March Legislative Report

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BUDGET- The state equalization board met again this month and revised their certification of funds available down to $85.5 million less to appropriate for fiscal year 2021 than was appropriated for FY2020. The expectation at this point is that after using rainy day funds most state agencies are looking at a flat budget at best.

LEGISLATION –

We have just made it past the first committee deadline and everything is going as we would hope. SB 1140, our DDS IT security audit exemption bill, passed out of committee with no opposition. SB 1128, our deaf education teacher testing bill, has already passed off the Senate floor 46-0.

All the concerning bills did not make it past the deadline. Rep. Hilbert, author of HB 3080, which exempts counties from blind vendor priority, was able to facilitate conversation between Tulsa County and the BEP to resolve some concerns with an audit of vending machine equipment. SB 1693, the workforce agency consolidation bill, did not get a hearing. Meanwhile, HB 4006 and SB 1190, making contributions tax exempt to ABLE accounts (529 plans for persons with disabilities), both passed with ease.

Of the remaining HB 3891, the passing through to state Centers for Independent Living did not make deadline. SB 1474, that provides that any appointed member of a state board or commission be liable and subject to impeachment also did not make it out.

Finally, we do have two new bills added to the watch list, HB3094, by Rep. Mike Osborn and SB1879, by Sen. Greg Treat both require that all newly hired state employee positions be unclassified. Existing employees could stay in the classified service, but eventually it will make all employees unclassified.

We are now in floor action until March 12th. See you on the 10th.

# Watch List

Bill Portfolio

**11 Bills On Report**

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| [**HB1011**](https://www.ecapitol.net/viewtext.wcs?HB1011_HFLR~57th) | | **Paraphrase:**HB1011, by Rep. Jacob Rosecrants, D-Norman, creates the Commission on Independence and Ability. It outlines the Commission's purpose of monitoring and providing oversight of the Department of Human Services Aging Services Division and ADvantage Administration Unit to ensure that people with disabilities are receiving services in the most integrated setting, consistent with the Olmstead Decision as well as evaluating and expanding service options for the Consumer-Directed Personal Assistance Services and Supports program. It provides for commission membership. (Amended by House, Carryover Bill, Emergency Measure, Committee Substitute)  **Effective Date:**07/01/2019    **Emergency:**Yes  **Principal Authors:**Rosecrants, Jacob (H)  **Status:**H General Order   **Status Date:**02/14/2019 |
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| [**HB3094**](https://www.ecapitol.net/viewtext.wcs?HB3094_CS~57th) | **Paraphrase:**HB3094, by Rep. Mike Osburn, R-Edmond, creates a new division within the Office of Management and Enterprise Services named the Human Capital Management Administration (HCMA). It requires the HCMA to receive and act on complaints arising from disciplinary actions by state employees, establish an application process for consideration of complaints, employ and maintain a statewide Alternative Dispute Resolution Program for state agencies and employees, and to hire administrative law judges as independent contractors to exercise provisions of the act. It requires that all new hire state employee positions and all unclassified state employee positions would be administered by the HCMA after Jan. 1, 2021. It allows current employees in classified positions to have option of retaining classified status but may change to the HCMA.  **Effective Date:**11/01/2020    **Emergency:**No  **Principal Authors:**Osburn, Mike (H)  **Status:**H General Order   **Status Date:**02/27/2020 |

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| [**HB3225**](https://www.ecapitol.net/viewtext.wcs?HB3225_HFLR~57th) | **Paraphrase:**HB3225, by Rep. Jon Echols, R-Oklahoma City, provides a tax deduction for contributions to Achieving a Better Life Experience accounts to not exceed $10,000 a year for an individual taxpayer and to not exceed $20,00 for taxpayers filing a joint return. It allows the any amount of contribution not deducted by the taxpayer in the tax year the contribution was made to be carried forward up to five years. (Amended by House, Committee Substitute)  **Effective Date:**01/01/2021    **Emergency:**No  **Principal Authors:**Echols, Jon (H)  **Status:**H General Order   **Status Date:**02/20/2020 |

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| [**HB4006**](https://www.ecapitol.net/viewtext.wcs?HB4006_INT~57th) | **Paraphrase:**HB4006, by Rep. Charles Ortega, R-Altus and Sen. Brent Howard, R-Altus, allows each taxpayer a deduction for contributions to accounts established pursuant to the Achieving a Better Life Experience (ABLE) program as established in Section 4001.1 et seq. of Title 56 of the Oklahoma Statutes for taxable years beginning after Dec. 31, 2019. (Amended by House, Stricken Title)  **Effective Date:**01/01/2021    **Emergency:**No  **Principal Authors:**Ortega, Charles (H); Howard, Brent (S)  **Status:**H General Order   **Status Date:**02/26/2020 |

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| [**SB0154**](https://www.ecapitol.net/viewtext.wcs?SB154_PCS~57th) | **Paraphrase:**SB0154, by Sen. Frank Simpson, R-Ardmore and Rep. Tammy Townley, R-Ardmore, creates, until Dec. 31, 2020, the 17-member Language Equality and Acquisition for Deaf Kids (LEAD-K) Task Force to develop a resource for parents to monitor and track deaf or hard of hearing children's expressive and receptive language acquisition using American Sign Language, English or both, and developmental stages toward English literacy and developing a framework for assessing children who are deaf or hard of hearing to determine their competencies in language and literacy skills for the purpose of ensuring they have the opportunity to achieve kindergarten readiness in an equitable manner. The bill establishes membership and meeting requirements. The bill requires the task force to submit a report of its findings and recommendations by Dec. 31, 2020, to the Governor, Senate President Pro Tempore, House Speaker, chairs of the Senate and House education committees and chairs of the Senate and House health committees. (Amended by Senate, Stricken Title, Carryover Bill, Committee Substitute)  **Effective Date:**/ /    **Emergency:**No  **Principal Authors:**Simpson, Frank (S); Townley, Tammy (H)  **Status:**S General Order   **Status Date:**02/13/2019 |

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| [**SB0168**](https://www.ecapitol.net/viewtext.wcs?SB168_INT~57th) | **Paraphrase:**SB0168, by Sen. Frank Simpson, R-Ardmore, creates the Blind Persons Literacy Rights and Education Act. The bill requires that in developing an individualized education program (IEP) for a student with a visual impairment, a provision shall be made for instruction in Braille and the use of Braille, unless determined otherwise. It clarifies that nothing therein requires the exclusive use of Braille if other special education services are appropriate to the student's educational needs and the provision of other appropriate services will not preclude Braille use or instruction. It outlines specifications for a student's IEP if it includes such a provision for instruction in Braille and use of Braille. It requires instruction in Braille reading and writing to be sufficient enough to enable each student with a visual impairment to communicate effectively and efficiently with the same level of proficiency expected of the student's peers of comparable ability and grade level. The bill requires any teacher who is certified to teach students with a visual impairment to be required to demonstrate competency in reading and writing Braille, beginning July 1, 2020. It prohibits the State Board of Education from issuing or renewing a certificate to teach students who have a visual impairment unless the teacher candidate demonstrates that he or she is proficient in reading and writing Braille based upon standards adopted by the National Library Service for the Blind and Physically Handicapped. It requires that in the absence of a federal law or regulation establishing a national standard for electronic files to be used for production of accessible instructional materials, a file format standard must be prescribed by the State Department of Rehabilitation Services. It requires the agency to include a requirement that the electronic version is encoded in text suitable for conversion into Braille or synthesized speech and has been prepared using a markup language which maintains the structural integrity of the information and can be processed by Braille translation software. (Carryover Bill)  **Effective Date:**07/01/2019    **Emergency:**Yes  **Principal Authors:**Simpson, Frank (S)  **Status:**S Committee - Laid Over   **Status Date:**02/12/2019  **Committee(1):**[**S Education (S)**](https://www.ecapitol.net/committees.wcs?commtype=T&idno=00025) |

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| [**SB0321**](https://www.ecapitol.net/viewtext.wcs?SB321_ENGR~57th) | **Paraphrase:**SB0321, by Sen. Frank Simpson, R-Ardmore and Rep. Tammy Townley, R-Ardmore, makes the Department of Rehabilitation Services immune from liability for monetary damages to licensed individuals or their subcontractors. (Carryover Bill)  **Effective Date:**11/01/2019    **Emergency:**No  **Principal Authors:**Simpson, Frank (S); Townley, Tammy (H)  **Status:**Second Reading - Referred to House Committee   **Status Date:**03/19/2019  **Committee(1):**[**H Judiciary (H)**](https://www.ecapitol.net/committees.wcs?commtype=T&idno=02J28) |

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| [**SB1128**](https://www.ecapitol.net/viewtext.wcs?SB1128_ENGR~57th) | **Paraphrase:**SB1128, by Sen. Frank Simpson, R-Ardmore and Rep. Charles McCall, R-Atoka, allows the State Board of Education to grant an exception to the requirements for all certification examinations for teach candidates who are deaf. It defines applicable terms. It allows the board to grant an exception in specified instances. It allows the board to promulgate rules and other requirements as necessary. (Emergency Measure)  **Effective Date:**07/01/2020    **Emergency:**Yes  **Principal Authors:**Simpson, Frank (S); McCall, Charles (H)  **Status:**H Introduced   **Status Date:**02/25/2020 |

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| [**SB1140**](https://www.ecapitol.net/viewtext.wcs?SB1140_INT~57th) | **Paraphrase:**SB1140, by Sen. Frank Simpson, R-Ardmore and Rep. Tammy Townley, R-Ardmore, exempts the Social Security Disability Determination Services Division of the Department of Rehabilitation Services from provisions of the requirement every state agency obtain an information security risk assessment to identify vulnerabilities associated with the information system.  **Effective Date:**11/01/2020    **Emergency:**No  **Principal Authors:**Simpson, Frank (S); Townley, Tammy (H)  **Status:**S General Order   **Status Date:**02/27/2020 |

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| [**SB1190**](https://www.ecapitol.net/viewtext.wcs?SB1190_SFLR~57th) | **Paraphrase:**SB1190, by Sen. Adam Pugh, R-Edmond, permits, for taxable years beginning after Dec. 31, 2019, each taxpayer to be allowed a deduction for contributions to accounts established pursuant to the Achieving a Better Life Experience (ABLE) Program as established by statute. It sets the maximum annual deduction for each tax year at no more than $10,000 for each individual taxpayer or $20,000 for taxpayers filing a joint return. It permits any amount of a contribution that is not deducted by the taxpayer in the year for which the contribution is made to be carried forward up to five years. It permits deductions to be taken for contributions made during a taxable year and up to April 15 of the succeeding year, or the due date of a taxpayer's state income tax return, including extensions, whichever is later, provided, a deduction for the same contribution may not be taken for two different taxable years. (Amended by Senate, Stricken Title)  **Effective Date:**11/01/2020    **Emergency:**No  **Principal Authors:**Pugh, Adam (S)  **Status:**S General Order   **Status Date:**02/26/2020 |
| [**SB1879**](https://www.ecapitol.net/viewtext.wcs?SB1879_SFLR~57th) | Paraphrase: SB1879, by Sen. Greg Treat, R-Oklahoma City, adds that written authorization of an agency director is needed to pay severance benefits to regular unclassified employees with one year or more continuous state service who are separated from the state service for budgetary reasons. (Emergency Measure)  Effective Date: 01/01/2021    Emergency: No  Principal Authors: Treat, Greg (S)  Status: S General Order   Status Date: 02/26/2020 |