before the close of the comment period on February 15, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the LP Gas Administration, 2501 N. Lincoln Blvd., Suite 218, Oklahoma City, OK 73105. The proposed rules are also available on the LP Gas website <http://www.lpgas.ok.gov>.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a rule impact statement will be prepared and may be obtained from the LP Gas Administration at the above address beginning January 31, 2024.

CONTACT PERSON:

Chandra Heitzinger, Administrator, (405) 521-2458, Chandra.Heitzinger@lpgas.ok.gov.

[OAR Docket #23-1004; filed 12-21-23]

**TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION
CHAPTER 15. PHYSICIAN ASSISTANTS**

[OAR Docket #23-992]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 1. General Provisions
- 435:15-1-1.1. Definitions [AMENDED]
- Subchapter 3. Licensure of Physician Assistants
- 435:15-3-1. Qualification; application [AMENDED]
- 435:15-3-13. ~~Supervising~~Delegating physician; ~~alternatives~~ [AMENDED]
- 435:15-3-19. Locum tenens [REVOKED]
- Subchapter 5. Regulation of Practice
- 435:15-5-10. Prescriptions [AMENDED]
- 435:15-5-11. Discipline [AMENDED]
- Subchapter 11. Prescriptive Guidelines and Drug Formulary~~Dispensing Authority~~
- 435:15-11-1. Prescriptive and dispensing authority [AMENDED]
- 435:15-11-2. Drug formulary [AMENDED]

SUMMARY:

The proposed rule amendments add a definition for "Delegating physician" and expand the definition for "On-site." The proposed amendments allow a physician to serve as the delegating physician for an unlimited number of PAs if the delegating physician physically practices at least 50% of the time in the state of Oklahoma during a calendar year. However, it restricts a physician from serving as the delegating physician for more than a total of six physician assistants at any one time who are delegated outpatient schedule II prescribing authority. The proposed revisions also make amendments to the PA prescription authority by, including but not limited to, allowing PAs to prescribe Schedule II drugs while removing the limitation of writing prescriptions only "on site" and authorizing prescriptions for non-controlled medications to be written for up to a 100-day supply with three refills. Additionally, the rules propose amended application and practice agreement requirements, and revoke the requirements for practicing locum tenens in Oklahoma in harmony with current law. The rules also eliminate the requirement for an inclusive formulary relating to the prescribing ability of PAs.

AUTHORITY:

59 O.S. § 519, et seq.; Oklahoma Board of Medical Licensure and Supervision

COMMENT PERIOD:

Persons wishing to present their views in writing may do so by 5:00 p.m. on February 16, 2024 at the following address: Oklahoma Board of Medical Licensure and Supervision, Attn: Barbara Smith, 101 NE 51st Street, Oklahoma City, Oklahoma 73105 or via email at bsmith@okmedicalboard.org. No written comments will be accepted after the conclusion of the written comment period.

PUBLIC HEARING:

A public hearing will be held at 9:00 a.m. on Thursday, February 22, 2024, at the Oklahoma Board of Medical Licensure and Supervision, 101 NE 51st Street, Oklahoma City, Oklahoma. Anyone who wishes to speak will be required to sign in at the door no later than 9:15 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the Oklahoma Board of Medical Licensure and Supervision website at www.okmedicalboard.org under the Physician Assistant tab or you may request a copy in person at 101 NE 51st Street, Oklahoma City, Oklahoma.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be prepared and will be available in the Oklahoma Board of Medical Licensure and Supervision office at the address listed above and on the Board's website at www.okmedicalboard.org under the Physician Assistant tab after January 31, 2024.

CONTACT PERSON:

Lyle R. Kelsey, Executive Director, (405) 962-1400, lkelsey@okmedicalboard.org

[OAR Docket #23-992; filed 12-15-23]

**TITLE 442. OKLAHOMA MEDICAL MARIJUANA AUTHORITY
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

[OAR Docket #23-1024]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- 442:1-1-7. Summary suspension of licensee [AMENDED]
- 442:1-1-12. Summary order for destruction [NEW]
- 442:1-1-13. Appeal of adverse credential determination [NEW]
- 442:1-1-14. Declaratory rulings [NEW]
- 442:1-1-15. Emergency cease and desist [NEW]

SUMMARY:

The amendments establish administrative rules governing proceedings before the agency, including provisions regarding proper notice, pleadings, disclosure requirements, and appearance by parties. The amendments establish administrative rules required for the implementation of SB 1704 governing proceedings before the agency, including provisions regarding appeal of adverse credential determinations. The rules are intended to ensure consistent process is afforded to both the Agency as well as commercial licensees subject to administrative actions, penalties, fines, and adverse agency orders affecting licenses. In exigent

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circumstances that require emergency action, the Executive Director of the Authority may summarily suspend a license, while providing a hearing right to the licensee. In exigent circumstances that require emergency action, the Executive Director of the Authority or assigned administrative law judge may summarily order for destruction any marijuana or marijuana product, and licensees that own or possess the marijuana or marijuana product are afforded a hearing.

AUTHORITY:

Executive Director of the Oklahoma Medical Marijuana Authority; 63 O.S. § 420-430

COMMENT PERIOD:

January 16, 2024 through February 16, 2024. Persons wishing to present their views in writing may do so before 5:00 p.m. on February 16, 2024 at the following address: Oklahoma Medical Marijuana Authority, P.O. Box 262266, Oklahoma City, Oklahoma 73126 or by submitting public comment on the agency website at www.omma.ok.gov/rules.

PUBLIC HEARING:

Pursuant to 75 O.S. § 303(A), the public hearing for the proposed rulemaking in this chapter shall be on February 16, 2024 at the Oklahoma State Capitol, 2300 N. Lincoln Boulevard, Oklahoma City, OK 73105 in Room 535 at 9:00 a.m. Anyone who wishes to speak must sign in at the door by 9:05a.m. The alternate date and time in the event of an office closure due to inclement weather is February 16, 2024 at the Oklahoma Medical Marijuana Authority, 2501 N. Lincoln Boulevard., Oklahoma City, Oklahoma 73105 in Room 400 at 1:00 p.m. Anyone who wishes to speak must sign in at the door by 1:05p.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, within the comment period, in dollar amounts if possible, on the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rule. Business entities may submit this information in writing through February 16, 2024 at 5:00 p.m., the close of business, on the public comment form listed at www.omma.ok.gov/rules.

COPIES OF PROPOSED RULES:

The proposed rules may be obtained for review from the Oklahoma Medical Marijuana Authority, 2501 N. Lincoln Boulevard., Oklahoma City, Oklahoma 73105. The proposed rules are also available on the agency website at www.omma.ok.gov/rules.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a rule impact statement has been prepared and is available at the Oklahoma Medical Marijuana Authority at the above address or on the agency website at www.omma.ok.gov/rules.

CONTACT PERSON:

Ashley Crall, Senior Policy Analyst and Legislative Liaison, Oklahoma Medical Marijuana Authority, 2501 N. Lincoln Blvd., OK 73105, 405-568-5766. Ashley.Crall@omma.ok.gov.

[OAR Docket #23-1024; filed 12-21-23]

TITLE 442. OKLAHOMA MEDICAL MARIJUANA AUTHORITY CHAPTER 10. MEDICAL MARIJUANA REGULATIONS

[OAR Docket #23-1025]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions
442:10-1-4 [AMENDED]
442:10-1-5 [AMENDED]
Subchapter 3. Transporter License
442:10-3-1 [AMENDED]
Subchapter 4. Research Facilities and Education Facilities
442:10-4-3 [AMENDED]
442:10-4-4 [AMENDED]
442:10-4-5 [AMENDED]
442:10-4-6 [AMENDED]
Subchapter 5. Medical Marijuana Businesses
442:10-5-1.1 [AMENDED]
442:10-5-2 [AMENDED]
442:10-5-3 [AMENDED]
442:10-5-3.3 [NEW]
442:10-5-4 [AMENDED]
442:10-5-6. [AMENDED]
442:10-5-6.1 [AMENDED]
442:10-5-7 [AMENDED]
442:10-5-16 [AMENDED]
Subchapter 7. Packaging, Labeling, and Advertising
442:10-7-1 [AMENDED]
Subchapter 8. Laboratory Testing
442:10-8-1 [AMENDED]
442:10-8-2 [AMENDED]
442:10-8-3 [AMENDED]
442:10-8-4 [AMENDED]
442:10-8-5 [AMENDED]
Subchapter 9. Waste Disposal Facilities
442:10-9-3 [AMENDED]
442:10-9-7 [AMENDED]
Subchapter 11. Process Validation [NEW]
442:10-11-1 [NEW]
Appendix A. Testing Thresholds [REVOKED]
Appendix B. LQC Results [REVOKED]
Appendix C. Schedule of Fines [REVOKED]
Appendix C. Schedule of Fines [NEW]

Appendix D. Sample Collection for Final Medical Marijuana Products [REVOKED]

Appendix E. Sample Collection for Pre-Rolls [REVOKED]

Appendix F. Required Testing by Batch Type [REVOKED]

SUMMARY:

The proposed permanent rules implement legislative changes mandated by SB 18X, HB 3929, HB 4056, SB 813, SB 1704, SB 913, and HB 2095; address changes in statute under 63 O.S. § 426, 63 O.S. § 427.6, 63 O.S. § 427.14, 63 O.S. § 427.14a, 63 O.S. § 427.17, 63 O.S. § 427.19, 63 O.S. § 427.20, 63 O.S. § 427.25, and new requirements in 63 O.S. § 427.14b, 63 O.S. § 427.17a, and 63 O.S. § 427.26. The permanent rules are intended to provide a structure for the implementation of these legislative requirements. The proposed permanent rules also seek to address the risk to public health and safety posed by increasing occurrences of fires and explosions at licensed medical marijuana businesses. Further, the proposed permanent rules provide clarity on tagging, storing, testing, and retesting medical marijuana and medical marijuana products.

Amendments to OAC 442:10-8-1, OAC 442:10-8-2, OAC 442:10-8-3, OAC 442:10-8-4, and OAC 442:10-8-5 establish new laboratory testing requirements effective June 1, 2024. Amendments to OAC 442:10-5-4(l) allow the Authority to employ secret shoppers to inspect licensed commercial medical marijuana businesses. Amendments to OAC 442:10-8-5 allow the Authority to operate a quality assurance laboratory or to contract with a private laboratory. Amendments to OAC 442:10-5-1.1(f) and OAC 442:10-5-16(v) require employees of a medical marijuana business to apply for and receive a credential authorizing the employee to work in a licensed medical marijuana business. The requirement that the Legislature receive all monies from sales tax proceeds collected on medical marijuana and all monies collected from fines and fees is added to OAC 442:10-5-7(h).

Amendments implementing changes to commercial licensing fees occur in OAC 442:10-1-4, OAC 442:10-5-2(b), OAC 442:10-5-3(e)(15), and OAC 442:10-5-6(b)(6)(A). Amendments to supplemental materials required to be submitted by licensees occur in OAC 442:10-3-1(d); OAC 442:10-4-3(e)(6); OAC 442:10-5-2(e)(2)(A)(iii); OAC 442:10-5-3(e)(9); and OAC 442:10-9-3(e)(9). OAC 442:10-1-5(a) is amended to include the national fingerprint-based background check requirement. Amendments to OAC 442:10-4-4 allow the Authority to perform unannounced, on-site inspections. OAC 442:10-5-2(b) is amended to include language regarding one medical marijuana commercial grower license issued for any one property. OAC 442:10-5-3(h) is amended to extend the dates of the current moratorium on processing and issuing new medical marijuana business licenses. OAC 442:10-5-6.1(h) is amended to include penalties for medical marijuana business licensees intentionally not remitting taxes. The prohibition that commercial growers shall not hire or employ undocumented immigrants is included in OAC 442:10-5-16(u).

The amendments require applicants for a commercial grower license to submit to the Authority a bond covering the permit area upon which the business licensee will initiate and conduct commercial growing operations or an attestation that the permit area on which the licensee operates the commercial growing operation has been owned by the licensee for at least a five (5) year period prior to submission of application. OAC 442:10-5-1.1 is amended to include the required bond or attestation and requires that information be updated. OAC 442:10-5-2(e) requires business licensees submitting material change requests to include information regarding the bond or attestation and requires licensees notify the Authority in writing of any change to or cancellation of a bond. OAC 442:10-5-3(e)(13) adds the required grower bond or attestation to the list of supporting documentation required to be submitted by licensees. OAC 442:10-5-3.3 is a new section governing the required commercial grower bond and includes specific bond requirements and application materials required to be submitted by licensees. The prohibition that growers shall not engage in any commercial growing operations without a bond or attestation is added to OAC 442:10-5-16(t).

Subchapter 11 and OAC 442:10-11-1 establish a voluntary process validation program for commercial licensees.

Proposed permanent rule changes to clarify existing requirements for licensees regarding tagging, storing, testing, and retesting medical marijuana and medical marijuana products occur in OAC 442:10-1-4, OAC 442:10-4-5(f)(3), OAC 442:10-4-5(d)(2)(D), OAC 442:10-5-4(c), OAC 442:10-5-6(d)(2)(D), OAC 442:10-5-6(f)(3), OAC 442:10-7-1(g), OAC 442:10-9-7(b)(2)(D), and OAC 442:10-9-7(d)(3). Amendments to 442:10-5-6(c) and 442:10-5-6(d) clarify patient information required to be reported in the inventory tracking system.

AUTHORITY:

Executive Director of the Oklahoma Medical Marijuana Authority; 63 O.S. § 420-430

COMMENT PERIOD:

January 16, 2024 through February 16, 2024. Persons wishing to present their views in writing may do so before 5:00 p.m. on February 16, 2024 at the following address: Oklahoma Medical Marijuana Authority, P.O. Box 262266, Oklahoma City, Oklahoma 73126 or by submitting public comment on the agency website at www.omma.ok.gov/rules.

PUBLIC HEARING:

Pursuant to 75 O.S. § 303(A), the public hearing for the proposed rulemaking in this chapter shall be on February 16, 2024 at the Oklahoma State Capitol, 2300 N. Lincoln Boulevard, Oklahoma City, OK 73105 in Room 535 at 9:00 a.m. Anyone who wishes to speak must sign in at the door by 9:05a.m. The alternate date and time in the event of an office closure due to inclement weather is February 16, 2024 at the Oklahoma Medical Marijuana Authority, 2501 N. Lincoln Boulevard., Oklahoma City, Oklahoma 73105 in Room 400 at 1:00 p.m. Anyone who wishes to speak must sign in at the door by 1:05p.m.

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REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, within the comment period, in dollar amounts if possible, on the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rule. Business entities may submit this information in writing through February 16, 2024 at 5:00 p.m., the close of business, on the public comment form listed at www.omma.ok.gov/rules.

COPIES OF PROPOSED RULES:

The proposed rules may be obtained for review from the Oklahoma Medical Marijuana Authority, 2501 N. Lincoln Boulevard., Oklahoma City, Oklahoma 73105. The proposed rules are also available on the agency website at www.omma.ok.gov/rules.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a rule impact statement has been prepared and is available at the Oklahoma Medical Marijuana Authority at the above address or on the agency website at www.omma.ok.gov/rules.

CONTACT PERSON:

Ashley Crall, Senior Policy Analyst and Legislative Liaison, Oklahoma Medical Marijuana Authority, 2501 N. Lincoln Blvd., OK 73105, 405-568-5766. Ashley.Crall@omma.ok.gov.

[OAR Docket #23-1025; filed 12-21-23]

TITLE 505. BOARD OF EXAMINERS IN OPTOMETRY CHAPTER 10. LICENSURE AND REGULATION OF OPTOMETRISTS

[OAR Docket #23-1050]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 5. Regulation of Licensees

505:10-5-18. Dispensing Medications by Optometrists
[NEW]

505:10-5-19. Telemedicine [NEW]

SUMMARY:

Legislation effective November 1, 2020 amended 59 O.S. § 581(B) to include in the definition of the practice of optometry the dispensing of drugs to include dispensing professional samples to patients. The proposed rule 505 10-5-18 interprets and prescribes law and policy by informing optometrists of some of the currently existing statutes and rules

pertinent to dispensing drugs with which they must comply should optometrists desire to do so as part of their practice of optometry.

The proposed Rule 505-5-19 deals with the reality of increasing use of telemedicine in optometry practice, especially since the arrival of the Covid 19 pandemic when face to face treatment throughout the healing professions was made more difficult. Rule 505-5-19 sets out the circumstances under which telemedicine is appropriate in the practice of optometry.

INTENDED EFFECT OF THE RULES: The proposed rule 505 10-5-18 is intended to inform optometrists of some of the legal requirements for safe storage of medicines in their offices if they choose to dispense medicines themselves. Additionally, this proposed rule informs optometrists of their registration and compliance duties if they choose to dispense medicines from their offices. Proposed Rule 505-5-19 intends to assure that optometrists practicing telemedicine for patients located in Oklahoma do so consistent with their obligations under statutes and Board rules to ensure that the delivery of optometry by telemedicine results in care on a par with in person practice and that the patient's confidentiality and emergency access to the optometrist are properly provided for.

AUTHORITY:

Oklahoma Optometry Act; 59 O.S. §§ 583, 587.

COMMENT PERIOD:

Persons wishing to present their views orally or in writing may do so before 5:00 p.m. on February 15, 2024 at the Board's offices at the following address: Suite 201, Oklahoma Agriculture Building, 2800 N. Lincoln Blvd, Oklahoma City, OK 73105. Attn: Jessica Cobble.

PUBLIC HEARING:

The Board of Examiners will hold a public hearing at 3:00 p.m. on Friday, February 16, 2024 at Suite 205, Oklahoma Agriculture Building, 2800 N. Lincoln Blvd, Oklahoma City, OK 73105. Presentations may be made orally or in writing. Anyone who wishes to speak must sign in at the door by 3:00 p.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A. The proposed rules will not affect business entities.

COPIES OF PROPOSED RULES:

Copies of the proposed rule may be obtained from the Board of Examiners in Optometry at, Suite 201, Oklahoma Agriculture Building, 2800 N. Lincoln Blvd, Oklahoma City, OK 73105. Attn: Jessica Cobble.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and may be obtained beginning immediately at the offices of the Board at Suite 201, Oklahoma Agriculture Building, 2800 N. Lincoln Blvd, Oklahoma City, OK 73105. Attn: Jessica Torrey.

CONTACT PERSON:

Jessica Cobble, Administrative Assistant to the Board, (405) 521-6416.

[OAR Docket #23-1050; filed 12-22-23]

**TITLE 595. DEPARTMENT OF PUBLIC SAFETY
CHAPTER 1. GENERAL RULES OF THE DEPARTMENT OF PUBLIC SAFETY**

[OAR Docket #23-1062]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 3. Rules of Practice
- 595:1-3-2. Location [REVOKED]
- Subchapter 9. Inspection and Copying of Final Orders, Decisions, Opinions and Open Records
- 595:1-9-10. Retention and destruction of Department records [AMENDED]
- Subchapter 19. Oklahoma State Award Program
- 595:1-19-1. Definitions [AMENDED]
- 595:1-19-2. Order of precedence [AMENDED]
- 595:1-19-3. Award design [AMENDED]
- 595:1-19-4. Criteria for eligibility [AMENDED]
- 595:1-19-5. Criteria for proper wear of the Oklahoma Medal of Valor, The Oklahoma ~~Purple~~Blue Heart or the Oklahoma Red Heart, and the Oklahoma Distinguished Meritorious Service Medal [AMENDED]
- 595:1-19-6. Method of purchasing the Oklahoma Medal of Valor and the Oklahoma ~~Purple Heart~~State of Oklahoma Awards [AMENDED]

SUMMARY:

The proposed rules establish the Department's record retention requirements meet the Administrative Rules as well as Department policies; and updates the Oklahoma State Award Program administrative rules.

AUTHORITY:

Commissioner of Public Safety; 47 O.S. § 2-108 and 47 O.S. § 2-108.5

COMMENT PERIOD:

Written comments will be accepted until the close of business on February 20, 2024. Written comments may be mailed to the Department of Public Safety, ATTN: Kimberly Dammen, P.O. Box 53004, Oklahoma City, OK 73152-2900, or emailed to kimberly.dammen@dps.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 8:30 a.m., Tuesday, February 20, 2024, at the Robert R. Lester Training Center, 3600 N. Martin Luther King Ave., Oklahoma City, OK 73111. Interested parties must sign in at the door.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kimberly Dammen at the mailing address provided in the "Comment Period" section above no later than the close of business on the date of the public hearing.

COPIES OF PROPOSED RULES:

The proposed rules may be viewed on the agency's website at <http://www.ok.gov/dps> and copies may be obtained from the Department of Public Safety's office located at 3600 N. Martin Luther King Ave., Oklahoma City, OK 73111. Copies may also be obtained by written request mailed to the attention of Kimberly Dammen, P.O. Box 53004, Oklahoma City, OK 73152-9998, or emailed to kimberly.dammen@dps.ok.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement is being prepared and will be available for review after January 16, 2024, on the agency's website at <http://www.ok.gov/dps> and a copy may be obtained from the Department of Public Safety's office located at 3600 N. Martin Luther King Ave., Oklahoma City, OK 73111. A copy may also be obtained by written request mailed to the attention of Kimberly Dammen, P.O. Box 53004, Oklahoma City, OK 73152-9998, or emailed to kimberly.dammen@dps.ok.gov.

CONTACT PERSON:

Kimberly Dammen, kimberly.dammen@dps.ok.gov, 405-425-2148.

[OAR Docket #23-1062; filed 12-22-23]

**TITLE 595. DEPARTMENT OF PUBLIC SAFETY
CHAPTER 25. WRECKERS AND TOWING SERVICES**

[OAR Docket #23-1063]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 3. Wrecker License
- 595:25-3-1. General requirements [AMENDED]
- 595:25-3-2. Applications [AMENDED]
- Subchapter 7. Class AA Operators
- 595:25-7-1. Equipment requirements for all Class AA vehicles [REVOKED]
- Subchapter 9. Oklahoma Highway Patrol Rotation Log - Additional Requirements
- 595:25-9-1. Oklahoma Highway Patrol Rotation Log [AMENDED]

Notices of Rulemaking Intent

SUMMARY:

The proposed amendments further clarify the licensing requirements for wrecker and towing companies; make clear the requirement for an OSBI criminal record check for all owners and employees listed on an application for a Wrecker License; revoke redundant rule; and update the requirements for a wrecker or tow company to remain on the Oklahoma Highway Patrol rotation log.

AUTHORITY:

The Commissioner of the Department of Public Safety; 47 O.S. §952

COMMENT PERIOD:

Persons wishing to express their views in writing may do so by close of business, February 20, 2024, at the following address: Department of Public Safety, Attn: Kimberly Dammen, P.O. Box 53004, Oklahoma City, OK 73152-2900, or by email to kimberly.dammen@dps.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 9:00 a.m. on February 20, 2024, at the Robert E. Lester Training Center, 3600 N. Martin Luther King Ave, Oklahoma City, OK 73111. Anyone wishing to speak must sign in at the door.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

The Department of Public Safety requests business entities affected by these proposed rules provide the Department, within the comment period described above, in dollar amounts if possible, the increase in the level of direct costs, revenue loss, or other costs expected to be incurred by said entities such as fees; and indirect costs such as reporting, recordkeeping, professional services, labor, construction, or equipment expected to be incurred by the entity due to compliance with the proposed rules. Business entities may submit this information before 5:00 p.m. on February 19, 2024, at the following address: Department of Public Safety, Attn: Kimberly Dammen, P.O. Box 53004, Oklahoma City, OK 73152-2900, or by email to kimberly.dammen@dps.ok.gov.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the Department of Public Safety, Legal Division, P.O. Box 53004, Oklahoma City, OK 731152-2900, or kimberly.dammen@dps.ok.gov. The proposed rules are also posted on the DPS website at www.dps.ok.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D) a rule impact statement will be prepared and will be available at the above address beginning January 16, 2024.

CONTACT PERSON:

Kimberly Dammen, Administrative Programs Officer IV; 405-245-2148, or kimberly.dammen@dps.ok.gov.

[OAR Docket #23-1063; filed 12-22-23]

TITLE 595. DEPARTMENT OF PUBLIC SAFETY CHAPTER 35. ENFORCEMENT OF OKLAHOMA MOTOR CARRIER SAFETY AND HAZARDOUS MATERIALS TRANSPORTATION ACT

[OAR Docket #23-1064]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

595:35-1-5. Applicability

595:35-1-12. Department of Public Safety port of entry officers

SUMMARY:

Brings into alignment the requirements of intrastate motor carriers subject to inspection with the requirements of interstate motor carriers and provides the Commissioner can assign other law enforcement duties to Department of Public Safety port of entry officers.

AUTHORITY:

Commissioner of Public Safety; 47 O.S. § 2-108

COMMENT PERIOD:

Written comments will be accepted until the close of business, February 20, 2024. Written comments may be mailed to the Department of Public Safety, ATTN: Kimberly Dammen, P.O. Box 53004, Oklahoma City, OK 73152-2900, or emailed to kimberly.dammen@dps.ok.gov.

PUBLIC HEARING:

A public hearing will be held at 10:00 a.m., Tuesday, February 20, 2024, at the Robert R. Lester Training Center, 3600 N. Martin Luther King Ave., Oklahoma City, OK 73111. Interested parties must sign in at the door.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Kimberly Dammen at the mailing address provided in the "Comment Period" section above no later than the close of business on the date of the public hearing.

COPIES OF PROPOSED RULES:

The proposed rules may be viewed on the agency's website at <http://www.ok.gov/dps> and copies may be obtained from the Department of Public Safety's office located at 3600 N. Martin Luther King Ave., Oklahoma City, OK 73111. Copies may also be obtained by written request mailed to the attention of Kimberly Dammen, P.O. Box 53004, Oklahoma City, OK 73152-9998, or emailed to kimberly.dammen@dps.ok.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement is being prepared and will be available for review after January

16, 2024, on the agency's website at <http://www.ok.gov/dps> and a copy may be obtained from the Department of Public Safety's office located at 3600 N. Martin Luther King Ave., Oklahoma City, OK 73111. A copy may also be obtained by written request mailed to the attention of Kimberly Dammen, P.O. Box 53004, Oklahoma City, OK 73152-9998, or emailed to kimberly.dammen@dps.ok.gov.

CONTACT PERSON:

Kimberly Dammen, kimberly.dammen@dps.ok.gov, 405-425-2148.

[OAR Docket #23-1064; filed 12-22-23]

**TITLE 605. OKLAHOMA REAL ESTATE COMMISSION
CHAPTER 1. ADMINSTRATIVE OPERATIONS**

[OAR Docket #23-1026]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions
605:1-1-4 [AMENDED]

SUMMARY:

The proposed amendments to Subchapter 1 simplify the terms served by Contract Form Committee members and increases the number of Committee members from eleven (11) to thirteen (13). The amendments also modify the processes related to licensee and examinee data extract requests.

AUTHORITY:

Oklahoma Real Estate Commission; 59 O.S., § 858-208.

COMMENT PERIOD:

Persons wishing to make written comments may do so in person, by mail, or by email through February 20th, 2024, at: Oklahoma Real Estate Commission, 1915 North Stiles Ave., Suite #200, Oklahoma City, OK 73105, or bailey@orec.ok.gov.

PUBLIC HEARING:

A public hearing will be held to provide a means by which persons may offer oral input on the content of the proposed rules: 9:30 a.m. on Wednesday, February 21st, 2024, at the Oklahoma Real Estate Commission, 1915 North Stiles Ave., Suite #200, Oklahoma City, OK 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by 5:00 p.m., February 20th, 2024, at the Oklahoma Real Estate Commission, 1915 North Stiles Ave., Suite #200, Oklahoma City, OK 73105, or bailey@orec.ok.gov.

COPIES OF PROPOSED RULES:

Interested persons may request copies of the proposed rules at the Oklahoma Real Estate Commission, 1915 North Stiles Ave., Suite #200, Oklahoma City, OK 73105.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. Section 303(D), a rule impact statement will be prepared and will be available in the Oklahoma Real Estate Commission office at the address listed above and on the Board's website at orec.ok.gov after January 16th, 2024.

CONTACT PERSON:

Bailey Crotty, Deputy Director, (405) 521-3387, bailey@orec.ok.gov

[OAR Docket #23-1026; filed 12-21-23]

**TITLE 605. OKLAHOMA REAL ESTATE COMMISSION
CHAPTER 10. REQUIREMENTS, STANDARDS, AND PROCEDURES**

[OAR Docket #23-1027]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 1. General Provisions
- 605:10-1-2 [AMENDED]
- 605:10-1-4 [REVOKED]
- Subchapter 3. Education and Examination Requirements
- 605:10-3-1 [AMENDED]
- 605:10-3-2 [AMENDED]
- 605:10-3-3 [AMENDED]
- 605:10-3-4 [REVOKED]
- 605:10-3-4.1 [REVOKED]
- 605:10-3-5 [AMENDED]
- 605:10-3-6 [AMENDED]
- 605:10-3-7 [AMENDED]
- Subchapter 5. Instructor and Entity Requirements and Standards
- 605:10-5-1 [AMENDED]
- 605:10-5-1.1 [AMENDED]
- 605:10-5-2 [AMENDED]
- 605:10-5-3 [AMENDED]
- 605:10-5-4 [NEW]
- Subchapter 7. Licensing Procedures and Options
- 605:10-7-1 [AMENDED]
- 605:10-7-1.1 [AMENDED]
- 605:10-7-2 [AMENDED]
- 605:10-7-5 [AMENDED]
- 605:10-7-6 [AMENDED]
- 605:10-7-7 [AMENDED]
- 605:10-7-8 [AMENDED]
- 605:10-7-8.1 [AMENDED]
- 605:10-7-8.3 [AMENDED]
- 605:10-7-8.4 [AMENDED]
- 605:10-7-9 [AMENDED]

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605:10-7-10 [AMENDED]
605:10-7-11 [AMENDED]
Subchapter 9. Broker's Operational Procedures
605:10-9-3 [AMENDED]
605:10-9-3.2 [AMENDED]
605:10-9-4 [AMENDED]
605:10-9-6 [AMENDED]
605:10-9-8 [AMENDED]
Subchapter 11. Associate's Licensing Procedures
605:10-11-2[AMENDED]
Subchapter 13. Trust Account Procedures
605:10-13-1[AMENDED]
Subchapter 15. Disclosures, Brokerage Services and
Statute of Frauds
605:10-15-1[AMENDED]
605:10-15-2 [AMENDED]
605:10-15-4 [AMENDED]
Subchapter 17. Causes for Investigation; Hearing Process;
Prohibited Acts; Discipline
605:10-17-1.1 [NEW]
605:10-17-2 [AMENDED]
605:10-17-3 [AMENDED]
605:10-17-4 [AMENDED]

SUMMARY:

The proposed amendments to Subchapter 1 provide clarity to definitions involving various business entities and remove fees and processes regarding returned checks.

The proposed amendments to Subchapter 3 remove unnecessary language regarding effective dates, simplify the type of entities that may apply to become an education provider, remove redundant rules, clarify that licensees may elect to take approved hybrid courses, clarify that an application for licensure is valid for one (1) year, and remove unnecessary language regarding purpose, objectives and goals of education.

The proposed amendments to Subchapter 5 modify the pre-license, post-license, and continuing education approval and renewal requirements, modify the pre-license, post-license and continuing education instructor approval and renewal requirements, and modify the education provider approval and renewal requirements.

The proposed amendments to Subchapter 7 modify the approval and renewal requirements for proprietor brokers, remove unnecessary processes for national criminal history checks, remove unnecessary language regarding effective dates, remove unnecessary group fees, expand documents available for request, simplify processes for business entity compliance, clarify the registration of entities created for the sole purpose of receiving commissions, and increase approval requirements for non-Oklahoma residents brokers, simplify process for applicants moving residency to Oklahoma.

The proposed amendments to Subchapter 9 clarify the denial process for names registered for the purpose of advertising, and clarify the process for entities to maintain or close brokerage at broker death or cessation.

The proposed amendments to Subchapter 11 simplify the process to transfer an associate.

The proposed amendments to Subchapter 13 clarify the requirements of trust accounts opened in the name of the brokerage.

The proposed amendments to Subchapter 15 clarify the types of services or products that require disclosure of familial or beneficial interest, and remove unnecessary language related to effective dates.

The proposed amendments to Subchapter 17 provide definitions to key terms in Subchapter 17, clarify investigative and formal hearing process, and remove notary requirements for documents related to the complaint process.

AUTHORITY:

Oklahoma Real Estate Commission; 59 O.S., § 858-208.

COMMENT PERIOD:

Persons wishing to make written comments may do so in person, by mail, or by email through February 20th, 2024, at: Oklahoma Real Estate Commission, 1915 North Stiles Ave., Suite #200, Oklahoma City, OK 73105, or bailey@orec.ok.gov.

PUBLIC HEARING:

A public hearing will be held to provide a means by which persons may offer oral input on the content of the proposed rules: 9:30 a.m. on Wednesday, February 21st, 2024, at the Oklahoma Real Estate Commission, 1915 North Stiles Ave., Suite #200, Oklahoma City, OK 73105.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by 5:00 p.m., February 20th, 2024, at the Oklahoma Real Estate Commission, 1915 North Stiles Ave., Suite #200, Oklahoma City, OK 73105, or bailey@orec.ok.gov.

COPIES OF PROPOSED RULES:

Interested persons may request copies of the proposed rules at the Oklahoma Real Estate Commission, 1915 North Stiles Ave., Suite #200, Oklahoma City, OK 73105.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. Section 303(D), a rule impact statement will be prepared and will be available in the Oklahoma Real Estate Commission office at the address listed above and on the Board's website at orec.ok.gov after January 16th, 2024.

CONTACT PERSON:

Bailey Crotty, Deputy Director, (405) 521-3387, bailey@orec.ok.gov

[OAR Docket #23-1027; filed 12-21-23]

**TITLE 623. OKLAHOMA ROUTE 66
COMMISSION
CHAPTER 10. OKLAHOMA ROUTE 66
COMMISSION**

[OAR Docket #23-997]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- 623:10-1-1. Purpose [NEW]
- 623:10-1-2. Revolving fund [NEW]
- 623:10-1-3. Priority [NEW]
- 623:10-1-4. Eligible communities [NEW]
- 623:10-1-5. Minimum award [NEW]
- 623:10-1-6. Judging rubric [NEW]
- 623:10-1-7. Application submission [NEW]

SUMMARY:

This action is to implement the permanent status of the Oklahoma Route 66 Commission, which was adopted by the Oklahoma Route 66 Commission on August 18, 2023 under emergency rulemaking provisions of the Administrative Procedures Act, 75 O.S., Sections 250 et. seq. None of the actions being taken with respect to these rules increase costs of the agency or the agency's clients/partners.

AUTHORITY:

The legislation establishing the Oklahoma Route 66 Commission; 74 O.S. §§ 5001 et seq.; 68 O.S. § 2357.105, 69 O.S., § 4041(C).

COMMENT PERIOD:

Written and oral comments will be accepted from January 16, 2024, through February 15, 2024, during regular business hours by contacting Karla Jackson, Grants Coordinator, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, 73104, (405) 208-9620, or karla.jackson@okcommerce.gov.

PUBLIC HEARING:

A public hearing will be held on February 20, 2024, at 10:00 A.M., at Gallery 1-2, 900 North Stiles Avenue, Oklahoma City, Oklahoma. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by the end of the comment period to Karla Jackson, Grants Coordinator, Oklahoma Department of Commerce at 900 North Stiles Avenue, Oklahoma City, OK 73104. The Department is unaware of any business entities affected by the proposed changes.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained without charge from the Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, by contacting Karla Jackson at (405) 208-9620, or karla.jackson@okcommerce.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement has been prepared and is available at the offices of the Oklahoma Department of Commerce (address below).

CONTACT PERSON:

Karla Jackson, Grants Coordinator, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, 73104, (405) 208-9620 or karla.jackson@okcommerce.gov.

[OAR Docket #23-997; filed 12-19-23]

**TITLE 660. DEPARTMENT OF SECURITIES
CHAPTER 11. OKLAHOMA UNIFORM
SECURITIES ACT OF 2004**

[OAR Docket #23-1002]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 5. Broker-Dealers and Agents
 - Part 1. General Provisions
 - 660:11-5-2. Definitions [AMENDED]
 - Part 3. Licensing Procedures
 - 660:11-5-16. Examination requirements for agents and principals of non-FINRA member broker-dealers [AMENDED]
 - 660:11-5-26. Merger and acquisition broker exemption [AMENDED]
 - Part 7. Record Keeping and Ethical Standards
 - 660:11-5-42.1. ~~Standards of ethical practices~~ Dishonest and unethical practices of issuer agents [AMENDED]
- Subchapter 7. Investment Advisers and Investment Adviser Representatives
 - Part 3. Licensing Procedures
 - 660:11-7-11. Initial registration [AMENDED]
 - 660:11-7-13. Examination requirements for investment adviser representatives [AMENDED]
 - 660:11-7-21. Errors and omissions coverage [AMENDED]
 - Part 5. Reporting Requirements
 - 660:11-7-31. Post-registration reporting requirements [AMENDED]
 - Part 7. Record Keeping and Ethical Standards
 - 660:11-7-42. Dishonest and unethical practices of investment advisers and investment adviser representatives [AMENDED]
- Subchapter 9. Registration of Securities

Notices of Rulemaking Intent

Part 5. Guidelines and Policies Applicable to Offerings of Registered Securities

660:11-9-34. ~~NASAA guidelines~~ Application of NASAA Statements of Policy and guidelines [AMENDED]

Subchapter 11. Exemptions from Securities Registration

Part 1. General Provisions

660:11-11-5. Application of NASAA Statements of Policy and guidelines [NEW]

Part 3. Exempt Securities

660:11-11-21. Not for profit debt securities notice filing [AMENDED]

Part 5. Exempt Transactions

660:11-11-42. ~~Interpretation of 'existing security holders'~~ Existing securities holders exemption [AMENDED]

660:11-11-54. Intrastate offering exemption [AMENDED]

SUMMARY:

The proposed new rule and rule amendments clarify examination requirements for agents and investment adviser representatives, require investment advisers to register a natural person as an investment adviser representative, allow agents and investment adviser representatives to maintain the validity of their state examinations for up to five years under certain conditions, remove the attestation requirement for investment advisers required to submit proof of errors and omissions coverage and adjust the timeline for submission, clarify dishonest and unethical practices of issuer agents, conform investment adviser regulations relating to dishonest and unethical practices to model rules and federal law and clarify that changes in federal law relating to advertising are applicable to state-registered investment advisers and investment adviser representatives, clarify that the Department may require compliance with NASAA guidelines and Statements of Policy in connection with the review of securities registrations and exemption filings, clarify the filing requirements for the exemption from registration for transactions with existing securities holders, correct statutory cites and terminology, and clarify existing law and changing regulatory procedures.

The Administrator finds that the subject new rule and rule amendments are necessary or appropriate in the public interest or for the protection of investors and are consistent with the purposes intended by the Oklahoma Uniform Securities Act of 2004.

AUTHORITY:

Administrator, Oklahoma Department of Securities; 71 O.S. §§1-605 and 1-608

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m., February 16, 2024, at the Oklahoma Department of Securities, City Place, 204 North Robinson Avenue, Suite 400, Oklahoma City, OK 73102-7001.

PUBLIC HEARING:

A public hearing will be held at 1:30 p.m. on Thursday, February 22, 2024, to provide an opportunity for persons to

orally present their views. The hearing will be held in the conference room at the Oklahoma Department of Securities, 204 North Robinson Avenue, Suite 400, Oklahoma City, OK 73102-7001, and virtually. Information to access the hearing virtually will be posted on the Department's website, www.securities.ok.gov, at least three days prior to the hearing, or you may contact the Department at 405-280-7700 for the access information. Should you wish to speak during the hearing, please sign in at the door or log in virtually by 1:15 p.m. and post your name, phone number, email address, and name of the person you are representing, if any, in the chat box. Each person will be allowed a maximum of 10 minutes to speak.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities should evaluate the effect of the proposed new rule and rule amendments upon their business operations. The Department requests that business entities that may be affected by the proposed new rule and rule amendments provide the Department, within the comment period, in dollar amounts, if possible, any increase in the level of direct costs, indirect costs, or other costs expected to be incurred due to compliance with the proposed new rule and rule amendments. Business entities may submit this information in writing to Gerri Kavanaugh, at the above address, before the close of the comment period on February 16, 2024.

COPIES OF PROPOSED RULES:

The public may access copies of the proposed new rule and rule amendments on the Department's website at www.securities.ok.gov or obtain copies for review between 8:30 a.m. and 4:30 p.m., Monday through Friday, at the offices of the Oklahoma Department of Securities, City Place, 204 North Robinson Avenue, Suite 400, Oklahoma City, OK 73102-7001, or by calling (405) 280-7700.

RULE IMPACT STATEMENT:

A rule impact statement will be available as of January 31, 2024, from the Oklahoma Department of Securities (address, telephone number, times, and website as listed above).

CONTACT PERSON:

Gerri Kavanaugh, General Counsel, Oklahoma Department of Securities, (405) 280-7721

[OAR Docket #23-1002; filed 12-20-23]

TITLE 670. SERVICE OKLAHOMA **CHAPTER 1. ADMINISTRATIVE** **OPERATIONS**

[OAR Docket #23-1058]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking
PROPOSED RULES:

Chapter 1. Administrative Operations [NEW]

SUMMARY:

These rules move Service Oklahoma's applicable rules from Title 260, Chapter 135 to Title 670 due to the passage of SB37XX, which removed Service Oklahoma as a division of the Office of Management and Enterprise Services and made it a separate and distinct agency. The rules relate to the administrative operations of Service Oklahoma, separate rules will be submitted related to licensed operators who are overseen by Service Oklahoma, driver license and motor vehicle services administered by Service Oklahoma.

AUTHORITY:

Service Oklahoma, 47 O.S. Section 3-101; The Executive Director of Service Oklahoma, 47 O.S. Section 3-103.

COMMENT PERIOD:

Persons may submit written comments through February 15, 2024 to April Kelso, Senior Director of Partnerships and Policy, Service Oklahoma, P.O. Box 11415, Oklahoma City, OK 73136.

PUBLIC HEARING:

A public hearing has been scheduled for February 16, 2024 at 8:00 am at Service Oklahoma, 6015 N. Classen Blvd., Oklahoma City, OK. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. In the event an attendee would like to speak, please notify April Kelso by email at April.Kelso@service.ok.gov.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

April Kelso
Service Oklahoma
P.O. Box 11415
Oklahoma City, OK 73136-0415

RULE IMPACT STATEMENT:

As required by 75 O.S. § 303(D), a rule impact statement will be available beginning January 31, 2024. The rule impact statement may be obtained for review by contacting April Kelso of Service Oklahoma.

CONTACT PERSON:

April Kelso, Service Oklahoma, (405) 522-0204

[OAR Docket #23-1058; filed 12-22-23]

**TITLE 670. SERVICE OKLAHOMA
CHAPTER 10. LICENSED OPERATORS**

[OAR Docket #23-1059]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Chapter 10. Licensed Operators [NEW]

SUMMARY:

These rules move Service Oklahoma's applicable rules from Title 260, Chapter 135 to Title 670 due to the passage of

SB37XX, which removed Service Oklahoma as a division of the Office of Management and Enterprise Services and made it a separate and distinct agency. The rules relate to licensed operators who are overseen by Service Oklahoma. Separate rules will be submitted related to the administrative operations of Service Oklahoma, driver license and motor vehicle services administered by Service Oklahoma.

AUTHORITY:

Service Oklahoma, 47 O.S. Section 3-101; The Executive Director of Service Oklahoma, 47 O.S. Section 3-103.

COMMENT PERIOD:

Persons may submit written comments through February 15, 2024 to April Kelso, Senior Director of Partnerships and Policy, Service Oklahoma, P.O. Box 11415, Oklahoma City, OK 73136.

PUBLIC HEARING:

A public hearing has been scheduled for February 16, 2024 at 9:00 am at Service Oklahoma, 6015 N. Classen Blvd., Oklahoma City, OK. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. In the event an attendee would like to speak, please notify April Kelso by email at April.Kelso@service.ok.gov.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

April Kelso
Service Oklahoma
P.O. Box 11415
Oklahoma City, OK 73136-0415

RULE IMPACT STATEMENT:

As required by 75 O.S. § 303(D), a rule impact statement will be available beginning January 31, 2024. The rule impact statement may be obtained for review by contacting April Kelso of Service Oklahoma.

CONTACT PERSON:

April Kelso, Service Oklahoma, (405) 522-0204

[OAR Docket #23-1059; filed 12-22-23]

**TITLE 670. SERVICE OKLAHOMA
CHAPTER 15. DRIVER LICENSES AND
IDENTIFICATION CARDS**

[OAR Docket #23-1060]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Chapter 15. Driver licenses and identification cards [NEW]

SUMMARY:

These rules move Service Oklahoma's applicable rules from Title 260, Chapter 135 to Title 670 due to the passage of SB37XX, which removed Service Oklahoma as a division of the Office of Management and Enterprise Services and made

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it a separate and distinct agency. The rules relate to driver license and identification card services. Separate rules will be submitted related to the administrative operations of Service Oklahoma, licensed operators, and motor vehicle services administered by Service Oklahoma.

AUTHORITY:

Service Oklahoma, 47 O.S. Section 3-101; The Executive Director of Service Oklahoma, 47 O.S. Section 3-103.

COMMENT PERIOD:

Persons may submit written comments through February 15, 2024 to April Kelso, Senior Director of Partnerships and Policy, Service Oklahoma, P.O. Box 11415, Oklahoma City, OK 73136.

PUBLIC HEARING:

A public hearing has been scheduled for February 16, 2024 at 10:00 am at Service Oklahoma, 6015 N. Classen Blvd., Oklahoma City, OK. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. In the event an attendee would like to speak, please notify April Kelso by email at April.Kelso@service.ok.gov.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

April Kelso
Service Oklahoma
P.O. Box 11415
Oklahoma City, OK 73136-0415

RULE IMPACT STATEMENT:

As required by 75 O.S. § 303(D), a rule impact statement will be available beginning January 31, 2024. The rule impact statement may be obtained for review by contacting April Kelso of Service Oklahoma.

CONTACT PERSON:

April Kelso, Service Oklahoma, (405) 522-0204

[OAR Docket #23-1060; filed 12-22-23]

TITLE 670. SERVICE OKLAHOMA
CHAPTER 20. MOTOR VEHICLE

[OAR Docket #23-1061]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Chapter 20. Motor vehicle [NEW]

SUMMARY:

These rules move Service Oklahoma's applicable rules from Title 260, Chapter 135 to Title 670 due to the passage of SB37XX, which removed Service Oklahoma as a division of the Office of Management and Enterprise Services and made it a separate and distinct agency. The rules relate to motor vehicle services. Separate rules will be submitted related to the administrative operations of Service Oklahoma, licensed

operators, and driver license and identification card services administered by Service Oklahoma.

AUTHORITY:

Service Oklahoma, 47 O.S. Section 3-101; The Executive Director of Service Oklahoma, 47 O.S. Section 3-103.

COMMENT PERIOD:

Persons may submit written comments through February 15, 2024 to April Kelso, Senior Director of Partnerships and Policy, Service Oklahoma, P.O. Box 11415, Oklahoma City, OK 73136.

PUBLIC HEARING:

A public hearing has been scheduled for February 16, 2024 at 11:00 am at Service Oklahoma, 6015 N. Classen Blvd., Oklahoma City, OK. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. In the event an attendee would like to speak, please notify April Kelso by email at April.Kelso@service.ok.gov.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

April Kelso
Service Oklahoma
P.O. Box 11415
Oklahoma City, OK 73136-0415

RULE IMPACT STATEMENT:

As required by 75 O.S. § 303(D), a rule impact statement will be available beginning January 31, 2024. The rule impact statement may be obtained for review by contacting April Kelso of Service Oklahoma.

CONTACT PERSON:

April Kelso, Service Oklahoma, (405) 522-0204

[OAR Docket #23-1061; filed 12-22-23]

TITLE 690. BOARD OF EXAMINERS FOR
SPEECH-LANGUAGE PATHOLOGY AND
AUDIOLOGY
CHAPTER 10. LICENSURE AND FEES

[OAR Docket #23-994]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 7. Licensure of Speech-Language Pathology Assistants and Audiology Assistants
690:10-7-3. Supervision required [AMENDED]
690:10-7-9. Requirements for assistants [AMENDED]

SUMMARY:

The proposed amendments to subchapter 7, will move some language from the technical content requirements from section 9 to section 3, for these requirements to be the responsibility of the supervisor. The amendments in section 9 will add more options for the SLPA to meet the clinical experience

requirement, add a section for waiver of transcript to meet the new ASHA SLPA certification and amend the language for reciprocity.

AUTHORITY:

59 O.S., 2011 § 1613; Board of Examiners for Speech-Language Pathology and Audiology.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so until 5:00 p.m., February 15, 2024 to the following address: Oklahoma Board of Examiners for Speech-Language Pathology and Audiology, Attn: Amy McPeek, Director, 3700 N. Classen Blvd, Suite 248, Oklahoma City, OK., 73118 or amy.mcpeek@obespa.ok.gov.

PUBLIC HEARING:

A public hearing will be held from 10:00am to 11:00 am on Friday, February 16, 2024 at 3700 N Classen Blvd, 1st Floor Conference room, Oklahoma City, OK. 73118.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

OBESPA asks that business entities affected by the proposed rules, within the comment period provide, the increase in the level of direct services, revenue loss, or other costs expected to be incurred by costs such as fees, and the direct and indirect costs to the business entity due to compliance with the proposed rules. Business entities may submit this information in writing before the close of the comment period on February 15, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules are on our website at Oklahoma.gov/obespa.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303 (D), a rule impact statement was prepared and is available at the same locations listed above for reviewing and obtaining copies of the proposed rules.

CONTACT PERSON:

Amy McPeek, Director, (405) 524-4955, amy.mcpeek@obespa.ok.gov.

[OAR Docket #23-994; filed 12-19-23]

**TITLE 725. OKLAHOMA TOURISM AND RECREATION DEPARTMENT
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

[OAR Docket #23-1046]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 1. General Provisions
- 725:1-1-1. Purpose [AMENDED]
- Subchapter 3. Organizational Structure
- 725:1-3-1 Director as ~~chief~~ ~~executive~~ ~~officer~~ Chief Executive Officer [AMENDED]

Subchapter 5. Operations of the Oklahoma Tourism and Recreation Department

725:1-5-2. Policy-determining agency for Department [AMENDED]

Subchapter 9. Petition Requesting Promulgation, Amendment, or Repeal of Rules or Other Action

725:1-9-1. Submitting petitions [AMENDED]

SUMMARY:

The proposed revisions to the rules amend citations to and quotations of Oklahoma statutes in alignment with the Administrative Rules on Rulemaking, OAC 655:10. The proposed rules clarify the Executive Director's authority to prescribe rates as authorized under 74 O.S. § 2220 and add clarity to the review process used by the Department when requested by a third party to change or adopt a rule.

AUTHORITY:

Oklahoma Tourism and Recreation Department; 74 O.S. § 2204

COMMENT PERIOD:

January 17, 2024 through February 15, 2024. Persons wishing to present their views in writing may do so before 5:00 p.m. on February 15, 2024 at the following address: Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill or by email to Garrett.Sill@TravelOK.com.

PUBLIC HEARING:

A public hearing will be held at 10:00 a.m. on February 16, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Auditorium, Oklahoma City, OK 73102. The alternate date and time in the event of an office closure due to inclement weather is 10:00 a.m. on February 23, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Auditorium, Oklahoma City, OK 73102. Anyone who wishes to speak must sign in at the door by 10:10 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by February 15, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill, or by email to Garrett.Sill@TravelOK.com.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from online at otrd.travelok.com, or hard copies may be requested by mail or in person at Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill, or by email to Garrett.Sill@TravelOK.com.

Notices of Rulemaking Intent

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §3030(D), a rule impact statement will be prepared and may be obtained from the Oklahoma Tourism and Recreation Department and on the Department's website at the above addresses on and after January 31, 2024.

CONTACT PERSON:

Garrett Sill, Deputy General Counsel, Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, (405) 255-7454 or Garrett.Sill@TravelOK.com.

[OAR Docket #23-1046; filed 12-22-23]

TITLE 725. OKLAHOMA TOURISM AND RECREATION DEPARTMENT CHAPTER 15. FISCAL, PERSONNEL AND GENERAL OPERATIONS

[OAR Docket #23-1047]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 3. Acceptance of Checks
 - 725:15-3-1. Purpose [AMENDED]
 - 725:15-3-2. Definitions [AMENDED]
 - 725:15-3-3. Acceptance of checks [AMENDED]
 - 725:15-3-7. Insufficient or irregular checks [AMENDED]
- Subchapter 17. Pets on Premises
 - 725:15-17-1. Purpose [AMENDED]
 - 725:15-17-2. Restrictions and prohibited acts [AMENDED]
- Subchapter 21. Oklahoma Recreational Trails Program and the Boating Infrastructure Grants Program
 - 725:15-21-2. Eligibility [AMENDED]
 - 725:15-21-3. Reimbursement procedures [AMENDED]
 - 725:15-21-4. Limitations on grant awards [AMENDED]
 - 725:15-21-6. Acquisition policies and procedures-RTP only [AMENDED]
 - 725:15-21-7. Construction policies and procedures [AMENDED]
- Subchapter 25. Gift Cards
 - 725:15-25-1. Purpose [AMENDED]
 - 725:15-25-3. Guidelines of issuing gift cards [AMENDED]
 - 725:15-25-6. Outstanding balance on redeemed gift cards [AMENDED]
- Subchapter 27. Promotion of Facilities [REVOKED]
 - 725:15-27-1. Purpose [REVOKED]
 - 725:15-27-2. Programs authorized [REVOKED]
- Subchapter 31. Refunds
 - Part 1. General Provisions
 - 725:15-31-1. Purpose [AMENDED]
 - 725:15-31-2. General Rules [AMENDED]
 - Part 3. Refunds
 - 725:15-31-10. Notice of cancellation [AMENDED]
 - 725:15-31-11. Purchase refunds [AMENDED]

Subchapter 35. Revenue Bond and Note Issuance

725:15-35-1. Authority [AMENDED]

725:15-35-2. Project selection criteria [AMENDED]

SUMMARY:

The proposed revisions to the rules modify and clarify the Department's operational rules and clean-up the formatting of the rules as well as revoke subchapters no longer authorized by statute. The proposed rules restrict the Department's acceptance of checks to business checks, add definitions to clarify previously undefined terms such as "facility manager," and modifies rules pertaining to pets and service animals in the State Park System.

AUTHORITY:

Oklahoma Tourism and Recreation Department; 74 O.S. § 2204

COMMENT PERIOD:

January 17, 2024 through February 15, 2024. Persons wishing to present their views in writing may do so before 5:00 p.m. on February 15, 2024 at the following address: Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill or by email to Garrett.Sill@TravelOK.com.

PUBLIC HEARING:

A public hearing will be held at 10:00 a.m. on February 16, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Auditorium, Oklahoma City, OK 73102. The alternate date and time in the event of an office closure due to inclement weather is 10:00 a.m. on February 23, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Auditorium, Oklahoma City, OK 73102. Anyone who wishes to speak must sign in at the door by 10:10 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by February 15, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill, or by email to Garrett.Sill@TravelOK.com.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from online at otr.travelok.com, or hard copies may be requested by mail or in person at Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill, or by email to Garrett.Sill@TravelOK.com.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §3030(D), a rule impact statement will be prepared and may be obtained from the Oklahoma Tourism and Recreation Department and on the Department's website at the above addresses on and after January 31, 2024.

CONTACT PERSON:

Garrett Sill, Deputy General Counsel, Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, (405) 255-7454 or Garrett.Sill@TravelOK.com.

[OAR Docket #23-1047; filed 12-22-23]

**TITLE 725. OKLAHOMA TOURISM AND RECREATION DEPARTMENT
CHAPTER 20. MARKETING SERVICES OPERATION**

[OAR Docket #23-1048]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 1. General Provisions
 - 725:20-1-2. Fee authority [AMENDED]
 - 725:20-1-3. Refunds [AMENDED]
- Subchapter 7. Reimbursement of Matching Funds to Multicounty Organizations
 - 725:20-7-1. Definition of multicounty organization; directors [AMENDED]
 - 725:20-7-3. Tourism marketing plan; budget work program [AMENDED]
 - 725:20-7-5. Allowable expenditures [AMENDED]
 - 725:20-7-7. Tourism promotion expenditures [AMENDED]
 - 725:20-7-9. Independent and certified audit [AMENDED]
- Subchapter 9. Brochure Charges
 - 725:20-9-1. Definitions [AMENDED]
- Subchapter 13. Tourism Information Centers
 - 725:20-13-3. Special events [AMENDED]
 - 725:20-13-6. Pets on premises [AMENDED]
 - 725:20-13-7. Abandoned vehicles [AMENDED]
 - 725:20-13-8. Soliciting [AMENDED]
 - 725:20-13-10. Commercial use of Tourism Information Centers [AMENDED]

SUMMARY:

The proposed revisions to the rules clean-up formatting to existing rules. The proposed rules also modify and update the Department's rules in alignment with current practices and terminology by removing outdated references and language relating to multicounty organizations and pets and service animals at Tourism Information Centers. Multicounty organizations are required to have logos, designs, and advertisements approved by the Department and shall include trackable QR codes on printed materials that allow the multicounty organization to track and report the impact of advertising and other printed materials. Multicounty organizations shall refer to the Department as the State's official marketing agency. Advertisements that violate

Federal Law are not allowable expenditures for a multicounty organization.

AUTHORITY:

Oklahoma Tourism and Recreation Department; 74 O.S. § 2204

COMMENT PERIOD:

January 17, 2024 through February 15, 2024. Persons wishing to present their views in writing may do so before 5:00 p.m. on February 15, 2024 at the following address: Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill or by email to Garrett.Sill@TravelOK.com.

PUBLIC HEARING:

A public hearing will be held at 10:00 a.m. on February 16, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Auditorium, Oklahoma City, OK 73102. The alternate date and time in the event of an office closure due to inclement weather is 10:00 a.m. on February 23, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Auditorium, Oklahoma City, OK 73102. Anyone who wishes to speak must sign in at the door by 10:10 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by February 15, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill, or by email to Garrett.Sill@TravelOK.com.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from online at otrd.travelok.com, or hard copies may be requested by mail or in person at Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill, or by email to Garrett.Sill@TravelOK.com.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §3030(D), a rule impact statement will be prepared and may be obtained from the Oklahoma Tourism and Recreation Department and on the Department's website at the above addresses on and after January 31, 2024.

CONTACT PERSON:

Garrett Sill, Deputy General Counsel, Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, (405) 255-7454 or Garrett.Sill@TravelOK.com.

[OAR Docket #23-1048; filed 12-22-23]

Notices of Rulemaking Intent

TITLE 725. OKLAHOMA TOURISM AND RECREATION DEPARTMENT CHAPTER 30. DIVISION OF STATE PARKS

[OAR Docket #23-1049]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 2. General Purpose

725:30-2-4. Definitions [AMENDED]

725:30-2-5. Hours of operation [AMENDED]

725:30-2-6. Closure and curfew [AMENDED]

725:30-2-7. Public notice [AMENDED]

725:30-2-8. Signs, signals and markings [AMENDED]

Subchapter 4. Public Use and Recreation

725:30-4-1. Preservation and protection of natural, cultural and archaeological resources [AMENDED]

725:30-4-3. Fishing [AMENDED]

725:30-4-8. Sanitation [AMENDED]

725:30-4-11. Aircraft [AMENDED]

725:30-4-13. Property [AMENDED]

725:30-4-16. Report of injury or damage [AMENDED]

725:30-4-21. Explosives and fireworks [AMENDED]

725:30-4-22. Special events [AMENDED]

725:30-4-26. Swimming and associated swimming activities [AMENDED]

Subchapter 6. Fees, Discounts, and Waivers

725:30-6-1. Fee authority, requirements, discounts and waivers [AMENDED]

Subchapter 8. Camping and Day Use

725:30-8-1. Definitions [AMENDED]

725:30-8-2. Prohibitions [AMENDED]

725:30-8-3. Fee collection, restrictions and exemptions [AMENDED]

725:30-8-4. Time limits and extensions [AMENDED]

725:30-8-5. Day use [AMENDED]

725:30-8-6. Group camping [AMENDED]

Subchapter 10. Trails

725:30-10-1. Oklahoma Trails System Act [AMENDED]

725:30-10-2. Prohibitions [AMENDED]

Subchapter 12. Reservations and Use of Cabins, Group Camps, Shelters, Reserved/Assigned Camping Facilities, Amphitheaters, Community Buildings and Meeting Rooms

725:30-12-1. Definitions. [AMENDED]

725:30-12-2. Cabins [AMENDED]

725:30-12-3. Group camps [AMENDED]

725:30-12-4. Shelters [AMENDED]

725:30-12-5. Reserved/assigned and group camping [AMENDED]

725:30-12-6. Amphitheaters, community buildings and meeting rooms [AMENDED]

Subchapter 16. Permits

725:30-16-3. Types of Permits [AMENDED]

Subchapter 18. Special Use Areas

725:30-18-2. Alabaster Caverns State Park [AMENDED]

725:30-18-3. McGee Creek Natural Scenic Recreation Area - McGee Creek State Park [AMENDED]

Subchapter 20. Volunteers

725:30-20-1. Definition, purpose and objective [AMENDED]

725:30-20-4. Supervision and performance evaluation [AMENDED]

725:30-20-8. Prohibitions [AMENDED]

725:30-20-9. Termination of Volunteer Contract [AMENDED]

Subchapter 22. Concession Leases and Commercial Use

725:30-22-2. RFP process [AMENDED]

Subchapter 23. Mineral Leases and Operations

725:30-23-5. Damages and fees [AMENDED]

Subchapter 24. Golf

725:30-24-1. Prohibitions [AMENDED]

Subchapter 26. Vehicles and Traffic Safety

725:30-26-4. Reporting motor vehicle accidents [AMENDED]

725:30-26-11. Speed limits [AMENDED]

725:30-26-13. Bicycles [AMENDED]

725:30-26-14. Off-road vehicles [AMENDED]

725:30-26-15. Use of golf carts and utility vehicles [AMENDED]

Subchapter 28. Park Security and Law Enforcement

725:30-28-3. Other agencies having authority - reporting requirements [AMENDED]

Subchapter 29. Lodge Operations

725:30-29-2. Definitions [AMENDED]

725:30-29-3. Use of Public Space [AMENDED]

725:30-29-4. Accepting reservation requests [AMENDED]

725:30-29-6. Special rates and promotional discounts [AMENDED]

725:30-29-7. One-time sales [AMENDED]

725:30-29-9. Application of prices, charges and fees for commodities and services provided by lodges [REVOKED]

725:30-29-11. Promotional discounts [REVOKED]

SUMMARY:

The proposed rules clean-up general formatting of existing rules in addition to citations to and quotations of Oklahoma statutes in accordance with the Administrative Rules on Rulemaking, OAC 655:10. Rules relating to practices or activities no longer permitted by Oklahoma statute are revoked. The proposed rules enhance the safety of persons in Oklahoma State Parks by increasing the distance swimmers must remain from high traffic watercraft areas and requiring the usage of drones or explosives such as fireworks to receive a permit issued by the Director of the Division of State Parks. Bow fishing is removed as a permitted activity. The proposed rules modernize outdated facility use times to allow check-in earlier in the day. The definition of bicycle is amended to include electric bikes and any person providing unpaid labor or services shall be defined as a volunteer.

AUTHORITY:

Oklahoma Tourism and Recreation Department; 74 O.S. § 2204

COMMENT PERIOD:

January 17, 2024 through February 15, 2024. Persons wishing to present their views in writing may do so before 5:00 p.m. on February 15, 2024 at the following address: Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill or by email to Garrett.Sill@TravelOK.com.

PUBLIC HEARING:

A public hearing will be held at 10:00 a.m. on February 16, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Auditorium, Oklahoma City, OK 73102. The alternate date and time in the event of an office closure due to inclement weather is 10:00 a.m. on February 23, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Auditorium, Oklahoma City, OK 73102. Anyone who wishes to speak must sign in at the door by 10:10 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by February 15, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill, or by email to Garrett.Sill@TravelOK.com.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from online at otrd.travelok.com, or hard copies may be requested by mail or in person at Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill, or by email to Garrett.Sill@TravelOK.com.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §3030(D), a rule impact statement will be prepared and may be obtained from the Oklahoma Tourism and Recreation Department and on the Department's website at the above addresses on and after January 31, 2024.

CONTACT PERSON:

Garrett Sill, Deputy General Counsel, Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, (405) 255-7454 or Garrett.Sill@TravelOK.com.

[OAR Docket #23-1049; filed 12-22-23]

TITLE 748. OKLAHOMA UNIFORM BUILDING CODE COMMISSION CHAPTER 20. ADOPTED CODES

[OAR Docket #23-999]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 2. IBC® 2018
748:20-2-40. IBC® 2018 Chapter 35 Referenced Standards [AMENDED]
- Subchapter 4. ~~IFC~~ IFC® 2018
748:20-4-85. IFC® 2018 Chapter 80 Referenced Standards [AMENDED]
- Subchapter 6. IRC® 2018
748:20-6-49. IRC® 2018 Chapter 44 Referenced Standards [AMENDED]
- Subchapter 8. IEBC® 2018
748:20-8-21. IEBC® 2018 Chapter 16 Referenced Standards [AMENDED]
- Subchapter 10. NEC® 2020
748:20-10-1. Adoption of the National Electrical Code®, 2020/2023 Edition (NEC®2020/2023) [AMENDED]
748:20-10-2. Effect of Adoption [AMENDED]
748:20-10-3. NEC®2020/2023 Informative Annexes [AMENDED]
748:20-10-4. NEC®2020/2023 Provisions Adopted and Modified [AMENDED]
748:20-10-6. NEC®2020/2023 Article 90 Introduction [AMENDED]
748:20-10-7. NEC®2020 Chapter 1 General [REVOKED]
748:20-10-8. NEC®2020/2023 Chapter 2 Wiring and Protection [AMENDED]
748:20-10-10. NEC®2020/2023 Chapter 4 Equipment for General Use [AMENDED]
748:20-10-11. NEC® 2020 Chapter 5 Special Occupancies [REVOKED]
748:20-10-12. NEC® 2020 Chapter 6 Special Equipment [REVOKED]
748:20-10-13. NEC® 2020 Chapter 7 Special Conditions [REVOKED]
- Subchapter 12. IFGC® 2018
748:20-12-13 IFGC® 2018 Chapter 8 Referenced Standards [AMENDED]
- Subchapter 14. IMC® 2018
748:20-14-20 IMC® 2018 Chapter 15 Referenced Standards [AMENDED]
- Subchapter 16. IPC® 2018
748:20-16-20 IPC® 2018 Chapter 15 Referenced Standards [AMENDED]

SUMMARY:

748:20-2-40., 748:20-4-85., 748:20-6-49., and 748:20-8-21., modify the adoptions of the 2018 editions of the International Building Code® (IBC®), International Fire Code® (IFC®), International Residential Code® (IRC®), and

Notices of Rulemaking Intent

International Existing Building Code® (IEBC®) to update references in the applicable "referenced standards" chapter of each code to change the edition year of the National Electrical Code® (NEC®) to the 2023 edition, and where applicable the edition year of the IRC® to the 2018 edition that was adopted and went into effect on September 14, 2022.

748:20-10-1., 748:20-10-2., 748:20-10-3., and 748:20-10-4., adopt the NEC® 2023 edition, without Annexes and establishes the NEC® 2023 as the statewide minimum code for electrical construction in the State of Oklahoma. 748:20-10-6. modifies the adoption of Article 90 of the NEC® 2023 only to the extent its provisions are not inconsistent with other laws or lawfully established code administration and enforcement policies. 748:20-10-8., and 748:20-10-10., set forth the OUBCC's adoption of Oklahoma modifications to the provisions of the NEC® 2023 in Chapters 2 and 4, respectively.

748:20-10-7, 748:20-10-11, 748:20-10-12., and 748:20-10-13., have been revoked.

748:20-12-13., 748:20-14-20., and 748:20-16-20., modify the adoptions of the 2018 editions of the International Fuel Gas Code® (IFGC®), International Mechanical Code® (IMC®), and International Plumbing Code® (IPC®) to update references in the applicable "referenced standards" chapter of each code to change the edition year of the National Electrical Code® (NEC®) to the 2023 edition, and where applicable the edition year of the IRC® to the 2018 edition that was adopted and went into effect on September 14, 2022.

AUTHORITY:

Oklahoma Uniform Building Code Commission; 59 O.S. § 1000.23 and 1000.24.

COMMENT PERIOD:

Persons wishing to present their views in writing may do so before 4:30 p.m. on Friday, February 16, 2024, at the Oklahoma Uniform Building Code Commission (the "OUBCC"), 2401 NW 23rd Street, Suite 82, Oklahoma City, OK 73157, Attn: Kathy Hehnlly, or by email to Kathy.Hehnlly@oubcc.ok.gov.

PUBLIC HEARING:

A public hearing on these proposed rules will be held at 1:30 p.m. on Tuesday, February 20, 2024, at the Oklahoma Uniform Building Code Commission at 2401 NW 23rd Street, Suite 82, Oklahoma City, OK 73107. Anyone who wishes to speak must sign in at the door by 1:35 p.m. Each person will be given a maximum of 5 minutes to speak.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

The Oklahoma Uniform Building Code Commission requests that business entities affected by these proposed rules provide the OUBCC, within the comment period set forth and described above, in dollar amounts if possible, the increase in the level of direct costs, such as administrative fees, and the indirect costs such as report, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs that the business entity expects to incur due to compliance with the proposed rules. Business entities may submit this information in writing to Kathy Hehnlly at the

above address, before the close of the comment period on Friday, February 16, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the Oklahoma Uniform Building Code Commission at: 2401 NW 23rd Street, Suite 82, Oklahoma City, OK 73107, before the close of the comment period on Friday, February 16, 2024. Proposed rules can be found on the Oklahoma Uniform Building Code Commission website at: http://www.ok.gov/oubcc/Codes_&_Rules/Proposed_Rules/index.html.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303 (D), a rule impact statement has been prepared and may be obtained from the Oklahoma Uniform Building Code Commission at the above address.

CONTACT PERSON:

Kathy Hehnlly, Executive Assistant, (405) 521-6506 or Kathy.Hehnlly@oubcc.ok.gov.

[OAR Docket #23-999; filed 12-20-23]

TITLE 810. OKLAHOMA WORKERS' COMPENSATION COMMISSION CHAPTER 15. MEDICAL SERVICES

[OAR Docket #23-993]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 9. Independent Medical Examiners

810:15-9-1 [AMENDED]

810:15-9-2 [AMENDED]

810:15-9-5 [AMENDED]

SUMMARY:

The proposed amendments add an alternative application and qualification method for Independent Medical Examiners (IMEs) associated with university hospitals or health care provider groups, change the location of IME fee reimbursement amounts from the Commission's administrative rules to its Medical Fee Schedule, and correct a legal citation to remove an errant comma.

AUTHORITY:

Workers' Compensation Commission; 85A O.S. §§ 19, 22, 50, 112

COMMENT PERIOD:

Persons may submit data, views, or arguments in writing before 5:00 p.m. on February 21, 2024, to the Oklahoma Workers' Compensation Commission, Attn: General Counsel at 1915 N. Stiles, Oklahoma City, OK 73105, or by email to rules@wcc.ok.gov.

PUBLIC HEARING:

A public hearing to afford a comment period for all interested persons to submit data, views, or arguments, orally will be held at 10:00 a.m. on Thursday, February 22, 2024, in the Commission En Banc Courtroom of the Denver N. Davison

Building, 1915 N. Stiles Avenue, Oklahoma City, Oklahoma. Interested parties must sign in at the door.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Lauren Hammonds Johnson at the above address on or before 5:00 p.m. on February 21, 2024.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained for review by the public from the Workers' Compensation Commission, 1915

N. Stiles, Oklahoma City, OK 73105. Copies of proposed rules may be obtained at a cost of 10 cents per page. The proposed rules will also be available at <http://www.ok.gov/wcc>.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement will be prepared and may be obtained from the Workers' Compensation Commission at the above address beginning January 31, 2024.

CONTACT PERSON:

Lauren Hammonds Johnson, Commission Executive Director and General Counsel, 405-522-3222, LaurenH.Johnson@wcc.ok.gov.

[OAR Docket #23-993; filed 12-18-23]

Submissions to Governor and Legislature

Within 10 calendar days after adoption by an agency of proposed PERMANENT rules, the agency must submit the rules to the Governor and the Legislature. A "statement" of such submission must subsequently be published by the agency in the *Register*.
For additional information on submissions to the Governor/Legislature, see 75 O.S., Section 303.1 and 308.

TITLE 10. OKLAHOMA ACCOUNTANCY BOARD CHAPTER 15. LICENSURE AND REGULATION OF ACCOUNTANCY

[OAR Docket #23-996]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 1. General Provisions
- 10:15-1-2. [AMENDED]
- Subchapter 3. Requirements to Practice Public Accountancy
- 10:15-3-1. [AMENDED]
- 10:15-3-2. [AMENDED]
- Subchapter 18. Computer-Based Examination
- 10:15-18-1. [AMENDED]
- 10:15-18-3. [AMENDED]
- 10:15-18-4. [AMENDED]
- 10:15-18-11. [AMENDED]
- 10:15-18-13. [AMENDED]
- 10:15-18-14. [AMENDED]
- Subchapter 22. Substantial Equivalency
- 10:15-22-2. [REVOKED]
- Subchapter 23. Registration
- 10:15-23-2. [AMENDED]
- 10:15-23-2.1. [AMENDED]
- Subchapter 27. Fees
- 10:15-27-14. [AMENDED]
- Subchapter 30. Continuing Professional Education
- 10:15-30-5. [AMENDED]
- 10:15-30-8. [AMENDED]
- Subchapter 32. Standards for Continuing Professional Education (CPE) Programs
- 10:15-32-3. [AMENDED]
- 10:15-32-5. [AMENDED]
- 10:15-32-6. [AMENDED]
- Subchapter 33. Peer Review
- 10:15-33-5. [AMENDED]
- 10:15-33-6. [AMENDED]
- 10:15-33-7. [AMENDED]
- Subchapter 43. Attest Engagements Performed in Accordance with Government Auditing Standards
- 10:15-43-1. [AMENDED]
- 10:15-43-4. [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

December 19, 2023

[OAR Docket #23-996; filed 12-19-23]

TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 220. BUNK BED RULES [REVOKED]

[OAR Docket #23-984]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 1. General Provisions
- 310:220-1-1 [REVOKED]
- 310:220-1-2 [REVOKED]
- 310:220-1-3 [REVOKED]
- Subchapter 3. Labeling
- 310:220-3-1 [REVOKED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

December 13, 2023

[OAR Docket #23-984; filed 12-13-23]

TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 285. LODGING ESTABLISHMENTS

[OAR Docket #23-985]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 1. General Provisions
- 310:285-1-2 [AMENDED]
- Subchapter 3. Establishment Maintenance
- 310:285-3-1 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

December 13, 2023

[OAR Docket #23-985; filed 12-13-23]

Submissions to Governor and Legislature

TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 526. DENTAL SERVICES

[OAR Docket #23-986]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Oklahoma Dental Loan Repayment Program
310:526-3-4

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

December 13, 2023

[OAR Docket #23-986; filed 12-13-23]

TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 638. DRUG AND ALCOHOL TESTING

[OAR Docket #23-987]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 5. Drug Screen Testing Facilities
310:638-5-5 [AMENDED]
Subchapter 7. Alcohol Testing Facilities
310:638-7-9 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

December 13, 2023

[OAR Docket #23-987; filed 12-13-23]

TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 667. HOSPITAL STANDARDS

[OAR Docket #23-988]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 19. Medical Records Department
310:667-19-2 [AMENDED]
Subchapter 63. Rural Emergency Hospitals [NEW]
310:667-63-1 [NEW]
310:667-63-2 [NEW]
310:667-63-3 [NEW]
310:667-63-4 [NEW]
310:667-63-5 [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

December 13, 2023

[OAR Docket #23-988; filed 12-13-23]

TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 670. CITY AND COUNTY DETENTION FACILITY STANDARDS

[OAR Docket #23-989]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions
310:670-1-2 [AMENDED]
Subchapter 5. Standards for Detention Facilities
310:670-5-5 [AMENDED]
310:670-5-11 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

December 13, 2023

[OAR Docket #23-989; filed 12-13-23]

TITLE 610. STATE REGENTS FOR HIGHER EDUCATION CHAPTER 25. STUDENT FINANCIAL AID AND SCHOLARSHIPS

[OAR Docket #23-991]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 41. Oklahoma Future Teacher Scholarship and
Employment Incentive Program ("Inspired to Teach")
610:25-41-1. Purpose [AMENDED]
610:25-41-2. Definitions [AMENDED]
610:25-41-3. Eligibility requirements [AMENDED]
610:25-41-4. Application procedure [AMENDED]
610:25-41-5. Certifications of compliance [AMENDED]
610:25-41-6. Disqualification [AMENDED]
610:25-41-7. Participant eligibility for scholarship
payments [AMENDED]
610:25-41-8. Participant eligibility for employment
incentive payments [AMENDED]
610:25-41-9. Incentive benefits to be disbursed under the
program [AMENDED]
610:25-41-10. Fiscal limitations of the program
[AMENDED]
610:25-41-11. Verification and notification requirements
[AMENDED]

**SUBMISSION OF ADOPTED RULES TO GOVERNOR
AND LEGISLATURE:**

December 13, 2023

[OAR Docket #23-991; filed 12-13-23]

Executive Orders

As required by 75 O.S., Sections 255 and 256, Executive Orders issued by the Governor of Oklahoma are published in both the *Oklahoma Register* and the *Oklahoma Administrative Code*. Executive Orders are codified in Title 1 of the *Oklahoma Administrative Code*.

Pursuant to 75 O.S., Section 256(B)(3), "Executive Orders of previous gubernatorial administrations shall terminate ninety (90) calendar days following the inauguration of the next Governor unless otherwise terminated or continued during that time by Executive Order."

TITLE 1. EXECUTIVE ORDERS

1:2023-32.

EXECUTIVE ORDER 2023-32

WHEREAS, the United States Supreme Court's ruling in *McGirt v. Oklahoma* caused uncertainty and continues to wreak havoc in nearly half of Oklahoma; and

WHEREAS, while the Supreme Court remedied some of the uncertainty in *Castro-Huerta*, and the Oklahoma Court of Criminal Appeals has repeatedly acknowledged and done its part to ameliorate *McGirt* and its' progeny havoc, it is clear that the impacts of *McGirt* are still being realized; and

WHEREAS, after a dispute concerning whether the Creek Nation Light Horse could book a suspect at Okmulgee County Jail, Creek Nation Light Horse surrounded the jail and attempted to arrest a detention officer they said assaulted a Light Horse officer. The lack of clarity about the authority that each law enforcement entity possesses, along with heightened tensions, creates the perfect storm for a dangerous escalation. It is essential that Oklahomans know what law enforcement entity has jurisdiction and that respective law enforcement entities know where their authority begins and ends. It is incumbent upon state and tribal leaders to come to an agreement for the safety of our law enforcement officers and the citizens they protect; and

WHEREAS, the future remains uncertain as the potential for cost and conflict around jurisdiction boundaries continues. While Congress has remained silent as to these issues, the current patchwork attempts to resolve problems through non-uniform cross-deputization and jail agreements have been, and continue to be, elusive; and

WHEREAS, the need for uniform agreements has never been clearer. Uniform agreements must address ambiguity in areas of liability, immunity waivers, and jurisdictional authority. Law enforcement experts, tribal representatives, and legislative leaders must come together to discuss and recommend uniform, lasting change.

THEREFORE, I, J. Kevin Stitt, Governor of the State of Oklahoma pursuant to the power and authority vested in me by Sections 1 and 2 of Article VI of the Oklahoma Constitution, and to the fullest extent permitted by law, hereby order as follows:

A. There is hereby created the Oklahoma Organized Retail Crime Task Force until December 31, 2024. The purpose of the task force shall be to provide the Governor, the Legislature, law enforcement officers, and Tribal leaders with uniform cross-deputization agreements, jail agreements, and state and federal legislative action.

B. The task force shall consist of ten (10) members as follows:

1. The Governor or designee;
2. The Speaker of the Oklahoma House of Representatives or designee;
3. The President Pro Tempore of the Oklahoma Senate or designee;
4. The Attorney General or designee;
5. One member appointed by the District Attorneys Council;
6. One member appointed by the Okmulgee County jail trust;
7. One member appointed by the Office of Juvenile Affairs;
8. One member appointed by the Tulsa County Sheriff's Office;
9. One member appointed by the Oklahoma Highway Patrol;
10. One member appointed from each *McGirt* affected tribes' law enforcement;

C. Quorum for official business of the task force shall be eight members. A chairperson and a vice chairperson shall be elected by a majority vote of the members of the task force.

D. Appointments to the task force shall be made by the appointing authority no later than sixty (60) days after the effective date of this act. Appointed members shall, to the greatest extent practicable, have by education or experience, knowledge of State-Tribal law enforcement relations. The chair shall hold the first meeting of the task force no later than

Executive Orders

ninety (90) days after the effective date of this act. Any vacancies in the membership of the task force shall be filled in the same manner provided for in the initial appointment.

E. The members of the task force shall receive no compensation but shall receive travel reimbursement for necessary travel expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act. The task force shall be staffed by the Office of Management and Enterprise Services.

F. The task force may consult with any organization, government entity, or person in the development of its recommendations required pursuant to the provisions of subsection G of this section.

G. On or before December 15, 2024, the task force shall electronically submit to the Governor, the President Pro Tempore of the Oklahoma State Senate, the Oklahoma Speaker of the House of Representatives, and the chairs of the House and Senate committees that oversee public safety, the Oklahoma Congressional delegation, a recommendation containing, but not limited to, the following information based on available data:

1. Updated, uniform-cross-deputization agreements.
2. Updated, uniform-jail agreements.
3. Whether state and/or federal

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 13th day of December, 2023.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

J. Kevin Stitt

ATTEST:
Josh Cockroft
Secretary of State

[OAR Docket #23-1057; filed 12-22-23]
