

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 831

By: Sykes of the Senate

4 and

5 Grau of the House

6
7 AS INTRODUCED

8 An Act relating to multiple versions of statutes;
9 amending, merging, consolidation, and repealing
10 multiple versions of statutes; amending 10A O.S.
11 2011, Section 1-6-105, as last amended by Section 1,
12 Chapter 357, O.S.L. 2014 (10A O.S. Supp. 2014,
13 Section 6-105); repealing 10A O.S. 2011, Section 1-6-
14 105, as last amended by Section 5, Chapter 355,
15 O.S.L. 2014 (10A O.S. Supp. 2014, Section 1-6-105);
16 amending 10A O.S. 2011, Section 2-3-101, as last
17 amended by Section 1, Chapter 70, O.S.L. 2014 (10A
18 O.S. Supp. 2014, Section 2-3-101); repealing 10A O.S.
19 2011, Section 2-3-101, as last amended by Section 4,
20 Chapter 362, O.S.L. 2014 (10A O.S. Supp. 2014,
21 Section 2-3-101); amending 10A O.S. 2011, Section 2-
22 6-102, as amended by Section 2, Chapter 278, O.S.L.
23 2014 (10A O.S. Supp. 2014, Section 2-6-102);
24 repealing 10A O.S. 2011, Section 2-6-102, as amended
by Section 6, Chapter 362, O.S.L. 2014 (10A O.S.
Supp. 2014, Section 2-6-102); amending 10A O.S. 2011,
Section 2-6-106, as amended by Section 2, Chapter
362, O.S.L. 2014 (10A O.S. Supp. 2014, Section 2-6-
106); repealing 10A O.S. 2011, Section 2-6-106, as
amended by Section 1, Chapter 197, O.S.L. 2014 (10A
O.S. Supp. 2014, Section 2-6-106); repealing 21 O.S.
2011, Section 748, as last amended by Section 1,
Chapter 309, O.S.L. 2014 (21 O.S. Supp. 2014, Section
748); amending 47 O.S. 2011, Section 7-606, as last
amended by Section 2, Chapter 404, O.S.L. 2014 (47
O.S. Supp. 2014, Section 7-606); repealing 47 O.S.
2011, Section 7-606, as last amended Section 1,
Chapter 29, O.S.L. 2014 (47 O.S. Supp. 2014, Section
7-606); amending 47 O.S. 2011, Section 1135.2, as
last amended by Section 1, Chapter 372, O.S.L. 2014

1 (47 O.S. Supp. 2014, Section 1135.2); repealing 47
2 O.S. 2011, Section 1135.2, as last amended by Section
3 1, Chapter 351, O.S.L. 2014 (47 O.S. Supp. 2014,
4 Section 1135.2); amending 47 O.S. 2011, Section
5 1135.3, as last amended by Section 2, Chapter 351,
6 O.S.L. 2014 (47 O.S. Supp. 2014, Section 1135.3);
7 repealing 47 O.S. 2011, Section 1135.3, as last
8 amended by Section 2, Chapter 372, O.S.L. 2014 (47
9 O.S. Supp. 2014, Section 1135.3); amending 47 O.S.
10 2011, Section 1135.5, as last amended by Section 3,
11 Chapter 351, O.S.L. 2014 (47 O.S. Supp. 2014, Section
12 1135.5); repealing 47 O.S. 2011, Section 1135.5, as
13 last amended by Section 3, Chapter 372, O.S.L. 2014
14 (47 O.S. Supp. 2014, Section 1135.5); amending 68
15 O.S. 2011, Section 1357, as last amended by Section
16 2, Chapter 401, O.S.L. 2014 (68 O.S. Supp. 2014,
17 Section 1357); repealing 68 O.S. 2011, Section 1357,
18 as last amended by Section 1, Chapter 358, O.S.L.
19 2014 (68 O.S. Supp. 2014, Section 1357); repealing 68
20 O.S. 2011, Section 1357, as last amended by Section
21 2, Chapter 429, O.S.L. 2014 (68 O.S. Supp. 2014,
22 Section 1357); amending 68 O.S. 2011, Section 2103.1,
23 as last amended by Section 4, Chapter 215, O.S.L.
24 2014 (68 O.S. Supp. 2014, Section 2103.1); repealing
68 O.S. 2011, Section 2103.1, as last amended by
Section 4, Chapter 329, O.S.L. 2014 (68 O.S. Supp.
2014, Section 2103.1); amending 68 O.S. 2011, Section
2877, as last amended by Section 1, Chapter 381,
O.S.L. 2014 (68 O.S. Supp. 2014, Section 2877);
repealing 68 O.S. 2011, Section 2877, as last amended
by Section 2, Chapter 387, O.S.L. 2014 (68 O.S. Supp.
2014, Section 2877); repealing 68 O.S. 2011, Section
2892, as last amended by Section 7, Chapter 215,
O.S.L. 2014 (68 O.S. Supp. 2014, Section 2892);
repealing 69 O.S. 2011, Section 4018, as last amended
by Section 1, Chapter 21, O.S.L. 2014 (69 O.S. Supp.
2014, Section 4018); amending 70 O.S. 2011, Section
1-113, as amended by Section 1, Chapter 90, O.S.L.
2014 (70 O.S. Supp. 2014, Section 1-113); repealing
70 O.S. 2011, Section 1-113, as amended by Section 1,
Chapter 150, O.S.L. 2014 (70 O.S. Supp. 2014, Section
1-113); amending 70 O.S. 2011, Section 6-101.16, as
last amended by Section 2, Chapter 130, O.S.L. 2014
(70 O.S. Supp. 2014, Section 6-101.16); repealing 70
O.S. 2011, Section 6-101.16, as last amended by
Section 3, Chapter 331, O.S.L. 2014 (70 O.S. Supp.
2014, Section 6-101.16); amending 70 O.S. 2011,

1 Section 6-187, as last amended by Section 1, Chapter
2 149, O.S.L. 2014 (70 O.S. Supp. 2014, Section 6-187);
3 repealing 70 O.S. 2011, Section 6-187, as last
4 amended by Section 13, Chapter 124, O.S.L. 2014 (70
5 O.S. Supp. 2014, Section 6-187); amending 70 O.S.
6 2011, Section 11-103.6, as last amended by Section 2,
7 Chapter 430, O.S.L. 2014 (70 O.S. Supp. 2014, Section
8 11-103.6); repealing 70 O.S. 2011, Section 11-103.6,
9 as last amended by Section 1, Chapter 210, O.S.L.
10 2014 (70 O.S. Supp. 2014, Section 11-103.6); amending
11 70 O.S. 2011, Section 1210.508C, as last amended by
12 Section 10, Chapter 430, O.S.L. 2014 (70 O.S. Supp.
13 2014, Section 1210.508C); repealing 70 O.S. 2011,
14 Section 1210.508C, as last amended by Section 2,
15 Chapter 344, O.S.L. 2014 (70 O.S. Supp. 2014, Section
16 1210.508C); amending Section 2, Chapter 209, O.S.L.
17 2013, as amended by Section 1, Chapter 286 O.S.L.
18 2014 (74 O.S. Supp. 2014, Section 61.8); repealing
19 Section 2, Chapter 209, O.S.L. 2013, as amended by
20 Section 3, Chapter 248, O.S.L. 2014 (74 O.S. Supp.
21 2014, Section 61.8); and declaring an emergency.

22
23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

24 SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-6-105, as
last amended by Section 1, Chapter 357, O.S.L. 2014 (10A O.S. Supp.
2014, Section 1-6-105), is amended to read as follows:

Section 1-6-105. A. When used in this section, unless the
context otherwise requires:

1. "Abuse" means harm or threatened harm or failure to protect
from harm or threatened harm to the health, safety, or welfare of a
child by a person responsible for the child, including but not
limited to nonaccidental physical or mental injury, sexual abuse, or
sexual exploitation. Provided, however, that nothing contained in
this act shall prohibit any parent from using ordinary force as a

1 means of discipline including, but not limited to, spanking,
2 switching, or paddling;

3 2. "Identifying information" means information that identifies
4 an individual, including the individual's:

5 a. name, address, date of birth, occupation, place of
6 employment and telephone number,

7 b. employer identification number, mother's maiden name,
8 Social Security number, or any identification number
9 issued by a governmental entity, or

10 c. unique biometric data, including the fingerprints,
11 voice print, or retina or iris image of the
12 individual;

13 3. "Near death" means a child is in serious or critical
14 condition as verified by a physician, a registered nurse or other
15 licensed health care provider. Verification of medical condition of
16 a child may be given in person or by telephone, mail, electronic
17 mail or facsimile; ~~and~~

18 4. "Neglect" means:

19 a. the failure or omission to provide any of the
20 following:

21 (1) adequate nurturance and affection, food,
22 clothing, shelter, sanitation, hygiene, or
23 appropriate education,

24 (2) medical, dental, or behavioral health care,

- 1 (3) supervision or appropriate caretakers, or
2 (4) special care made necessary by the physical or
3 mental condition of the child,

4 b. the failure or omission to protect a child from
5 exposure to any of the following:

- 6 (1) the use, possession, sale, or manufacture of
7 illegal drugs,
8 (2) illegal activities, or
9 (3) sexual acts or materials that are not age-
10 appropriate, or

11 c. abandonment.

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

23 5. "Person responsible for a child" means "person responsible
24 for a child's health, safety or welfare" as provided in Section 1-1-

1 105 of this title but shall also include any person who has
2 voluntarily accepted the duty of supervising a child or who has been
3 directed or authorized to supervise a child by the person
4 responsible for the child's health, safety or welfare.

5 B. Department of Human Services information shall be maintained
6 by the Department as required by federal law as a condition of the
7 allocation of federal monies to the state. All exceptions for the
8 public release of Department information shall be construed as
9 openly as possible consistent with federal law.

10 C. If the Department has reasonable cause to suspect that a
11 child death or near death is the result of abuse or neglect, the
12 Department shall notify the Governor, the President Pro Tempore of
13 the Senate and the Speaker of the House of Representatives or their
14 designees of the initial investigative findings of the child
15 protective services review. Notice shall be communicated securely
16 no later than twenty-four (24) hours after determination of the
17 reasonable suspicion.

18 D. Once the Department has reasonable cause to suspect that a
19 child death or near death is the result of abuse or neglect, the
20 Department shall, upon request, release to the public the following
21 information:

- 22 1. The age and sex of the child;
- 23 2. The date of death or near-death incident;

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1 3. Whether the child was in the custody of the Department at
2 the time of the child's death or near death;

3 4. Whether the child resided with the child's parent, guardian,
4 or person responsible for the care of the child at the time of the
5 child's death or near death; and

6 5. Whether the child was under the supervision of the child's
7 parent, guardian or person responsible for the child at the time of
8 the death or near death of the child.

9 E. If, after a child abuse or neglect investigation is
10 completed, the Department determines a child's death or near death
11 was the result of abuse or neglect, the Department shall, upon
12 request, release to the public the following information:

13 1. The information described in subsection D of this section;

14 2. The name of the abused or neglected child; provided, that
15 the name shall not be disclosed in a case of a near death unless the
16 name has previously been disclosed;

17 3. The name of the offender if due process has been satisfied
18 or if the offender has been arrested and charged with a crime
19 associated with the death or near death of the child;

20 4. In cases in which the death or near death of the child
21 occurred while the child was living with the child's parent,
22 guardian, or person responsible for the care of the child:

23 a. the circumstances of the death or near death of the
24 child,

- 1 b. a summary of the child's involvement with the
2 Department while the child was living with the parent,
3 guardian, or person responsible for the care of the
4 child,
- 5 c. the disposition of any report created as a result of
6 the child's involvement with the Department while the
7 child was living with the parent, guardian, or person
8 responsible for the care of the child,
- 9 d. a description of the services, if any, that were
10 provided by the Department as a result of the child's
11 involvement with the Department while the child was
12 living with the parent, guardian, or person
13 responsible for the care of the child,
- 14 e. the results of any risk or safety assessment completed
15 by the Department relating to the child,
- 16 f. the date each report was assessed and completed,
- 17 g. whether the Department confirmed abuse or neglect,
- 18 h. whether any reports were referred to the district
19 attorney and the date of the referrals,
- 20 i. the dates of any judicial proceedings prior to the
21 death or near death of the child,
- 22 j. a summary of the recommendations submitted by each
23 participant at the judicial proceedings including
24

1 recommendations made at the hearing as they relate to
2 custody or placement of the child,

3 k. the rulings of the court,

4 l. specific recommendations made and services rendered by
5 the Department described in any progress reports of a
6 pending case submitted to the court,

7 m. a summary of the status of the child's case at the
8 time of the death or near death, including, without
9 limitation, whether the child's case was closed by the
10 Department before the death or near death,

11 n. similar information for any other investigations
12 concerning that child, or other children while living
13 in the same household,

14 o. a summary of statutory and policy violations,
15 including notice of any personnel actions taken by the
16 Department, and

17 p. recommendations for policy changes or practice
18 improvements based upon the interactions between the
19 Department, the child who died or nearly died and the
20 person responsible for the care of the child; and

21 5. In cases in which the death or near death of the child
22 occurred while the child was in the custody of the Department and
23 the person responsible for the supervision of the child was the
24 suspected perpetrator, the following information:

- a. the circumstances of the death or near death of the child,
- b. information regarding the certification of the person with whom the child was residing at the time of death or near death,
- c. a summary of any previous reports of abuse or neglect investigated by the Department relating to the person responsible for the supervision of the child, including the disposition of any investigation resulting from a report,
- d. any policy violations, including notice of any action taken by the Department regarding a violation,
- e. records of any training completed by the person responsible for the supervision of the child,
- f. similar information for any other investigations concerning that child, or other children while living in the same household,
- g. a summary of licensing actions taken by the Department, and
- h. recommendations for policy changes or practice improvements based upon the interactions between the Department and the child who died or nearly died.

F. If the Department is unable to release the information required by subsection E of this section before forty-five (45) days

1 after receiving a report of the death or near death of a child, the
2 Department shall notify the person requesting the information of the
3 delay and provide the reason for the delay and the expected date the
4 Department will release the report.

5 G. At any time subsequent to seven (7) days, but no more than
6 forty-five (45) days, of the date the person responsible for the
7 child has been criminally charged, the district attorney, the
8 district court clerk, and the judge having jurisdiction over the
9 case, upon request, shall release certain information to the public
10 as follows:

11 1. The dates of any relevant judicial proceedings prior to the
12 death or near death of the child;

13 2. Recommendations submitted by each participant in writing at
14 the relevant judicial proceedings including recommendations made at
15 the hearing as they relate to custody or placement of a child; and

16 3. The relevant rulings of the court.

17 H. 1. At any time subsequent to seven (7) days after the date
18 the person responsible for the child has been criminally charged,
19 the Oklahoma Commission on Children and Youth shall, upon request,
20 release certain information to the public within sixty (60) days of
21 the request as follows:

22 a. a confirmation shall be provided by the Commission as
23 to whether a report of suspected child abuse or
24 neglect has been made concerning the alleged victim or

1 other children while living in the same household and
2 whether an investigation has begun,

3 b. confirmation shall be provided by the Commission as to
4 whether previous reports of suspected child abuse or
5 neglect have been made concerning the alleged victim
6 of the death or near death or against the person
7 responsible for the child and the dates thereof, a
8 summary of those previous reports, the dates and
9 outcome of any investigations or actions taken by the
10 Department and the Commission in response to any
11 previous report of child abuse or neglect, and the
12 specific recommendation made to the district attorney
13 and any subsequent action taken by the district
14 attorney,

15 c. the dates of any relevant judicial proceedings prior
16 to the death or near death of the child,

17 d. recommendations submitted by the Department and the
18 Commission shall be provided in writing including
19 relevant recommendations made at the hearing as they
20 relate to custody or placement of a child,

21 e. the relevant rulings of the court, and

22 f. any relevant information listed in subsections E and G
23 of this section.
24

1 2. Specific recommendations made by the Commission described in
2 any progress reports of a pending case submitted to the court may be
3 disclosed by the Commission.

4 I. Unless specifically authorized by this section, any public
5 disclosure of information pursuant to this section shall not:

6 1. Identify or provide any identifying information of any
7 complainant or reporter of child abuse or neglect;

8 2. Identify or provide any identifying information of the
9 victim, the child victim's siblings or other children living in the
10 same household, the parent or other person responsible for the
11 child, or any other member of the household, or the person
12 criminally charged or Department employees, agents or contractors.
13 Nonspecific descriptors, such as father, mother, stepparent, or
14 sibling may be used; or

15 3. Violate other state or federal law as required pursuant to
16 subsection A of Section 1-6-102 of this title.

17 J. Any and all statements, affirmations, gestures, or conduct
18 expressing apology, sympathy, commiseration, condolence, compassion,
19 sorrow or a general sense of benevolence which are made by the
20 Department of Human Services or an employee of the Department to the
21 public or to the family or foster parents of a child which relate
22 solely to discomfort, pain, suffering, injury, tragedy, near death
23 or death of a child shall be inadmissible as evidence of an
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1 admission of liability or wrongdoing or as evidence of an admission
2 against interest.

3 SECTION 2. REPEALER 10A O.S. 2011, Section 1-6-105, as
4 amended by Section 5, Chapter 355, O.S.L. 2014 (10A O.S. Supp. 2014,
5 Section 1-6-105), is hereby repealed.

6 SECTION 3. AMENDATORY 10A O.S. 2011, Section 2-3-101, as
7 last amended by Section 1, Chapter 70, O.S.L. 2014 (10A O.S. Supp.
8 2014, Section 2-3-101), is amended to read as follows:

9 Section 2-3-101. A. When a child is taken into custody
10 pursuant to the provisions of the Oklahoma Juvenile Code, the child
11 shall be detained only if it is necessary to assure the appearance
12 of the child in court or for the protection of the child or the
13 public.

14 1. a. No preadjudicatory or predisposition detention or
15 custody order shall remain in force and effect for
16 more than thirty (30) days. The court, for good and
17 sufficient cause shown, may extend the effective
18 period of such an order for an additional period not
19 to exceed sixty (60) days. If the child is being
20 detained for the commission of a murder, the court
21 may, if it is in the best interests of justice, extend
22 the effective period of such an order an additional
23 sixty (60) days.

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1 b. Whenever the court orders a child to be held in a
2 juvenile detention facility, an order for secure
3 detention shall remain in force and effect for not
4 more than fifteen (15) days after such order. Upon an
5 application of the district attorney and after a
6 hearing on such application, the court, for good and
7 sufficient cause shown, may extend the effective
8 period of such an order for an additional period not
9 to exceed fifteen (15) days after such hearing. The
10 total period of preadjudicatory or predisposition
11 shall not exceed the ninety-day limitation as
12 specified in subparagraph a of this paragraph. The
13 child shall be present at the hearing on the
14 application for extension unless, as authorized and
15 approved by the court, the attorney for the child is
16 present at the hearing and the child is available to
17 participate in the hearing via telephone conference
18 communication. For the purpose of this paragraph,
19 "telephone conference communication" means use of a
20 telephone device that allows all parties, including
21 the child, to hear and be heard by the other parties
22 at the hearing. After the hearing, the court may
23 order continued detention in a juvenile detention
24 center, may order the child detained in an alternative

1 to secure detention or may order the release of the
2 child from detention.

3 2. No child alleged or adjudicated to be deprived or in need of
4 supervision or who is or appears to be a minor in need of treatment
5 as defined by the Inpatient Mental Health and Substance Abuse
6 Treatment of Minors Act, shall be confined in any jail, adult
7 lockup, or adult detention facility. No child shall be transported
8 or detained in association with criminal, vicious, or dissolute
9 persons.

10 3. Except as otherwise authorized by this section a child who
11 has been taken into custody as a deprived child, a child in need of
12 supervision, or who appears to be a minor in need of treatment, may
13 not be placed in any detention facility pending court proceedings,
14 but must be placed in shelter care or foster care or, with regard to
15 a child who appears to be a minor in need of treatment, a behavioral
16 health treatment facility in accordance with the provisions of the
17 Inpatient Mental Health and Substance Abuse Treatment of Minors Act,
18 or released to the custody of the parents of the child or some other
19 responsible party. When a child is taken into custody as a child in
20 need of supervision as a result of being a runaway, the court may
21 order the child placed in a juvenile detention facility pending
22 court proceedings if it finds the detention to be essential for the
23 safety of the child.

24 B. No child shall be placed in secure detention unless:

- 1 1. The child is an escapee from any delinquent placement;
- 2 2. The child is a fugitive from another jurisdiction with a
- 3 warrant on a delinquency charge or confirmation of delinquency
- 4 charges by the home jurisdiction;
- 5 3. The child is seriously assaultive or destructive towards
- 6 others or self;
- 7 4. The child is currently charged with any criminal offense
- 8 that would constitute a felony if committed by an adult or a
- 9 misdemeanor and:
 - 10 a. is on probation or parole on a prior delinquent
 - 11 offense,
 - 12 b. is on preadjudicatory community supervision, or
 - 13 c. is currently on release status on a prior delinquent
 - 14 offense;
- 15 5. The child has willfully failed or there is reason to believe
- 16 that the child will willfully fail to appear for juvenile court
- 17 proceedings;
- 18 6. A warrant for the child has been issued on the basis that:
 - 19 a. the child is absent from court-ordered placement
 - 20 without approval by the court,
 - 21 b. the child is absent from designated placement by the
 - 22 Office of Juvenile Affairs without approval by the
 - 23 Office of Juvenile Affairs,

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1 c. there is reason to believe the child will not remain
2 at said placement, or

3 d. the child is subject to an administrative transfer or
4 parole revocation proceeding.

5 C. A child who has violated a court order and has had the order
6 revoked or modified pursuant to Section 2-2-503 of this title may be
7 placed into an Office-of-Juvenile-Affairs-designated sanction
8 detention bed or an Office-of-Juvenile-Affairs-approved sanction
9 program.

10 D. Priority shall be given to the use of juvenile detention
11 facilities for the detention of juvenile offenders through
12 provisions requiring the removal from detention of a juvenile with a
13 lower priority status if an empty detention bed is not available at
14 the time of referral of a juvenile with a higher priority status and
15 if the juvenile with a higher priority status would be more of a
16 danger to the public than the juvenile with the lower priority
17 status.

18 E. 1. Except as otherwise provided in this section, no child
19 shall be placed in secure detention in a jail, adult lockup, or
20 other adult detention facility unless:

21 a. the child is detained for the commission of a crime
22 that would constitute a felony if committed by an
23 adult, and

24 b. the child is awaiting an initial court appearance, and

- 1 c. the initial court appearance of the child is scheduled
2 within twenty-four (24) hours after being taken into
3 custody, excluding weekends and holidays, and
- 4 d. the court of jurisdiction is outside of the Standard
5 Metropolitan Statistical Area as defined by the Bureau
6 of Census, and
- 7 e. there is no existing acceptable alternative placement
8 for the child, and
- 9 f. the jail, adult lockup or adult detention facility
10 provides sight and sound separation for juveniles,
11 pursuant to standards required by subsection E of
12 Section 2-3-103 of this title, or
- 13 g. the jail, adult lockup or adult detention facility
14 meets the requirements for licensure of juvenile
15 detention facilities, as adopted by the Office of
16 Juvenile Affairs, is appropriately licensed, and
17 provides sight and sound separation for juveniles,
18 which includes:
- 19 (1) total separation between juveniles and adult
20 facility spatial areas such that there could be
21 no haphazard or accidental contact between
22 juvenile and adult residents in the respective
23 facilities,
- 24

1 (2) total separation in all juvenile and adult
2 program activities within the facilities,
3 including recreation, education, counseling,
4 health care, dining, sleeping and general living
5 activities, and

6 (3) separate juvenile and adult staff, specifically
7 direct care staff such as recreation, education
8 and counseling.

9 Specialized services staff, such as cooks,
10 bookkeepers, and medical professionals who are not
11 normally in contact with detainees or whose infrequent
12 contacts occur under conditions of separation of
13 juveniles and adults can serve both.

14 2. Nothing in this section shall preclude a child who is
15 detained for the commission of a crime that would constitute a
16 felony if committed by an adult, or a child who is an escapee from a
17 juvenile ~~training school~~ secure facility or from an Office of
18 Juvenile Affairs group home from being held in any jail certified by
19 the State Department of Health, police station or similar law
20 enforcement offices for up to six (6) hours for purposes of
21 identification, processing or arranging for transfer to a secure
22 detention or alternative to secure detention. Such holding shall be
23 limited to the absolute minimum time necessary to complete these
24 actions.

1 a. The time limitations for holding a child in a jail for
2 the purposes of identification, processing or
3 arranging transfer established by this section shall
4 not include the actual travel time required for
5 transporting a child from a jail to a juvenile
6 detention facility or alternative to secure detention.

7 b. Whenever the time limitations established by this
8 subsection are exceeded, this circumstance shall not
9 constitute a defense in a subsequent delinquency or
10 criminal proceeding.

11 3. Nothing in this section shall preclude detaining in a county
12 jail or other adult detention facility an eighteen-year old charged
13 in a juvenile petition for whom certification to stand trial as an
14 adult is prayed.

15 4. Nothing in this section shall preclude detaining in a county
16 jail or other adult detention facility a person provided for in
17 Section 2-3-102 of this title if written or electronically
18 transmitted confirmation is received from the state seeking return
19 of the individual that the person is a person provided for in
20 Section 2-3-102 of this title and if, during the time of detention,
21 the person is detained in a facility meeting the requirements of
22 Section 2-3-103 of this title.

23 5. Nothing in this section shall preclude detaining a person,
24 whose age is not immediately ascertainable and who is being detained

1 for the commission of a felony, in a jail certified by the State
2 Department of Health, a police station or similar law enforcement
3 office for up to twenty-four (24) hours for the purpose of
4 determining whether or not the person is a child, if:

5 a. there is a reasonable belief that the person is
6 eighteen (18) years of age or older,

7 b. there is a reasonable belief that a felony has been
8 committed by the person,

9 c. a court order for such detention is obtained from a
10 judge of the district court within six (6) hours of
11 initially detaining the person,

12 d. there is no juvenile detention facility that has space
13 available for the person and that is within thirty
14 (30) miles of the jail, police station, or law
15 enforcement office in which the person is to be
16 detained, and

17 e. during the time of detention the person is detained in
18 a facility meeting the requirements of subparagraph g
19 of paragraph 1 of this subsection.

20 The time limitation provided for in this paragraph shall include the
21 time the person is detained prior to the issuance of the court
22 order.

23 The time limitation provided for in this paragraph shall not include
24 the actual travel time required for transporting the person to the

1 jail, police station, or similar law enforcement office. If the
2 time limitation established by this paragraph is exceeded, this
3 circumstance shall not constitute a defense in any subsequent
4 delinquency or criminal proceeding.

5 F. Nothing contained in this section shall in any way reduce or
6 eliminate the liability of a county as otherwise provided by law for
7 injury or damages resulting from the placement of a child in a jail,
8 adult lockup, or other adult detention facility.

9 G. Any juvenile detention facility shall be available for use
10 by any eligible Indian child as that term is defined by the Oklahoma
11 Indian Child Welfare Act, providing that the use of the juvenile
12 detention facility meets the requirements of the Oklahoma Juvenile
13 Code. The Indian tribe may contract with any juvenile detention
14 facility for the providing of detention services.

15 H. Each member of the staff of a juvenile detention facility
16 shall satisfactorily complete a training program provided or
17 approved by the Office of Juvenile Affairs.

18 I. Whenever a juvenile is placed in any jail, adult lockup, or
19 other detention facility, the Office of Juvenile Affairs shall have
20 access to all facilities which detain such juveniles and shall have
21 access to any data regarding such juveniles. The Office of Juvenile
22 Affairs shall have access to all jails, adult lockups, or other
23 adult facilities in this state, including all data maintained by
24 such facilities, to assure compliance with this section. The Board

1 of Juvenile Affairs shall promulgate rules as necessary to implement
2 the provisions of this section.

3 SECTION 4. REPEALER 10A O.S. 2011, Section 2-3-101, as
4 last amended by Section 4, Chapter 362, O.S.L. 2014 (10A O.S. Supp.
5 2014, Section 2-3-101), is hereby repealed.

6 SECTION 5. AMENDATORY 10A O.S. 2011, Section 2-6-102, as
7 amended by Section 2, Chapter 278, O.S.L. 2014 (10A O.S. Supp. 2014,
8 Section 2-6-102), is amended to read as follows:

9 Section 2-6-102. A. Except as provided by this section or as
10 otherwise specifically provided by state or federal laws, the
11 following juvenile records are confidential and shall not be open to
12 the general public, inspected, or their contents disclosed:

- 13 1. Juvenile court records;
- 14 2. Agency records;
- 15 3. District attorney's records;
- 16 4. Law enforcement records;
- 17 5. Nondirectory education records; and
- 18 6. Social records.

19 B. The confidentiality limitation of subsection A of this
20 section shall not apply to statistical information or information of
21 a general nature obtained pursuant to the provisions of the Oklahoma
22 Juvenile Code.

23

24

1 C. The confidentiality requirements of subsection A of this
2 section for juvenile court records and law enforcement records shall
3 not apply:

4 1. Upon the charging or certification of a juvenile as an adult
5 or youthful offender;

6 2. Upon the charging of an individual pursuant to Section 2-5-
7 101 of this title;

8 3. To a violation of any traffic regulation or motor vehicle
9 regulation of Title 47 of the Oklahoma Statutes, or to a violation
10 of any city ordinance or county resolution which relates to the
11 regulation of traffic on the roads, highways or streets, or to the
12 operation of self-propelled or nonself-propelled vehicles of any
13 kind in this state;

14 4. To a juvenile who is fourteen (14) years of age or older and
15 who has been adjudicated delinquent and who subsequently comes
16 before the juvenile court on a new delinquency matter after July 1,
17 1995;

18 5. To a juvenile adjudicated a delinquent for committing a
19 delinquent act which, if committed by an adult, would be a felony
20 offense that is a crime against the person or a felony offense
21 involving a dangerous weapon;

22 6. To arrest records of a juvenile arrested for committing an
23 act, which if committed by an adult, would be a felony offense;

24

1 7. To a violation of the Prevention of Youth Access to Tobacco
2 Act; or

3 8. Whenever a juvenile is accepted for placement or treatment
4 in a facility or private treatment facility within this state as a
5 result of or following a conviction or adjudication for an out-of-
6 state offense that would qualify the juvenile as a youthful
7 offender, as defined in Section 2-5-202 of this title, had the crime
8 occurred within this state. The facility shall provide any law
9 enforcement agency or peace officer all prior criminal offense,
10 conviction, and adjudication information. If a juvenile flees or is
11 otherwise absent from the facility without permission, the facility
12 shall provide any law enforcement agency or peace officer all prior
13 criminal offense, conviction, and adjudication information. Any law
14 enforcement agency or peace officer shall have the authority to
15 review or copy any records concerning the juvenile, including prior
16 criminal offense, conviction, or adjudication information.

17 D. Following the first adjudication as a delinquent, the court
18 having jurisdiction shall note on the juvenile court record of the
19 person that any subsequent juvenile court records shall not be
20 confidential; provided, the child is at least fourteen (14) years of
21 age or older. Any juvenile court record which becomes an open
22 juvenile record as provided in this subsection may be expunged as
23 provided in Section 2-6-109 of this title.

24

1 The provisions of this subsection shall only apply to the
2 juvenile court records and law enforcement records of juvenile
3 offenders certified, charged or adjudicated on and after July 1,
4 1995.

5 E. When a delinquent child has escaped or run away from a
6 ~~training school~~ secure facility or other institutional placement for
7 delinquents, the name and description of the child may be released
8 to the public by the agency having custody of the child as necessary
9 and appropriate for the protection of the public and the
10 apprehension of the delinquent child whether or not the juvenile
11 record is confidential or open.

12 F. Except as otherwise required by state or federal law, the
13 confidential records listed in subsection A of this section may only
14 be inspected, released, disclosed, corrected or expunged pursuant to
15 an order of the court. Except as otherwise provided in Section
16 601.6 of Title 10 of the Oklahoma Statutes or any provision of this
17 chapter, no subpoena or subpoena duces tecum purporting to compel
18 disclosure of confidential information or any confidential juvenile
19 record shall be valid.

20 G. An order of the court authorizing the inspection, release,
21 disclosure, correction or expungement of confidential records shall
22 be entered by the court only after a review of the records by the
23 court and a determination by the court, with due regard for the
24 confidentiality of the records and the privacy of persons identified

1 in the records, that a compelling reason exists and such inspection,
2 release or disclosure is necessary for the protection of a
3 legitimate public or private interest.

4 Except for district attorney records, any court order
5 authorizing the disclosure, release or inspection of a confidential
6 juvenile record may be conditioned on such terms and restrictions as
7 the court deems necessary and appropriate.

8 H. Upon receiving a written request for inspection, release,
9 disclosure, or correction of a juvenile record, the court shall
10 determine whether the record of a juvenile falls under one of the
11 exceptions listed in subsection C of this section. If the record
12 falls under one of the exceptions in subsection C of this section,
13 the court shall issue an order authorizing inspection, release,
14 disclosure or correction of the juvenile record. If the release of
15 a juvenile record is authorized by the court, the Office of Juvenile
16 Affairs shall provide information to the requestor regarding the
17 location of the juvenile record to be released.

18 I. Any agency or person may seek an order from the juvenile
19 court prohibiting the release of confidential information subject to
20 disclosure without an order of the court pursuant to Section 620.6
21 of Title 10 of the Oklahoma Statutes or any provision of this
22 chapter. The court may, for good cause shown, prohibit the release
23 of such information or authorize release of the information upon
24 such conditions as the court deems necessary and appropriate.

1 J. In accordance with the provisions of the Juvenile Offender
2 Tracking Program and Section 620.6 of Title 10 of the Oklahoma
3 Statutes:

4 1. Information included in the records listed in subsection A
5 of this section may be entered in and maintained in the Juvenile
6 Justice Information System and other automated information systems
7 related to services to children and youth whether or not the record
8 is confidential or open; and

9 2. The information systems may be accessed by participating
10 agencies as defined by this chapter or as otherwise provided by law.

11 K. The court may authorize a designated person to review
12 juvenile court confidential reports and records and collect
13 statistical information and other abstract information for research
14 purposes. Such authorization shall be in writing and shall state
15 specifically the type of information which may be reviewed and
16 reported.

17 Each person granted permission to inspect confidential reports
18 and records for research purposes shall present a notarized
19 statement to the court stating that the names of juveniles, parents
20 and other persons as may be required by the court to be confidential
21 will remain confidential.

22 L. Nothing contained in the provisions of Section 620.6 of
23 Title 10 of the Oklahoma Statutes or any provision of this chapter
24 shall be construed as:

1 1. Authorizing the inspection of records or the disclosure of
2 information contained in records relating to the provision of
3 benefits or services funded, in whole or in part, with federal
4 funds, except in accord with federal statutes and regulations
5 governing the receipt or use of such funds;

6 2. Authorizing the disclosure of information required to be
7 kept confidential by Section 7505-1.1, 7506-1.1 or 7510-1.5 of Title
8 10 of the Oklahoma Statutes, the Oklahoma Adoption Code or
9 disclosure of any other confidential record pursuant to the
10 provisions of this chapter;

11 3. Abrogating any privilege, including the attorney-client
12 privilege, or affecting any limitation on such privilege found in
13 any other statutes;

14 4. Limiting or otherwise affecting access of parties to a
15 juvenile proceeding to any records filed with or submitted to the
16 court;

17 5. Limiting or otherwise affecting access of agencies to
18 information subject to disclosure, review or inspection by contract
19 or as a condition for the receipt of public funds or participation
20 in any program administered by the agency;

21 6. Prohibiting the Office of Juvenile Affairs from summarizing
22 the outcome of an investigation to the person who reported a known
23 or suspected instance of child abuse or neglect; or
24

1 7. Prohibiting the person or agency conducting a preliminary
2 inquiry relating to an alleged delinquent act from providing
3 information, as to the disposition of the matter by the district
4 attorney, to the person or agency which referred the matter,
5 including but not limited to whether a petition was filed or an
6 alternative action taken, and the basis for such action and the
7 terms of any agreement entered into by the child for payment of
8 restitution, and including but not limited to provisions for
9 community services.

10 M. The confidential records listed in subsection A of this
11 section may be inspected and their contents disclosed without a
12 court order to the Oklahoma School for the Blind, Oklahoma School
13 for the Deaf, or a school district in which the child who is the
14 subject of the record is currently enrolled or has been presented
15 for enrollment. The inspection of records and disclosure authorized
16 by this subsection may be limited to summaries or to information
17 directly necessary for the purpose of such inspection or disclosure.
18 Upon request by the Oklahoma School for the Blind, Oklahoma School
19 for the Deaf, or a school district, the agency in possession of the
20 records shall provide in writing, digitally, or by delivery to a
21 secure facsimile line, the requested information to the school
22 district within five (5) business days upon receipt of the request.
23 Any records disclosed as provided by this subsection shall remain
24

1 confidential. The use of any information shall be limited to the
2 purposes for which disclosure is authorized.

3 N. The records of a case for which a petition is not filed
4 shall be subject to the provisions of Chapter 6 of the Oklahoma
5 Juvenile Code.

6 SECTION 6. REPEALER 10A O.S. 2011, Section 2-6-102, as
7 amended by Section 6, Chapter 362, O.S.L. 2014 (10A O.S. Supp. 2014,
8 Section 2-6-102), is hereby repealed.

9 SECTION 7. AMENDATORY 10A O.S. 2011, Section 2-6-106, as
10 amended by Section 2, Chapter 362, O.S.L. 2014 (10A O.S. Supp. 2014,
11 Section 2-6-106), is amended to read as follows:

12 Section 2-6-106. A. The Office of Juvenile Affairs agency
13 records pertaining to a child which are confidential may be
14 inspected and their contents disclosed without a court order to the
15 following persons upon showing of proper credentials:

16 1. The judge having the child currently before the court in any
17 proceeding pursuant to this title, any judge of the district court
18 or tribal court to which any proceedings may be transferred;

19 2. Employees and officers of the court in the performance of
20 their duties, including but not limited to guardians ad litem
21 appointed by the court, and members of review boards established
22 pursuant to the Oklahoma Children's Code;

23 3. A district attorney and the employees of an office of a
24 district attorney in the course of their official duties pursuant to

1 this title or the prosecution of crimes against children, including
2 providing summary dispositional and placement information to the
3 victim of the delinquent acts of the child;

4 4. The attorney representing a child who is the subject of a
5 juvenile proceeding pursuant to the provisions of this title. The
6 attorney representing a child or an attorney considering
7 representing a child in a juvenile proceeding may access other
8 confidential records listed in subsection A of Section 2-6-102 of
9 this title for use in the legal representation of the child;

10 5. Employees of juvenile bureaus in the course of their
11 official duties;

12 6. Employees of a law enforcement agency of this or another
13 state and employees of a child protective service of another state
14 or any federally recognized Indian tribe member in the course of
15 their official duties pertaining to investigations of a report of
16 known or suspected child abuse or neglect or crimes against children
17 or for the purpose of determining whether to place a child in
18 protective custody;

19 7. Employees of a law enforcement agency in the course of their
20 official duties pertaining to the investigation of a crime committed
21 or alleged to have been committed by a person under eighteen (18)
22 years of age. Records or information disclosed pursuant to this
23 paragraph may consist of summaries or may be limited to the
24

1 information or records necessary for the purpose of the
2 investigation;

3 8. The Oklahoma Commission on Children and Youth;

4 9. The Department of Human Services;

5 10. Any public or private agency or person authorized by the
6 Office of Juvenile Affairs to diagnose, or provide care, treatment,
7 supervision or other services to a child who is the subject of a
8 report or record of delinquency, child abuse or neglect, or other
9 adjudicatory category, provided the Office may limit the disclosure
10 to summaries or to information directly necessary for the purpose of
11 the disclosure;

12 11. Any federally recognized Indian tribe or state or county
13 child protective services or child welfare agency providing for or
14 supervising the diagnosis, care, treatment, supervision or other
15 services provided such child;

16 12. The parents of the child who is the subject of any records;

17 13. The child upon attaining eighteen (18) years of age or upon
18 the termination of court jurisdiction of the case, whichever occurs
19 later;

20 14. Any person or agency for research purposes, if all of the
21 following conditions are met:

22 a. the person or agency conducting the research is
23 employed by the State of Oklahoma or is under contract
24

1 with this state and is authorized by the Office of
2 Juvenile Affairs to conduct the research, and

3 b. the person or agency conducting the research ensures
4 that all documents containing identifying information
5 are maintained in secure locations and access to any
6 documents by unauthorized persons is prohibited; that
7 no identifying information is included in documents
8 generated from the research conducted; and that all
9 identifying information is deleted from documents used
10 in the research when the research is completed;

11 15. The Governor or to any person the Governor designates, in
12 writing;

13 16. Any federal official of the United States Department of
14 Health and Human Services, the United States Social Security
15 Administration, the United States Department of Justice, the United
16 States Department of Homeland Security, or any employee of the
17 United States Probation Office;

18 17. Any member of the Legislature, upon the written approval of
19 the Speaker of the House of Representatives or the President Pro
20 Tempore of the Senate; ~~and~~

21 18. Employees of the Department of Corrections in the course of
22 their official duties; and

23 19. Employees of the Department of Mental Health and Substance
24 Abuse Services in the course of their official duties.

1 B. Records and their contents disclosed without an order of the
2 court as provided by the provisions of this section shall remain
3 confidential. The use of any information shall be limited to the
4 purposes for which disclosure is authorized. It shall be unlawful
5 for any person to furnish any confidential record or disclose any
6 confidential information contained in any juvenile record for
7 commercial, political or any other unauthorized purpose. Any person
8 violating the provisions of this section shall, upon conviction, be
9 guilty of a misdemeanor.

10 SECTION 8. REPEALER 10A O.S. 2011, Section 2-6-106, as
11 amended by Section 1, Chapter 197, O.S.L. 2014 (10A O.S. Supp. 2014,
12 Section 2-6-106), is hereby repealed.

13 SECTION 9. REPEALER 21 O.S. 2011, Section 748, as last
14 amended by Section 1, Chapter 309, O.S.L. 2014 (21 O.S. Supp. 2014,
15 Section 748), is hereby repealed.

16 SECTION 10. AMENDATORY 47 O.S. 2011, Section 7-606, as
17 last amended by Section 2, Chapter 404, O.S.L. 2014 (47 O.S. Supp.
18 2014, Section 7-606), is amended to read as follows:

19 Section 7-606. A. 1. An owner or operator who fails to comply
20 with the Compulsory Insurance Law, or who fails to produce for
21 inspection a valid and current security verification form or
22 equivalent form which has been issued by the Department of Public
23 Safety upon request of any peace officer, representative of the
24 Department of Public Safety or other authorized person, shall be

1 guilty of a misdemeanor and upon conviction shall be subject to a
2 fine of not more than Two Hundred Fifty Dollars (\$250.00), or
3 imprisonment for not more than thirty (30) days, or by both such
4 fine and imprisonment, and in addition thereto, shall be subject to
5 suspension of the driving privilege of the person in accordance with
6 Section 7-605 of this title. Upon issuing a citation under this
7 paragraph, the law enforcement officer issuing the citation may:

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

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

1 (1) After the issuance of the citation, the law
2 enforcement agency issuing the citation shall,
3 within three (3) days, deposit the license plate
4 and deliver a copy of the citation to the county
5 sheriff's office of the county where the
6 violation has occurred. The county sheriff's
7 office shall provide the plan administrator with
8 the seized license plate number. The plan
9 administrator shall maintain a database including
10 all seized license plates and shall submit such
11 information to the Oklahoma Tax Commission.

12 (2) The vehicle owner or operator may retrieve the
13 license plate from the county sheriff's office
14 upon providing verification of compliance with
15 the Compulsory Insurance Law, payment in full of
16 an administrative fee of One Hundred Twenty-five
17 Dollars (\$125.00) to the county sheriff's office
18 and payment in full of the citation to the court
19 clerk. The county sheriff's office shall
20 transfer the administrative fee to the Plan
21 Administrator. The Plan Administrator shall
22 notify the Oklahoma Tax Commission that the
23 vehicle owner or operator is in compliance with
24

1 this division and shall distribute the
2 administrative fee as follows:

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

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

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

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

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

23 If the operator of the vehicle produces what appears to be a valid
24 security verification form and the officer is unable to confirm

1 compliance through the online verification system or noncompliance
2 by a subsequent investigation, the officer shall be prohibited from
3 seizing the license plate or seizing the vehicle and causing such
4 vehicle to be towed and stored. Further, no vehicle shall be seized
5 and towed under the provisions of this paragraph if the vehicle is
6 displaying a temporary license plate that has not expired pursuant
7 to the provisions of Sections 1137.1 and 1137.3 of this title.

8 2. An owner other than an owner of an antique or a classic
9 automobile as defined by the Oklahoma Tax Commission who files an
10 affidavit that a vehicle shall not be driven upon the public
11 highways or public streets, pursuant to Section 7-607 of this title,
12 who drives or permits the driving of the vehicle upon the public
13 highways or public streets, shall be guilty of a misdemeanor and
14 upon conviction thereof shall be subject to a fine of not more than
15 Five Hundred Dollars (\$500.00), or imprisonment for not more than
16 thirty (30) days, or by both such fine and imprisonment, and in
17 addition thereto, shall be subject to suspension of the driving
18 privilege of the person in accordance with Section 7-605 of this
19 title.

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

23 C. Any person producing proof in court that a current security
24 verification form or equivalent form which has been issued by the

1 Department of Public Safety reflecting liability coverage for the
2 person was in force at the time of the alleged offense shall be
3 entitled to dismissal of the charge. If proof of security
4 verification is presented to the court by no later than the business
5 day preceding the first scheduled court appearance date, the
6 dismissal shall be without payment of court costs. The court may
7 access information from the online verification system to confirm
8 liability coverage. The court shall not dismiss the fine unless
9 proof that liability coverage for the person was in force at the
10 time of the alleged offense is presented to the court.

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

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

16 SECTION 11. REPEALER 47 O.S. 2011, Section 7-606, as
17 last amended by Section 1, Chapter 29, O.S.L. 2014 (47 O.S. Supp.
18 2014, Section 7-606), is hereby repealed.

19 SECTION 12. AMENDATORY 47 O.S. 2011, Section 1135.2, as
20 last amended by Section 1, Chapter 372, O.S.L. 2014 (47 O.S. Supp.
21 2014, Section 1135.2), is amended to read as follows:

22 Section 1135.2. A. The Oklahoma Tax Commission is hereby
23 authorized to design and issue appropriate official special license
24

1 plates to persons in recognition of their service or awards as
2 provided by this section.

3 Special license plates shall not be transferred to any other
4 person but shall be removed from the vehicle upon transfer of
5 ownership and retained. The special license plate may then be used
6 on another vehicle but only after such other vehicle has been
7 registered for the current year.

8 Special license plates shall be renewed each year by the Tax
9 Commission or a motor license agent. The Tax Commission shall
10 annually notify by mail all persons issued special license plates.
11 The notice shall contain all necessary information and shall contain
12 instructions for the renewal procedure upon presentation to a motor
13 license agent or the Tax Commission. The license plates shall be
14 issued on a staggered system except for legislative plates and
15 amateur radio operator license plates.

16 The Tax Commission is hereby directed to develop and implement a
17 system whereby motor license agents are permitted to accept
18 applications for special license plates authorized under this
19 section. The motor license agent shall confirm the applicant's
20 eligibility, if applicable, collect and deposit any amount
21 specifically authorized by law, accept and process the necessary
22 information directly into such system and generate a receipt
23 accordingly. For performance of these duties, motor license agents
24 shall retain the fee provided in Section 1141.1 of this title for

1 registration of a motor vehicle. The motor license agent fees for
2 acceptance of applications and renewals shall be paid out of the
3 Oklahoma Tax Commission Reimbursement Fund.

4 B. The special license plates provided by this section are as
5 follows:

6 1. Prisoner of War License Plates - such plates shall be
7 designed for honorably discharged or present members of the United
8 States Armed Forces and civilians who were former prisoners of war
9 held by a foreign country and who can provide proper certification
10 of that status. Such persons may apply for a prisoner of war
11 license plate for no more than two vehicles with each vehicle having
12 a rated carrying capacity of one (1) ton or less. The surviving
13 spouse of any deceased former prisoner of war, if the spouse has not
14 since remarried, or if remarried, the remarriage is terminated by
15 death, divorce, or annulment, may apply for a prisoner of war
16 license plate for one vehicle with a rated carrying capacity of one
17 (1) ton or less. The fee provided by this section for the special
18 license plate authorized by this paragraph shall be in addition to
19 all other registration fees provided by law, except the registration
20 fees levied by Section 1132 of this title;

21 2. National Guard License Plates - such plates shall be
22 designed for active or retired members of the Oklahoma National
23 Guard. Retirees who are eligible for such plates shall provide
24

1 proof of eligibility upon initial application, but shall not be
2 required to provide proof of eligibility annually;

3 3. Air National Guard License Plates - such plates shall be
4 designed for active or retired members of the Oklahoma Air National
5 Guard. Retirees who are eligible for such plates shall provide
6 proof of eligibility upon initial application, but shall not be
7 required to provide proof of eligibility annually;

8 4. United States Armed Forces - such plates shall be designed
9 for active, retired, former or reserve members of the United States
10 Armed Forces, and shall identify which branch of service, and carry
11 the emblem and name of either the Army, Navy, Air Force, Marines or
12 Coast Guard, according to the branch of service to which the member
13 belongs or did belong. Former members who have been dishonorably
14 discharged shall not be eligible for such plates. Persons applying
15 for such license plate must show proof of present or past military
16 service by presenting a valid Uniformed Services Identity Card or
17 the United States Department of Defense Form (DD)214. Retired or
18 former members who are eligible for such plates shall provide proof
19 of eligibility upon initial application, but shall not be required
20 to provide proof of eligibility annually;

21 5. Congressional Medal of Honor Recipient License Plates - such
22 plates shall be designed for any resident of this state who has been
23 awarded the Congressional Medal of Honor. Such persons may apply
24 for a Congressional Medal of Honor recipient license plate for each

1 vehicle with a rated carrying capacity of one (1) ton or less.

2 There shall be no registration fee for the issuance of this plate;

3 6. Missing In Action License Plates - such plates shall be
4 designed to honor members of the United States Armed Forces who are
5 missing in action. The spouse of such missing person, if the spouse
6 has not since remarried, or if remarried, the remarriage is
7 terminated by death, divorce, or annulment, and each parent of the
8 missing person may apply for a missing in action license plate upon
9 presenting proper certification that the person is missing in action
10 and that the person making the application is the qualifying spouse
11 or the parent of the missing person. The qualifying spouse and each
12 parent of the missing person may each apply for the missing in
13 action license plate for each vehicle with a rated carrying capacity
14 of one (1) ton or less;

15 7. Purple Heart Recipient License Plates - such plates shall be
16 designed for any resident of this state presenting proper
17 certification from the United States Department of Veterans Affairs
18 or the Armed Forces of the United States certifying that such
19 resident has been awarded the Purple Heart military decoration.
20 Such persons may apply for a Purple Heart recipient license plate
21 for vehicles having a rated carrying capacity of one (1) ton or
22 less. The surviving spouse of any deceased veteran who has been
23 awarded the Purple Heart military decoration, if such spouse has not
24 since remarried, or if remarried, the remarriage has been terminated

1 by death, divorce or annulment, may apply for such plate for one
2 vehicle with a rated carrying capacity of one (1) ton or less. The
3 license plate created by this paragraph shall be exempt from the fee
4 provided by this section for special license plates;

5 8. Pearl Harbor Survivor License Plates - such plates shall be
6 designed for any resident of this state who can be verified by the
7 United States Department of Veterans Affairs or the Armed Forces of
8 the United States as being:

- 9 a. a member of the United States Armed Forces on December
10 7, 1941,
- 11 b. stationed on December 7, 1941, during the hours of
12 7:55 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor,
13 the island of Oahu, or offshore at a distance not to
14 exceed three (3) miles, and
- 15 c. a recipient of an honorable discharge from the United
16 States Armed Forces.

17 Such person may apply for a Pearl Harbor Survivor license plate
18 for each vehicle with a rated carrying capacity of one (1) ton or
19 less;

20 9. Iwo Jima License Plates - such plates shall be designed for
21 any resident of this state who can be verified by the United States
22 Department of Veterans Affairs or the Armed Forces of the United
23 States as being:

24

- 1 a. a member of the United States Armed Forces in February
- 2 of 1945,
- 3 b. stationed in February of 1945 on or in the immediate
- 4 vicinity of the island of Iwo Jima, and
- 5 c. a recipient of an honorable discharge from the United
- 6 States Armed Forces.

7 Such person may apply for an Iwo Jima license plate for each
8 vehicle with a rated carrying capacity of one (1) ton or less.

9 Such license plate shall have the legend "Oklahoma OK" and shall
10 contain three letters and three numbers. Between the letters and
11 numbers shall be a logo of the flag-raising at Iwo Jima. Below the
12 letters, logo and numbers, the plate shall contain the words "FEB."
13 at the left, "Iwo Jima" in the center and "1945" at the right. Such
14 plates shall not be subject to the design requirements of any other
15 license plates prescribed by law other than the space for the
16 placement of the yearly decals for each succeeding year of
17 registration after the initial issue;

18 10. D-Day Survivor License Plates - such plates shall be
19 designed for any resident of this state who can be verified by the
20 United States Department of Veterans Affairs or the Armed Forces of
21 the United States as being:

- 22 a. a member of the United States Armed Forces on June 6,
- 23 1944,
- 24

- 1 b. a participant in the Allied invasion of the coast of
2 Normandy on June 6, 1944; provided, if such
3 participation cannot be verified by the United States
4 Department of Veterans Affairs or the Armed Forces of
5 the United States, the Tax Commission may, in its
6 discretion, accept evidence of such participation from
7 the person applying for the license plate, and
- 8 c. a recipient of an honorable discharge from the United
9 States Armed Forces.

10 Such person may apply for a D-Day Survivor license plate for
11 each vehicle with a rated carrying capacity of one (1) ton or less;

12 11. Killed in Action License Plates - such plates shall be
13 designed to honor members of the United States Armed Forces who were
14 killed in action. The spouse of the deceased person, if the spouse
15 has not remarried, or if remarried, the remarriage is terminated by
16 death, divorce, or annulment, may apply for a killed in action
17 license plate upon presenting proper certification that the person
18 was killed in action and that the person making the application is
19 the qualifying spouse of the deceased person. The qualifying spouse
20 may apply for a killed in action license plate for no more than two
21 vehicles with each vehicle with a rated carrying capacity of one (1)
22 ton or less. The fee provided by this section for the special
23 license plate authorized by this paragraph shall be in addition to

1 all other registration fees provided by law, except the registration
2 fees levied by Section 1132 of this title;

3 12. Gold Star Parents License Plates - such plates shall be
4 designed to honor members of the United States Armed Forces who were
5 killed during a war. The parents of the deceased person may apply
6 for a gold star license plate upon presenting proper certification
7 that the person was killed during a war and that the person making
8 the application is the parent of the deceased person. The parent
9 may apply for a gold star parent license plate for no more than two
10 vehicles with each vehicle having a rated carrying capacity of one
11 (1) ton or less. The fee provided by this section for the special
12 license plate authorized by this paragraph shall be in addition to
13 all other registration fees provided by law, except the registration
14 fees levied by Section 1132 of this title;

15 13. Military Decoration License Plates - such plates shall be
16 designed for any resident of this state who has been awarded the
17 Distinguished Service Medal, the Distinguished Service Cross, the
18 Distinguished Flying Cross, the Bronze Star military decoration or
19 the Silver Star military decoration. Such persons may apply for a
20 military decoration license plate for each vehicle with a rated
21 carrying capacity of one (1) ton or less;

22 14. Vietnam Veteran License Plates - such plates shall be
23 designed for honorably discharged or present members of the United
24 States Armed Forces who served in the Vietnam Conflict. Such

1 persons may apply for a Vietnam veteran license plate for each
2 vehicle with a rated carrying capacity of one (1) ton or less;

3 15. Police Officer License Plates - such plates shall be
4 designed for any currently employed, reserve or retired municipal
5 police officer or full-time, reserve or retired university police
6 officer certified by the Council on Law Enforcement Education and
7 Training or common education police officer certified by the Council
8 on Law Enforcement Education and Training. Police officers may
9 apply for police officer license plates for vehicles with a rated
10 capacity of one (1) ton or less or for a motorcycle upon proof of
11 employment by or retirement from a municipal, university or common
12 education police department by either an identification card or
13 letter from the chief of the police department or the Oklahoma
14 Police Pension and Retirement Board. Retirees who are eligible for
15 such plates shall provide proof of eligibility upon initial
16 application, but shall not be required to provide proof of
17 eligibility annually. The license plates shall be designed in
18 consultation with municipal police departments of this state;
19 provided, the license plate for motorcycles may be of similar design
20 to the license plate for motor vehicles or may be a new design in
21 order to meet space requirements for a motorcycle license plate;

22 16. World War II Veteran License Plates - such plates shall be
23 designed to honor honorably discharged former members of the United
24 States Armed Forces who are residents of this state and who can be

1 verified by the Oklahoma Military Department, the Department of
2 Veterans Affairs or the Armed Forces of the United States as having
3 served on federal active duty anytime during the period from
4 September 16, 1940, to December 7, 1945. The former members may
5 apply for a World War II Veteran license plate for vehicles with a
6 rated carrying capacity of one (1) ton or less.

7 The license plate shall have the legend "Oklahoma" and shall
8 contain, in the center of the plate, either the Thunderbird Insignia
9 of the 45th Infantry Division in the prescribed red and gold
10 coloring or the emblem of the Army, Navy, U.S. Army Air Corps,
11 Marines or Coast Guard according to the branch of service to which
12 the member belonged. For the purpose of license plate
13 identification, the plate shall contain four digits, two digits at
14 the left and two digits at the right of the insignia or emblem.
15 Centered on the bottom of the license plate shall be the words
16 "WORLD WAR II";

17 17. Korean War Veteran License Plates - such plates shall be
18 designed to honor honorably discharged former members of the United
19 States Armed Forces who are residents of this state and who can be
20 verified by the Oklahoma Military Department, the Department of
21 Veterans Affairs or the Armed Forces of the United States as having
22 served on federal active duty anytime during the period from June
23 27, 1950, to January 31, 1955, both dates inclusive. The former
24

1 members may apply for a Korean War Veteran license plate for
2 vehicles with a rated carrying capacity of one (1) ton or less.

3 The license plate shall have the legend "OKLAHOMA" and shall
4 contain, in the center of the plate, either the Thunderbird Insignia
5 of the 45th Infantry Division in the prescribed red and gold
6 coloring or the emblem of the Army, Navy, Air Force, Marines or
7 Coast Guard according to the branch of service to which the member
8 belonged. For the purpose of license plate identification, the
9 plate shall contain four digits, two digits at the left and two
10 digits at the right of the insignia or emblem. Centered on the
11 bottom of the license plate shall be the word "KOREA";

12 18. Municipal Official License Plates - such plates shall be
13 designed for persons elected to a municipal office in this state and
14 shall designate the name of the municipality and the district or
15 ward in which the municipal official serves. The plates shall only
16 be produced upon application;

17 19. Red Cross Volunteer License Plates - such plates shall be
18 designed to honor American Red Cross volunteers and staff who are
19 residents of this state. Such persons must present an
20 identification card issued by the American Red Cross and bearing a
21 photograph of the person. The license plate shall be designed with
22 the assistance of the American Red Cross and shall have the legend
23 "Oklahoma OK!" in the color Pantone 186C Red. Below the legend the
24 symbol of the American Red Cross and no more than three letters and

1 three numbers shall be in the color Pantone 186C Red. Below the
2 symbol and letters and numbers shall be the words "American Red
3 Cross" in black. The plates shall not be subject to the design
4 requirements of any other license plates prescribed by law other
5 than the space for the placement of the yearly decals for each
6 succeeding year of registration after the initial issue;

7 20. Veterans of Foreign Wars License Plates - such plates shall
8 be designed to honor the veterans of foreign wars and issued to any
9 resident of this state who is a member of a Veterans of Foreign Wars
10 organization in this state. Such persons may apply for Veterans of
11 Foreign Wars license plates upon proof of membership in a Veterans
12 of Foreign Wars organization. The license plate shall be designed
13 in consultation with the Veterans of Foreign Wars organization;

14 21. Desert Storm License Plates - such plates shall be designed
15 and issued to any honorably discharged or present member of the
16 United States Armed Forces who served in the Persian Gulf Crisis and
17 the Desert Storm operation. Such persons may apply for a Desert
18 Storm license plate for each vehicle with a rated carrying capacity
19 of one (1) ton or less;

20 22. Military Reserve Unit License Plates - such plates shall be
21 designed and issued to any honorably discharged or present member of
22 a reserve unit of the United States Armed Forces. Such persons may
23 apply for a Military Reserve Unit license plate for each vehicle
24 with a rated carrying capacity of one (1) ton or less;

1 23. Oklahoma City Bombing Victims and Survivors License Plates
2 - such plates shall be designed and issued to any victim or survivor
3 of the bombing attack on the Alfred P. Murrah Federal Building in
4 downtown Oklahoma City on April 19, 1995;

5 24. Civil Air Patrol License Plates - such plates shall be
6 designed and issued to any person who is a member of the Civil Air
7 Patrol. Such persons may apply for a Civil Air Patrol license plate
8 for each vehicle with a rated carrying capacity of one (1) ton or
9 less upon proof of membership in the Civil Air Patrol. The license
10 plate shall be designed in consultation with the Civil Air Patrol;

11 25. Ninety-Nines License Plates - such plates shall be designed
12 and issued to members of the Ninety-Nines. Persons applying for
13 such license plate must show proof of membership in the Ninety-
14 Nines. The license plates shall be designed in consultation with
15 the Ninety-Nines;

16 26. Combat Infantryman Badge License Plates - such plates shall
17 be designed to honor recipients of the Combat Infantryman Badge.
18 The plate shall have the legend "Oklahoma OK". Below the legend
19 shall be the Combat Infantryman Badge and three numbers. Below the
20 badge and the numbers shall be the words "Combat Infantryman Badge".
21 Such persons may apply for a Combat Infantryman Badge license plate
22 for each vehicle with a rated carrying capacity of one (1) ton or
23 less;

24

1 27. Somalia Combat Veterans License Plates - such plates shall
2 be designed and issued to any honorably discharged or present member
3 of the United States Armed Forces who saw combat in the United
4 Nations relief effort. Such persons may apply for a Somalia Combat
5 Veteran license plate for each vehicle with a rated carrying
6 capacity of one (1) ton or less;

7 28. Police Chaplain License Plates - such plates shall be
8 designed and issued to members of the International Conference of
9 Police Chaplains (ICPC) who have completed the ICPC requirements for
10 basic certification as a police chaplain. The license plates shall
11 be designed in consultation with the ICPC;

12 29. Joint Service Commendation Medal License Plates - such
13 plates shall be designed and issued to any resident of this state
14 who has been awarded the Joint Service Commendation Medal by the
15 United States Secretary of Defense;

16 30. Merchant Marine License Plates - such plates shall be
17 designed, subject to criteria to be presented to the Tax Commission
18 by the Oklahoma Department of Veterans Affairs, and issued to any
19 person who during combat was a member of the Merchant Marines as
20 certified by the Oklahoma Department of Veterans Affairs. Such
21 license plate may be issued for each vehicle with a rated carrying
22 capacity of one (1) ton or less;

23 31. Legislative License Plates - such plates shall be designed
24 for persons elected to the Oklahoma Legislature and shall designate

1 the house of the Legislature in which the legislator serves and the
2 district number;

3 32. Disabled Veterans License Plates - such plates shall be
4 designed for persons presenting proper certification from the United
5 States Department of Veterans Affairs or the Armed Forces of the
6 United States certifying such veteran has a service-connected
7 disability rating of fifty percent (50%) or more, regardless which
8 agency pays the disability benefits, or that such veteran has been
9 awarded a vehicle by the United States government or receives a
10 grant from the United States Department of Veterans Affairs for the
11 purchase of an automobile due to a service-connected disability
12 rating or due to the loss of use of a limb or an eye. Such persons
13 may apply to the Tax Commission for a disabled veterans license
14 plate or to a motor license agent for a regular license plate for no
15 more than two vehicles with each vehicle having a rated carrying
16 capacity of one (1) ton or less. The surviving spouse of any
17 deceased disabled veteran, if the spouse has not since remarried, or
18 if remarried, the remarriage is terminated by death, divorce, or
19 annulment, or a surviving spouse in receipt of Dependency and
20 Indemnity Compensation from the United States Department of Veterans
21 Affairs, may apply for a disabled veterans license plate for one
22 vehicle with a rated carrying capacity of one (1) ton or less. The
23 fee provided by this section for the special license plate
24 authorized by this paragraph shall be in addition to all other

1 registration fees provided by law, except the registration fees
2 levied by Section 1132 of this title. The total expense of this
3 license plate shall not exceed Five Dollars (\$5.00).

4 If the person qualifies for a disabled veterans license plate
5 and is also eligible for a physically disabled placard under the
6 provisions of Section 15-112 of this title, the person shall be
7 eligible to receive a disabled veterans license plate that also
8 displays the international accessibility symbol, which is a stylized
9 human figure in a wheelchair. Upon the death of the disabled
10 veteran with a disabled veterans license plate with the
11 international accessibility symbol, the plate shall be returned to
12 the Tax Commission;

13 33. United States Air Force Association License Plates - such
14 plates shall be designed for members of the United States Air Force
15 Association. Persons applying for such license plate must show
16 proof of membership in the Association. The license plates shall be
17 designed in consultation with the Association;

18 34. Oklahoma Military Academy Alumni License Plates - such
19 plates shall be designed and issued to any resident of this state
20 who is an alumnus of the Oklahoma Military Academy. Such persons
21 may apply for an Oklahoma Military Academy Alumnus license plate for
22 each vehicle with a rated carrying capacity of one (1) ton or less.
23 The license plates shall be designed in consultation with the
24

1 Oklahoma Military Academy and shall contain the shield of the
2 Academy;

3 35. Amateur Radio Operator License Plates - such plates shall
4 be designed and issued to any person, holding a valid operator's
5 license, technician class or better, issued by the Federal
6 Communications Commission, and who is also the owner of a motor
7 vehicle currently registered in Oklahoma, in which has been
8 installed amateur mobile transmitting and receiving equipment.
9 Eligible persons shall be entitled to two special vehicle
10 identification plates as herein provided. Application for such
11 identification plates shall be on a form prescribed by the Tax
12 Commission and the plates issued to such applicant shall have
13 stamped thereon the word "Oklahoma" and bear the official call
14 letters of the radio station assigned by the Federal Communications
15 Commission to the individual amateur operator thereof. All
16 applications for such plates must be made to the Tax Commission on
17 or before the first day of October of any year for such plates for
18 the following calendar year and must be accompanied by the fee
19 required in this section together with a certificate, or such other
20 evidence as the Tax Commission may require, of proof that applicant
21 has a valid technician class or better amateur operator's license
22 and proof of applicant's ownership of a vehicle in which radio
23 receiving and transmitting equipment is installed. Applicants shall
24 only be entitled to one set of special identification plates in any

1 one (1) year, and such calendar year shall be stamped thereon. The
2 right to such special identification plates herein provided for
3 shall continue until the amateur radio operator's license of the
4 person to whom such plates are issued expires or is revoked;

5 36. American Legion License Plates - such plates shall be
6 designed for members of the American Legion. Persons applying for
7 such license plate must show proof of membership. The license
8 plates shall be designed in consultation with the American Legion of
9 Oklahoma;

10 37. Deputy Sheriff License Plates - such plates shall be
11 designed for any currently employed or retired county sheriff or
12 deputy sheriff. County sheriffs or deputy sheriffs may apply for
13 such plates for vehicles with a rated capacity of one (1) ton or
14 less upon proof of employment by or retirement from a county
15 sheriff's office by either an identification card or letter from the
16 county sheriff or a government-sponsored retirement board from which
17 the county sheriff or deputy sheriff may be receiving a pension.
18 Retirees who are eligible for such plates shall provide proof of
19 eligibility upon initial application, but shall not be required to
20 provide proof of eligibility annually. The license plates shall be
21 designed in consultation with the county sheriff offices of this
22 state;

23 38. Gold Star Surviving Spouse License Plates - such plates
24 shall be designed to honor the surviving spouses and children of

1 qualified veterans. As used in this paragraph, "qualified veteran"
2 shall mean:

3 a. any person honorably discharged from any branch of the
4 United States Armed Forces or as a member of the
5 Oklahoma National Guard, who died as a direct result
6 of the performance of duties for any branch of the
7 United States Armed Forces or Oklahoma National Guard
8 while on active military duty, or

9 b. any person honorably discharged from any branch of the
10 United States Armed Forces or as a member of the
11 Oklahoma National Guard, who died as a result of
12 injury, illness or disease caused by the performance
13 of such duties while on active duty, whether the death
14 occurred while on active duty or after the honorable
15 discharge of such person.

16 The fee provided by this section for the special license plate
17 authorized by this paragraph shall be in addition to all other
18 registration fees provided by law, except the registration fees
19 levied by Section 1132 of this title;

20 39. Korea Defense Service Medal License Plates - such plates
21 shall be designed and issued to any resident of this state who has
22 been awarded the Korea Defense Service Medal by the United States
23 Secretary of Defense. Such persons may apply for a Korea Defense
24

1 Service Medal license plate for each vehicle with a rated carrying
2 capacity of one (1) ton or less;

3 40. 180th Infantry License Plates - such plates shall be
4 designed for members and prior members of the 180th Infantry.
5 Persons applying for such license plate must obtain and provide
6 proof of their membership from the 180th Infantry Association. The
7 license plates shall be designed in consultation with the 180th
8 Infantry;

9 41. Operation Iraqi Freedom Veteran License Plates - such
10 plates shall be designed and issued to any honorably discharged or
11 present member of the United States Armed Forces who served in
12 Operation Iraqi Freedom. Such person may apply for an Operation
13 Iraqi Freedom Veteran license plate for each vehicle with a rated
14 carrying capacity of one (1) ton or less;

15 42. United States Air Force Academy Alumni License Plates -
16 such plates shall be designed and issued to any resident of this
17 state who is an alumnus of the United States Air Force Academy.
18 Such persons may apply for a United States Air Force Academy Alumnus
19 license plate for each vehicle with a rated carrying capacity of one
20 (1) ton or less;

21 43. Operation Enduring Freedom Veteran License Plate - such
22 plates shall be designed and issued to any honorably discharged or
23 present member of the United States Armed Forces who served in
24 Operation Enduring Freedom on or after September 11, 2001. The

1 license plate shall be designed in consultation with the Military
2 Department of the State of Oklahoma. Such person may apply for an
3 Operation Enduring Freedom Veteran license plate for each vehicle
4 with a rated carrying capacity of one (1) ton or less;

5 44. Military Multi-Decoration License Plate - such plates shall
6 be designed and issued to any honorably discharged or present member
7 of the United States Armed Forces who qualifies for more than one
8 military decoration license plate pursuant to the provisions of this
9 section. The Tax Commission shall develop and implement a system
10 whereby the designs of the eligible license plates can be included
11 together on a single license plate. Such person may apply for a
12 Military Multi-Decoration license plate for each vehicle with a
13 rated carrying capacity of one (1) ton or less;

14 45. Global War on Terror Expeditionary License Plate - such
15 plates shall be designed and issued to any honorably discharged or
16 present member of the United States Armed Forces who has earned a
17 Global War on Terror Expeditionary decoration. The license plate
18 shall be designed in consultation with the United States Institute
19 of Heraldry and the Military Department of the State of Oklahoma.
20 Such person may apply for a Global War on Terror Expeditionary
21 license plate for each vehicle with a rated carrying capacity of one
22 (1) ton or less;

23 46. Legion of Merit Medal Recipient License Plates - such
24 plates shall be designed for any resident of this state presenting

1 proper certification from the United States Department of Veterans
2 Affairs or the Armed Forces of the United States certifying that
3 such resident has been awarded the Legion of Merit military
4 decoration. Such persons may apply for a Legion of Merit recipient
5 license plate for vehicles having a rated carrying capacity of one
6 (1) ton or less. The license plate shall be designed in
7 consultation with the Military Department of the State of Oklahoma;

8 47. 1-179th License Plates - such plates shall be designed for
9 members, prior members and members of the household of a member or
10 former member of the 1-179th Infantry. Persons applying for such
11 license plate must obtain and provide proof of their membership
12 association with the 1-179th Infantry Association. The license
13 plate shall be designed in consultation with the 1-179th Infantry;

14 48. 2-179th License Plates - such plates shall be designed for
15 members, prior members and members of the household of a member or
16 former member of the 2-179th Infantry. Persons applying for such
17 license plate must obtain and provide proof of their membership
18 association with the 2-179th Infantry Association. The license
19 plate shall be designed in consultation with the 2-179th Infantry;

20 49. Combat Action Ribbon Recipient License Plates - such plates
21 shall be designed to honor recipients of the Combat Action Ribbon
22 who present proper certification from the United States Department
23 of the Navy. The license plate shall include the Combat Action
24 Ribbon earned by the recipient. Such persons may apply for a Combat

1 Action Ribbon Recipient license plate for vehicles having a rated
2 carrying capacity of one (1) ton or less; ~~and~~

3 50. Oklahoma Submarine Veterans License Plate - such plates
4 shall be designed for any resident of this state who is a United
5 States submarine veteran and presents either a Department of Defense
6 form 214 or other documentation certifying such service. Such
7 persons may apply for an Oklahoma Submarine Veterans license plate
8 for vehicles having a rated capacity of one (1) ton or less. The
9 license plate design shall include both gold and silver dolphins to
10 represent both officer and enlisted service members; and

11 51. United States Navy Seabees and Civil Engineer Corps License
12 Plate - such plates shall be designed and issued to any honorably
13 discharged or present member of the United States Navy Seabees or
14 Civil Engineer Corps. Such persons may apply for a United States
15 Navy Seabees and Civil Engineer Corps license plate for vehicles
16 having a rated carrying capacity of one (1) ton or less. The
17 license plate shall be designed in consultation with the Military
18 Department of the State of Oklahoma.

19 C. Unless otherwise provided by this section, the fee for such
20 plates shall be Eight Dollars (\$8.00) and shall be in addition to
21 all other registration fees provided by the Oklahoma Vehicle License
22 and Registration Act. Such fees shall be deposited in the Oklahoma
23 Tax Commission Reimbursement Fund to be used for the administration
24 of the Oklahoma Vehicle License and Registration Act.

1 SECTION 13. REPEALER 47 O.S. 2011, Section 1135.2, as
2 last amended by Section 1, Chapter 351, O.S.L. 2014 (47 O.S. Supp.
3 2014, Section 1135.2), is hereby repealed.

4 SECTION 14. AMENDATORY 47 O.S. 2011, Section 1135.3, as
5 last amended by Section 2, Chapter 351, O.S.L. 2014 (47 O.S. Supp.
6 2014, Section 1135.3), is amended to read as follows:

7 Section 1135.3. A. The Oklahoma Tax Commission is hereby
8 authorized to design and issue appropriate official special license
9 plates to persons wishing to demonstrate support, interest, or
10 membership to or for an organization, occupation, cause or other
11 subject as provided by this section.

12 Special license plates shall not be transferred to any other
13 person but shall be removed from the vehicle upon transfer of
14 ownership and retained. The special license plate may then be used
15 on another vehicle but only after such other vehicle has been
16 registered for the current year.

17 Special license plates shall be renewed each year by the Tax
18 Commission or a motor license agent. The Tax Commission shall
19 annually notify by mail all persons issued special license plates.
20 The notice shall contain all necessary information and shall contain
21 instructions for the renewal procedure upon presentation to a motor
22 license agent or the Tax Commission. The license plates shall be
23 issued on a staggered system.

24

1 The Tax Commission is hereby directed to develop and implement a
2 system whereby motor license agents are permitted to accept
3 applications for special license plates authorized under this
4 section. The motor license agent shall confirm the applicant's
5 eligibility, if applicable, collect and deposit any amount
6 specifically authorized by law, accept and process the necessary
7 information directly into such system and generate a receipt
8 accordingly. For performance of these duties, motor license agents
9 shall retain the fee provided in Section 1141.1 of this title for
10 registration of a motor vehicle. The motor license agent fees for
11 acceptance of applications and renewals shall be paid out of the
12 Oklahoma Tax Commission Reimbursement Fund.

13 If fewer than one hundred of any type of special license plates
14 authorized prior to January 1, 2004, are issued prior to January 1,
15 2006, the Tax Commission shall discontinue issuance and renewal of
16 that type of special license plate. Any such authorized special
17 license plate registrant shall be allowed to display the license
18 plate upon the designated vehicle until the registration expiration
19 date. After such time the expired special license plate shall be
20 removed from the vehicle.

21 Except as otherwise provided in this section, for special
22 license plates authorized on or after July 1, 2004, no special
23 license plates shall be developed or issued by the Tax Commission
24 until the Commission receives one hundred (100) prepaid applications

1 therefor. The prepaid applications must be received by the Tax
2 Commission within one hundred eighty (180) days of the effective
3 date of the authorization or the authority to issue shall be null
4 and void. In the event one hundred (100) prepaid applications are
5 not received by the Tax Commission within such prescribed time
6 period any payment so received shall be refunded accordingly.

7 B. The special license plates provided by this section are as
8 follows:

9 1. Round and Square Dance License Plates - such plates shall be
10 designed and issued to any person wishing to demonstrate support for
11 round and square dancing;

12 2. National Association for the Advancement of Colored People
13 License Plates - such plates shall be designed, subject to the
14 criteria to be presented to the Tax Commission by the NAACP, and
15 issued to any person wishing to demonstrate support for the NAACP;

16 3. National Rifle Association License Plates - such plates
17 shall be designed, subject to the criteria to be presented to the
18 Tax Commission by the National Rifle Association, and issued to any
19 person wishing to demonstrate support for the National Rifle
20 Association;

21 4. Masonic Fraternity License Plates - such plates shall be
22 designed and issued to any resident of this state who is a member of
23 a Masonic Fraternity of Oklahoma. Such persons may apply for a
24 Masonic Fraternity license plate for each vehicle with a rated

1 carrying capacity of one (1) ton or less upon proof of a Masonic
2 Fraternity membership or upon the presentment of an application for
3 a Masonic Fraternity license plate authorized and approved by the
4 Grand Lodge of Oklahoma. The license plates shall be designed in
5 consultation with the Masonic Fraternities of Oklahoma and shall
6 contain the Masonic emblem;

7 5. Shriner's Hospitals for Burned and Crippled Children License
8 Plates - such plates shall be designed to demonstrate support for
9 Shriner's Hospitals for Burned and Crippled Children and shall be
10 issued to any resident of this state who is a member of a Shriner's
11 Temple in Oklahoma. The license plate shall be designed in
12 consultation with the Shriner's Temples in Oklahoma and shall
13 contain the Shriner's emblem;

14 6. Balloonists License Plate - such plates shall be designed
15 and issued to any person wishing to demonstrate support for hot air
16 ballooning in this state;

17 7. Order of the Eastern Star License Plates - such plates shall
18 be designed and issued to any resident of this state who is a member
19 of an Order of the Eastern Star. Such persons may apply for an
20 Order of the Eastern Star license plate for each vehicle with a
21 rated carrying capacity of one (1) ton or less upon proof of an
22 Order of the Eastern Star membership or upon the presentment of an
23 application for an Order of the Eastern Star license plate
24 authorized and approved by the organization. The license plate

1 shall be designed in consultation with the Order of the Eastern Star
2 and shall contain the Order of the Eastern Star emblem;

3 8. Knights of Columbus License Plates - such plates shall be
4 designed and issued to any resident of this state who is a member of
5 the Knights of Columbus. Such persons may apply for a Knights of
6 Columbus license plate for each vehicle with a rated carrying
7 capacity of one (1) ton or less upon proof of a Knights of Columbus
8 membership or upon the presentment of an application for a Knights
9 of Columbus license plate authorized and approved by the
10 organization. The license plate shall be designed in consultation
11 with the Knights of Columbus and shall contain the Knights of
12 Columbus emblem;

13 9. Jaycees License Plates - such plates shall be designed and
14 issued to members of the Jaycees. Persons applying for such license
15 plate must show proof of membership in the Jaycees. The license
16 plates shall be designed in consultation with the Jaycees;

17 10. Ducks Unlimited License Plates - such plates shall be
18 designed and issued to members of Ducks Unlimited. Persons applying
19 for and renewing such license plates must show proof of tag
20 membership in Ducks Unlimited. The license plates shall be designed
21 in consultation with Ducks Unlimited;

22 11. Kiwanis International License Plates - such plates shall be
23 designed and issued to members of Kiwanis International. Persons
24 applying for such license plate must show proof of membership in

1 Kiwanis International. The license plates shall be designed in
2 consultation with Kiwanis International;

3 12. Certified Public Accountants License Plates - such plates
4 shall be designed and issued to any resident of this state who is a
5 Certified Public Accountant. Such persons may apply for a Certified
6 Public Accountant license plate for each vehicle with a rated
7 carrying capacity of one (1) ton or less upon proof of status as a
8 Certified Public Accountant. The license plates shall be designed
9 in consultation with the Oklahoma Society of Certified Public
10 Accountants;

11 13. Civil Emergency Management License Plates - such plates
12 shall be designed and issued to persons wishing to demonstrate
13 support for the state civil emergency management system. Persons
14 applying for such license plate must show proof of official
15 affiliation by presenting a nonexpired proof of employment,
16 affiliation or retirement in the form of an identification card or
17 letter on official letterhead from a municipal, county or state
18 emergency management department head;

19 14. Civilian Conservation Corps License Plates - such plates
20 shall be designed, subject to criteria to be presented to the Tax
21 Commission, by the Civilian Conservation Corps Association, and
22 issued to any person wishing to demonstrate support of the Civilian
23 Conservation Corps;

24

1 15. Rotarian License Plates - such plates shall be designed and
2 issued to any resident of this state who is a member of a Rotarian
3 Club of Oklahoma. Such persons may apply for a Rotarian license
4 plate for each vehicle with a rated carrying capacity of one (1) ton
5 or less upon proof of a Rotarian Club membership or upon the
6 presentment of an application for a Rotarian license plate
7 authorized and approved by a Rotarian Club of Oklahoma. The license
8 plates shall be designed in consultation with the five Rotarian
9 District Governors and shall contain the Rotarian emblem;

10 16. Benevolent Protective Order of Elks - such plates shall be
11 designed, subject to criteria to be presented to the Tax Commission,
12 by the Benevolent Protective Order of Elks, and issued to any
13 resident of this state who is a member of the Benevolent Protective
14 Order of Elks;

15 17. Humane Society License Plates - such plates shall be
16 designed and issued to any person wishing to demonstrate support for
17 the Humane Society of the United States. The plates shall be issued
18 to any person in any combination of numbers and letters from one to
19 a maximum of seven, as for personalized license plates. The plate
20 shall contain the official Humane Society logo;

21 18. Oklahoma Mustang Club - such plates shall be designed,
22 subject to criteria to be presented to the Tax Commission, by the
23 Oklahoma Mustang Club, and issued to any resident of this state who
24 is a member of the Oklahoma Mustang Club. Such persons may apply

1 for an Oklahoma Mustang Club license plate upon presentment of proof
2 of membership in the Oklahoma Mustang Club. The plates shall be
3 issued to any person in any combination of numbers and letters from
4 one to a maximum of seven, as for personalized license plates;

5 19. American Business Clubs (AMBUCS) License Plates - such
6 plates shall be designed and issued to members of American Business
7 Clubs. Persons applying for such license plate must show proof of
8 membership in AMBUCS. The license plates shall be designed in
9 consultation with American Business Clubs;

10 20. West Point 200th Anniversary License Plates - such plates
11 shall be designed and issued to any person wishing to commemorate
12 the Two Hundredth Anniversary of the founding of the United States
13 Military Academy at West Point, New York. The license plates shall
14 be designed in consultation with the West Point Society of Central
15 Oklahoma;

16 21. Oklahoma Aquarium License Plate - such plates shall be
17 designed and issued to persons wishing to demonstrate support for
18 the Oklahoma Aquarium. The license plates shall be designed in
19 consultation with the Oklahoma Aquarium;

20 22. The Pride of Broken Arrow License Plates - such plates
21 shall be designed and issued to any person wishing to demonstrate
22 support for The Pride of Broken Arrow marching band. The plates
23 shall be designed in consultation with the Broken Arrow Public
24 School System;

1 23. Fellowship of Christian Athletes License Plates - such
2 plates shall be designed in consultation with the Fellowship of
3 Christian Athletes and issued to members and supporters of the
4 Fellowship of Christian Athletes;

5 24. Parrothead Club License Plates - such plates shall be
6 designed and issued to members and supporters of the Parrothead
7 Club. The license plate shall be issued to any person in any
8 combination of numbers and letters from one to a maximum of seven as
9 for personalized license plates;

10 25. Oklahoma Bicycling Coalition License Plates - such plates
11 shall be designed and issued to any person who is a member of the
12 Oklahoma Bicycling Coalition. The license plates shall be designed
13 in consultation with the Oklahoma Bicycling Coalition;

14 26. Electric Lineman License Plate - such plates shall be
15 designed and issued to persons wishing to demonstrate support for
16 Oklahoma's electric linemen. The license plates shall be designed
17 in consultation with the Oklahoma Electric Superintendent's
18 Association;

19 27. Alpha Kappa Alpha License Plate - such plates shall be
20 designed and issued to any person who is a member of Alpha Kappa
21 Alpha Sorority. The license plates shall be designed in
22 consultation with the Oklahoma Chapter of Alpha Kappa Alpha
23 Sorority;

1 28. The National Pan-Hellenic Council Incorporated License
2 Plate - such plates shall be designed and issued to any person
3 wishing to demonstrate support to any of the nine sororities and
4 fraternities recognized by the National Pan-Hellenic Council
5 Incorporated. The license plates shall be designed in consultation
6 with the Oklahoma Chapter of the National Pan-Hellenic Council
7 Incorporated;

8 29. Organ, Eye and Tissue License Plate - such plates shall be
9 designed and issued to persons wishing to demonstrate support and
10 increase awareness for organ, eye and tissue donation. The license
11 plates shall be designed in consultation with the State Department
12 of Health;

13 30. Central Oklahoma Habitat for Humanity License Plate - such
14 plates shall be designed and issued to persons wishing to
15 demonstrate support and increase awareness for Habitat for Humanity.
16 The license plate shall be designed in consultation with Central
17 Oklahoma Habitat for Humanity;

18 31. Family Career and Community Leaders of America Incorporated
19 License Plate - such plates shall be designed and issued to persons
20 wishing to demonstrate support for Family Career and Community
21 Leaders of America Incorporated. The license plates shall be
22 designed in consultation with Family Career and Community Leaders of
23 America Incorporated;

24

1 32. Delta Sigma Theta License Plate - such plates shall be
2 designed and issued to any person who is a member of Delta Sigma
3 Theta Sorority. The license plates shall be designed in
4 consultation with the Oklahoma Chapter of Delta Sigma Theta Sorority
5 Incorporated;

6 33. Omega Psi Phi License Plate - such plates shall be designed
7 and issued to any person who is a member of Omega Psi Phi
8 Fraternity. The license plates shall be designed in consultation
9 with the Oklahoma Chapter of Omega Psi Phi Fraternity Incorporated;

10 34. Alpha Phi Alpha License Plate - such plates shall be
11 designed and issued to any person who is a member of Alpha Phi Alpha
12 Fraternity. The license plates shall be designed in consultation
13 with the Oklahoma Chapter of Alpha Phi Alpha Fraternity
14 Incorporated;

15 35. 50th Anniversary of the Interstate System of Highways
16 License Plate - such plates shall be designed and issued to persons
17 wishing to commemorate the 50th Anniversary of the Interstate System
18 of Highways. The license plates shall be designed in consultation
19 with the American Association of State Highway and Transportation
20 Officials;

21 36. Kappa Alpha Psi License Plate - such plates shall be
22 designed and issued to any person who is a member of Kappa Alpha Psi
23 Fraternity. The license plates shall be designed in consultation
24

1 with the Oklahoma Chapter of Kappa Alpha Psi Fraternity
2 Incorporated;

3 37. Sigma Gamma Rho License Plate - such plates shall be
4 designed and issued to any person who is a member of Sigma Gamma Rho
5 Sorority. The license plates shall be designed in consultation with
6 the Oklahoma Chapter of Sigma Gamma Rho Sorority Incorporated.
7 Subject to the provisions of subsection A of this section, the Sigma
8 Gamma Rho License Plate is hereby reauthorized effective November 1,
9 2013;

10 38. Multiple Sclerosis License Plate - such plates shall be
11 designed and issued to persons wishing to demonstrate support for
12 and increase awareness of multiple sclerosis. The license plates
13 shall be designed in consultation with the Oklahoma Chapter of the
14 National Multiple Sclerosis Society;

15 39. Frederick Douglass High School License Plates - such plates
16 shall be designed and issued to any person wishing to demonstrate
17 support for Frederick Douglass High School located in Oklahoma City.
18 The plates shall be designed in consultation with representatives of
19 Frederick Douglass High School National Alumni Association;

20 40. United States Air Force Academy License Plates - such
21 plates shall be designed and issued to any person wishing to
22 demonstrate support for the United States Air Force Academy;

23
24

1 41. In God We Trust License Plate - such plates shall be
2 designed to include the motto, "In God We Trust", and shall be
3 issued to any person wishing to demonstrate support for the motto;

4 42. National Weather Center License Plate - such plates shall
5 be designed and issued to any person wishing to demonstrate support
6 for the National Weather Center in Norman. The plates shall be
7 designed in consultation with representatives of the National
8 Weather Center Directors;

9 43. Make-A-Wish Foundation License Plate - such plates shall be
10 designed and issued to persons wishing to demonstrate support for
11 the Make-A-Wish Foundation. The license plates shall be designed in
12 consultation with the Oklahoma Chapter of the National Make-A-Wish
13 Foundation;

14 44. South Central Section PGA Foundation License Plate - such
15 plates shall be designed and issued to persons wishing to
16 demonstrate support for the South Central Section PGA Foundation.
17 The license plates shall be designed in consultation with the South
18 Central Section PGA Foundation;

19 45. Putnam City High School License Plate - such plates shall
20 be designed and issued to any person wishing to demonstrate support
21 for Putnam City High School. The plates shall be designed in
22 consultation with representatives of Putnam City High School Alumni
23 Association, Inc.;

24

1 46. Autism Awareness License Plate - such plates shall be
2 designed and issued to any person wishing to increase awareness of
3 autism. The license plate shall be designed in consultation with
4 the Oklahoma Autism Network;

5 47. Oklahoma Blood Institute License Plate - such plates shall
6 be designed and issued to any person wishing to demonstrate support
7 for the Oklahoma Blood Institute. The license plates shall be
8 designed in consultation with the Oklahoma Blood Institute;

9 48. Zeta Phi Beta and Phi Beta Sigma License Plate - such
10 plates shall be designed and issued to any person who is a member of
11 Zeta Phi Beta Sorority or Phi Beta Sigma Fraternity. The license
12 plates shall be designed in consultation with the Oklahoma chapters
13 of Zeta Phi Beta Sorority Incorporated and Phi Beta Sigma Fraternity
14 Incorporated;

15 49. Star Spencer High School License Plate - such plates shall
16 be designed and issued to any person wishing to demonstrate support
17 for Star Spencer High School located in Oklahoma City. The plates
18 shall be designed in consultation with representatives of the Star
19 Spencer High School Alumni Association;

20 50. Northeast High School License Plate - such plates shall be
21 designed and issued to any person wishing to demonstrate support for
22 Northeast High School located in Oklahoma City. The plates shall be
23 designed in consultation with representatives of the Northeast High
24 School Alumni Association;

1 51. Oklahoma City Central High School License Plate - such
2 plates shall be designed and issued to any person wishing to
3 demonstrate support for the Oklahoma City Central High School Alumni
4 Association. The plates shall be designed in consultation with
5 representatives of the Oklahoma City Central High School Alumni
6 Association;

7 52. Historic Greenwood District License Plate - such plates
8 shall be issued to persons wishing to demonstrate support for music
9 festivals held in the Historic Greenwood District in Tulsa,
10 Oklahoma. The license plates shall be designed in consultation with
11 the Greenwood Cultural Center;

12 53. Oklahoma Rifle Association License Plate - such plates
13 shall be designed and issued to any person wishing to demonstrate
14 support for the Oklahoma Rifle Association. The plates shall be
15 designed in consultation with representatives of the Oklahoma Rifle
16 Association;

17 54. Oklahoma City Thunder License Plate - such plates shall be
18 designed and issued to any person wishing to demonstrate support for
19 the Oklahoma City Thunder. The license plate shall be designed in
20 consultation with the Oklahoma City Thunder organization;

21 55. Ovarian Cancer Awareness License Plate - such plates shall
22 be designed and issued to any person wishing to increase awareness
23 of ovarian cancer. The license plate shall be designed in
24 consultation with the HOPE in Oklahoma organization;

1 56. BMW Car Club of America License Plate - such plates shall
2 be designed and issued to any person wishing to demonstrate support
3 for the BMW Car Club of America. The plates shall be issued to any
4 person in any combination of numbers and letters from one to a
5 maximum of seven, as for personalized license plates. The license
6 plate shall be designed in consultation with the Sunbelt Chapter of
7 the BMW Car Club of America. Subject to the provisions of
8 subsection A of this section, the BMW Car Club of America License
9 Plate is hereby reauthorized effective November 1, 2013;

10 57. Don't Tread On Me License Plate - such plates shall be
11 designed to include the yellow background and rattlesnake emblem
12 above the motto "DON'T TREAD ON ME" as found on the historic Gadsden
13 flag, and shall be issued to any person wishing to demonstrate
14 support for the freedom and liberty of the Republic;

15 58. Oklahomans for the Arts License Plate - such plates shall
16 be designed and issued to any person wishing to demonstrate support
17 for arts, culture and creative industries as well as arts education.
18 The plates shall be designed in consultation with Oklahomans for the
19 Arts;

20 59. Oklahoma City Barons License Plate - such plates shall be
21 designed and issued to any person wishing to demonstrate support for
22 the Oklahoma City Barons. The license plate shall be designed in
23 consultation with the Oklahoma City Barons organization. The
24

1 license plates shall be issued to any person in any combination of
2 numbers and letters from one to a maximum of six;

3 60. Oklahoma City Redhawks License Plate - such plates shall be
4 designed and issued to any person wishing to demonstrate support for
5 the Oklahoma City Redhawks. The license plate shall be designed in
6 consultation with the Oklahoma City Redhawks organization;

7 61. Tulsa Shock License Plate - such plates shall be designed
8 and issued to any person wishing to demonstrate support for the
9 Tulsa Shock. The license plate shall be designed in consultation
10 with the Tulsa Shock organization;

11 62. Tulsa Oilers License Plate - such plates shall be designed
12 and issued to any person wishing to demonstrate support for the
13 Tulsa Oilers. The license plate shall be designed in consultation
14 with the Tulsa Oilers organization;

15 63. Tulsa Drillers License Plate - such plates shall be
16 designed and issued to any person wishing to demonstrate support for
17 the Tulsa Drillers. The license plate shall be designed in
18 consultation with the Tulsa Drillers organization;

19 64. Millwood School District License Plate - such plates shall
20 be designed and issued to any person wishing to demonstrate support
21 for the Millwood School District. The license plate shall be
22 designed in consultation with representatives of the Millwood School
23 District;

24

1 65. Booker T. Washington High School License Plate - such
2 plates shall be issued to persons wishing to demonstrate support for
3 Booker T. Washington High School and shall be designed in
4 consultation with the Booker T. Washington High School National
5 Alumni Association;

6 66. Oklahoma Current State Flag License Plate - such plates
7 shall be designed to include the current Oklahoma state flag and
8 issued to any person wishing to demonstrate support for the current
9 Oklahoma state flag. The plates shall be designed in consultation
10 with the Friends of the Oklahoma History Center;

11 67. Oklahoma Original State Flag License Plate - such plates
12 shall be designed to include the original Oklahoma state flag and
13 issued to any person wishing to demonstrate support for the original
14 Oklahoma state flag. The plates shall be designed in consultation
15 with the Friends of the Oklahoma History Center;

16 68. Tulsa 66ers License Plate - such plates shall be designed
17 and issued to any person wishing to demonstrate support for the
18 Tulsa 66ers. The plates shall be designed in consultation with the
19 Tulsa 66ers Organization; ~~and~~

20 69. Jenks Trojans License Plate - such plates shall be issued
21 to persons wishing to demonstrate support for Jenks School District
22 and shall be designed in consultation with representatives of the
23 Jenks School District; and

24

1 70. Frederick Bombers License Plate - such plates shall be
2 issued to persons wishing to demonstrate support for the Frederick
3 School District and shall be designed in consultation with
4 representatives of the Frederick School District.

5 C. The fee for such plates shall be Fifteen Dollars (\$15.00)
6 and shall be in addition to all other registration fees provided by
7 the Oklahoma Vehicle License and Registration Act. Unless otherwise
8 provided in this section, the fee shall be apportioned as follows:
9 Eight Dollars (\$8.00) of the special license plate fee shall be
10 deposited in the Oklahoma Tax Commission Reimbursement Fund to be
11 used for the administration of the Oklahoma Vehicle License and
12 Registration Act and the remaining Seven Dollars (\$7.00) of the
13 special license plate fee shall be apportioned as provided in
14 Section 1104 of this title.

15 SECTION 15. REPEALER 47 O.S. 2011, Section 1135.3, as
16 last amended by Section 2, Chapter 372, O.S.L. 2014 (47 O.S. Supp.
17 2014, Section 1135.3), is hereby repealed.

18 SECTION 16. AMENDATORY 47 O.S. 2011, Section 1135.5, as
19 last amended by Section 3, Chapter 351, O.S.L. 2014 (47 O.S. Supp.
20 2014, Section 1135.5), is amended to read as follows:

21 Section 1135.5. A. The Oklahoma Tax Commission is hereby
22 authorized to design and issue appropriate official special license
23 plates to persons wishing to demonstrate support and provide
24 financial assistance as provided by this section.

1 Special license plates shall not be transferred to any other
2 person but shall be removed from the vehicle upon transfer of
3 ownership and retained. The special license plate may then be used
4 on another vehicle but only after such other vehicle has been
5 registered for the current year with a motor license agent.

6 Special license plates shall be renewed each year by the Tax
7 Commission or a motor license agent. The Tax Commission shall
8 annually notify by mail all persons issued special license plates.
9 The notice shall contain all necessary information and shall contain
10 instructions for the renewal procedure upon presentation to a motor
11 license agent or the Tax Commission. The license plates shall be
12 issued on a staggered system.

13 The Tax Commission is hereby directed to develop and implement a
14 system whereby motor license agents are permitted to accept
15 applications for special license plates authorized under this
16 section. The motor license agent shall confirm the applicant's
17 eligibility, if applicable, collect and deposit any amount
18 specifically authorized by law, accept and process the necessary
19 information directly into such system and generate a receipt
20 accordingly. For performance of these duties, motor license agents
21 shall retain the fee provided in Section 1141.1 of this title for
22 registration of a motor vehicle. The motor license agent fees for
23 acceptance of applications and renewals shall be paid out of the
24 Oklahoma Tax Commission Reimbursement Fund.

1 If fewer than one hundred of any type of special license plates
2 authorized prior to January 1, 2004, are issued prior to January 1,
3 2006, the Tax Commission shall discontinue issuance and renewal of
4 that type of special license plate. Any such authorized special
5 license plate registrant shall be allowed to display the license
6 plate upon the designated vehicle until the registration expiration
7 date. After such time the expired special license plate shall be
8 removed from the vehicle.

9 For special license plates authorized on or after July 1, 2004,
10 no special license plates shall be developed or issued by the Tax
11 Commission until the Commission receives one hundred prepaid
12 applications therefor. The prepaid applications must be received by
13 the Tax Commission within one hundred eighty (180) days of the
14 effective date of the authorization or the authority to issue shall
15 be null and void. In the event one hundred prepaid applications are
16 not received by the Tax Commission within such prescribed time
17 period any payment so received shall be refunded accordingly.

18 B. The special license plates provided by this section are as
19 follows:

20 1. University or College Supporter License Plates - such plates
21 shall be designed and issued to any person wishing to demonstrate
22 support to any state-supported or private university or college. As
23 provided in this section, an amount of the fee collected shall be
24 apportioned as provided in Section 1104.1 of this title;

1 2. Environmental Awareness License Plates - such plates shall
2 be designed, subject to the criteria to be presented to the Tax
3 Commission by the Department of Environmental Quality in
4 consultation with the Oklahoma Arts Council, and issued to any
5 person wishing to demonstrate support to implement the statewide
6 general public environmental education program created pursuant to
7 the provisions of the Oklahoma Environmental Quality Code. Such
8 plates shall be designed and issued to any person in any combination
9 of numbers and letters from one to a maximum of seven, as for
10 personalized license plates. A dealer's license plate issued
11 pursuant to Section 1116.1 or 1128 of this title may be designated
12 an Environmental Awareness License Plate upon payment of the fee
13 imposed by this section and any other registration fees required by
14 the Oklahoma Vehicle License and Registration Act. As provided in
15 this section, an amount of the fee collected shall be apportioned
16 pursuant to Section 1104.2 of this title;

17 3. Firefighter License Plates - such plates shall be designed
18 for any career or retired firefighter, volunteer or paid.
19 Firefighters may apply for firefighter plates for up to four
20 vehicles with a rated capacity of one (1) ton or less or for a
21 motorcycle upon proof of a fire department membership by either an
22 identification card or letter from the chief of the fire department.
23 Retirees who are eligible for such plates shall provide proof of
24 eligibility upon initial application, but shall not be required to

1 provide proof of eligibility annually. The surviving spouse of any
2 deceased firefighter, if the spouse has not since remarried, may
3 apply for a firefighter license plate for one vehicle with a rated
4 carrying capacity of one (1) ton or less or for a motorcycle upon
5 proof that the deceased firefighter was a member of a fire
6 department by either an identification card or letter from the chief
7 of the fire department.

8 Except for motorcycles, the license plate shall have the legend
9 "Oklahoma" in the color Pantone 186C Red and shall contain no more
10 than three letters and three numbers in the color Pantone 301C Blue.
11 Between the letters and numbers shall be the Firefighter Maltese
12 Cross Logo in the color Pantone 186C Red outlined in the color
13 Pantone 301C Blue. Below the letters and the logo shall be the word
14 "Firefighter" in the color Pantone 186C Red. The license plate for
15 motorcycles may be of a similar design as space permits or a new
16 design in order to meet the space requirements of a motorcycle
17 license plate. The plates shall not be subject to the design
18 requirements of any other license plates prescribed by law other
19 than the space for the placement of the yearly decals for each
20 succeeding year of registration after the initial issue.

21 As provided in this section, an amount of the fee collected
22 shall be deposited to the Oklahoma State Firemen's Museum Building &
23 Memorial Fund for support of the Oklahoma Firefighter Fallen and
24 Living Memorial;

1 4. Wildlife Conservation License Plates - such plates shall be
2 designed, subject to the criteria to be presented to the Tax
3 Commission by the Oklahoma Department of Wildlife Conservation in
4 consultation with the Oklahoma Arts Council, and issued to any
5 person wishing to demonstrate support for wildlife conservation in
6 this state through the Wildlife Diversity Fund, provided for in
7 Section 3-310 of Title 29 of the Oklahoma Statutes. Such plates may
8 be designed and issued to any person as for personalized license
9 plates.

10 As provided in this section, an amount of the fee collected
11 shall be apportioned pursuant to subsection D of Section 3-310 of
12 Title 29 of the Oklahoma Statutes;

13 5. Child Abuse Prevention License Plates - such plates shall be
14 designed, subject to the criteria to be presented to the Tax
15 Commission by the Office of Child Abuse Prevention in the State
16 Department of Health and the Oklahoma Committee to Prevent Child
17 Abuse, and issued to any person wishing to demonstrate support for
18 the prevention of child abuse.

19 As provided in this section, an amount of the fee collected
20 shall be deposited in the Child Abuse Prevention Fund;

21 6. United States Olympic Committee Supporter License Plates -
22 such plates shall be designed and issued to any person wishing to
23 demonstrate support for the United States Olympic Committee. The
24 plates shall be issued to any person in any combination of numbers

1 and letters from one to a maximum of seven, as for personalized
2 license plates. The plate shall contain the official United States
3 Olympic Committee logo. The Tax Commission shall be authorized, if
4 necessary, to enter into a licensing agreement with the United
5 States Olympic Committee for any licensing fees which may be
6 required in order to use the United States Olympic Committee logo or
7 design. The licensing agreement shall provide for a payment of not
8 more than Twenty-five Dollars (\$25.00) for each license plate
9 issued;

10 7. Oklahoma History License Plates - such plates shall be
11 designed and issued to any person wishing to demonstrate interest in
12 Oklahoma history. As provided in this section, an amount of the fee
13 collected shall be deposited to the Oklahoma Historical Society
14 Revolving Fund to be used for educational purposes;

15 8. Historic Route 66 License Plates - such plates shall be
16 designed to honor historic Route 66, also known as the "Mother
17 Road". As provided in this section, an amount of the fee collected
18 shall be apportioned to the Oklahoma Historical Society Revolving
19 Fund to be distributed to the Route 66 Museum located in Clinton,
20 Oklahoma;

21 9. Heart of the Heartland License Plates - such plates shall be
22 designed and issued to any person wishing to honor the victims of
23 the terrorist bombing attack on the Alfred P. Murrah Federal
24 Building in downtown Oklahoma City on April 19, 1995. As provided

1 in this section, an amount of the fee collected shall be deposited
2 in the Heart of the Heartland Scholarship Fund, as established in
3 Section 2282 of Title 70 of the Oklahoma Statutes;

4 10. Emergency Medical Technician License Plates - such plates
5 shall be designed and issued to any person who is an emergency
6 medical technician. Such persons may apply for an emergency medical
7 technician license plate for each vehicle with a rated carrying
8 capacity of one (1) ton or less upon proof of an emergency medical
9 technician's license. The license plate shall be designed in
10 consultation with the state association of emergency medical
11 technicians. As provided in this section, an amount of the fee
12 collected shall be apportioned to the Emergency Medical Technician
13 Death Benefit Revolving Fund created in Section 1-2505.2 of Title 63
14 of the Oklahoma Statutes;

15 11. Fight Breast Cancer License Plates - such plates shall be
16 designed to demonstrate support for the prevention and treatment of
17 breast cancer in this state. As provided in this section, an amount
18 of the fee collected shall be apportioned to the Breast Cancer Act
19 Revolving Fund;

20 12. Crime Victims Awareness License Plates - such plates shall
21 be designed and issued to any person wishing to demonstrate
22 awareness of and support for victims of crimes. The license plates
23 shall be designed in consultation with the Oklahoma Crime Victims
24 Centre. As provided in this section, an amount of the fee collected

1 shall be apportioned to the Attorney General's Revolving Fund for
2 the Office of the Attorney General, which is hereby directed to use
3 such funds to contract with a statewide nonprofit organization to
4 provide services to crime victims;

5 13. Oklahoma Safe Kids Association License Plates - such plates
6 shall be designed and issued to any person wishing to demonstrate
7 support and awareness of the Oklahoma Safe Kids Association. The
8 license plate shall be designed in consultation with the Oklahoma
9 Safe Kids Association. As provided in this section, an amount of
10 the fee collected shall be deposited in the Children's Hospital -
11 Oklahoma Safe Kids Association Revolving Fund to be distributed to
12 the Oklahoma Safe Kids Association program;

13 14. Four-H Club License Plates - such plates shall be designed,
14 subject to criteria to be presented to the Tax Commission by the
15 Four-H Foundation, and issued to any person wishing to demonstrate
16 support of the Four-H Club. Such plates may be designed and issued
17 to any person as for personalized license plates. As provided in
18 this section, an amount of the fee collected shall be apportioned to
19 the OSU Extension Service License Plate Revolving Fund created in
20 Section 1104.4 of this title;

21 15. Agricultural Awareness License Plates - such plates shall
22 be designed, subject to criteria to be presented to the Tax
23 Commission, by the Oklahoma Department of Agriculture, Food, and
24 Forestry in consultation with the Oklahoma Arts Council, and issued

1 to any person wishing to demonstrate support of the Department's Ag
2 in the Classroom Education Program. As provided in this section, an
3 amount of the fee collected shall be apportioned as provided in
4 Section 1104.3 of this title;

5 16. Oklahoma Statehood Centennial License Plates - such plates
6 shall be designed and issued to any person wishing to commemorate
7 the centennial of Oklahoma's admission to statehood in 1907. The
8 license plates shall be designed in consultation with the Oklahoma
9 Capitol Complex and Centennial Commemoration Commission. As
10 provided in this section, an amount of the fee collected shall be
11 deposited in the Oklahoma Capitol Complex and Centennial
12 Commemoration Commission Revolving Fund created in Section 98.5 of
13 Title 73 of the Oklahoma Statutes;

14 17. Support Education License Plates - such plates shall be
15 designed, subject to criteria to be presented to the Tax Commission
16 by the State Department of Education in consultation with the
17 Oklahoma Arts Council, and issued to any person wishing to
18 demonstrate support for education in this state. All motor license
19 agents shall display a sample of the Support Education License plate
20 in the area of the business accessed by the public. Twenty-three
21 Dollars (\$23.00) of the fee collected shall be apportioned as
22 follows:

23 a. five percent (5%) shall be deposited to the Education
24 Reform Revolving Fund,

- 1 b. five percent (5%) shall be deposited to the Higher
2 Education Revolving Fund,
3 c. five percent (5%) shall be deposited to the State
4 Career Technology Fund, and
5 d. eighty-five percent (85%) of the fee shall be
6 deposited to the Teachers' Retirement Benefit Fund as
7 set forth in Section 17-108 of Title 70 of the
8 Oklahoma Statutes.

9 However, when the Teachers' Retirement Benefit Fund attains a
10 seventy percent (70%) funded ratio based on an annual actuarial
11 valuation as required by law, the amount of the fee shall be
12 apportioned equally pursuant to subparagraphs a, b and c of this
13 paragraph;

14 18. Retired Oklahoma Highway Patrol Officers License Plates -
15 such plates shall be designed and issued to any retired officer of
16 the Oklahoma Highway Patrol. The license plate shall have the
17 legend "Oklahoma" and shall contain, in the center of the plate, the
18 Highway Patrol Officers patch using the same colors and pattern as
19 used in the patch. Centered on the bottom of the license plate
20 shall be the word "Retired". The letters "TRP" shall be used in
21 combination with three numbers on either side of the insignia or
22 emblem. The color of the letters and numbers shall be brown.
23 Retirees who are eligible for such plates shall provide proof of
24 eligibility upon initial application, but shall not be required to

1 provide proof of eligibility annually. The surviving spouse of any
2 deceased retired officer of the Oklahoma Highway Patrol, if the
3 spouse has not since remarried, or if remarried, the remarriage is
4 terminated by death, divorce, or annulment, may apply for a Retired
5 Oklahoma Highway Patrol Officers license plate. As provided in this
6 section, an amount of the fee collected shall be deposited into the
7 Law Enforcement Retirement Fund;

8 19. Boy Scouts of America Supporter License Plates - such
9 plates shall be designed and issued to any person wishing to
10 demonstrate support for the Boy Scouts of America. The plates shall
11 be issued to any person in any combination of numbers and letters
12 from one to a maximum of seven, as for personalized license plates.
13 The plate shall contain the official Boy Scouts of America logo.
14 The Tax Commission shall be authorized, if necessary, to enter into
15 a licensing agreement with the Boy Scouts of America for any
16 licensing fees which may be required in order to use the Boy Scouts
17 of America logo or design. The licensing agreement shall provide
18 for a payment to the Boy Scouts of America of not more than Twenty
19 Dollars (\$20.00) for each license plate issued;

20 20. Urban Forestry and Beautification License Plates - such
21 plates shall be designed, subject to criteria to be presented to the
22 Tax Commission, by the Oklahoma Department of Agriculture, Food, and
23 Forestry in consultation with nonprofit organizations in this state
24 that develop and operate programs to encourage urban forestry and

1 beautification, and issued to any person wishing to demonstrate
2 support of such programs. As provided in this section, an amount of
3 the fee collected shall be apportioned as provided in Section 1104.5
4 of this title;

5 21. Oklahoma State Parks Supporter License Plates - such plates
6 shall be designed, subject to criteria to be presented to the Tax
7 Commission by the Oklahoma Tourism and Recreation Department, and
8 issued to any person wishing to demonstrate support for the Oklahoma
9 state parks system. Twenty-three Dollars (\$23.00) of the fee
10 collected shall be deposited in the Oklahoma Tourism and Recreation
11 Department Revolving Fund. Such money shall be designated for and
12 may only be expended for the support of Oklahoma state parks;

13 22. Adoption Creates Families License Plates - such plates
14 shall be issued to any person wishing to demonstrate support of
15 pregnant women who are committed to placing their children for
16 adoption and wishing to provide assistance to guardians, adoptive
17 parents and other created families to assist in the adoption and
18 placement of children in permanent, safe homes. The license plates
19 shall be designed and final terminology delivered in consultation
20 with the Oklahoma Adoption Coalition and the Department of Human
21 Services. Twenty-five Dollars (\$25.00) of the fee collected shall
22 be deposited in a revolving fund established in the State Treasury
23 for and to be used by the Department of Human Services for the

24

1 implementation of the Investing in Stronger Oklahoma Families Act
2 specifically for created families;

3 23. Choose Life License Plates - such plates shall be designed,
4 subject to criteria presented to the Tax Commission, by Choose Life,
5 Inc., and issued to any person who wishes to demonstrate support of
6 organizations that encourage adoption as a positive choice for women
7 with unplanned pregnancies. As provided in this section, an amount
8 of the fee collected shall be deposited in the Choose Life
9 Assistance Program Revolving Fund established in Section 1104.6 of
10 this title;

11 24. Future Farmers of America License Plate - such plates shall
12 be designed and issued to persons wishing to demonstrate support for
13 the Oklahoma FFA (formerly known as Future Farmers of America). The
14 license plates shall be designed in consultation with the Oklahoma
15 FFA Foundation Board of Directors. As provided in this section, an
16 amount of the fee collected shall be apportioned as provided in
17 Section 1104.7 of this title;

18 25. Lions Club License Plates - such plates shall be designed
19 and issued to persons wishing to demonstrate support for the Lions
20 Club of Oklahoma. The plates shall be issued to any person in any
21 combination of numbers and letters from one to a maximum of seven,
22 as for personalized license plates. The license plates shall be
23 designed in consultation with the Oklahoma Lions Service Foundation
24 and shall contain the official logo of the International Association

1 of Lions Clubs. The Tax Commission shall be authorized to enter
2 into a licensing agreement with the Oklahoma Lions Service
3 Foundation. The licensing agreement shall provide for a payment to
4 the Oklahoma Lions Service Foundation of not more than Ten Dollars
5 (\$10.00) for each license plate issued;

6 26. Color Oklahoma License Plates - such plates shall be
7 designed, subject to criteria to be presented to the Tax Commission
8 by the Oklahoma Native Plant Society, and issued to any person
9 wishing to demonstrate support for preserving and planting
10 wildflowers and native plants in Oklahoma and to promote Oklahoma's
11 wildflower heritage through education. As provided in this section,
12 an amount of the fee collected shall be apportioned as provided in
13 Section 1104.8 of this title;

14 27. Girl Scouts of the United States of America Supporter
15 License Plates - such plates shall be designed and issued to any
16 person wishing to demonstrate support for the Girl Scouts of the
17 United States of America. The plates shall be issued to any person
18 in any combination of numbers and letters from one to a maximum of
19 seven, as for personalized license plates. The plate shall contain
20 the official Girl Scouts of the United States of America logo. The
21 Tax Commission shall be authorized, if necessary, to enter into a
22 licensing agreement with the Girl Scouts of the United States of
23 America for any licensing fees which may be required in order to use
24 the Girl Scouts of the United States of America logo or design. The

1 licensing agreement shall provide for a payment to the Girl Scouts
2 of Magic Empire Council, acting on behalf of all Oklahoma Girl Scout
3 councils, of not more than Twenty Dollars (\$20.00) for each license
4 plate issued;

5 28. Oklahoma City Memorial Marathon License Plates - such
6 plates shall be designed and issued to any person wishing to
7 demonstrate support for the Oklahoma City Memorial Marathon. The
8 plate shall be designed in consultation with the Oklahoma City
9 Memorial Marathon. The Tax Commission shall be authorized to enter
10 into a licensing agreement with the Oklahoma City Memorial Marathon
11 for any licensing fees which may be required in order to use the
12 Oklahoma City Memorial Marathon logo or design. The licensing
13 agreement shall provide for a payment to the Oklahoma City Memorial
14 Marathon of not more than Twenty Dollars (\$20.00) for each license
15 plate issued;

16 29. Oklahoma Scenic Rivers License Plate - such plates shall be
17 designed to demonstrate support for the Oklahoma Scenic Rivers. The
18 plates shall be designed in consultation with the Oklahoma Scenic
19 Rivers Commission. Twenty-five Dollars (\$25.00) of the fee shall be
20 apportioned to the Oklahoma Scenic Rivers Commission;

21 30. Fight Cancer License Plate - such plates shall be designed
22 to demonstrate support for the Oklahoma Central Cancer Registry.
23 The plate shall contain the American Cancer Society logo. The
24 American Cancer Society logo shall be used in accordance with the

1 American Cancer Society's branding guidelines and shall only be
2 utilized to support the Oklahoma Central Cancer Registry. Twenty
3 Dollars (\$20.00) of the fee shall be apportioned to the Oklahoma
4 Central Cancer Registry Revolving Fund;

5 31. Animal Friendly License Plate - such plates shall be
6 designed and issued to any person wishing to demonstrate support for
7 controlling the overpopulation of dogs and cats through educational
8 and sterilization efforts. The plates shall be designed in
9 consultation with the Veterinary Medical Association. Twenty
10 Dollars (\$20.00) of the fee collected shall be designated by the
11 purchaser of the plate to be deposited in the Oklahoma Pet
12 Overpopulation Fund created in Section 2368.13 of Title 68 of the
13 Oklahoma Statutes or the Animal Friendly Revolving Fund created in
14 Section 1104.10 of this title;

15 32. Patriot License Plate - such plates shall be designed in
16 consultation with the Military Department of Oklahoma and issued to
17 any person wishing to demonstrate support for Oklahoma residents who
18 are members of the Oklahoma National Guard and deployed on active
19 duty. The plates shall be issued to any person in any combination
20 of numbers and letters from one to a maximum of seven, as for
21 personalized license plates. As provided in this section, a portion
22 of the fee collected shall be deposited in the Patriot License Plate
23 Revolving Fund created in Section 1104.11 of this title;

24

1 33. Global War on Terrorism License Plate - such plate shall be
2 designed in consultation with the Military Department of Oklahoma
3 and issued to any person wishing to demonstrate support for Oklahoma
4 residents who are members of the Armed Forces of the United States
5 or Oklahoma National Guard that have served in the Global War on
6 Terrorism. The plate shall be issued to any person in any
7 combination of numbers and letters from one to a maximum of six. As
8 provided in this section, a portion of the fee collected shall be
9 deposited in the 45th Infantry Division Museum Fund created in
10 Section 235.1 of Title 44 of the Oklahoma Statutes;

11 34. Boys and Girls Clubs of America Supporter License Plates -
12 such plates shall be designed and issued to any person wishing to
13 demonstrate support for the Boys and Girls Clubs of America. The
14 plates shall be issued to any person in any combination of numbers
15 and letters from one to a maximum of seven, as for personalized
16 license plates. The plate shall contain the official Boys and Girls
17 Clubs of America logo. The Tax Commission, if necessary, may enter
18 into a licensing agreement with the Boys and Girls Clubs of America
19 for any licensing fees which may be required in order to use the
20 Boys and Girls Clubs of America logo or design. The licensing
21 agreement shall provide for a payment to the Boys and Girls Clubs of
22 America of not more than Twenty Dollars (\$20.00) for each license
23 plate issued;

24

1 35. Oklahoma Quarter Horse License Plates - such plates shall
2 be designed and issued to any person wishing to demonstrate support
3 for the American Quarter Horse in Oklahoma. The plate shall be
4 designed in consultation with the Oklahoma Quarter Horse
5 Association. As provided in this section, a portion of the fee
6 collected shall be deposited in the Oklahoma Quarter Horse Revolving
7 Fund created in Section 1104.12 of this title;

8 36. Oklahoma Association for the Deaf License Plate - such
9 plates shall be designed in consultation with the Oklahoma
10 Association for the Deaf and issued to any person wishing to
11 demonstrate support for Oklahoma residents who are deaf. The plates
12 shall be issued to any person in any combination of numbers and
13 letters from one to maximum of seven, as for personalized license
14 plates. As provided in this section, a portion of the fee collected
15 shall be deposited in the Oklahoma Association for the Deaf License
16 Plate Revolving Fund created in Section 1104.15 of this title;

17 37. Oklahoma City Zoo License Plate - such plates shall be
18 issued to any person wishing to demonstrate support for the Oklahoma
19 City Zoo. The license plates shall be designed in consultation with
20 the Oklahoma Zoological Society, Inc. As provided in this section,
21 an amount of the fee collected shall be deposited in the Oklahoma
22 Zoological Society Revolving Fund created in Section 1104.13 of this
23 title;

24

1 38. March of Dimes License Plate - such plates shall be issued
2 to persons wishing to demonstrate support for the March of Dimes
3 mission to improve the health of babies by preventing birth defects,
4 premature birth and infant mortality. The license plates shall be
5 designed in consultation with the Oklahoma Chapter March of Dimes.
6 As provided in this section, an amount of the fee collected shall be
7 deposited in the Oklahoma Prevent Birth Defects, Premature Birth and
8 Infant Mortality Fund established in Section 1104.14 of this title;

9 39. Support Our Troops Supporter License Plates - such plates
10 shall be designed and issued to any person wishing to demonstrate
11 support for Support Our Troops Incorporated. The plates shall be
12 issued to any person in any combination of numbers and letters from
13 one to a maximum of six. The plate shall contain the official
14 Support Our Troops Incorporated logo which includes the mark
15 "Support Our Troops" across the bottom of the plate. The Tax
16 Commission, if necessary, may enter into a licensing agreement with
17 Support Our Troops Incorporated for any licensing fees which may be
18 required in order to use the Support Our Troops Incorporated logo or
19 design. The licensing agreement shall provide for a payment to
20 Support Our Troops Incorporated of Twenty-five Dollars (\$25.00) for
21 each license plate issued;

22 40. Folds of Honor Supporter License Plate - such plates shall
23 be designed and issued to any person wishing to demonstrate support
24 for Folds of Honor Incorporated, a nonprofit charitable organization

1 exempt from taxation pursuant to the provisions of the Internal
2 Revenue Code, 26 U.S.C., Section 501(c)(3), providing academic and
3 vocational training scholarships to dependents of military
4 servicemen and servicewomen who were either killed or wounded in
5 action due to military service in the war in Iraq or Afghanistan.
6 The plates shall be issued to any person in any combination of
7 numbers and letters from one to a maximum of six. The plate shall
8 be designed in consultation with Folds of Honor Incorporated and
9 shall contain the official Folds of Honor Incorporated logo which
10 includes the mark "Folds of Honor" across the bottom of the plate.
11 The Tax Commission, if necessary, may enter into a licensing
12 agreement with Folds of Honor Incorporated for any licensing fees
13 which may be required in order to use the Folds of Honor
14 Incorporated logo or design. The licensing agreement shall provide
15 for a payment to Folds of Honor Incorporated of Twenty-five Dollars
16 (\$25.00) for each license plate issued;

17 41. Downed Bikers Association License Plate - such plates shall
18 be designed and issued to any person wishing to demonstrate support
19 for the Downed Bikers Association, a nonprofit charitable
20 organization exempt from taxation pursuant to the provisions of the
21 Internal Revenue Code, 26 U.S.C., Section 501(c)(3), which provides
22 emotional and financial support for downed bikers. The license
23 plate shall be designed in consultation with the Central Oklahoma
24 Chapter of the Downed Bikers Association and shall contain any

1 official logo or design of the organization. The Tax Commission, if
2 necessary, may enter into a licensing agreement with the Downed
3 Bikers Association for any licensing fees which may be required in
4 order to use the organization's logo or design. The licensing
5 agreement shall provide for a payment to the Downed Bikers
6 Association of not more than Twenty Dollars (\$20.00) for each
7 license plate;

8 42. Armed Forces Veterans Motorcycle License Plate - such
9 plates shall be designed for use on a motorcycle in consultation
10 with A Brotherhood Aiming Toward Education of Oklahoma, Inc.
11 (ABATE), and issued to any honorably discharged former member of the
12 United States Armed Forces wishing to demonstrate support for the
13 45th Infantry Division Museum. Persons applying for such license
14 plate must show proof of past military service. As provided in this
15 section, a portion of the fee collected shall be deposited in the
16 45th Infantry Division Museum Fund created in Section 235.1 of Title
17 44 of the Oklahoma Statutes;

18 43. Buffalo Soldier License Plate - such plates shall be issued
19 to any person wishing to honor and celebrate the history and
20 contribution of the Buffalo Soldiers. The license plates shall be
21 designed in consultation with the Lawton-Fort Sill Chapter of the
22 Buffalo Soldiers 9th and 10th (Horse) Cavalry Association. As
23 provided in this section, an amount of the fee collected shall be
24

1 deposited in the Buffalo Soldier License Plate Revolving Fund
2 created in Section 1104.16 of this title;

3 44. Prevent Blindness Oklahoma License Plate - such plates
4 shall be issued to any person wishing to provide financial support
5 for vision screening of school age children in this state. The
6 license plates shall be designed in consultation with Prevent
7 Blindness Oklahoma. As provided in this section, an amount of the
8 fee collected shall be deposited in the Prevent Blindness Oklahoma
9 License Plate Revolving Fund created in Section 1104.17 of this
10 title;

11 45. Oklahoma State Capitol Restoration License Plate - such
12 plates shall be designed and issued to any person wishing to
13 demonstrate support for restoration of the Oklahoma State Capitol
14 building. The license plates shall be designed in consultation with
15 the Friends of the Capitol corporation, created pursuant to Section
16 15.4 of Title 73 of the Oklahoma Statutes and the State Capitol
17 Preservation Commission created pursuant to Section 4102 of Title 74
18 of the Oklahoma Statutes. As provided in this section, an amount of
19 the fee collected shall be deposited in the Oklahoma Friends of the
20 Capitol License Plate Revolving Fund established in Section 1104.18
21 of this title;

22 46. Eastern Red Cedar Tree License Plates - such plates shall
23 be designed, subject to criteria to be presented to the Tax
24 Commission and issued to any person wishing to demonstrate support

1 for the removal of Eastern Red Cedar trees from lands in the state
2 and to develop marketable uses for the harvested trees. The license
3 plate shall be designed in consultation with the Eastern Red Cedar
4 Registry Board. Twenty-three Dollars (\$23.00) of the fee collected
5 shall be deposited in the Eastern Red Cedar Revolving Fund created
6 in Section 18-407 of Title 2 of the Oklahoma Statutes. The money
7 shall be designated for and may only be expended for the purposes as
8 set forth in the Eastern Red Cedar Registry Board Act;

9 47. Pancreatic Cancer Research License Plate - such plates
10 shall be issued to any person wishing to provide financial support
11 for the University of Oklahoma Foundation, Pancreatic Cancer
12 Research Fund. The plates shall be issued to any person in any
13 combination of numbers and letters from one to a maximum of six.
14 The license plates shall be designed in consultation with the
15 University of Oklahoma Foundation, Pancreatic Cancer Research Fund.
16 As provided in this section, an amount of the fee collected shall be
17 deposited in the Pancreatic Cancer Research License Plate Revolving
18 Fund created in Section 1104.19 of this title;

19 48. Alzheimer's Research License Plate - such plates shall be
20 issued to any person wishing to provide financial support for the
21 Oklahoma Chapter of the Alzheimer's Association. The license plates
22 shall be designed in consultation with the Oklahoma Chapter of the
23 Alzheimer's Association. As provided in this section, an amount of
24 the fee collected shall be deposited in the Alzheimer's Research

1 License Plate Revolving Fund created in Section 1104.20 of this
2 title;

3 49. Hospice and Palliative Care License Plate - such plates
4 shall be issued to any person wishing to provide financial support
5 for the Oklahoma Hospice and Palliative Care Association. The
6 license plates shall be designed in consultation with the Oklahoma
7 Hospice and Palliative Care Association. As provided in this
8 section, an amount of the fee collected shall be deposited in the
9 Hospice and Palliative Care License Plate Revolving Fund created in
10 Section 1104.21 of this title;

11 50. Juvenile Diabetes Research License Plate - such plates
12 shall be issued to any person wishing to provide financial support
13 for the Oklahoma Chapters of the Juvenile Diabetes Research
14 Foundation. The license plates shall be designed in consultation
15 with the Oklahoma Chapters of the Juvenile Diabetes Research
16 Foundation. As provided in this section, an amount of the fee
17 collected shall be deposited in the Juvenile Diabetes Research
18 License Plate Revolving Fund created in Section 1104.22 of this
19 title;

20 51. Deer Creek Schools Foundation License Plate - such plates
21 shall be issued to any person wishing to provide financial support
22 for the Deer Creek Schools Foundation. The license plates shall be
23 designed in consultation with the Deer Creek Schools Foundation.
24 The plates shall be issued to any person in any combination of

1 numbers and letters from one to a maximum of seven, as for
2 personalized license plates. As provided in this section, an amount
3 of the fee collected shall be deposited in the Deer Creek Schools
4 Foundation License Plate Revolving Fund created in Section 1104.23
5 of this title;

6 52. Lupus Awareness and Education License Plate - such plates
7 shall be issued to any person wishing to provide financial support
8 for the Lupus Foundation of Oklahoma. The license plates shall be
9 designed in consultation with the Lupus Foundation of Oklahoma. As
10 provided in this section, an amount of the fee collected shall be
11 deposited in the Oklahoma Lupus License Plate Revolving Fund created
12 in Section 1104.24 of this title;

13 53. Chiefs of Police License Plate - such plates shall be
14 issued to any person wishing to provide financial support for the
15 Oklahoma Association of Chiefs of Police. The license plates shall
16 be designed in consultation with the Oklahoma Association of Chiefs
17 of Police. As provided in this section, an amount of the fee
18 collected shall be deposited in the Oklahoma Association of Chiefs
19 of Police License Plate Revolving Fund created in Section 1104.25 of
20 this title;

21 54. Crossings Christian School License Plate - such plates
22 shall be designed and issued to any person wishing to demonstrate
23 support for Crossings Christian School located in Oklahoma City.
24 The license plates shall be designed in consultation with the

1 administration of Crossings Christian School. The Tax Commission
2 shall be authorized to enter into a licensing agreement with
3 Crossings Christian School for any licensing fees which may be
4 required in order to use the school's logo or design. The licensing
5 agreement shall provide for a payment to the Crossings Christian
6 School of not more than Twenty Dollars (\$20.00) for each license
7 plate issued; ~~and~~

8 55. Hilldale Education Foundation License Plates - such plates
9 shall be designed and issued to any person wishing to demonstrate
10 support for the Hilldale Education Foundation. The license plates
11 shall be designed in consultation with the administration of the
12 Hilldale Education Foundation. The Tax Commission shall be
13 authorized to enter into a licensing agreement with the Hilldale
14 Education Foundation for any licensing fees which may be required in
15 order to use the foundation's logo or design. The licensing
16 agreement shall provide for a payment to the Hilldale Education
17 Foundation of not more than Twenty Dollars (\$20.00) for each license
18 plate issued; and

19 56. Oklahoma Nurses License Plate - such plates shall be issued
20 to any person licensed pursuant to the Oklahoma Nursing Practice Act
21 and providing such documentation of current licensure as may be
22 required by the Oklahoma Tax Commission. The license plates shall
23 be designed in consultation with the Oklahoma Nurses Association.
24 As provided in this section, an amount of the fee collected shall be

1 deposited in the Oklahoma Nurses License Plate Revolving Fund
2 created in Section 4 of this act.

3 C. The fee for such plates shall be Thirty-five Dollars
4 (\$35.00) and shall be in addition to all other registration fees
5 provided by the Oklahoma Vehicle License and Registration Act. The
6 fee shall be apportioned as follows:

7 1. Twenty Dollars (\$20.00) or any other amount as provided in
8 this title of the fee shall be apportioned as provided or deposited
9 in a fund as specified within the paragraph authorizing the special
10 license plate;

11 2. Eight Dollars (\$8.00) of the fee shall be deposited in the
12 Oklahoma Tax Commission Reimbursement Fund to be used for the
13 administration of the Oklahoma Vehicle License and Registration Act;
14 and

15 3. Any remaining amounts of the fee shall be apportioned as
16 provided in Section 1104 of this title.

17 SECTION 17. REPEALER 47 O.S. 2011, Section 1135.5, as
18 last amended by Section 3, Chapter 372, O.S.L. 2014 (47 O.S. Supp.
19 2014, Section 1135.5), is hereby repealed.

20 SECTION 18. AMENDATORY 68 O.S. 2011, Section 1357, as
21 last amended by Section 2, Chapter 401, O.S.L. 2014 (68 O.S. Supp.
22 2014, Section 1357), is amended to read as follows:

23 Section 1357. Exemptions - General.
24

1 There are hereby specifically exempted from the tax levied by
2 the Oklahoma Sales Tax Code:

3 1. Transportation of school pupils to and from elementary
4 schools or high schools in motor or other vehicles;

5 2. Transportation of persons where the fare of each person does
6 not exceed One Dollar (\$1.00), or local transportation of persons
7 within the corporate limits of a municipality except by taxicabs;

8 3. Sales for resale to persons engaged in the business of
9 reselling the articles purchased, whether within or without the
10 state, provided that such sales to residents of this state are made
11 to persons to whom sales tax permits have been issued as provided in
12 the Oklahoma Sales Tax Code. This exemption shall not apply to the
13 sales of articles made to persons holding permits when such persons
14 purchase items for their use and which they are not regularly
15 engaged in the business of reselling; neither shall this exemption
16 apply to sales of tangible personal property to peddlers, solicitors
17 and other salespersons who do not have an established place of
18 business and a sales tax permit. The exemption provided by this
19 paragraph shall apply to sales of motor fuel or diesel fuel to a
20 Group Five vendor, but the use of such motor fuel or diesel fuel by
21 the Group Five vendor shall not be exempt from the tax levied by the
22 Oklahoma Sales Tax Code. The purchase of motor fuel or diesel fuel
23 is exempt from sales tax when the motor fuel is for shipment outside
24 this state and consumed by a common carrier by rail in the conduct

1 of its business. The sales tax shall apply to the purchase of motor
2 fuel or diesel fuel in Oklahoma by a common carrier by rail when
3 such motor fuel is purchased for fueling, within this state, of any
4 locomotive or other motorized flanged wheel equipment;

5 4. Sales of advertising space in newspapers and periodicals;

6 5. Sales of programs relating to sporting and entertainment
7 events, and sales of advertising on billboards (including signage,
8 posters, panels, marquees, or on other similar surfaces, whether
9 indoors or outdoors) or in programs relating to sporting and
10 entertainment events, and sales of any advertising, to be displayed
11 at or in connection with a sporting event, via the Internet,
12 electronic display devices, or through public address or broadcast
13 systems. The exemption authorized by this paragraph shall be
14 effective for all sales made on or after January 1, 2001;

15 6. Sales of any advertising, other than the advertising
16 described by paragraph 5 of this section, via the Internet,
17 electronic display devices, or through the electronic media,
18 including radio, public address or broadcast systems, television
19 (whether through closed circuit broadcasting systems or otherwise),
20 and cable and satellite television, and the servicing of any
21 advertising devices;

22 7. Eggs, feed, supplies, machinery and equipment purchased by
23 persons regularly engaged in the business of raising worms, fish,
24 any insect or any other form of terrestrial or aquatic animal life

1 and used for the purpose of raising same for marketing. This
2 exemption shall only be granted and extended to the purchaser when
3 the items are to be used and in fact are used in the raising of
4 animal life as set out above. Each purchaser shall certify, in
5 writing, on the invoice or sales ticket retained by the vendor that
6 the purchaser is regularly engaged in the business of raising such
7 animal life and that the items purchased will be used only in such
8 business. The vendor shall certify to the Oklahoma Tax Commission
9 that the price of the items has been reduced to grant the full
10 benefit of the exemption. Violation hereof by the purchaser or
11 vendor shall be a misdemeanor;

12 8. Sale of natural or artificial gas and electricity, and
13 associated delivery or transmission services, when sold exclusively
14 for residential use. Provided, this exemption shall not apply to
15 any sales tax levied by a city or town, or a county, or any other
16 jurisdiction in this state;

17 9. In addition to the exemptions authorized by Section 1357.6
18 of this title, sales of drugs sold pursuant to a prescription
19 written for the treatment of human beings by a person licensed to
20 prescribe the drugs, and sales of insulin and medical oxygen.
21 Provided, this exemption shall not apply to over-the-counter drugs;

22 10. Transfers of title or possession of empty, partially
23 filled, or filled returnable oil and chemical drums to any person
24 who is not regularly engaged in the business of selling, reselling

1 or otherwise transferring empty, partially filled, or filled
2 returnable oil drums;

3 11. Sales of one-way utensils, paper napkins, paper cups,
4 disposable hot containers and other one-way carry out materials to a
5 vendor of meals or beverages;

6 12. Sales of food or food products for home consumption which
7 are purchased in whole or in part with coupons issued pursuant to
8 the federal food stamp program as authorized by Sections 2011
9 through 2029 of Title 7 of the United States Code, as to that
10 portion purchased with such coupons. The exemption provided for
11 such sales shall be inapplicable to such sales upon the effective
12 date of any federal law that removes the requirement of the
13 exemption as a condition for participation by the state in the
14 federal food stamp program;

15 13. Sales of food or food products, or any equipment or
16 supplies used in the preparation of the food or food products to or
17 by an organization which:

18 a. is exempt from taxation pursuant to the provisions of
19 Section 501(c)(3) of the Internal Revenue Code, 26
20 U.S.C., Section 501(c)(3), and which provides and
21 delivers prepared meals for home consumption to
22 elderly or homebound persons as part of a program
23 commonly known as "Meals on Wheels" or "Mobile Meals",
24 or

1 b. is exempt from taxation pursuant to the provisions of
2 Section 501(c) (3) of the Internal Revenue Code, 26
3 U.S.C., Section 501(c) (3), and which receives federal
4 funding pursuant to the Older Americans Act of 1965,
5 as amended, for the purpose of providing nutrition
6 programs for the care and benefit of elderly persons;

7 14. a. Sales of tangible personal property or services to or
8 by organizations which are exempt from taxation
9 pursuant to the provisions of Section 501(c) (3) of the
10 Internal Revenue Code, 26 U.S.C., Section 501(c) (3),
11 and:

12 (1) are primarily involved in the collection and
13 distribution of food and other household products
14 to other organizations that facilitate the
15 distribution of such products to the needy and
16 such distributee organizations are exempt from
17 taxation pursuant to the provisions of Section
18 501(c) (3) of the Internal Revenue Code, 26
19 U.S.C., Section 501(c) (3), or

20 (2) facilitate the distribution of such products to
21 the needy.

22 b. Sales made in the course of business for profit or
23 savings, competing with other persons engaged in the
24

1 same or similar business shall not be exempt under
2 this paragraph;

3 15. Sales of tangible personal property or services to
4 children's homes which are located on church-owned property and are
5 operated by organizations exempt from taxation pursuant to the
6 provisions of the Internal Revenue Code, 26 U.S.C., Section
7 501(c) (3);

8 16. Sales of computers, data processing equipment, related
9 peripherals and telephone, telegraph or telecommunications service
10 and equipment for use in a qualified aircraft maintenance or
11 manufacturing facility. For purposes of this paragraph, "qualified
12 aircraft maintenance or manufacturing facility" means a new or
13 expanding facility primarily engaged in aircraft repair, building or
14 rebuilding whether or not on a factory basis, whose total cost of
15 construction exceeds the sum of Five Million Dollars (\$5,000,000.00)
16 and which employs at least two hundred fifty (250) new full-time-
17 equivalent employees, as certified by the Oklahoma Employment
18 Security Commission, upon completion of the facility. In order to
19 qualify for the exemption provided for by this paragraph, the cost
20 of the items purchased by the qualified aircraft maintenance or
21 manufacturing facility shall equal or exceed the sum of Two Million
22 Dollars (\$2,000,000.00);

23 17. Sales of tangible personal property consumed or
24 incorporated in the construction or expansion of a qualified

1 aircraft maintenance or manufacturing facility as defined in
2 paragraph 16 of this section. For purposes of this paragraph, sales
3 made to a contractor or subcontractor that has previously entered
4 into a contractual relationship with a qualified aircraft
5 maintenance or manufacturing facility for construction or expansion
6 of such a facility shall be considered sales made to a qualified
7 aircraft maintenance or manufacturing facility;

8 18. Sales of the following telecommunications services:

9 a. Interstate and International "800 service". "800
10 service" means a "telecommunications service" that
11 allows a caller to dial a toll-free number without
12 incurring a charge for the call. The service is
13 typically marketed under the name "800", "855", "866",
14 "877", and "888" toll-free calling, and any subsequent
15 numbers designated by the Federal Communications
16 Commission, or

17 b. Interstate and International "900 service". "900
18 service" means an inbound toll "telecommunications
19 service" purchased by a subscriber that allows the
20 subscriber's customers to call in to the subscriber's
21 prerecorded announcement or live service. "900
22 service" does not include the charge for: collection
23 services provided by the seller of the
24 "telecommunications services" to the subscriber, or

1 service or product sold by the subscriber to the
2 subscriber's customer. The service is typically
3 marketed under the name "900" service, and any
4 subsequent numbers designated by the Federal
5 Communications Commission,

6 c. Interstate and International "private communications
7 service". "Private communications service" means a
8 "telecommunications service" that entitles the
9 customer to exclusive or priority use of a
10 communications channel or group of channels between or
11 among termination points, regardless of the manner in
12 which such channel or channels are connected, and
13 includes switching capacity, extension lines,
14 stations, and any other associated services that are
15 provided in connection with the use of such channel or
16 channels,

17 d. "Value-added nonvoice data service". "Value-added
18 nonvoice data service" means a service that otherwise
19 meets the definition of "telecommunications services"
20 in which computer processing applications are used to
21 act on the form, content, code, or protocol of the
22 information or data primarily for a purpose other than
23 transmission, conveyance or routing,
24

1 e. Interstate and International telecommunications
2 service which is:

3 (1) rendered by a company for private use within its
4 organization, or

5 (2) used, allocated, or distributed by a company to
6 its affiliated group,

7 f. Regulatory assessments and charges, including charges
8 to fund the Oklahoma Universal Service Fund, the
9 Oklahoma Lifeline Fund and the Oklahoma High Cost
10 Fund, and

11 g. Telecommunications nonrecurring charges, including but
12 not limited to the installation, connection, change or
13 initiation of telecommunications services which are
14 not associated with a retail consumer sale;

15 19. Sales of railroad track spikes manufactured and sold for
16 use in this state in the construction or repair of railroad tracks,
17 switches, sidings and turnouts;

18 20. Sales of aircraft and aircraft parts provided such sales
19 occur at a qualified aircraft maintenance facility. As used in this
20 paragraph, "qualified aircraft maintenance facility" means a
21 facility operated by an air common carrier, including one or more
22 component overhaul support buildings or structures in an area owned,
23 leased or controlled by the air common carrier, at which there were
24 employed at least two thousand (2,000) full-time-equivalent

1 employees in the preceding year as certified by the Oklahoma
2 Employment Security Commission and which is primarily related to the
3 fabrication, repair, alteration, modification, refurbishing,
4 maintenance, building or rebuilding of commercial aircraft or
5 aircraft parts used in air common carriage. For purposes of this
6 paragraph, "air common carrier" shall also include members of an
7 affiliated group as defined by Section 1504 of the Internal Revenue
8 Code, 26 U.S.C., Section 1504. Beginning July 1, 2012, sales of
9 machinery, tools, supplies, equipment and related tangible personal
10 property and services used or consumed in the repair, remodeling or
11 maintenance of aircraft, aircraft engines, or aircraft component
12 parts which occur at a qualified aircraft maintenance facility;

13 21. Sales of machinery and equipment purchased and used by
14 persons and establishments primarily engaged in computer services
15 and data processing:

16 a. as defined under Industrial Group Numbers 7372 and
17 7373 of the Standard Industrial Classification (SIC)
18 Manual, latest version, which derive at least fifty
19 percent (50%) of their annual gross revenues from the
20 sale of a product or service to an out-of-state buyer
21 or consumer, and

22 b. as defined under Industrial Group Number 7374 of the
23 SIC Manual, latest version, which derive at least
24 eighty percent (80%) of their annual gross revenues

1 from the sale of a product or service to an out-of-
2 state buyer or consumer.

3 Eligibility for the exemption set out in this paragraph shall be
4 established, subject to review by the Tax Commission, by annually
5 filing an affidavit with the Tax Commission stating that the
6 facility so qualifies and such information as required by the Tax
7 Commission. For purposes of determining whether annual gross
8 revenues are derived from sales to out-of-state buyers or consumers,
9 all sales to the federal government shall be considered to be to an
10 out-of-state buyer or consumer;

11 22. Sales of prosthetic devices to an individual for use by
12 such individual. For purposes of this paragraph, "prosthetic
13 device" shall have the same meaning as provided in Section 1357.6 of
14 this title, but shall not include corrective eye glasses, contact
15 lenses or hearing aids;

16 23. Sales of tangible personal property or services to a motion
17 picture or television production company to be used or consumed in
18 connection with an eligible production. For purposes of this
19 paragraph, "eligible production" means a documentary, special, music
20 video, or a television commercial or television program that will
21 serve as a pilot for or be a segment of an ongoing dramatic or
22 situation comedy series filmed or taped for network or national or
23 regional syndication or a feature-length motion picture intended for
24 theatrical release or for network or national or regional

1 syndication or broadcast. The provisions of this paragraph shall
2 apply to sales occurring on or after July 1, 1996. In order to
3 qualify for the exemption, the motion picture or television
4 production company shall file any documentation and information
5 required to be submitted pursuant to rules promulgated by the Tax
6 Commission;

7 24. Sales of diesel fuel sold for consumption by commercial
8 vessels, barges and other commercial watercraft;

9 25. Sales of tangible personal property or services to tax-
10 exempt independent nonprofit biomedical research foundations that
11 provide educational programs for Oklahoma science students and
12 teachers and to tax-exempt independent nonprofit community blood
13 banks headquartered in this state;

14 26. Effective May 6, 1992, sales of wireless telecommunications
15 equipment to a vendor who subsequently transfers the equipment at no
16 charge or for a discounted charge to a consumer as part of a
17 promotional package or as an inducement to commence or continue a
18 contract for wireless telecommunications services;

19 27. Effective January 1, 1991, leases of rail transportation
20 cars to haul coal to coal-fired plants located in this state which
21 generate electric power;

22 28. Beginning July 1, 2005, sales of aircraft engine repairs,
23 modification, and replacement parts, sales of aircraft frame repairs
24 and modification, aircraft interior modification, and paint, and

1 sales of services employed in the repair, modification and
2 replacement of parts of aircraft engines, aircraft frame and
3 interior repair and modification, and paint;

4 29. Sales of materials and supplies to the owner or operator of
5 a ship, motor vessel or barge that is used in interstate or
6 international commerce if the materials and supplies:

7 a. are loaded on the ship, motor vessel or barge and used
8 in the maintenance and operation of the ship, motor
9 vessel or barge, or

10 b. enter into and become component parts of the ship,
11 motor vessel or barge;

12 30. Sales of tangible personal property made at estate sales at
13 which such property is offered for sale on the premises of the
14 former residence of the decedent by a person who is not required to
15 be licensed pursuant to the Transient Merchant Licensing Act, or who
16 is not otherwise required to obtain a sales tax permit for the sale
17 of such property pursuant to the provisions of Section 1364 of this
18 title; provided:

19 a. such sale or event may not be held for a period
20 exceeding three (3) consecutive days,

21 b. the sale must be conducted within six (6) months of
22 the date of death of the decedent, and
23
24

1 c. the exemption allowed by this paragraph shall not be
2 allowed for property that was not part of the
3 decedent's estate;

4 31. Beginning January 1, 2004, sales of electricity and
5 associated delivery and transmission services, when sold exclusively
6 for use by an oil and gas operator for reservoir dewatering projects
7 and associated operations commencing on or after July 1, 2003, in
8 which the initial water-to-oil ratio is greater than or equal to
9 five-to-one water-to-oil, and such oil and gas development projects
10 have been classified by the Corporation Commission as a reservoir
11 dewatering unit;

12 32. Sales of prewritten computer software that is delivered
13 electronically. For purposes of this paragraph, "delivered
14 electronically" means delivered to the purchaser by means other than
15 tangible storage media;

16 33. Sales of modular dwelling units when built at a production
17 facility and moved in whole or in parts, to be assembled on-site,
18 and permanently affixed to the real property and used for
19 residential or commercial purposes. The exemption provided by this
20 paragraph shall equal forty-five percent (45%) of the total sales
21 price of the modular dwelling unit. For purposes of this paragraph,
22 "modular dwelling unit" means a structure that is not subject to the
23 motor vehicle excise tax imposed pursuant to Section 2103 of this
24 title;

1 34. Sales of tangible personal property or services to persons
2 who are residents of Oklahoma and have been honorably discharged
3 from active service in any branch of the Armed Forces of the United
4 States or Oklahoma National Guard and who have been certified by the
5 United States Department of Veterans Affairs or its successor to be
6 in receipt of disability compensation at the one-hundred-percent
7 rate and the disability shall be permanent and have been sustained
8 through military action or accident or resulting from disease
9 contracted while in such active service or the surviving spouse of
10 such person if the person is deceased and the spouse has not
11 remarried; provided, sales for the benefit of the person to a spouse
12 of the eligible person or to a member of the household in which the
13 eligible person resides and who is authorized to make purchases on
14 the person's behalf, when such eligible person is not present at the
15 sale, shall also be exempt for purposes of this paragraph. The
16 Oklahoma Tax Commission shall issue a separate exemption card to a
17 spouse of an eligible person or to a member of the household in
18 which the eligible person resides who is authorized to make
19 purchases on the person's behalf, if requested by the eligible
20 person. Sales qualifying for the exemption authorized by this
21 paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00)
22 per year per individual while the disabled veteran is living. Sales
23 qualifying for the exemption authorized by this paragraph shall not
24 exceed One Thousand Dollars (\$1,000.00) per year for an unremarried

1 surviving spouse. Upon request of the Tax Commission, a person
2 asserting or claiming the exemption authorized by this paragraph
3 shall provide a statement, executed under oath, that the total sales
4 amounts for which the exemption is applicable have not exceeded
5 Twenty-five Thousand Dollars (\$25,000.00) per year per living
6 disabled veteran or One Thousand Dollars (\$1,000.00) per year for an
7 unremarried surviving spouse. If the amount of such exempt sales
8 exceeds such amount, the sales tax in excess of the authorized
9 amount shall be treated as a direct sales tax liability and may be
10 recovered by the Tax Commission in the same manner provided by law
11 for other taxes, including penalty and interest;

12 35. Sales of electricity to the operator, specifically
13 designated by the Corporation Commission, of a spacing unit or lease
14 from which oil is produced or attempted to be produced using
15 enhanced recovery methods, including, but not limited to, increased
16 pressure in a producing formation through the use of water or
17 saltwater if the electrical usage is associated with and necessary
18 for the operation of equipment required to inject or circulate
19 fluids in a producing formation for the purpose of forcing oil or
20 petroleum into a wellbore for eventual recovery and production from
21 the wellhead. In order to be eligible for the sales tax exemption
22 authorized by this paragraph, the total content of oil recovered
23 after the use of enhanced recovery methods shall not exceed one
24 percent (1%) by volume. The exemption authorized by this paragraph

1 shall be applicable only to the state sales tax rate and shall not
2 be applicable to any county or municipal sales tax rate;

3 36. Sales of intrastate charter and tour bus transportation.
4 As used in this paragraph, "intrastate charter and tour bus
5 transportation" means the transportation of persons from one
6 location in this state to another location in this state in a motor
7 vehicle which has been constructed in such a manner that it may
8 lawfully carry more than eighteen persons, and which is ordinarily
9 used or rented to carry persons for compensation. Provided, this
10 exemption shall not apply to regularly scheduled bus transportation
11 for the general public;

12 37. Sales of vitamins, minerals and dietary supplements by a
13 licensed chiropractor to a person who is the patient of such
14 chiropractor at the physical location where the chiropractor
15 provides chiropractic care or services to such patient. The
16 provisions of this paragraph shall not be applicable to any drug,
17 medicine or substance for which a prescription by a licensed
18 physician is required;

19 38. Sales of goods, wares, merchandise, tangible personal
20 property, machinery and equipment to a web search portal located in
21 this state which derives at least eighty percent (80%) of its annual
22 gross revenue from the sale of a product or service to an out-of-
23 state buyer or consumer. For purposes of this paragraph, "web
24 search portal" means an establishment classified under NAICS code

1 519130 which operates websites that use a search engine to generate
2 and maintain extensive databases of Internet addresses and content
3 in an easily searchable format;

4 39. Sales of tangible personal property consumed or
5 incorporated in the construction or expansion of a facility for a
6 corporation organized under Section 437 et seq. of Title 18 of the
7 Oklahoma Statutes as a rural electric cooperative. For purposes of
8 this paragraph, sales made to a contractor or subcontractor that has
9 previously entered into a contractual relationship with a rural
10 electric cooperative for construction or expansion of a facility
11 shall be considered sales made to a rural electric cooperative;

12 40. Sales of tangible personal property or services to a
13 business primarily engaged in the repair of consumer electronic
14 goods, including, but not limited to, cell phones, compact disc
15 players, personal computers, MP3 players, digital devices for the
16 storage and retrieval of information through hard-wired or wireless
17 computer or Internet connections, if the devices are sold to the
18 business by the original manufacturer of such devices and the
19 devices are repaired, refitted or refurbished for sale by the entity
20 qualifying for the exemption authorized by this paragraph directly
21 to retail consumers or if the devices are sold to another business
22 entity for sale to retail consumers;

23 41. Before July 1, 2019, sales of rolling stock when sold or
24 leased by the manufacturer, regardless of whether the purchaser is a

1 public services corporation engaged in business as a common carrier
2 of property or passengers by railway, for use or consumption by a
3 common carrier directly in the rendition of public service. For
4 purposes of this paragraph, "rolling stock" means locomotives,
5 autocars and railroad cars; and

6 42. Sales of gold, silver, platinum, palladium or other bullion
7 items such as coins and bars and legal tender of any nation, which
8 legal tender is sold according to its value as precious metal or as
9 an investment. ~~To qualify for the exemption, the gold, silver,~~
10 ~~platinum, palladium or other bullion items must be stored within a~~
11 ~~recognized depository facility.~~ As used in the paragraph, "bullion"
12 means any precious metal, including, but not limited to, gold,
13 silver, platinum and palladium, that is in such a state or condition
14 that its value depends upon its precious metal content and not its
15 form. ~~As used in this paragraph, "depository facility" means an~~
16 ~~institution that accepts delivery of precious metals on behalf of~~
17 ~~the purchaser and provides storage of such precious metals, but~~
18 ~~shall not include financial institutions as defined in subsection E~~
19 ~~of Section 71 of Title 62 of the Oklahoma Statutes.~~ The exemption
20 authorized by this paragraph shall not apply to fabricated metals
21 that have been processed or manufactured for artistic use or as
22 jewelry.

23

24

1 SECTION 19. REPEALER 68 O.S. 2011, Section 1357, as last
2 amended by Section 1, Chapter 358, O.S.L. 2014 (68 O.S. Supp. 2014,
3 Section 1357), is hereby repealed.

4 SECTION 20. REPEALER 68 O.S. 2011, Section 1357, as last
5 amended by Section 2, Chapter 429, O.S.L. 2014 (68 O.S. Supp. 2014,
6 Section 1357), is hereby repealed.

7 SECTION 21. AMENDATORY 68 O.S. 2011, Section 2103.1, as
8 last amended by Section 4, Chapter 215, O.S.L. 2014 (68 O.S. Supp.
9 2014, Section 2103.1), is amended to read as follows:

10 Section 2103.1. There shall be a credit allowed with respect to
11 the excise tax paid for a vehicle which is:

12 1. ~~A replacement for a vehicle which was destroyed by a tornado~~
13 ~~on May 3, 1999, and upon which excise tax had been paid pursuant to~~
14 ~~the provisions of Section 2103 of this title on or after May 3,~~
15 ~~1998;~~

16 2. ~~A replacement for a vehicle which was destroyed by a tornado~~
17 ~~on October 9, 2001, and upon which excise tax had been paid pursuant~~
18 ~~to the provisions of Section 2103 of this title on or after October~~
19 ~~9, 2000;~~

20 3. ~~A replacement for a vehicle which was destroyed by a tornado~~
21 ~~on May 8 or 9, 2003, and upon which excise tax had been paid~~
22 ~~pursuant to the provisions of Section 2103 of this title on or after~~
23 ~~May 8 or 9, 2002;~~

24

1 ~~4.~~ A replacement for a vehicle which was destroyed by a tornado
2 in calendar year 2013 or any subsequent year for which a
3 Presidential Major Disaster Declaration was issued, and upon which
4 excise tax had been paid pursuant to the provisions of Section 2103
5 of this title on or after January 1, 2012; or

6 ~~5.~~ 2. A replacement for a vehicle which was destroyed by a
7 tornado in calendar year 2012 or calendar year 2013 for which a
8 Presidential Major Disaster Declaration was not issued, and upon
9 which excise tax had been paid pursuant to the provisions of Section
10 2103 of this title on or after January 1, 2011.

11 The credit shall be in the amount of the excise tax which was
12 paid for the destroyed vehicle and shall be applied to the excise
13 tax due on the replacement vehicle. In no event shall the credit
14 authorized by paragraphs ~~1, and 2, 3 and 4~~ 1 of this section be
15 refunded.

16 SECTION 22. REPEALER 68 O.S. 2011, Section 2103.1, as
17 last amended by Section 4, Chapter 329, O.S.L. 2014 (68 O.S. Supp.
18 2014, Section 2103.1), is hereby repealed.

19 SECTION 23. AMENDATORY 68 O.S. 2011, Section 2877, as
20 last amended by Section 1, Chapter 381, O.S.L. 2014 (68 O.S. Supp.
21 2014, Section 2877), is amended to read as follows:

22 Section 2877. A. Upon receipt of an appeal from action by the
23 county assessor on the form prescribed by the Oklahoma Tax
24 Commission, the secretary of the county board of equalization shall

1 fix a date of hearing, at which time said board shall be authorized
2 and empowered to take evidence pertinent to said appeal; and for
3 that purpose, is authorized to compel the attendance of witnesses
4 and the production of books, records, and papers by subpoena, and to
5 confirm, correct, or adjust the valuation of real or personal
6 property or to cancel an assessment of personal property added by
7 the assessor not listed by the taxpayer if the personal property is
8 not subject to taxation or if the taxpayer is not responsible for
9 payment of ad valorem taxes upon such property. The secretary of
10 the board shall fix the dates of the hearings provided for in this
11 section in such a manner as to ensure that the board is able to hear
12 all complaints within the time provided for by law. In any county
13 with a population less than three hundred thousand (300,000)
14 according to the latest Federal Decennial Census, the county board
15 of equalization shall provide at least three dates on which a
16 taxpayer may personally appear and make a presentation of evidence.
17 At least ten (10) days shall intervene between each such date. No
18 final determination regarding valuation protests shall be made by a
19 county board of equalization until the taxpayer shall have failed to
20 appear for all three such dates. The county board of equalization
21 shall be required to follow the procedures prescribed by the Ad
22 Valorem Tax Code or administrative rules and regulations promulgated
23 pursuant to such Code governing the valuation of real and personal
24 property. The county board of equalization shall not modify a

1 valuation of real or personal property as established by the county
2 assessor unless such modification is explained in writing upon a
3 form prescribed by the Oklahoma Tax Commission. The affidavits
4 prescribed in subsection E of this section will be maintained by the
5 county board of equalization as part of the hearing record. Each
6 decision of the county board of equalization shall be explained in
7 writing upon a form prescribed by the Oklahoma Tax Commission. The
8 county board of equalization shall make a record of each proceeding
9 involving an appeal from action by the county assessor either in
10 transcribed or tape recorded form.

11 B. In all cases where the county assessor has, without giving
12 the notice required by law, increased the valuation of property as
13 listed by the taxpayer, and the taxpayer has knowledge of such
14 adjustment or addition, the taxpayer may at any time prior to the
15 adjournment of the board, file an appeal in the form and manner
16 provided for in Section 2876 of this title. Thereafter, the board
17 shall fix a date of hearing, notify the taxpayer, and conduct the
18 hearing as required by this section.

19 C. The taxpayer or agent may appear at the scheduled hearing
20 either in person, by telephone or other electronic means, or by
21 affidavit.

22 D. If the taxpayer or agent fails to appear before the county
23 board of equalization at the scheduled hearing, unless advance
24 notification is given for the reason of absence, the county shall be

1 authorized to assess against the taxpayer the costs incurred by the
2 county in preparation for the scheduled hearing. If such costs are
3 assessed, payment of the costs shall be a prerequisite to the filing
4 of an appeal to the district court. A taxpayer that gives advance
5 notification of their absence shall be given the opportunity to
6 reschedule the hearing date.

7 E. 1. In order to increase taxpayer transparency, a member of
8 the board of equalization shall not directly or indirectly
9 communicate with the county assessor or any deputy assessor or
10 designated agent on any matter relating to any pending appeal before
11 the board of equalization prior to the actual hearing.

12 2. Prior to the presentation of any evidence at a county board
13 of equalization hearing, each member of the board hearing the
14 protest must sign an affidavit stating the member is not in
15 violation of paragraph 1 of this subsection.

16 3. Prior to the presentation of any evidence at a county board
17 of equalization hearing, all parties to the proceeding must sign an
18 affidavit stating that the evidence being presented is true to the
19 best of their belief and knowledge.

20 4. The provisions of paragraph 1 of this subsection shall not
21 apply to a routine communication between the county assessor and the
22 board of equalization that relates to the administration of an
23 appraisal roll, including a communication made in connection with
24

1 the certification, correction, or collection of an account that is
2 not the subject of a pending appeal.

3 5. The affidavit required in paragraph 2 of this subsection
4 shall be in the following form: "My name is [insert name]. I have
5 not communicated with another person in violation of subsection E of
6 Section 2877 of Title 68 of the Oklahoma Statutes."

7 6. The affidavit required in paragraph 3 of this subsection
8 shall be in the following form: "My name is [insert name]. The
9 information I will present today is true and correct to the best of
10 my belief and knowledge."

11 SECTION 24. REPEALER 68 O.S. 2011, Section 2877, as last
12 amended by Section 2, Chapter 387, O.S.L. 2014 (68 O.S. Supp. 2014,
13 Section 2877), is hereby repealed.

14 SECTION 25. REPEALER 68 O.S. 2011, Section 2892, as last
15 amended by Section 7, Chapter 215, O.S.L. 2014 (68 O.S. Supp. 2014,
16 Section 2892), is hereby repealed.

17 SECTION 26. REPEALER 69 O.S. 2011, Section 4018, as
18 amended by Section 1, Chapter 21, O.S.L. 2014 (69 O.S. Supp. 2014,
19 Section 4018), is hereby repealed.

20 SECTION 27. AMENDATORY 70 O.S. 2011, Section 1-113, as
21 amended by Section 1, Chapter 90, O.S.L. 2014 (70 O.S. Supp. 2014,
22 Section 1-113), is amended to read as follows:

23 Section 1-113. A. When used in this section, the residence of
24 any child for school purposes shall be:

1 1. The school district in which the parents, guardian, or
2 person having legal custody holds legal residence.

3 Each school district board of education shall adopt a policy
4 establishing the requirements for student residency for that
5 district which provides for residence as described in this
6 paragraph. Within the discretion of each school district's board of
7 education, the policy may but is not required to allow for
8 establishment of residency by affidavit when an adult, whether a
9 relative or not, who does not fall within one of the categories
10 listed above, who holds legal residence in the school district, and
11 who has assumed permanent care and custody of the child files an
12 affidavit with the school district attesting that they have assumed
13 custody and the reasons for assuming custody. Any policy allowing
14 the establishment of residency by affidavit shall require the adult
15 who provides the affidavit to affirm in such affidavit that the
16 custody arrangement is permanent and that the adult contributes the
17 major degree of support to the child. If the school district policy
18 allows establishment of residency by affidavit, any person who
19 willfully makes a statement in the affidavit which the person knows
20 to be false shall, upon conviction, be guilty of a misdemeanor
21 punishable by imprisonment in the county jail for not more than one
22 (1) year or a fine of not more than Five Hundred Dollars (\$500.00)
23 or both such fine and imprisonment. Each school district shall
24

1 include in its policy on residency any documentation necessary for
2 the administration of the policy; or

3 2. The foster home, as defined in Section 1-1-105 of Title 10A
4 of the Oklahoma Statutes, except a therapeutic foster home or a
5 specialized foster home where a child is in voluntary placement as
6 defined in subsection D of this section, in which the child has been
7 placed:

8 a. by the person or agency having legal custody of the
9 child pursuant to a court order, or

10 b. by a state agency having legal custody of the child
11 pursuant to the provisions of Title 10A of the
12 Oklahoma Statutes; or

13 3. Any orphanage or eleemosynary child care facility having
14 full-time care and custody; or

15 4. Any eleemosynary child care facility in which a child is
16 placed by a parent or guardian for full-time residential care;
17 provided, the provision of this paragraph shall apply only to
18 children who attend a district school by joint agreement of the
19 school district and facility and who are not placed in the facility
20 through a state contract. For purposes of this paragraph,
21 "eleemosynary child care facility" means a facility:

22 a. where child care and services are provided, and

23 b. which is funded predominantly by benevolent or
24 charitable funds and is exempt from taxation pursuant

1 to the provisions of Section 501(c) (3) of the Internal
2 Revenue Code, 26 U.S.C., Section 501(c) (3); or

3 5. Any state-operated institution in which a child has been
4 placed by a parent or guardian or by a state agency having legal
5 custody of the child pursuant to the provisions of Title 10A or
6 Section 3-101 of Title 43A of the Oklahoma Statutes for care and
7 treatment due to a physical or mental condition of the child; or

8 6. The district in which a child who is entirely self-
9 supporting resides and attends school; or

10 7. A state-licensed or operated emergency shelter.

11 B. No school district shall bear the cost of educating children
12 who are not residents of this state; provided, a school district may
13 furnish educational services pursuant to contract as elsewhere
14 provided by law. A school district may furnish educational services
15 pursuant to a contract to children who do not reside in the United
16 States of America; provided, the children shall not be counted in
17 the average daily membership of the school district.

18 C. For the purpose of ensuring that a child placed in a
19 therapeutic foster care home, as defined in Section 1-1-105 of Title
20 10A of the Oklahoma Statutes, receives an appropriate education, no
21 receiving school district shall be required to enroll such a child
22 if the enrollment would cause the proportion of students in
23 therapeutic foster care homes as compared to the average daily
24 membership of the receiving district for the preceding school year

1 to exceed two percent (2%). Children served by Head Start may not
2 be counted for the purpose of this paragraph unless the child is on
3 an individualized education program provided by the school district.
4 Any school district may enroll such students who are outside the
5 student's resident district in therapeutic foster care home
6 placements which exceed this limit if the school determines it
7 possesses the ability to provide such child an appropriate
8 education.

9 D. When a child does not meet the criteria for residency
10 provided in subsection A of this section and is placed in any of the
11 following entities which is out of the child's home and not in the
12 school district in which the child legally resides:

13 1. A residential facility;

14 2. A treatment program or center, including the facility
15 operated pursuant to Section 485.1 of Title 63 of the Oklahoma
16 Statutes;

17 3. A therapeutic foster family home as defined in Section 1-1-
18 105 of Title 10A of the Oklahoma Statutes;

19 4. A specialized foster home, which is a specialized foster
20 home or an agency-contracted home under the supervision of and
21 certified as meeting the standards set by the Department of Human
22 Services and is funded through the Department of Human Services Home
23 and Community-Based Waiver Services Program; or

24 5. An acute psychiatric care facility,

1 the entity shall, if the child contends he or she resides in a
2 school district other than the district where the entity is located,
3 within eleven (11) days of admittance, notify the school district in
4 which the entity is located of the admittance.

5 For minors who are persons requiring psychiatric treatment as
6 defined by Title 43A of the Oklahoma Statutes, on-site educational
7 services shall be provided beginning on the eleventh day of
8 admission.

9 Upon provision of educational services to such children pursuant
10 to the provisions of subsection F of this section, the receiving
11 school district shall receive the State Aid as defined in subsection
12 C of Section 18-110 of this title for those students.

13 Access to the due process procedure guaranteed to children with
14 disabilities shall be available to resolve disagreements about the
15 appropriateness of placements of children with disabilities.

16 E. The governing body of any state institution for children
17 operated pursuant to the provisions of Title 10A of the Oklahoma
18 Statutes or Section 3-101 of Title 43A of the Oklahoma Statutes and
19 the board of education of the school district in which the
20 institution is located or any other school district in the state
21 willing to provide necessary educational services may enter into a
22 contract whereby the district will maintain a school for the
23 children of the institution, in which event the residence of such
24 children for school purposes will be considered as being in the

1 district maintaining the school; provided, however, that upon
2 release from such school, a child shall be considered as a resident
3 of the originating school district for school purposes. The
4 governing body of the state institutions specified in this
5 subsection shall pay the costs for educating students placed in the
6 state institution less any amount of funds received for such
7 students by the school district contracting with the state
8 institution to provide necessary educational services.

9 F. 1. The school district in which an entity as described in
10 subsection D of this section exists to serve children in out-of-home
11 placements shall, upon request of the individual or agency operating
12 the entity, provide the educational services to which the children
13 in the entity are entitled subject to the limitations provided in
14 subsection C of this section. No person operating such an entity
15 may contract for the provision of educational services with any
16 school district other than the school district in which the entity
17 is located unless the school district in which the entity is located
18 agrees in writing to allow another school district to provide the
19 educational services or unless the person operating the entity
20 contracts with another school district for the provision of
21 educational services to be provided through remote Internet-based
22 courses. No person operating such an entity may contract for the
23 provision of educational services with more than one school
24 district.

1 2. Prior to location in a school district, the individual or
2 agency operating an entity described in subsection D of this section
3 which requires provision of educational services from the school
4 district shall notify the local board of education of its
5 anticipated educational needs. No school district shall be required
6 to provide educational services for students in the entity until at
7 least sixty (60) calendar days have elapsed from the time in which
8 the local board of education was initially notified of the need
9 unless the school district so agrees to provide the educational
10 services sooner. The provisions of this paragraph shall not apply
11 to therapeutic or specialized foster homes.

12 3. Educational services provided shall meet or exceed state
13 accreditation standards. No school district shall be responsible
14 for any expenses for students in an entity described in subsection D
15 of this section which are not directly related to the provision of
16 educational services. A school district shall not be obligated for
17 expenses of those students in an entity in the current school year
18 for whom educational services are requested after the district's
19 first nine (9) weeks of the current school year if educational
20 services are requested for twelve or more students than were served
21 in the first nine (9) weeks, unless the school district chooses to
22 provide educational services for the current school year. Contracts
23 and agreements for provision of educational services may allow for
24 the use of public and private sources of support which are available

1 to share the costs of educational services and of therapies,
2 treatments, or support services. Otherwise valid obligations to
3 provide or pay for such services, such as Medicaid, shall remain in
4 effect for children who are eligible for the services from sources
5 other than the school district.

6 4. Upon the request of any residential facility which has
7 contracted with the Office of Juvenile Affairs to provide either a
8 regimented juvenile training program or a high-impact wilderness
9 camp to a minimum of forty students who have been adjudicated, a
10 school district may contract for the facility to provide the
11 educational services to those students. Under such a contract, the
12 facility shall operate in accordance with all applicable laws,
13 including compliance with Section 18-114.7 of this title. Such
14 contract shall include the State Aid generated by the students, less
15 a fee for administrative services which may be retained by the
16 school district, not to exceed ten percent (10%) of the total on an
17 annual basis. The school district shall exercise supervision over
18 the educational program in the facility and bear all responsibility
19 for required educational reporting. The school district shall
20 maintain access to all educational records for students in the
21 facility, and shall provide for the appropriate academic credit and
22 diplomas. The school district shall be indemnified against any
23 actions or penalties on the part of the facility which result in
24 adversity for the school district.

1 G. Any question as to the place of residence of any child for
2 school purposes shall be decided pursuant to procedures utilized by
3 the State Department of Education.

4 H. The receiving district shall notify the district of
5 residence immediately upon finding that the student requires special
6 education and related services and the district of residence shall
7 participate in planning the student's Individualized Education
8 Program (IEP) and in subsequent reviews of the program in accordance
9 with the Individuals with Disabilities Education Act (IDEA).

10 SECTION 28. REPEALER 70 O.S. 2011, Section 1-113, as
11 amended by Section 1, Chapter 150, O.S.L. 2014 (70 O.S. Supp. 2014,
12 Section 1-113), is hereby repealed.

13 SECTION 29. AMENDATORY 70 O.S. 2011, Section 6-101.16,
14 as last amended by Section 2, Chapter 130, O.S.L. 2014 (70 O.S.
15 Supp. 2014, Section 6-101.16), is amended to read as follows:

16 Section 6-101.16. A. By December 15, 2011, the State Board of
17 Education shall adopt a new statewide system of evaluation to be
18 known as the Oklahoma Teacher and Leader Effectiveness Evaluation
19 System (TLE). The Board shall work cooperatively with school
20 districts to fully implement both the quantitative and qualitative
21 components of the TLE in all school districts by the 2015-2016
22 school year as provided for in Section 6-101.10 of this title,
23 including determining the final calculation of the student academic
24 growth measurement as provided for in division (1) of subparagraph a

1 of paragraph 4 of subsection B of this section and developing a
2 teacher/student assignment verification system.

3 B. The TLE shall include the following components:

4 1. A five-tier rating system as follows:

- 5 a. superior,
- 6 b. highly effective,
- 7 c. effective,
- 8 d. needs improvement, and
- 9 e. ineffective;

10 2. Annual evaluations that provide feedback to improve student
11 learning and outcomes, except as provided for in subsection C of
12 this section;

13 3. Comprehensive remediation plans and instructional coaching
14 for all teachers rated as needs improvement or ineffective;

15 4. Quantitative and qualitative assessment components measured
16 as follows:

17 a. fifty percent (50%) of the ratings of teachers and
18 leaders shall be based on quantitative components
19 which shall be divided as follows:

20 (1) thirty-five percentage points based on student
21 academic growth using multiple years of
22 standardized test data, as available, and

23 (2) fifteen percentage points based on other academic
24 measurements, and

1 b. fifty percent (50%) of the rating of teachers and
2 leaders shall be based on rigorous and fair
3 qualitative assessment components;

4 5. An evidence-based qualitative assessment tool for the
5 teacher qualitative portion of the TLE that will include observable
6 and measurable characteristics of personnel and classroom practices
7 that are correlated to student performance success, including, but
8 not limited to:

- 9 a. organizational and classroom management skills,
- 10 b. ability to provide effective instruction,
- 11 c. focus on continuous improvement and professional
12 growth,
- 13 d. interpersonal skills, and
- 14 e. leadership skills;

15 6. An evidence-based qualitative assessment tool for the leader
16 qualitative portion of the TLE that will include observable and
17 measurable characteristics of personnel and site management
18 practices that are correlated to student performance success,
19 including, but not limited to:

- 20 a. organizational and school management, including
21 retention and development of effective teachers and
22 dismissal of ineffective teachers,
- 23 b. instructional leadership,
- 24 c. professional growth and responsibility,

- d. interpersonal skills,
- e. leadership skills, and
- f. stakeholder perceptions;

7. For those teachers in grades and subjects for which there is no state-mandated testing measure to create a quantitative assessment for the quantitative portion of the TLE, the State Board of Education may adopt alternative percentages from those set forth in paragraph 4 of this subsection. Emphasis shall be placed on the observed qualitative assessment as well as contribution to the overall school academic growth; and

8. For first-year and second-year teachers, evaluations shall be based solely on qualitative components set forth in subparagraph b of paragraph 4 of this subsection and the State Board of Education shall adopt alternative percentages from those set forth in paragraph 4 of this subsection.

C. Career teachers receiving a "superior" or "highly effective" rating under the TLE may be evaluated once every two (2) years.

D. The Teacher and Leader Effectiveness Commission shall adopt the student academic growth and other academic measurement quantitative components of the TLE as provided for in subparagraph a of paragraph 4 of subsection B of this section by May 1, 2014. The Commission shall provide oversight and advise the State Board of Education on the development and implementation of the TLE.

1 E. A school district which has incorporated quantitative
2 components of the TLE pursuant to subparagraphs b and c of paragraph
3 1 of subsection A of Section 6-101.10 of this title may continue
4 using those quantitative components, as defined by the school
5 districts' written policies, regardless of the State Board of
6 Education's adoption of quantitative components pursuant to this
7 section.

8 F. The State Department of Education shall provide to the
9 Oklahoma State Regents for Higher Education and the Oklahoma
10 Commission for Teacher Preparation timely electronic data linked to
11 teachers and leaders derived from the TLE for purposes of providing
12 a basis for the development of accountability and quality
13 improvements of the teacher preparation system. The data shall be
14 provided in a manner and at such times as agreed upon between the
15 Department, the State Regents and the Commission.

16 G. For purposes of this section, "leader" means a principal,
17 assistant principal or any other school administrator who is
18 responsible for supervising classroom teachers.

19 H. The State Department of Education shall keep all data
20 collected pursuant to the TLE and records of annual evaluations
21 received pursuant to this section confidential. Records created
22 pursuant to this section which identify, in any way, a current or
23 former public employee shall not be subject to disclosure under the
24 Oklahoma Open Records Act. Nothing in this subsection shall be

1 construed to prohibit disclosure otherwise required by this section;
2 provided, however, any provisions requiring disclosure of TLE
3 records shall be construed narrowly and all individually identifying
4 information shall be removed from such records to the fullest extent
5 possible.

6 SECTION 30. REPEALER 70 O.S. 2011, Section 6-101.16, as
7 last amended by Section 3, Chapter 331, O.S.L. 2014 (70 O.S. Supp.
8 2014, Section 6-101.16), is hereby repealed.

9 SECTION 31. AMENDATORY 70 O.S. 2011, Section 6-187, as
10 last amended by Section 1, Chapter 149, O.S.L. 2014 (70 O.S. Supp.
11 2014, Section 6-187), is amended to read as follows:

12 Section 6-187. A. Prior to July 1, 2014, a competency
13 examination shall be adopted by the Oklahoma Commission for Teacher
14 Preparation and beginning July 1, 2014, a competency examination
15 shall be adopted by the Commission for Educational Quality and
16 Accountability for the general education, professional education and
17 various subject areas and grade levels for purposes of ensuring
18 academic achievement and competency of each teacher candidate or
19 teacher in the subject area the person is seeking ~~licensure or~~
20 certification to teach which shall also include ~~licensure or~~
21 certification as an administrator, as prescribed by the State Board
22 of Education.

23

24

1 The Commission, consistent with the purposes of this section,
2 shall promulgate rules and procedures to guarantee the
3 confidentiality of examinations.

4 B. No teacher candidate shall be eligible for ~~licensing~~
5 certification until successfully completing the competency
6 examination except those candidates who make application to the
7 State Board and meet the criteria for the alternative placement
8 program pursuant to Section 6-122.3 of this title. Certification
9 shall be limited to areas of approval in which the ~~licensed or~~
10 certified teacher has successfully completed the examination.
11 Subject to the provisions of subsection C of this section, testing
12 for certification for subjects in which a teacher candidate or
13 teacher is seeking a minor teaching assignment or an endorsement to
14 teach shall be limited to the specific subject area test.

15 A teacher candidate or teacher may take the general education,
16 professional education or subject area portions of the examination
17 subject to any limit imposed by the Commission.

18 C. 1. Except as otherwise provided for in this subsection, a
19 teacher may be certified in as many areas as the teacher meets the
20 necessary requirements provided by law and has successfully
21 completed the subject area portion of the examination.

22 2. Except as otherwise provided for in this paragraph,
23 certification in early childhood, elementary, or special education
24

1 shall require completion of an appropriate teacher education program
2 approved by the Commission.

3 Any teacher who is certified to teach elementary education may
4 be certified in early childhood education upon meeting the
5 requirements provided in law and successful completion of the
6 appropriate subject area portion of the examination. Any teacher
7 who is certified to teach early childhood education may be certified
8 in elementary education upon meeting the requirements provided in
9 law and successful completion of the appropriate subject area
10 portion of the examination. Any special education teacher who
11 becomes certified to teach through completion of an accredited
12 teacher preparation program may be certified in early childhood or
13 elementary education upon meeting the requirements provided in law
14 and successful completion of the appropriate subject portion of the
15 examination. Any teacher who becomes certified to teach through
16 completion of an accredited teacher preparation program or becomes
17 alternatively certified to teach through the Troops to Teachers
18 program may be certified in special education upon meeting the
19 requirements provided in law and successful completion of the
20 appropriate subject area portion of the examination.

21 D. The Commission shall offer the competency examination at
22 least four times per calendar year on dates to be established by the
23 Commission.

24

1 E. If a teacher candidate or teacher is a non-native-English
2 speaker, the Commission shall offer the subject area competency
3 examination in the native language of the teacher candidate or
4 teacher only if the teacher candidate or teacher is employed or has
5 been offered employment by a school district as a teacher in a
6 foreign language immersion program offered by the school district.
7 If a non-native-English speaker who has received certification in a
8 subject area after taking the subject area competency examination in
9 the native language of the speaker seeks to add a certification area
10 in the future and that person is no longer employed as a teacher in
11 a foreign language immersion program, the examination for the
12 additional certification area shall be taken in English. The State
13 Board of Education shall issue a restricted license or certificate
14 to any teacher who has completed a subject area competency
15 examination in the native language of the teacher as provided for in
16 this subsection restricting the teacher to teaching only in a
17 foreign language immersion program.

18 F. Nothing in the Oklahoma Teacher Preparation Act shall
19 restrict the right of the State Board of Education to issue an
20 emergency or provisional certificate, as needed. Provided, however,
21 prior to the issuance of an emergency certificate, the district
22 shall document substantial efforts to employ a teacher who holds a
23 provisional or standard certificate ~~or who is licensed in the~~
24 ~~teaching profession.~~ In the event a district is unable to hire an

1 individual meeting this criteria, the district shall document
2 efforts to employ an individual with a provisional or standard
3 certificate ~~or with a license~~ in another curricular area with
4 academic preparation in the field of need. Only after these
5 alternatives have been exhausted shall the district be allowed to
6 employ an individual meeting minimum standards as established by the
7 State Board of Education for the issuance of emergency certificates.

8 SECTION 32. REPEALER 70 O.S. 2011, Section 6-187, as
9 last amended by Section 13, Chapter 124, O.S.L. 2014 (70 O.S. Supp.
10 2014, Section 6-187), is hereby repealed.

11 SECTION 33. AMENDATORY 70 O.S. 2011, Section 11-103.6,
12 as last amended by Section 2, Chapter 430, O.S.L. 2014 (70 O.S.
13 Supp. 2014, Section 11-103.6), is amended to read as follows:

14 Section 11-103.6. A. 1. The State Board of Education shall
15 adopt subject matter standards for instruction of students in the
16 public schools of this state that are necessary to ensure there is
17 attainment of desired levels of competencies in a variety of areas
18 to include language, mathematics, science, social studies and
19 communication.

20 2. School districts shall develop and implement curriculum,
21 courses and instruction in order to ensure that students meet the
22 skills and competencies as set forth in this section and in the
23 subject matter standards adopted by the State Board of Education.

24

1 3. All students shall gain literacy at the elementary and
2 secondary levels. Students shall develop skills in reading,
3 writing, speaking, computing and critical thinking. For purposes of
4 this section, critical thinking means a manner of analytical
5 thinking which is logical and uses linear factual analysis to reach
6 a conclusion. They also shall learn about cultures and environments
7 - their own and those of others with whom they share the earth.
8 Students, therefore, shall study social studies, literature,
9 languages, the arts, mathematics and science. Such curricula shall
10 provide for the teaching of a hands-on career exploration program in
11 cooperation with technology center schools.

12 4. The subject matter standards shall be designed to teach the
13 competencies for which students shall be tested as provided in
14 Section 1210.508 of this title, and shall be designed to prepare all
15 students for active citizenship, employment and/or successful
16 completion of postsecondary education without the need for remedial
17 coursework at the postsecondary level.

18 5. The subject matter standards shall be designed with rigor as
19 defined in paragraph 3 of subsection F of this section.

20 6. The subject matter standards for English Language Arts shall
21 give Classic Literature and nonfiction literature equal
22 consideration to other literature. In addition, emphasis shall be
23 given to the study of complete works of literature.

24

1 7. At a minimum, the subject matter standards for mathematics
2 shall require mastery of the standard algorithms in mathematics,
3 which is the most logical, efficient way of solving a problem that
4 consistently works, and for students to attain fluency in Euclidian
5 geometry.

6 B. Subject to the provisions of subsection C of this section,
7 in order to graduate from a public high school accredited by the
8 State Board of Education with a standard diploma, students shall
9 complete the following college preparatory/work ready curriculum
10 units or sets of competencies at the secondary level:

11 1. Four units or sets of competencies of English to include
12 Grammar, Composition, Literature, or any English course approved for
13 college admission requirements;

14 2. Three units or sets of competencies of mathematics, limited
15 to Algebra I, Algebra II, Geometry, Trigonometry, Math Analysis,
16 Calculus, Advanced Placement Statistics, or any mathematics course
17 with content and/or rigor above Algebra I and approved for college
18 admission requirements;

19 3. Three units or sets of competencies of laboratory science,
20 limited to Biology, Chemistry, Physics, or any laboratory science
21 course with content and/or rigor equal to or above Biology and
22 approved for college admission requirements;

23 4. Three units or sets of competencies of history and
24 citizenship skills, including one unit of American History, 1/2 unit

1 of Oklahoma History, 1/2 unit of United States Government and one
2 unit from the subjects of History, Government, Geography, Economics,
3 Civics, or non-Western culture and approved for college admission
4 requirements;

5 5. Two units or sets of competencies of the same foreign or
6 non-English language or two units of computer technology approved
7 for college admission requirements, whether taught at a high school
8 or a technology center school, including computer programming,
9 hardware, and business computer applications, such as word
10 processing, databases, spreadsheets, and graphics, excluding
11 keyboarding or typing courses;

12 6. One additional unit or set of competencies selected from
13 paragraphs 1 through 5 of this subsection or career and technology
14 education courses approved for college admission requirements; and

15 7. One unit or set of competencies of fine arts, such as music,
16 art, or drama, or one unit or set of competencies of speech.

17 C. In lieu of the requirements of subsection B of this section
18 which requires a college preparatory/work ready curriculum, a
19 student may enroll in the core curriculum as provided in subsection
20 D of this section upon written approval of the parent or legal
21 guardian of the student. School districts may require a parent or
22 legal guardian of the student to meet with a designee of the school
23 prior to enrollment in the core curriculum. The State Department of
24 Education shall develop and distribute to school districts a form

1 suitable for this purpose, which shall include information on the
2 benefits to students of completing the college preparatory/work
3 ready curriculum as provided for in subsection B of this section.

4 D. For those students subject to the requirements of subsection
5 C of this section, in order to graduate from a public high school
6 accredited by the State Board of Education with a standard diploma,
7 students shall complete the following core curriculum units or sets
8 of competencies at the secondary level:

9 1. Language Arts - 4 units or sets of competencies, to consist
10 of 1 unit or set of competencies of grammar and composition, and 3
11 units or sets of competencies which may include, but are not limited
12 to, the following courses:

- 13 a. American Literature,
- 14 b. English Literature,
- 15 c. World Literature,
- 16 d. Advanced English Courses, or
- 17 e. other English courses with content and/or rigor equal
18 to or above grammar and composition;

19 2. Mathematics - 3 units or sets of competencies, to consist of
20 1 unit or set of competencies of Algebra I or Algebra I taught in a
21 contextual methodology, and 2 units or sets of competencies which
22 may include, but are not limited to, the following courses:

- 23 a. Algebra II,

24

- 1 b. Geometry or Geometry taught in a contextual
2 methodology,
3 c. Trigonometry,
4 d. Math Analysis or Precalculus,
5 e. Calculus,
6 f. Statistics and/or Probability,
7 g. Computer Science,
8 h. (1) contextual mathematics courses which enhance
9 technology preparation, or
10 (2) a science, technology, engineering and math
11 (STEM) block course meeting the requirements for
12 course competencies listed in paragraph 2 of
13 subsection B of this section, whether taught at
14 a:
15 (a) comprehensive high school, or
16 (b) technology center school when taken in the
17 tenth, eleventh or twelfth grade, taught by
18 a certified teacher, and approved by the
19 State Board of Education and the independent
20 district board of education,
21 i. mathematics courses taught at a technology center
22 school by a teacher certified in the secondary subject
23 area when taken in the tenth, eleventh or twelfth
24

1 grade upon approval of the State Board of Education
2 and the independent district board of education, or

3 j. equal to or above Algebra I;

4 3. Science - 3 units or sets of competencies, to consist of 1
5 unit or set of competencies of Biology I or Biology I taught in a
6 contextual methodology, and 2 units or sets of competencies in the
7 areas of life, physical, or earth science or technology which may
8 include, but are not limited to, the following courses:

9 a. Chemistry I,

10 b. Physics,

11 c. Biology II,

12 d. Chemistry II,

13 e. Physical Science,

14 f. Earth Science,

15 g. Botany,

16 h. Zoology,

17 i. Physiology,

18 j. Astronomy,

19 k. Applied Biology/Chemistry,

20 l. Applied Physics,

21 m. Principles of Technology,

22 n. qualified agricultural education courses,

23 o. (1) contextual science courses which enhance

24 technology preparation, or

1 (2) a science, technology, engineering and math
2 (STEM) block course meeting the requirements for
3 course competencies listed in paragraph 3 of
4 subsection B of this section, whether taught at
5 a:

6 (a) comprehensive high school, or

7 (b) technology center school when taken in the
8 tenth, eleventh or twelfth grade, taught by
9 a certified teacher, and approved by the
10 State Board of Education and the independent
11 district board of education,

12 p. science courses taught at a technology center school
13 by a teacher certified in the secondary subject area
14 when taken in the tenth, eleventh or twelfth grade
15 upon approval of the State Board of Education and the
16 independent district board of education, or

17 q. other science courses with content and/or rigor equal
18 to or above Biology I;

19 4. Social Studies - 3 units or sets of competencies, to consist
20 of 1 unit or set of competencies of United States History, 1/2 to 1
21 unit or set of competencies of United States Government, 1/2 unit or
22 set of competencies of Oklahoma History, and 1/2 to 1 unit or set of
23 competencies which may include, but are not limited to, the
24 following courses:

- a. World History,
- b. Geography,
- c. Economics,
- d. Anthropology, or
- e. other social studies courses with content and/or rigor equal to or above United States History, United States Government, and Oklahoma History; and

5. Arts - 2 units or sets of competencies which may include, but are not limited to, courses in Visual Arts and General Music.

E. 1. In addition to the curriculum requirements of either subsection B or D of this section, in order to graduate from a public high school accredited by the State Board of Education students shall complete the requirements for a personal financial literacy passport as set forth in the Passport to Financial Literacy Act and any additional course requirements or recommended elective courses as may be established by the State Board of Education and the district school board. School districts shall strongly encourage students to complete two units or sets of competencies of foreign languages and two units or sets of competencies of physical and health education.

2. No student shall receive credit for high school graduation more than once for completion of the same unit or set of competencies to satisfy the curriculum requirements of this section.

1 3. A school district shall not be required to offer every
2 course listed in subsections B and D of this section, but shall
3 offer sufficient courses to allow a student to meet the graduation
4 requirements during the secondary grade years of the student.

5 F. For purposes of this section:

6 1. "Contextual methodology" means academic content and skills
7 taught by utilizing real-world problems and projects in a way that
8 helps students understand the application of that knowledge;

9 2. "Qualified agricultural education courses" means courses
10 that have been determined by the State Board of Education to offer
11 the sets of competencies for one or more science content areas and
12 which correspond to academic science courses. Qualified
13 agricultural education courses shall include, but are not limited
14 to, Horticulture, Plant and Soil Science, Natural Resources and
15 Environmental Science, and Animal Science. The courses shall be
16 taught by teachers certified in agricultural education and comply
17 with all rules of the Oklahoma Department of Career and Technology
18 Education;

19 3. "Rigor" means a level of difficulty that is thorough,
20 exhaustive and accurate and is appropriate for the grade level;

21 4. "Sets of competencies" means instruction in those skills and
22 competencies that are specified in the subject matter standards
23 adopted by the State Board of Education and other skills and
24

1 competencies adopted by the Board, without regard to specified
2 instructional time; and

3 5. "Unit" means a Carnegie Unit as defined by the North Central
4 Association's Commission on Schools.

5 G. 1. The State Board of Education shall adopt a plan to
6 ensure that rigor is maintained in the content, teaching
7 methodology, level of expectations for student achievement, and
8 application of learning in all the courses taught to meet the
9 graduation requirements as specified in this section.

10 2. The State Board of Education shall allow as much flexibility
11 at the district level as is possible without diminishing the rigor
12 or undermining the intent of providing these courses. To accomplish
13 this purpose, the State Department of Education shall work with
14 school districts in reviewing and approving courses taught by
15 districts that are not specifically listed in subsections B and D of
16 this section. Options may include, but shall not be limited to,
17 courses taken by concurrent enrollment, advanced placement, or
18 correspondence, or courses bearing different titles.

19 3. The State Board of Education shall approve an advanced
20 placement computer science course to meet the requirements of course
21 competencies listed in paragraph 2 of subsection B of this section
22 if the course is taken in a student's senior year and the student is
23 concurrently enrolled in or has successfully completed Algebra II.

24

1 4. Technology center school districts may offer programs
2 designed in cooperation with institutions of higher education which
3 have an emphasis on a focused field of career study upon approval of
4 the State Board of Education and the independent district board of
5 education. Students in the tenth grade may be allowed to attend
6 these programs for up to one-half (1/2) of a school day and credit
7 for the units or sets of competencies required in paragraphs 2 and 3
8 of subsection B or D of this section shall be given if the courses
9 are taught by a teacher certified in the secondary subject area;
10 provided, credit for units or sets of competencies pursuant to
11 subsection B of this section shall be approved for college admission
12 requirements.

13 ~~4.~~ 5. If a student enrolls in a concurrent course, the school
14 district shall not be responsible for any costs incurred for that
15 course, unless the school district does not offer enough course
16 selection during the student's secondary grade years to allow the
17 student to receive the courses needed to meet the graduation
18 requirements of this section. If the school district does not offer
19 the necessary course selection during the student's secondary grade
20 years, it shall be responsible for the cost of resident tuition at
21 an institution in The Oklahoma State System of Higher Education,
22 fees, and books for the concurrent enrollment course, and providing
23 for transportation to and from the institution to the school site.

24

1 It is the intent of the Legislature that for students enrolled
2 in a concurrent enrollment course which is paid for by the school
3 district pursuant to this paragraph, the institution charge only the
4 supplementary and special service fees that are directly related to
5 the concurrent enrollment course and enrollment procedures for that
6 student. It is further the intent of the Legislature that fees for
7 student activities and student service facilities, including the
8 student health care and cultural and recreational service fees, not
9 be charged to such students.

10 ~~5.~~ 6. Credit for the units or sets of competencies required in
11 subsection B or D of this section shall be given when such units or
12 sets of competencies are taken prior to ninth grade if the teachers
13 are certified or authorized to teach the subjects for high school
14 credit and the required rigor is maintained.

15 ~~6.~~ 7. The three units or sets of competencies in mathematics
16 required in subsection B or D of this section shall be completed in
17 the ninth through twelfth grades. If a student completes any
18 required courses or sets of competencies in mathematics prior to
19 ninth grade, the student may take any other mathematics courses or
20 sets of competencies to fulfill the requirement to complete three
21 units or sets of competencies in grades nine through twelve after
22 the student has satisfied the requirements of subsection B or D of
23 this section.

24

1 ~~7.~~ 8. All units or sets of competencies required for graduation
2 may be taken in any sequence recommended by the school district.

3 H. As a condition of receiving accreditation from the State
4 Board of Education, all students in grades nine through twelve shall
5 enroll in a minimum of six periods, or the equivalent in block
6 scheduling or other scheduling structure that allows for instruction
7 in sets of competencies, of rigorous academic and/or rigorous
8 vocational courses each day, which may include arts, vocal and
9 instrumental music, speech classes, and physical education classes.

10 I. 1. Academic and vocational-technical courses designed to
11 offer sets of competencies integrated or embedded within the course
12 that provide for the teaching and learning of the appropriate skills
13 and knowledge in the subject matter standards, as adopted by the
14 State Board of Education, may upon approval of the Board, in
15 consultation with the Oklahoma Department of Career and Technology
16 Education if the courses are offered at a technology center school
17 district, be counted for academic credit and toward meeting the
18 graduation requirements of this section.

19 2. Internet-based courses offered by a technology center school
20 that are taught by a certified teacher and provide for the teaching
21 and learning of the appropriate skills and knowledge in the subject
22 matter standards may, upon approval of the State Board of Education
23 and the independent district board of education, be counted for
24

1 academic credit and toward meeting the graduation requirements of
2 this section.

3 3. Internet-based courses or vocational-technical courses
4 utilizing integrated or embedded skills for which no subject matter
5 standards have been adopted by the State Board of Education may be
6 approved by the Board, in consultation with the Oklahoma Department
7 of Career and Technology Education if the courses are offered at a
8 technology center school district, if such courses incorporate
9 standards of nationally recognized professional organizations and
10 are taught by certified teachers.

11 4. Courses offered by a supplemental education organization
12 that is accredited by a national accrediting body and that are
13 taught by a certified teacher and provide for the teaching and
14 learning of the appropriate skills and knowledge in the subject
15 matter standards may, upon approval of the State Board of Education
16 and the school district board of education, be counted for academic
17 credit and toward meeting the graduation requirements of this
18 section.

19 J. The State Board of Education shall provide an option for
20 high school graduation based upon attainment of the desired levels
21 of competencies as required in tests pursuant to the provisions of
22 Section 1210.508 of this title. Such option shall be in lieu of the
23 amount of course credits earned.

24

1 K. The State Board of Education shall prescribe, adopt and
2 approve a promotion system based on the attainment by students of
3 specified levels of competencies in each area of the core
4 curriculum.

5 L. Children who have individualized education programs pursuant
6 to the Individuals with Disabilities Education Act (IDEA), and who
7 satisfy the graduation requirements through the individualized
8 education program for that student shall be awarded a standard
9 diploma.

10 M. Students who enter the ninth grade in or prior to the 2007-
11 08 school year who are enrolled in an alternative education program
12 and meet the requirements of their plans leading to high school
13 graduation developed pursuant to Section 1210.568 of this title
14 shall be awarded a standard diploma.

15 N. Any student who completes the curriculum requirements of the
16 International Baccalaureate Diploma Program shall be awarded a
17 standard diploma.

18 O. Any student who successfully completes an advanced
19 mathematics or science course offered pursuant to Section 1210.404
20 of this title shall be granted academic credit toward meeting the
21 graduation requirements pursuant to paragraph 2 or 3, as
22 appropriate, of subsection B or D of this section.

23 P. For purposes of this section, the courses approved for
24 college admission requirements shall be courses which are approved

1 by the Oklahoma State Regents for Higher Education for admission to
2 an institution within The Oklahoma State System of Higher Education.

3 Q. The State Department of Education shall collect and report
4 data by school site and district on the number of students who
5 enroll in the core curriculum as provided in subsection D of this
6 section.

7 SECTION 34. REPEALER 70 O.S. 2011, Section 11-103.6, as
8 last amended by Section 1, Chapter 210, O.S.L. 2014 (70 O.S. Supp.
9 2014, Section 11-103.6), is hereby repealed.

10 SECTION 35. AMENDATORY 70 O.S. 2011, Section 1210.508C,
11 as last amended by Section 10, Chapter 430, O.S.L. 2014 (70 O.S.
12 Supp. 2014, Section 1210.508C), is amended to read as follows:

13 Section 1210.508C. A. 1. Each student enrolled in
14 kindergarten in a public school in this state shall be screened for
15 reading skills including, but not limited to, phonological
16 awareness, letter recognition, and oral language skills as
17 identified in the subject matter standards adopted by the State
18 Board of Education. A screening instrument approved by the State
19 Board shall be utilized for the purposes of this section.

20 2. For those kindergarten children at risk for reading
21 difficulties, teachers shall emphasize reading skills as identified
22 in the subject matter standards adopted by the State Board of
23 Education, monitor progress throughout the year and measure year-end
24 reading progress.

1 3. Classroom assistants, which may include parents,
2 grandparents, or other volunteers, shall be provided in kindergarten
3 classes to assist with the screening of students if a teacher aide
4 is not already employed to assist in a kindergarten classroom.

5 B. 1. Each student enrolled in kindergarten, first, second and
6 third grade of the public schools of this state shall be assessed at
7 the beginning of each school year using a screening instrument
8 approved by the State Board of Education for the acquisition of
9 reading skills including, but not limited to, phonological
10 awareness, phonics, spelling, reading fluency, vocabulary, and
11 comprehension.

12 2. Any student who is assessed and found not to be reading at
13 the appropriate grade level shall be provided a program of reading
14 instruction designed to enable the student to acquire the
15 appropriate grade level reading skills. Beginning with students
16 entering the first grade in the 2011-2012 school year, the program
17 of reading instruction shall include provisions of the READ
18 Initiative adopted by the school district as provided for in
19 subsection O of this section.

20 3. Throughout the year progress monitoring shall continue, and
21 diagnostic assessment, if determined appropriate, shall be provided.
22 Year-end reading skills shall be measured to determine reading
23 success.

24

1 C. The State Board of Education shall approve screening
2 instruments for use at the beginning of the school year, for
3 monitoring of progress, and for measurement of reading skills at the
4 end of the school year as required in subsections A and B of this
5 section; provided, at least one of the screening instruments shall
6 meet the following criteria:

7 1. Assess for phonological awareness, phonics, reading fluency,
8 and comprehension;

9 2. Document the validity and reliability of each assessment;

10 3. Can be used for diagnosis and progress monitoring;

11 4. Can be used to assess special education and limited-English-
12 proficient students;

13 5. Accompanied by a data management system that provides
14 profiles for students, class, grade level and school building. The
15 profiles shall identify each student's instructional point of need
16 and reading achievement level. The State Board shall also determine
17 other comparable reading assessments for diagnostic purposes and for
18 periodic and post assessments to be used for students at risk of
19 reading failure. The State Board shall ensure that any assessments
20 approved are in alignment with the subject matter standards adopted
21 by the State Board of Education.

22 D. The program of reading instruction required in subsection B
23 of this section shall align with the subject matter standards
24 adopted by the State Board of Education, shall include provisions of

1 the READ Initiative adopted by the school district as provided for
2 in subsection O of this section beginning with students entering the
3 first grade in the 2011-2012 school year and may include, but is not
4 limited to:

5 1. Sufficient additional in-school instructional time for the
6 acquisition of phonological awareness, phonics, spelling, reading
7 fluency, vocabulary, and comprehension;

8 2. If necessary, tutorial instruction after regular school
9 hours, on Saturdays and during summer; however, such instruction may
10 not be counted toward the one-hundred-eighty-day or one-thousand-
11 eighty-hour school year required in Section 1-109 of this title; and

12 3. Assessments identified for diagnostic purposes and periodic
13 monitoring to measure the acquisition of reading skills including,
14 but not limited to, phonological awareness, phonics, spelling,
15 reading fluency, vocabulary, and comprehension, as identified in the
16 student's program of reading instruction.

17 E. The program of reading instruction shall continue until the
18 student is determined by the results of approved reading assessments
19 to be reading on grade level.

20 F. 1. Every school district shall adopt, and implement a
21 district reading sufficiency plan which has had input from school
22 administrators, teachers, and parents and if possible a reading
23 specialist, and which shall be submitted electronically to and
24 approved by the State Board of Education. The plan shall be updated

1 annually. School districts shall not be required to electronically
2 submit the annual updates to the Board if the last plan submitted to
3 the Board was approved and expenditures for the program include only
4 expenses relating to individual and small group tutoring, purchase
5 of and training in the use of screening and assessment measures,
6 summer school programs and Saturday school programs. If any
7 expenditure for the program is deleted or changed or any other type
8 of expenditure for the program is implemented, the school district
9 shall be required to submit the latest annual update to the Board
10 for approval. The district reading sufficiency plan shall include a
11 plan for each site which includes an analysis of the data provided
12 by the Oklahoma School Testing Program and other reading assessments
13 utilized as required in this section, and which outlines how each
14 school site will comply with the provisions of the Reading
15 Sufficiency Act.

16 2. Each school site shall establish a committee, composed of
17 educators, which if possible shall include a certified reading
18 specialist, to develop the required programs of reading instruction.
19 A parent or guardian of the student shall be included in the
20 development of the program of reading instruction for that student.

21 3. The State Board of Education shall adopt rules for the
22 implementation and evaluation of the provisions of the Reading
23 Sufficiency Act. The evaluation shall include, but not be limited
24

1 to, an analysis of the data required in subsection S of this
2 section.

3 G. For any third-grade student found not to be reading at grade
4 level as determined by reading assessments administered pursuant to
5 this section, a new program of reading instruction, including
6 provisions of the READ Initiative adopted by the school district as
7 provided for in subsection O of this section, shall be developed and
8 implemented as specified in this section. If possible, a fourth-
9 grade teacher shall be involved in the development of the program of
10 reading instruction. In addition to other requirements of the
11 Reading Sufficiency Act, the plan may include specialized tutoring.

12 H. 1. Any student who demonstrates proficiency in reading at
13 the third-grade level through a screening instrument which meets the
14 acquisition of reading skills criteria pursuant to subsection B of
15 this section shall not be subject to the retention guidelines found
16 in this section. Upon demonstrating the proficiency through the
17 screening, the district shall provide notification to the parent(s)
18 and/or guardian(s) of the student that they have satisfied the
19 requirements of the Reading Sufficiency Act and will not be subject
20 to retention pursuant to this section.

21 2. If a third-grade student is identified at any point of the
22 academic year as having a significant reading deficiency, which
23 shall be defined as scoring below proficient on a screening
24 instrument which meets the acquisition of reading skills criteria

1 pursuant to subsection B of this section, the district shall
2 immediately begin a student reading portfolio as provided by
3 subsection K of this section and shall provide notice to the parent
4 of the deficiency pursuant to subsection I of this section.

5 3. a. If a student has not yet satisfied the proficiency
6 requirements of this section prior to the completion
7 of third grade, the student may qualify for automatic
8 promotion to the fourth grade upon scoring at the
9 "limited knowledge" level on the reading portion of
10 the statewide third-grade criterion-referenced test.

11 b. Prior to promotion, however, the district shall
12 provide notice to the parent(s) and/or guardian(s) of
13 the child that the child is not yet reading at grade
14 level in reading and provide the parent(s) and/or
15 guardian(s) of the child the option for retention
16 should they so desire. The notice shall contain, at a
17 minimum, the most recently identifiable grade level on
18 which the student is actually proficient, the
19 opportunities for summer reading programs, school
20 and/or community based reading tutoring, vendors which
21 provide reading tutoring and the rights to the
22 continuing intensive remediation pursuant to this
23 paragraph.

24

1 c. A student so promoted shall be entitled to intensive
2 remediation in reading until the student is able to
3 demonstrate proficiency in reading at the grade level
4 in which the student is enrolled. An intensive
5 remediation plan shall be developed by a "Student
6 Reading Proficiency Team" composed of:

- 7 (1) the parent(s) and/or guardian(s) of the student,
- 8 (2) the teacher assigned to the student who had
9 responsibility for reading instruction in that
10 academic year,
- 11 (3) a teacher in reading who teaches in the
12 subsequent grade level,
- 13 (4) the school principal, and
- 14 (5) a certified reading specialist, if one is
15 available.

16 4. If a student has not yet satisfied the proficiency
17 requirements of this section prior to the completion of third grade
18 and still has a significant reading deficiency, as identified based
19 on assessments administered that meet the acquisition of reading
20 skills criteria pursuant to subsection B of this section, has not
21 accumulated evidence of third-grade proficiency through a student
22 portfolio as provided in subsection K, or is not subject to a good
23 cause exemption as provided in subsection K, then the student shall
24 not be eligible for automatic promotion to fourth grade.

1 5. a. For the 2013-14 and 2014-15 school years, a student
2 not qualified for automatic promotion under paragraph
3 4 of this subsection may be evaluated for
4 "probationary promotion" by a "Student Reading
5 Proficiency Team" composed of:

- 6 (1) the parent(s) and/or guardian(s) of the student,
- 7 (2) the teacher assigned to the student who had
8 responsibility for reading instruction in that
9 academic year,
- 10 (3) a teacher in reading who teaches in the
11 subsequent grade level,
- 12 (4) the school principal, and
- 13 (5) a certified reading specialist.

14 The student shall be promoted to the fourth grade if the team
15 members unanimously recommend "probationary promotion" to the school
16 district superintendent and the superintendent approves the
17 recommendation that promotion is the best option for the student.

18 If a student is allowed a "probationary promotion", the team shall
19 continue to review the reading performance of the student and repeat
20 the requirements of this paragraph each academic year until the
21 student demonstrates grade-level reading proficiency, as identified
22 through a screening instrument which meets the acquisition of
23 reading skills criteria pursuant to subsection B of this section,
24 for the corresponding grade level in which the student is enrolled

1 or transitions to the requirements set forth by the Achieving
2 Classroom Excellence Act.

3 6. Beginning with the 2015-16 school year, students who score
4 at the unsatisfactory level on the reading portion of the statewide
5 third-grade criterion referenced test and who are not subject to a
6 good cause exemption as provided in subsection K of this section
7 shall be retained in the third grade and provided intensive
8 instructional services and supports as provided for in subsection N
9 of this section.

10 7. Each school district shall annually report to the State
11 Department of Education the number of students promoted to the
12 fourth grade pursuant to paragraphs 1 and 3 of this subsection.
13 Following the 2013-14 and 2014-15 school years, each school district
14 shall report the number of students promoted to a subsequent grade
15 pursuant to the provisions in paragraph 5 of this subsection. The
16 State Department of Education shall publicly report the aggregate
17 and district specific number of students promoted on their website
18 and shall provide electronic copies of the report to the Governor,
19 Secretary of Education, President Pro Tempore of the Senate, Speaker
20 of the House of Representatives and to the respective chairs of the
21 committees with responsibility for common education policy in each
22 legislative chamber.

23

24

1 8. Nothing shall prevent a school district from applying the
2 principles of paragraphs 4 and 5 of this subsection in grades
3 kindergarten through second grade.

4 I. The parent of any student who is found to have a reading
5 deficiency and is not reading at the appropriate grade level and has
6 been provided a program of reading instruction as provided for in
7 subsection B of this section shall be notified in writing of the
8 following:

9 1. That the student has been identified as having a substantial
10 deficiency in reading;

11 2. A description of the current services that are provided to
12 the student;

13 3. A description of the proposed supplemental instructional
14 services and supports that will be provided to the student that are
15 designed to remediate the identified area of reading deficiency;

16 4. That the student will not be promoted to the fourth grade if
17 the reading deficiency is not remediated by the end of the third
18 grade, unless the student is otherwise promoted as provided for in
19 subsection H of this section or is exempt for good cause as set
20 forth in subsection K of this section;

21 5. Strategies for parents to use in helping their child succeed
22 in reading proficiency;

23 6. That while the results of the statewide criterion-referenced
24 tests administered pursuant to Section 1210.508 of this title are

1 the initial determinant, ~~it is~~ they are not the sole determiner of
2 promotion and that portfolio reviews and assessments are available;
3 and

4 7. The specific criteria and policies of the school district
5 for midyear promotion implemented as provided for in paragraph 4 of
6 subsection N of this section.

7 J. No student may be assigned to a grade level based solely on
8 age or other factors that constitute social promotion.

9 K. For those students who do not meet the academic requirements
10 for promotion and who are not otherwise promoted as provided for in
11 subsection H of this section, a school district may promote the
12 student for good cause only. Good-cause exemptions for promotion
13 shall be limited to the following:

14 1. Limited-English-proficient students who have had less than
15 two (2) years of instruction in an English language learner program;

16 2. Students with disabilities whose individualized education
17 program (IEP), consistent with state law, indicates that the student
18 is to be assessed with alternate achievement standards through the
19 Oklahoma Alternate Assessment Program (OAAP);

20 3. Students who demonstrate an acceptable level of performance
21 on an alternative standardized reading assessment approved by the
22 State Board of Education;

23

24

1 4. Students who demonstrate, through a student portfolio, that
2 the student is reading on grade level as evidenced by demonstration
3 of mastery of the state standards beyond the retention level;

4 5. Students with disabilities who participate in the statewide
5 criterion-referenced tests and who have an individualized education
6 program that reflects that the student has received intensive
7 remediation in reading for more than two (2) years but still
8 demonstrates a deficiency in reading and was previously retained in
9 prekindergarten for academic reasons, kindergarten, first grade,
10 second grade, or third grade;

11 6. Students who have received intensive remediation in reading
12 through a program of reading instruction for two (2) or more years
13 but still demonstrate a deficiency in reading and who were
14 previously retained in prekindergarten for academic reasons,
15 kindergarten, first grade, second grade, or third grade for a total
16 of two (2) years; and

17 7. Students who have been granted an exemption for medical
18 emergencies by the State Department of Education.

19 L. A student who is otherwise promoted as provided for in
20 subsection H of this section or is promoted for good cause as
21 provided for in subsection K of this section shall be provided
22 intensive reading instruction during an altered instructional day
23 that includes specialized diagnostic information and specific
24 reading strategies for each student. The school district shall

1 assist schools and teachers to implement reading strategies for the
2 promoted students that research has shown to be successful in
3 improving reading among low-performing readers.

4 M. Requests to exempt students from the retention requirements
5 based on one of the good-cause exemptions as described in subsection
6 K of this section shall be made using the following process:

7 1. Documentation submitted from the teacher of the student to
8 the school principal that indicates the student meets one of the
9 good-cause exemptions and promotion of the student is appropriate.
10 In order to minimize paperwork requirements, the documentation shall
11 consist only of the alternative assessment results or student
12 portfolio work and the individual education plan (IEP), as
13 applicable;

14 2. The principal of the school shall review and discuss the
15 documentation with the teacher and, if applicable, the other members
16 of the team as described in subsection H of this section. If the
17 principal determines that the student meets one of the good-cause
18 exemptions and should be promoted based on the documentation
19 provided, the principal shall make a recommendation in writing to
20 the school district superintendent; and

21 3. After review, the school district superintendent shall
22 accept or reject the recommendation of the principal in writing.

23 N. Beginning with the 2011-2012 school year, each school
24 district shall:

1 1. Conduct a review of the program of reading instruction for
2 all students who score at the unsatisfactory level on the reading
3 portion of the statewide criterion-referenced test administered
4 pursuant to Section 1210.508 of this title and did not meet the
5 criteria for one of the good-cause exemptions as set forth in
6 subsection K of this section. The review shall address additional
7 supports and services, as described in this subsection, needed to
8 remediate the identified areas of reading deficiency. The school
9 district shall require a student portfolio to be completed for each
10 retained student;

11 2. Provide to students who have been retained as set forth in
12 subsection H of this section with intensive interventions in
13 reading, intensive instructional services and supports to remediate
14 the identified areas of reading deficiency, including a minimum of
15 ninety (90) minutes of daily, uninterrupted, scientific-research-
16 based reading instruction. Retained students shall be provided
17 other strategies prescribed by the school district, which may
18 include, but are not limited to:

- 19 a. small group instruction,
- 20 b. reduced teacher-student ratios,
- 21 c. more frequent progress monitoring,
- 22 d. tutoring or mentoring,
- 23 e. transition classes containing third- and fourth-grade
24 students,

1 f. extended school day, week, or year, and

2 g. summer reading academies as provided for in Section
3 1210.508E of this title, if available;

4 3. Provide written notification to the parent or guardian of
5 any student who is to be retained as set forth in subsection H of
6 this section that the student has not met the proficiency level
7 required for promotion and was not otherwise promoted and the
8 reasons the student is not eligible for a good-cause exemption. The
9 notification shall include a description of proposed interventions
10 and intensive instructional supports that will be provided to the
11 student to remediate the identified areas of reading deficiency;

12 4. Implement a policy for the midyear promotion of a retained
13 student who can demonstrate that the student is a successful and
14 independent reader, is reading at or above grade level, and is ready
15 to be promoted to the fourth grade. Tools that school districts may
16 use in reevaluating any retained student may include subsequent
17 assessments, alternative assessments, and portfolio reviews, in
18 accordance with rules of the State Board of Education. Retained
19 students may only be promoted midyear prior to November 1 and only
20 upon demonstrating a level of proficiency required to score above
21 the unsatisfactory level on the statewide third-grade criterion-
22 referenced test and upon showing progress sufficient to master
23 appropriate fourth-grade-level skills, as determined by the school.

24

1 A midyear promotion shall be made only upon agreement of the parent
2 or guardian of the student and the school principal;

3 5. Provide students who are retained with a high-performing
4 teacher who can address the needs of the student, based on student
5 performance data and above-satisfactory performance appraisals; and

6 6. In addition to required reading enhancement and acceleration
7 strategies, provide students who are retained with at least one of
8 the following instructional options:

9 a. supplemental tutoring in scientific-research-based
10 reading services in addition to the regular reading
11 block, including tutoring before or after school,

12 b. a parent-guided "Read at Home" assistance plan, as
13 developed by the State Department of Education, the
14 purpose of which is to encourage regular parent-guided
15 home reading, or

16 c. a mentor or tutor with specialized reading training.

17 O. Beginning with the 2011-2012 school year, each school
18 district shall establish a Reading Enhancement and Acceleration
19 Development (READ) Initiative. The focus of the READ Initiative
20 shall be to prevent the retention of third-grade students by
21 offering intensive accelerated reading instruction to third-grade
22 students who failed to meet standards for promotion to fourth grade
23 and to kindergarten through third-grade students who are exhibiting
24 a reading deficiency. The READ Initiative shall:

1 1. Be provided to all kindergarten through third-grade students
2 at risk of retention as identified by the assessments administered
3 pursuant to the Reading Sufficiency Act. The assessment used shall
4 measure phonemic awareness, phonics, fluency, vocabulary, and
5 comprehension;

6 2. Be provided during regular school hours in addition to the
7 regular reading instruction; and

8 3. Provide a state-approved reading curriculum that, at a
9 minimum, meets the following specifications:

- 10 a. assists students assessed as exhibiting a reading
11 deficiency in developing the ability to read at grade
12 level,
- 13 b. provides skill development in phonemic awareness,
14 phonics, fluency, vocabulary, and comprehension,
- 15 c. provides a scientific-research-based and reliable
16 assessment,
- 17 d. provides initial and ongoing analysis of the reading
18 progress of each student,
- 19 e. is implemented during regular school hours,
- 20 f. provides a curriculum in core academic subjects to
21 assist the student in maintaining or meeting
22 proficiency levels for the appropriate grade in all
23 academic subjects,

1 g. establishes at each school, where applicable, an
2 Intensive Acceleration Class for retained third-grade
3 students who subsequently score at the unsatisfactory
4 level on the reading portion of the statewide
5 criterion-referenced tests. The focus of the
6 Intensive Acceleration Class shall be to increase the
7 reading level of a child at least two grade levels in
8 one (1) school year. The Intensive Acceleration Class
9 shall:

10 (1) be provided to any student in the third grade who
11 scores at the unsatisfactory level on the reading
12 portion of the statewide criterion-referenced
13 tests and who was retained in the third grade the
14 prior year because of scoring at the
15 unsatisfactory level on the reading portion of
16 the statewide criterion-referenced tests,

17 (2) have a reduced teacher-student ratio,

18 (3) provide uninterrupted reading instruction for the
19 majority of student contact time each day and
20 incorporate opportunities to master the fourth-
21 grade state standards in other core subject
22 areas,

23 (4) use a reading program that is scientific-
24 research-based and has proven results in

1 accelerating student reading achievement within
2 the same school year,

3 (5) provide intensive language and vocabulary
4 instruction using a scientific-research-based
5 program, including use of a speech-language
6 therapist,

7 (6) include weekly progress monitoring measures to
8 ensure progress is being made, and

9 (7) provide reports to the State Department of
10 Education, in the manner described by the
11 Department, outlining the progress of students in
12 the class at the end of the first semester,

13 h. provide reports to the State Board of Education, upon
14 request, on the specific intensive reading
15 interventions and supports implemented by the school
16 district. The State Superintendent of Public
17 Instruction shall annually prescribe the required
18 components of the reports, and

19 i. provide to a student who has been retained in the
20 third grade and has received intensive instructional
21 services but is still not ready for grade promotion,
22 as determined by the school district, the option of
23 being placed in a transitional instructional setting.
24 A transitional setting shall specifically be designed

1 to produce learning gains sufficient to meet fourth-
2 grade performance standards while continuing to
3 remediate the areas of reading deficiency.

4 P. In addition to the requirements set forth in this section,
5 each school district board of education shall annually report to the
6 parent or guardian of each student in the district the progress of
7 the student toward achieving state and district expectations for
8 proficiency in reading, writing, science, and mathematics. The
9 school district board of education shall report to the parent or
10 guardian of each student the results on statewide criterion-
11 referenced tests. The evaluation of the progress of each student
12 shall be based upon classroom work, observations, tests, district
13 and state assessments, and other relevant information. Progress
14 reporting shall be provided to the parent or guardian in writing.

15 Q. 1. Each school district board of education shall annually
16 publish on the school website, and report in writing to the State
17 Board of Education by September 1 of each year, the following
18 information on the prior school year:

- 19 a. the provisions of this section relating to public
20 school student progression and the policies and
21 procedures of the school district on student retention
22 and promotion,
- 23 b. by grade, the number and percentage of all students in
24 grades three through ten performing at the

1 unsatisfactory level on the reading portion of the
2 statewide criterion-referenced tests,

3 c. by grade, the number and percentage of all students
4 retained in grades three through ten,

5 d. information on the total number and percentage of
6 students who were promoted for good cause, by each
7 category of good cause as specified above, and

8 e. any revisions to the policies of the school district
9 on student retention and promotion from the prior
10 year.

11 2. The State Department of Education shall establish a uniform
12 format for school districts to report the information required in
13 this subsection. The format shall be developed with input from
14 school districts and shall be provided not later than ninety (90)
15 days prior to the annual due date. The Department shall annually
16 compile the information required along with state-level summary
17 information, and report the information to the public, the Governor,
18 the President Pro Tempore of the Senate, and the Speaker of the
19 House of Representatives.

20 R. The State Department of Education shall provide technical
21 assistance as needed to aid school districts in administering the
22 provision of the Reading Sufficiency Act.

23 S. On or before December 1 of each year, the State Department
24 of Education shall issue to the Governor and members of the Senate

1 and House of Representatives Education Committees a Reading Report
2 Card for the state and each school district and elementary site
3 which shall include, but is not limited to, trend data detailing
4 three (3) years of data, disaggregated by student subgroups to
5 include economically disadvantaged, major racial or ethnic groups,
6 students with disabilities, and English language learners, as
7 appropriate for the following:

8 1. The number and percentage of students in kindergarten
9 through third grade determined to be at risk for reading
10 difficulties compared to the total number of students enrolled in
11 each grade;

12 2. The number and percentage of students in kindergarten who
13 continue to be at risk for reading difficulties as determined by the
14 year-end measurement of reading progress;

15 3. The number and percentage of students in kindergarten
16 through third grade who have successfully completed their program of
17 reading instruction and are reading on grade level as determined by
18 the results of approved reading assessments;

19 4. The number and percentage of students scoring at each
20 performance level on the reading portion of the statewide third-
21 grade criterion-referenced test;

22 5. The amount of funds for reading remediation received by each
23 district;

24

1 6. An evaluation and narrative interpretation of the report
2 data analyzing the impact of the Reading Sufficiency Act on
3 students' ability to read at grade level; and

4 7. Any recommendations for improvements or amendments to the
5 Reading Sufficiency Act.

6 The State Department of Education may contract with an
7 independent entity for the reporting and analysis requirements of
8 this subsection.

9 T. Copies of the results of the assessments administered shall
10 be made a part of the permanent record of each student.

11 SECTION 36. REPEALER 70 O.S. 2011, Section 1210.508C, as
12 last amended by Section 2, Chapter 344, O.S.L. 2014 (70 O.S. Supp.
13 2014, Section 1210.508C), is hereby repealed.

14 SECTION 37. AMENDATORY Section 2, Chapter 209, O.S.L.
15 2013, as amended by Section 1, Chapter 286, O.S.L. 2014 (74 O.S.
16 Supp. 2014, Section 61.8), is amended to read as follows:

17 Section 61.8. A. The Long-Range Capital Planning Commission
18 shall work to decrease the amount of property owned by Oklahoma
19 state government, return state-owned property to private sector
20 ownership, better maintain and utilize the state's needed capital
21 assets and, whenever possible, eliminate the practice of state
22 agencies leasing real property not owned by the state.

23 B. Each year, the Director of the Office of Management and
24 Enterprise Services at the direction of the Long-Range Capital

1 Planning Commission, shall take action to approve the privatization
2 of state-owned real property as identified pursuant to the Oklahoma
3 State Government Asset Reduction and Cost Savings Program. Proceeds
4 from the liquidation of real properties shall be deposited into the
5 Maintenance of State Buildings Revolving Fund.

6 C. Prior to entering into or renewing a lease for real
7 property, each state agency, board, commission, and public trust
8 having the State of Oklahoma as a beneficiary shall receive approval
9 for entering into the lease from the Office of Management and
10 Enterprise Services.

11 D. Prior to making a purchase of real property or constructing
12 a building, each state agency, board, commission, and public trust
13 having the State of Oklahoma as a beneficiary shall receive approval
14 for the purchase or construction from the Director of the Office of
15 Management and Enterprise Services; provided, if such purchase or
16 construction is deemed by the Director of the Office of Management
17 and Enterprise Services to be within the authority of the Long-Range
18 Capital Planning Commission, the Director shall not approve the
19 purchase or construction and shall refer the request to the
20 Commission for action.

21 E. Prior to approval or referral pursuant to subsection C or D
22 of this section, the Office of Management and Enterprise Services
23 shall determine if the applicant entity can utilize already existing
24 state-owned real property as an alternative to leasing non-state-

1 owned real property or purchasing or constructing new real property.
2 If such existing state-owned real property is owned by the Oklahoma
3 Historical Society, is listed on the National Register of Historic
4 Places or with the National Trust for Historic Preservation, or is
5 potentially of historical significance, the Office of Management and
6 Enterprise Services shall notify the Oklahoma Historical Society and
7 obtain its approval prior to approving an application for its reuse.

8 F. No state agency, board, commission or public trust having
9 the state as its beneficiary shall transfer any real property owned
10 by the agency, board, commission or trust to any other state agency,
11 board, commission, state beneficiary trust or any public or private
12 entity unless the transfer is first approved by the Long-Range
13 Capital Planning Commission. Any transfer made without the prior
14 approval of the Long-Range Capital Planning Commission as required
15 by this subsection may be reversed by the Long-Range Capital
16 Planning Commission and if a transfer is reversed the agency, board,
17 commission, state beneficiary trust or other state government entity
18 to which the real property has been impermissibly transferred shall
19 take such actions to convey the subject property to the entity from
20 which the asset was acquired not later than thirty (30) days from
21 the date an order for such transfer is entered by the Long-Range
22 Capital Planning Commission. The Commission shall not approve any
23 transfer unless proceeds from the sale shall be deposited within the

24

1 Maintenance of State Buildings Revolving Fund as established by
2 Section 908 of Title 62 of the Oklahoma Statutes.

3 G. By February 1 of each year, the Office of Management and
4 Enterprise Services shall publish a report for the preceding
5 calendar year listing the parcels of previously state-owned property
6 sold, detailing the reduction in the amount of space leased by the
7 state, describing the source of funds and expenditures from the
8 Maintenance of State Buildings Revolving Fund and showing the manner
9 in which deferred maintenance needs are being met. The report shall
10 be provided to the Governor, Speaker of the House of
11 Representatives, President Pro Tempore of the Senate and placed on
12 the documents.ok.gov web portal.

13 H. This section shall not be applicable to the following or
14 their lands, properties, buildings, funds or revenue:

- 15 1. The Oklahoma Ordnance Works Authority;
- 16 2. The Commissioners of the Land Office;
- 17 3. The Oklahoma Department of Transportation; and
- 18 4. The Oklahoma Turnpike Authority.

19 I. The Director of the Office of Management and Enterprise
20 Services may make recommendations to the Long-Range Capital Planning
21 Commission for liquidation of underutilized properties that have
22 environmental issues, create a liability for the state, or create
23 expenses that make the continued ownership of the underutilized
24 property undesirable and the property has been offered through two

1 public auctions or sealed bids and no viable bids were received. If
2 the Long-Range Capital Planning Commission approves the liquidation
3 of the property, the Office of Management and Enterprise Services
4 may accept a bid of less than ninety percent (90%) of the appraised
5 value in accordance with Section 327 of Title 61 of the Oklahoma
6 Statutes.

7 SECTION 38. REPEALER Section 2, Chapter 209, O.S.L.
8 2013, as amended by Section 3, Chapter 248, O.S.L. 2014 (74 O.S.
9 Supp. 2014, Section 61.8), is hereby repealed.

10 SECTION 39. It being immediately necessary for the preservation
11 of the public peace, health and safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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