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# Table of Contents

**Agency/Action/Subject Index** ................................................................. iii  
**Rules Affected Index** ........................................................................ iv  
**Agency Index (Title numbers assigned)** ........................................... vii  

## Notices of Rulemaking Intent

<table>
<thead>
<tr>
<th>Agency or System</th>
<th>Title Numbers</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commerce, Oklahoma Department of (Title 150)</td>
<td></td>
<td>281, 282</td>
</tr>
<tr>
<td>Cosmetology and Barbering, State Board of (Title 175)</td>
<td></td>
<td>283</td>
</tr>
<tr>
<td>Funeral Board, Oklahoma (Title 235)</td>
<td></td>
<td>283</td>
</tr>
<tr>
<td>Environmental Quality, Department of (Title 252)</td>
<td></td>
<td>284</td>
</tr>
<tr>
<td>Grand River Dam Authority (Title 300)</td>
<td></td>
<td>285, 286, 287, 288</td>
</tr>
<tr>
<td>Health, Oklahoma State Department of (Title 310)</td>
<td>289, 290, 291, 292, 293, 294, 295, 296, 297</td>
<td></td>
</tr>
<tr>
<td>Human Services, Department of (Title 340)</td>
<td></td>
<td>297, 298, 299, 300, 301, 303, 304, 305, 306, 308, 309, 310, 313, 314</td>
</tr>
<tr>
<td>Law Enforcement Education and Training, Council on (Title 390)</td>
<td>315, 316, 317, 318, 319, 320, 321, 322, 326, 327</td>
<td></td>
</tr>
<tr>
<td>Scenic Rivers Commission (Title 630)</td>
<td></td>
<td>328, 329, 330, 331</td>
</tr>
<tr>
<td>Tax Commission, Oklahoma (Title 710)</td>
<td></td>
<td>331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341</td>
</tr>
</tbody>
</table>

## Emergency Adoptions

<table>
<thead>
<tr>
<th>Agency or System</th>
<th>Title Numbers</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commerce, Oklahoma Department of (Title 150)</td>
<td></td>
<td>343</td>
</tr>
<tr>
<td>Housing Finance Agency, Oklahoma (Title 330)</td>
<td></td>
<td>345</td>
</tr>
<tr>
<td>Nursing, Oklahoma Board of (Title 485)</td>
<td></td>
<td>347</td>
</tr>
<tr>
<td>Public Employees Retirement System, Oklahoma (Title 590)</td>
<td></td>
<td>348, 349</td>
</tr>
<tr>
<td>Agency/Action/Subject Index</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>COMMERCE, Oklahoma Department of (Title 150)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notices of Rulemaking Intent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oklahoma Quality Jobs Program (Chapter 65) .......... 281</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oklahoma Local Development and Enterprise Zone Incentive Leverages (Chapter 105) .......... 281</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oklahoma Supplier Diversity Initiative (Chapter 155) .... 282</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency Adoptions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Invest in Oklahoma Act (Chapter 160) .................. 343</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>COSMETOLOGY and Barbering, State Board of</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Title 175)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notices of Rulemaking Intent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administrative Operations (Chapter 1) ................. 283</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>FUNERAL Board, Oklahoma (Title 235)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notices of Rulemaking Intent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Funeral Services Licensing (Chapter 10) ............... 283</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>ENVIRONMENTAL Quality, Department of (Title 252)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notices of Rulemaking Intent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Radiation Management (Chapter 410) ................... 284</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>GRAND River Dam Authority (Title 300)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notices of Rulemaking Intent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acquisition Policy (Chapter 20) ....................... 285</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aircraft Travel Use Logs (Chapter 30) ............... 285</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lake Rules (Chapter 35) ................................ 286</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Scenic Rivers Rules (Chapter 40) ..................... 287</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration of Rules and Hearings (Chapter 45) .... 288</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>HEALTH, Oklahoma State Department of (Title 310)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notices of Rulemaking Intent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Bathing Place Facility Standards (Chapter 315) .... 289</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Bathing Place Operations (Chapter 320) ........ 290</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adult Day Care Centers (Chapter 605) .................. 291</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency Medical Services (Chapter 641) ........... 292</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospice (Chapter 661) .................................. 293</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Continuum of Care and Assisted Living (Chapter 663) ... 293</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospital Standards (Chapter 667) ....................... 294</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City and County Detention Facility Standards (Chapter 670) .... 295</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nursing and Specialized Facilities (Chapter 675) .... 296</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential Care Homes (Chapter 680) .................. 297</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>HOUSING Finance Agency, Oklahoma (Title 330)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency Adoptions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Affordable Housing Tax Credit Program (Chapter 36) .... 345</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>HUMAN Services, Department of (Title 340)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notices of Rulemaking Intent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Function and Structure of the Oklahoma Department of Human Services (Chapter 1) .................. 297, 298</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administrative Components (Chapter 2) ................. 298, 299, 300, 301</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Temporary Assistance for Needy Families (TANF) (Chapter 10) ............... 301</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Supplemental Payment and the Supplemental Security Income-Disabled Children's Program (Chapter 15) .... 303</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Low Income Home Energy Assistance Program (LIHEAP) (Chapter 20) .................. 303</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child Support Services (Chapter 25) .................... 304</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child Care Subsidy Program (Chapter 40) ............... 305</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supplemental Nutrition Assistance Program (SNAP) (Chapter 50) .......................... 306</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Refugee Resettlement Program (Chapter 60) ............. 308</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Repatriation Program (Chapter 61) ...................... 308</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>HUMAN Services, Department of – continued</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notices of Rulemaking Intent – continued</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Assistance Procedures (Chapter 65) ............ 309</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child Welfare Services (Chapter 75) .................... 310</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Developmental Disabilities Services (Chapter 100) ...... 313</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aging Services (Chapter 105) .......................... 314</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>LAW Enforcement Education and Training, Council on</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Title 390)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notices of Rulemaking Intent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agency Authority and Objectives (Chapter 1) .......... 315</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administrative Procedures (Chapter 2) .................. 316</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peace Officer Certification (Chapter 10) ................ 317</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Basic Peace Officer Certification Training (Chapter 15) ................. 318</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reserve Officer Certification and Training (Chapter 20) .................. 319</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Continuation Law Enforcement Education (Chapter 25) .... 320</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police Officer Annual Firearms Requalification (Chapter 27) .................. 320</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CDS Detector Dog Certification (Chapter 30) .......... 321</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bomb Detector Dog Certification (Chapter 31) .......... 322</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulation of Private Security Industry (Chapter 35) .... 322</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retired Peace Officer Firearms Permits (Chapter 45) .... 326</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulating Bail Enforcement (Chapter 60) ............. 327</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>NURSING, Oklahoma Board of (Title 485)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency Adoptions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Licensure of Practical and Registered Nurses (Chapter 10) .................. 347</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PUBLIC Employees Retirement System, Oklahoma</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Title 590)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency Adoptions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deferred Compensation (Chapter 25) ................. 348</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Defined Contribution System (Chapter 40) ............ 349</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SCENIC Rivers Commission (Title 630)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notices of Rulemaking Intent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>OSRC Operations (Chapter 1) ......................... 328</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Election Procedures (Chapter 3) ..................... 328</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hearing Procedures, Practices, and Appeals (Chapter 4) .................. 329</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Licensing and Use Permits (Chapter 10) ............... 330</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Protection of Natural Resources (Chapter 15) .......... 331</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TAX Commission, Oklahoma (Title 710)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notices of Rulemaking Intent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administrative Operations (Chapter 1) .................. 331</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AD Valorem (Chapter 10) ............................. 332</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aircraft (Chapter 15) .................................. 333</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boats and Motors (Chapter 22) ......................... 334</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coin Operated Vending Devices (Chapter 25) .......... 334</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gross Production (Chapter 45) ....................... 335</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Income (Chapter 50) .................................. 336</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motor Vehicles (Chapter 60) .......................... 337</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sales and Use Tax (Chapter 65) ....................... 338</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tobacco, Tobacco Products, and Cigarettes (Chapter 70) ................. 339</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Various Tax Incentives (Chapter 85) ................. 340</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Withholding (Chapter 90) .............................. 341</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miscellaneous Areas of Regulatory and Administrative Authority (Chapter 95) .................. 341</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Rules Affected Index

\[(E) = \text{Emergency action}\]

<table>
<thead>
<tr>
<th>Rule</th>
<th>Register Page</th>
<th>Rule</th>
<th>Register Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>150:155-1-1</td>
<td>[NEW] (E)</td>
<td>260:130-11-1</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>150:155-1-2</td>
<td>[NEW] (E)</td>
<td>260:130-13-1</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>150:155-1-3</td>
<td>[NEW] (E)</td>
<td>260:130-13-2</td>
<td>[AMENDED] (E)</td>
</tr>
<tr>
<td>150:155-1-4</td>
<td>[NEW] (E)</td>
<td>260:130-13-3</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>150:155-1-5</td>
<td>[NEW] (E)</td>
<td>260:130-17-1</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>150:155-1-6</td>
<td>[NEW] (E)</td>
<td>260:130-17-2</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>150:155-1-7</td>
<td>[NEW] (E)</td>
<td>260:130-17-3</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>150:155-1-8</td>
<td>[NEW] (E)</td>
<td>260:130-17-4</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>150:160-1-1</td>
<td>[NEW] (E)</td>
<td>260:130-17-5</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>150:160-1-2</td>
<td>[NEW] (E)</td>
<td>260:130-17-6</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>150:160-1-3</td>
<td>[NEW] (E)</td>
<td>260:130-17-7</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>150:160-1-4</td>
<td>[NEW] (E)</td>
<td>260:130-17-8</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>150:160-1-5</td>
<td>[NEW] (E)</td>
<td>260:130-17-9</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>150:160-1-6</td>
<td>[NEW] (E)</td>
<td>260:130-17-10</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>150:160-1-7</td>
<td>[NEW] (E)</td>
<td>260:130-17-11</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>175:1-1-2</td>
<td>[AMENDED] (E)</td>
<td>172</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>175:10-7-18</td>
<td>[AMENDED] (E)</td>
<td>172</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>175:10-9-37</td>
<td>[NEW] (E)</td>
<td>172</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>210:10-1.23</td>
<td>[NEW] (E)</td>
<td>133</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>210:10-1.23</td>
<td>[AMENDED] (E)</td>
<td>172</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>210:10-1.23</td>
<td>[AMENDED] (E)</td>
<td>172</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>260:50-1-2</td>
<td>[AMENDED] (E)</td>
<td>172</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>260:50-5-3</td>
<td>[AMENDED] (E)</td>
<td>172</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>260:130-1</td>
<td>[NEW] (E)</td>
<td>228</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>260:130-1</td>
<td>[NEW] (E)</td>
<td>228</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>260:130-1</td>
<td>[NEW] (E)</td>
<td>228</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>260:130-1</td>
<td>[NEW] (E)</td>
<td>228</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>260:130-1</td>
<td>[NEW] (E)</td>
<td>228</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>260:130-1</td>
<td>[NEW] (E)</td>
<td>228</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>260:130-1</td>
<td>[NEW] (E)</td>
<td>228</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>260:130-1</td>
<td>[NEW] (E)</td>
<td>228</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>260:130-1</td>
<td>[NEW] (E)</td>
<td>231</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>260:130-1</td>
<td>[NEW] (E)</td>
<td>231</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>260:130-1</td>
<td>[NEW] (E)</td>
<td>231</td>
<td>[NEW] (E)</td>
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</tr>
<tr>
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<tr>
<td>260:130-7-3</td>
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<td>235</td>
<td>[NEW] (E)</td>
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<td>235</td>
<td>[NEW] (E)</td>
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<td>[NEW] (E)</td>
<td>235</td>
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<td>260:130-7-6</td>
<td>[NEW] (E)</td>
<td>235</td>
<td>[NEW] (E)</td>
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<td>260:130-7-7</td>
<td>[NEW] (E)</td>
<td>235</td>
<td>[NEW] (E)</td>
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<tr>
<td>260:130-7-8</td>
<td>[NEW] (E)</td>
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<td>260:130-9-1</td>
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<td>236</td>
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<td>260:130-9-2</td>
<td>[NEW] (E)</td>
<td>236</td>
<td>[NEW] (E)</td>
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<td>260:130-9-3</td>
<td>[NEW] (E)</td>
<td>236</td>
<td>[NEW] (E)</td>
</tr>
<tr>
<td>260:130-9-4</td>
<td>[NEW] (E)</td>
<td>236</td>
<td>[NEW] (E)</td>
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<tr>
<td>260:130-9-5</td>
<td>[NEW] (E)</td>
<td>236</td>
<td>[NEW] (E)</td>
</tr>
</tbody>
</table>
### Rules Affected Index – continued

<table>
<thead>
<tr>
<th>Rule</th>
<th>Action</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>450:75-3-11</td>
<td>[NEW] (E)</td>
<td>192</td>
</tr>
<tr>
<td>450:75-5-1</td>
<td>[NEW] (E)</td>
<td>193</td>
</tr>
<tr>
<td>450:75-5-3</td>
<td>[NEW] (E)</td>
<td>193</td>
</tr>
<tr>
<td>450:75-5-5</td>
<td>[NEW] (E)</td>
<td>194</td>
</tr>
<tr>
<td>450:75-5-7</td>
<td>[NEW] (E)</td>
<td>194</td>
</tr>
<tr>
<td>450:75-7-1</td>
<td>[NEW] (E)</td>
<td>194</td>
</tr>
<tr>
<td>450:75-7-3</td>
<td>[NEW] (E)</td>
<td>194</td>
</tr>
<tr>
<td>450:75-7-5</td>
<td>[NEW] (E)</td>
<td>194</td>
</tr>
<tr>
<td>450:75-7-7</td>
<td>[NEW] (E)</td>
<td>194</td>
</tr>
<tr>
<td>450:75-7-9</td>
<td>[NEW] (E)</td>
<td>194</td>
</tr>
<tr>
<td>450:75-9-1</td>
<td>[NEW] (E)</td>
<td>194</td>
</tr>
<tr>
<td>450:75-9-3</td>
<td>[NEW] (E)</td>
<td>194</td>
</tr>
<tr>
<td>450:75-9-5</td>
<td>[NEW] (E)</td>
<td>194</td>
</tr>
<tr>
<td>450:75-9-7</td>
<td>[NEW] (E)</td>
<td>194</td>
</tr>
<tr>
<td>450:75-9-9</td>
<td>[NEW] (E)</td>
<td>194</td>
</tr>
<tr>
<td>485:10-7-9</td>
<td>[AMENDED] (E)</td>
<td>347</td>
</tr>
<tr>
<td>485:10-23-1</td>
<td>[NEW] (E)</td>
<td>348</td>
</tr>
<tr>
<td>485:10-23-2</td>
<td>[NEW] (E)</td>
<td>348</td>
</tr>
<tr>
<td>485:10-23-3</td>
<td>[NEW] (E)</td>
<td>348</td>
</tr>
<tr>
<td>510:1-1-2</td>
<td>[NEW] (E)</td>
<td>10</td>
</tr>
<tr>
<td>510:1-1-4</td>
<td>[NEW] (E)</td>
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</tr>
<tr>
<td>510:1-1-5</td>
<td>[NEW] (E)</td>
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<tr>
<td>510:1-1-8</td>
<td>[NEW] (E)</td>
<td>11</td>
</tr>
<tr>
<td>590:25-7-1</td>
<td>[AMENDED] (E)</td>
<td>348</td>
</tr>
<tr>
<td>590:40-7-25</td>
<td>[AMENDED] (E)</td>
<td>349</td>
</tr>
<tr>
<td>590:40-9-20</td>
<td>[AMENDED] (E)</td>
<td>349</td>
</tr>
<tr>
<td>655:10-1-1</td>
<td>[AMENDED] (E)</td>
<td>32</td>
</tr>
<tr>
<td>655:10-1-2</td>
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<td>32</td>
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<tr>
<td>655:10-3-1</td>
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</tr>
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<td>655:10-3-3</td>
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</tr>
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<tr>
<td>655:10-7-10</td>
<td>[AMENDED] (E)</td>
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### Agency/Title Index

**assigned as of 1-18-22**

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<th>Title</th>
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<tbody>
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<td>Oklahoma ABSTRACTORS Board</td>
<td>5</td>
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<tr>
<td>Oklahoma ACCOUNTANCY Board</td>
<td>10</td>
</tr>
<tr>
<td>State ACCREDITING Agency</td>
<td>15</td>
</tr>
<tr>
<td>AD Valorem Task Force (abolished 7-1-93)</td>
<td>20</td>
</tr>
<tr>
<td>Oklahoma AERONAUTICS Commission</td>
<td>25</td>
</tr>
<tr>
<td>Board of Regents for the Oklahoma AGRICULTURAL and Mechanical Colleges (exempted 11-1-98)</td>
<td>30</td>
</tr>
<tr>
<td>Oklahoma Department of AGRICULTURE, Food, and Forestry</td>
<td>35</td>
</tr>
<tr>
<td>Oklahoma Board of Licensed ALCOHOL and Drug Counselors</td>
<td>38</td>
</tr>
<tr>
<td>Board of Tests for ALCOHOL and Drug Influence</td>
<td>40</td>
</tr>
<tr>
<td>ALCOHOLIC Beverage Laws Enforcement Commission</td>
<td>45</td>
</tr>
<tr>
<td>ANATOMICAL Board of the State of Oklahoma</td>
<td>50</td>
</tr>
<tr>
<td>Board of Governors of the Licensed ARCHITECTS, Landscape Architects and Registered Commercial Interior Designers of Oklahoma (Formerly: Board of Governors of the Licensed ARCHITECTS and Landscape Architects of Oklahoma; and Board of Governors of the Licensed ARCHITECTS, Landscape Architects and Registered Interior Designers of Oklahoma)</td>
<td>55</td>
</tr>
<tr>
<td>ARCHIVES and Records Commission</td>
<td>60</td>
</tr>
<tr>
<td>Board of Trustees for the ARDMORE Higher Education Program (exempted 11-1-98)</td>
<td>65</td>
</tr>
<tr>
<td>Oklahoma ARTS Council</td>
<td>70</td>
</tr>
<tr>
<td>Oklahoma State ATHLETIC Commission (Formerly: Oklahoma Professional BOXING Commission) - See Title 92</td>
<td>86</td>
</tr>
<tr>
<td>ATTORNEY General</td>
<td>75</td>
</tr>
<tr>
<td>State AUDITOR and Inspector</td>
<td>80</td>
</tr>
<tr>
<td>State BANKING Department</td>
<td>85</td>
</tr>
<tr>
<td>Oklahoma State Employees BENEFITS Council - Office of Management and Enterprise Services 8-26-11 - See Title 260</td>
<td>92</td>
</tr>
<tr>
<td>Oklahoma State Employees BENEFITS Council</td>
<td>95</td>
</tr>
<tr>
<td>Council of BOND Oversight</td>
<td>100</td>
</tr>
<tr>
<td>Oklahoma State ATHLETIC Commission (Formerly: Oklahoma Professional BOXING Commission)</td>
<td>105</td>
</tr>
<tr>
<td>Oklahoma CAPITAL Investment Board</td>
<td>110</td>
</tr>
<tr>
<td>Oklahoma CAPITAL Improvement Authority</td>
<td>115</td>
</tr>
<tr>
<td>State CAPITOL Preservation Commission</td>
<td>120</td>
</tr>
<tr>
<td>CAPITOL-MEDICAL Center Improvement and Zoning Commission</td>
<td>125</td>
</tr>
<tr>
<td>Oklahoma Department of CAREER and Technology Education (Formerly: Oklahoma Department of VOCATIONAL and Technical Education) - See Title 780</td>
<td>130</td>
</tr>
<tr>
<td>Board of Regents of CARL Albert State College (exempted 11-1-98)</td>
<td>135</td>
</tr>
<tr>
<td>Department of CENTRAL Services (Formerly: Office of PUBLIC Affairs) - See Title 580</td>
<td>140</td>
</tr>
<tr>
<td>CEREBRAL Palsy Commission</td>
<td>145</td>
</tr>
<tr>
<td>Commission on CHILDREN and Youth</td>
<td>150</td>
</tr>
<tr>
<td>Board of CHIROPRACTIC Examiners</td>
<td>155</td>
</tr>
<tr>
<td>Oklahoma Department of EMERGENCY Management (Formerly: Department of CIVIL Emergency Management)</td>
<td>160</td>
</tr>
<tr>
<td>Oklahoma Department of COMMERCE</td>
<td>165</td>
</tr>
<tr>
<td>COMMUNITY Hospitals Authority</td>
<td>170</td>
</tr>
<tr>
<td>COMPSOURCE Oklahoma (Formerly: State INSURANCE Fund) - See Title 370</td>
<td>175</td>
</tr>
<tr>
<td>Oklahoma CONSERVATION Commission</td>
<td>180</td>
</tr>
<tr>
<td>CONSTRUCTION Industries Board</td>
<td>185</td>
</tr>
<tr>
<td>Department of CONSUMER Credit</td>
<td>190</td>
</tr>
<tr>
<td>CORPORATION Commission</td>
<td>195</td>
</tr>
<tr>
<td>Department of CORRECTIONS</td>
<td>200</td>
</tr>
<tr>
<td>State Board of COSMETOLOGY and Barbering</td>
<td>205</td>
</tr>
<tr>
<td>Oklahoma State CREDIT Union Board</td>
<td>210</td>
</tr>
<tr>
<td>Board of CRIMINAL Justice System Task Force Committee</td>
<td>215</td>
</tr>
<tr>
<td>Oklahoma DEVELOPMENT Finance Authority</td>
<td>220</td>
</tr>
<tr>
<td>Oklahoma Farm &amp; Ranchers Board (merged under Office of Educational Quality and Accountability 7-1-94 - See Title 218)</td>
<td>225</td>
</tr>
<tr>
<td>Office of EDUCATIONAL Quality and Accountability</td>
<td>230</td>
</tr>
<tr>
<td>Oklahoma EDUCATIONAL Television Authority</td>
<td>235</td>
</tr>
<tr>
<td>Board of Trustees for the ENID Higher Education Program (exempted 11-1-98)</td>
<td>240</td>
</tr>
<tr>
<td>Department of ENVIRONMENTAL Quality</td>
<td>245</td>
</tr>
<tr>
<td>State Board of EQUALIZATION</td>
<td>250</td>
</tr>
<tr>
<td>ETHICS Commission (Title revoked)</td>
<td>255</td>
</tr>
<tr>
<td>ETHICS Commission</td>
<td>260</td>
</tr>
<tr>
<td>Office of MANAGEMENT and Enterprise Services (Formerly: Office of State Finance)</td>
<td>265</td>
</tr>
<tr>
<td>State FIRE Marshal Commission</td>
<td>270</td>
</tr>
<tr>
<td>Oklahoma Council on FIREFIGHTER Training</td>
<td>275</td>
</tr>
<tr>
<td>Oklahoma FIREFIGHTERS Pension and Retirement System</td>
<td>280</td>
</tr>
<tr>
<td>FORENSIC Review Board</td>
<td>285</td>
</tr>
<tr>
<td>State Board of Registration for FORESTERS</td>
<td>290</td>
</tr>
<tr>
<td>FOSTER Care Review Advisory Board</td>
<td>295</td>
</tr>
<tr>
<td>Oklahoma FUNERAL Board (Formerly: Oklahoma State Board of EMBALMERS and Funeral Directors) - See Title 235</td>
<td>300</td>
</tr>
<tr>
<td>Oklahoma FUTURES</td>
<td>305</td>
</tr>
<tr>
<td>GOVERNOR (See also Title 1, Executive Orders)</td>
<td>310</td>
</tr>
<tr>
<td>GRAND River Dam Authority</td>
<td>315</td>
</tr>
<tr>
<td>Group Self-Insurance Association GUARANTY Fund Board</td>
<td>320</td>
</tr>
<tr>
<td>Individual Self-Insured GUARANTY Fund Board</td>
<td>325</td>
</tr>
<tr>
<td>STATE Use Committee (Formerly: Committee on Purchases of Products and Services of the Severely HANDICAPPED, consolidated under Office of Management and Enterprise Services 8-26-11 - See Title 260)</td>
<td>330</td>
</tr>
<tr>
<td>Office of DISABILITY Concerns (Formerly: Office of HANDICAPPED Concerns)</td>
<td>335</td>
</tr>
<tr>
<td>Oklahoma State Department of HEALTH</td>
<td>340</td>
</tr>
<tr>
<td>Oklahoma Basic HEALTH Benefits Board (abolished 11-1-97)</td>
<td>345</td>
</tr>
<tr>
<td>Oklahoma HEALTH Care Authority</td>
<td>350</td>
</tr>
<tr>
<td>HIGHWAY Construction Materials Technician Certification Board</td>
<td>355</td>
</tr>
<tr>
<td>Oklahoma HISTORICAL Society</td>
<td>360</td>
</tr>
<tr>
<td>Oklahoma HORSE Racing Commission</td>
<td>365</td>
</tr>
<tr>
<td>Oklahoma HOUSING Finance Agency</td>
<td>370</td>
</tr>
<tr>
<td>Oklahoma HUMAN Rights Commission</td>
<td>375</td>
</tr>
<tr>
<td>Department of HUMAN Services</td>
<td>380</td>
</tr>
<tr>
<td>Committee for INCENTIVE Awards for State Employees</td>
<td>385</td>
</tr>
<tr>
<td>Oklahoma INDIAN Affairs Commission</td>
<td>390</td>
</tr>
<tr>
<td>Oklahoma INDIGENT Defense System</td>
<td>395</td>
</tr>
<tr>
<td>Oklahoma INDUSTRIAL Finance Authority</td>
<td>400</td>
</tr>
<tr>
<td>INJURY Review Board</td>
<td>405</td>
</tr>
<tr>
<td>Oklahoma State and Education Employees Group INSURANCE Board (consolidated under Office of Management and Enterprise Services 8-26-11 - See Title 260)</td>
<td>410</td>
</tr>
<tr>
<td>INSURANCE Department</td>
<td>415</td>
</tr>
</tbody>
</table>
## Agency/Title Index – continued

<table>
<thead>
<tr>
<th>Agency</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>COMPSON</strong> Oklahoma</td>
<td>(Formerly: State INSURANCE Fund) 370</td>
</tr>
<tr>
<td>Oklahoma State Bureau of INVESTIGATION</td>
<td>375</td>
</tr>
<tr>
<td>Council on JUDICIAL Complaints</td>
<td>376</td>
</tr>
<tr>
<td>Office of JUVENILE Affairs</td>
<td>377</td>
</tr>
<tr>
<td>Department of LABOR</td>
<td>380</td>
</tr>
<tr>
<td>Department of the Commissioners of the LAND Office</td>
<td>385</td>
</tr>
<tr>
<td>Council on LAW Enforcement Education and Training</td>
<td>390</td>
</tr>
<tr>
<td>Oklahoma LAW Enforcement Retirement System</td>
<td>395</td>
</tr>
<tr>
<td>Board on LEGISLATIVE Compensation</td>
<td>400</td>
</tr>
<tr>
<td>Oklahoma Department of LIBRARIES</td>
<td>405</td>
</tr>
<tr>
<td>LIEUTENANT Governor</td>
<td>410</td>
</tr>
<tr>
<td>Oklahoma LINKED Deposit Review Board</td>
<td>415</td>
</tr>
<tr>
<td>Oklahoma LIQUEFIED Petroleum Gas Board</td>
<td>420</td>
</tr>
<tr>
<td>Oklahoma LIQUEFIED Petroleum Gas Research, Marketing and Safety Commission</td>
<td>422</td>
</tr>
<tr>
<td>LITERACY Initiatives Commission</td>
<td>425</td>
</tr>
<tr>
<td>LONG-RANGE Capital Planning Commission</td>
<td>428</td>
</tr>
<tr>
<td>Oklahoma State Board of Examiners for LONG-TERM Care Administrators (Formerly: Oklahoma State Board of Examiners for NURSING Home Administrators)</td>
<td>- See Title 490</td>
</tr>
<tr>
<td>LOTTERY Commission, Oklahoma</td>
<td>429</td>
</tr>
<tr>
<td>Board of Trustees for the MCCURTAIN County Higher Education Program (exempted 11-1-98)</td>
<td>430</td>
</tr>
<tr>
<td>Office of MANUFACTURING and Wood Commission Services (Formerly: Office of State FINANCE)</td>
<td>- See Title 260</td>
</tr>
<tr>
<td>Commission on MARGINALLY Producing Oil and Gas Wells</td>
<td>432</td>
</tr>
<tr>
<td>State Board of MEDICAL Licensure and Supervision</td>
<td>435</td>
</tr>
<tr>
<td>MEDICAL Technology and Research Authority of Oklahoma</td>
<td>440</td>
</tr>
<tr>
<td>Board of MEDICOLEGAL Investigations</td>
<td>445</td>
</tr>
<tr>
<td>Department of MENTAL Health and Substance Abuse Services</td>
<td>450</td>
</tr>
<tr>
<td>MENTAL Health and Developmental Services (Formerly: Mental Health Commission)</td>
<td>455</td>
</tr>
<tr>
<td>MILITARY Planning Commission, Oklahoma Strategic</td>
<td>457</td>
</tr>
<tr>
<td>Department of MINES</td>
<td>460</td>
</tr>
<tr>
<td>Oklahoma MOTOR Vehicle Commission</td>
<td>465</td>
</tr>
<tr>
<td>Board of Regents of MURRAY State College (exempted 11-1-98)</td>
<td>470</td>
</tr>
<tr>
<td>Oklahoma State Bureau of NARCOTICS and Dangerous Drugs Control</td>
<td>475</td>
</tr>
<tr>
<td>Board of Regents of NORTHERN Oklahoma College (exempted 11-1-98)</td>
<td>480</td>
</tr>
<tr>
<td>Oklahoma Board of NURSING</td>
<td>485</td>
</tr>
<tr>
<td>Oklahoma State Board of Examiners for LONG-TERM Care Administrators (Formerly: Oklahoma State Board of Examiners for NURSING Home Administrators)</td>
<td>- See Title 490</td>
</tr>
<tr>
<td>Board of Regents of OKLAHOMA City Community College (exempted 11-1-98)</td>
<td>490</td>
</tr>
<tr>
<td>Board of Regents of OKLAHOMA Colleges (exempted 11-1-98)</td>
<td>495</td>
</tr>
<tr>
<td>Board of Examiners in OPTOMETRY</td>
<td>500</td>
</tr>
<tr>
<td>State Board of OSTEOPATHIC Examiners</td>
<td>505</td>
</tr>
<tr>
<td>PARDON and Parole Board</td>
<td>515</td>
</tr>
<tr>
<td>Oklahoma PEANUT Commission</td>
<td>520</td>
</tr>
<tr>
<td>Oklahoma State PENSION Commission</td>
<td>525</td>
</tr>
<tr>
<td>State Board of Examiners of PERFUSSIONISTS</td>
<td>527</td>
</tr>
<tr>
<td>Office of PERSONNEL Management (consolidated under Office of Management and Enterprise Services 8-26-11 - See Title 260)</td>
<td>530</td>
</tr>
<tr>
<td>Board of Commercial PET Breeders (abolished 7-1-12 - See Title 35)</td>
<td>532</td>
</tr>
<tr>
<td>Oklahoma State Board of PHARMACY</td>
<td>535</td>
</tr>
<tr>
<td>PHYSICIAN Manpower Training Commission</td>
<td>540</td>
</tr>
<tr>
<td>Board of PODIATRIC Medical Examiners</td>
<td>545</td>
</tr>
<tr>
<td>Oklahoma POLICE Pension and Retirement System</td>
<td>550</td>
</tr>
<tr>
<td>State Department of POLLUTION Control (abolished 1-1-93)</td>
<td>555</td>
</tr>
<tr>
<td>POLYGRAPH Examiners Board</td>
<td>560</td>
</tr>
<tr>
<td>Oklahoma Board of PRIVATE Vocational Schools</td>
<td>565</td>
</tr>
<tr>
<td>State Board for PROPERTY and Casualty Rates (abolished 7-1-06; see also Title 365)</td>
<td>570</td>
</tr>
<tr>
<td>State Board of Examiners of PSYCHOLOGISTS</td>
<td>575</td>
</tr>
<tr>
<td>Department of CENTRAL Services (Formerly: Office of PUBLIC Affairs; consolidated under Office of Management and Enterprise Services 8-26-11 - See Title 260)</td>
<td>580</td>
</tr>
<tr>
<td><strong>PUBLIC</strong> Employees Relations Board</td>
<td>585</td>
</tr>
<tr>
<td>Oklahoma PUBLIC Employees Retirement System</td>
<td>590</td>
</tr>
<tr>
<td>Department of PUBLIC Safety</td>
<td>595</td>
</tr>
<tr>
<td>REAL Estate Appraiser Board</td>
<td>600</td>
</tr>
<tr>
<td>Oklahoma REAL Estate Commission</td>
<td>605</td>
</tr>
<tr>
<td>Board of Regents of REDLANDS Community College (exempted 11-1-98)</td>
<td>607</td>
</tr>
<tr>
<td>State REGENTS for Higher Education</td>
<td>610</td>
</tr>
<tr>
<td>State Department of REHABILITATION Services</td>
<td>612</td>
</tr>
<tr>
<td>Board of Regents of ROGERS State College (exempted 11-1-98)</td>
<td>615</td>
</tr>
<tr>
<td>Board of Regents of ROSE State College (exempted 11-1-98)</td>
<td>620</td>
</tr>
<tr>
<td>Oklahoma REAL ESTATE Savings and Loan Board (abolished 7-1-93)</td>
<td>625</td>
</tr>
<tr>
<td>SCENIC Rivers Commission</td>
<td>630</td>
</tr>
<tr>
<td>Oklahoma Commission on SCHOOL and County Funds Management</td>
<td>635</td>
</tr>
<tr>
<td>Advisory Task Force on the Sale of SCHOOL Lands (functions concluded 2-92)</td>
<td>640</td>
</tr>
<tr>
<td>The Oklahoma School of SCIENCE and Mathematics</td>
<td>645</td>
</tr>
<tr>
<td>Oklahoma Center for the Advancement of SCIENCE and Technology</td>
<td>650</td>
</tr>
<tr>
<td>SECRETARY of State</td>
<td>655</td>
</tr>
<tr>
<td>Department of SECURITIES</td>
<td>660</td>
</tr>
<tr>
<td>Board of Regents of SEMINOLE State College (exempted 11-1-98)</td>
<td>665</td>
</tr>
<tr>
<td>Oklahoma SHENANDOAH Commission</td>
<td>670</td>
</tr>
<tr>
<td>State Board of Licensed SOCIAL Workers</td>
<td>675</td>
</tr>
<tr>
<td>SOUTHERN Growth Policies Board</td>
<td>680</td>
</tr>
<tr>
<td>Oklahoma SOYBEAN Commission (abolished 7-1-97)</td>
<td>685</td>
</tr>
<tr>
<td>Board of Examiners for SPEECH-LANGUAGE Pathology and Audiology (Formerly: Board of Examiners for SPEECH Pathology and Audiology)</td>
<td>690</td>
</tr>
<tr>
<td>STATE Employee Charitable Contributions, Oversight Committee for (Formerly: STATE Agency Review Committee)</td>
<td>695</td>
</tr>
<tr>
<td>STATE Use Committee (Formerly: Committee on Purchases of Products and Services of the Severely HANDICAPPED) - See Title 304</td>
<td>700</td>
</tr>
<tr>
<td>Oklahoma STUDENT Loan Authority</td>
<td>705</td>
</tr>
<tr>
<td>TASK Force 2000</td>
<td>710</td>
</tr>
<tr>
<td>Oklahoma TAX Commission</td>
<td>710</td>
</tr>
<tr>
<td>Oklahoma Commission for TEACHER Preparation (merged under Office of Educational Quality and Accountability 7-1-14 - See Title 218)</td>
<td>712</td>
</tr>
<tr>
<td>TEACHERS’ Retirement System</td>
<td>715</td>
</tr>
<tr>
<td>State TEXTBOOK Committee</td>
<td>720</td>
</tr>
<tr>
<td>TOBACCO, Lighted and Unlighted ( Previously: TOBACCO Trust Fund)</td>
<td>723</td>
</tr>
<tr>
<td>Oklahoma TOURISM and Recreation Department</td>
<td>725</td>
</tr>
<tr>
<td>Department of TRANSPORTATION</td>
<td>730</td>
</tr>
<tr>
<td>Oklahoma TRANSPORTATION Authority (Name changed to Oklahoma TURNPIKE Authority 11-1-05) - See Title 731</td>
<td>731</td>
</tr>
<tr>
<td>Oklahoma TURNPIKE Authority (Formerly: Oklahoma TRANSPORTATION Authority AND Oklahoma TURNPIKE Authority) - See also Title 745</td>
<td>731</td>
</tr>
<tr>
<td>State TREASURER</td>
<td>735</td>
</tr>
<tr>
<td>Board of Regents of TULSA Community College (exempted 11-1-98)</td>
<td>740</td>
</tr>
<tr>
<td>Oklahoma TURNPIKE Authority (Name changed to Oklahoma TRANSPORTATION Authority 11-1-99 - no rules enacted in this Title - See Title 731)</td>
<td>745</td>
</tr>
<tr>
<td>Oklahoma UNIFORM Building Code Commission</td>
<td>748</td>
</tr>
<tr>
<td>Board of Trustees for the UNIVERSITY Center at Tulsa (exempted 11-1-98)</td>
<td>750</td>
</tr>
<tr>
<td>UNIVERSITY Hospitals Authority</td>
<td>752</td>
</tr>
<tr>
<td>UNIVERSITY Hospitals Trust</td>
<td>753</td>
</tr>
<tr>
<td>Board of Regents of the UNIVERSITY of Oklahoma (exempted 11-1-98)</td>
<td>755</td>
</tr>
<tr>
<td>Board of Regents of the UNIVERSITY of Oklahoma (exempted 11-1-98)</td>
<td>760</td>
</tr>
<tr>
<td>Oklahoma USED Motor Vehicle and Parts Commission</td>
<td>765</td>
</tr>
<tr>
<td>Oklahoma Department of VETERANS Affairs</td>
<td>770</td>
</tr>
<tr>
<td>Board of VETERINARY Medical Examiners</td>
<td>775</td>
</tr>
<tr>
<td>Statewide VIRTUAL Charter School Board</td>
<td>777</td>
</tr>
<tr>
<td>Agency</td>
<td>Title</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>Oklahoma Department of <strong>CAREER</strong> and Technology Education</td>
<td>(Formerly: Oklahoma Department of <strong>VOCATIONAL</strong> and Technical Education)</td>
</tr>
<tr>
<td>Oklahoma <strong>WATER</strong> Resources Board</td>
<td>........................................................................................................ 785</td>
</tr>
<tr>
<td>Board of Regents of <strong>WESTERN</strong> Oklahoma State College (exempted 11-1-88)</td>
<td>........................................................................................................ 790</td>
</tr>
<tr>
<td></td>
<td>........................................................................................................ 810</td>
</tr>
</tbody>
</table>
NOTICES OF RULEMAKING

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

A Notice of Rulemaking Intent announces a comment period, or a comment period and public hearing, and provides other information about the intended rulemaking action as required by law, including where copies of proposed rules may be obtained. For additional information on Notices of Rulemaking Intent, see 75 O.S., Section 303.

TITLE 150. OKLAHOMA DEPARTMENT OF
COMMERCE
CHAPTER 65. OKLAHOMA QUALITY JOBS
PROGRAM

[OAR Docket #21-887]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Subchapter 13. Oklahoma Remote Quality Jobs Incentive Act [NEW]
150:65-13-1. Purpose [NEW]
150:65-13-2. Definitions [NEW]
150:65-13-3. Eligible entities [NEW]
150:65-13-5. Cost/benefit analysis; limitation of benefit [NEW]
150:65-13-6. Incentive contract [NEW]

SUMMARY:
This action is to implement the Oklahoma Remote Quality Jobs Incentive Act as implemented in the 2021 legislative session. This clarifies terms used in the act and provides the process for application and approval of participation under the Act.

AUTHORITY:
The legislation establishing the Oklahoma Department of Commerce 74 O.S. §§ 5001 et seq.; 68 O.S. §4508

COMMENT PERIOD:
Written and oral comments will be accepted from January 18, 2022 through February 17, 2022, during regular business hours by contacting B. Joshua McGoldrick, Chief of Staff/General Counsel, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, 73104, (405) 815-5153, or josh.mcgoldrick@okcommerce.gov.

PUBLIC HEARING:
A public hearing will be held on February 18, 2022, at 10:00 a.m. on, at The Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma in Gallery 1-2. Time limitations may be imposed on oral presentations to ensure that all persons who desire to make oral comments will have an opportunity to do so.

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

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained without charge from the Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, by contacting B. Joshua McGoldrick at (405) 815-5153, or josh.mcgoldrick@okcommerce.gov.

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

CONTACT PERSON:
B. Joshua McGoldrick, Chief of Staff/General Counsel, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, 73104, (405) 815-5153 or josh.mcgoldrick@okcommerce.gov.

[OAR Docket #21-887; filed 12-9-21]

TITLE 150. OKLAHOMA DEPARTMENT OF
COMMERCE
CHAPTER 105. OKLAHOMA LOCAL
DEVELOPMENT AND ENTERPRISE ZONE
INCENTIVE LEVERAGE ACT

[OAR Docket #21-889]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
150:105-1-2. Definitions [AMENDED]
150:105-1-3. Application process [AMENDED]
150:105-1-4. Threshold and selection criteria [AMENDED]
150:105-1-5. Annual reporting [NEW]

SUMMARY:
This action is to provide a reporting mechanism for entities who are participating in the Act as required by legislation enacted in the 2021 legislative session. These amendments also amend dates to conform with the most recent version of the applicable statutes.
AUTHORITY:
The legislation establishing the Oklahoma Department of Commerce 74 O.S. §§ 5001 et seq.; 62 O.S. §842

COMMENT PERIOD:
Written and oral comments will be accepted from January 18, 2022 through February 17, 2022, during regular business hours by contacting B. Joshua McGoldrick, Chief of Staff/General Counsel, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, 73104, (405) 815-5153, or josh.mcgoldrick@okcommerce.gov.

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[OAR Docket #21-889; filed 12-9-21]
COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained without charge from the Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, by contacting B. Joshua McGoldrick at (405) 815-5153, or josh.mcgoldrick@okcommerce.gov.

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CONTACT PERSON:
B. Joshua McGoldrick, Chief of Staff/General Counsel, Oklahoma Department of Commerce, 900 North Stiles Avenue, Oklahoma City, Oklahoma, 73104, (405) 815-5153 or josh.mcgoldrick@okcommerce.gov.

TITLE 175. STATE BOARD OF COSMETOLOGY AND BARBERING
CHAPTER 1. ADMINISTRATIVE OPERATIONS

[OAR Docket #21-888; filed 12-9-21]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Subchapter 5. Rules of Practice
175:1-5-13. Agency rulemaking [AMENDED]

SUMMARY:
The proposed rule amendments are designed to comply with Title 75, Section 305, which requires agencies to promulgate rules allowing for "interested persons" to submit petitions requesting rule promulgation, amendment, or repeal. The amended rule sets forth the requirements for the rulemaking petition, as well as the Board's policy for responding to such petitions.

AUTHORITY:
59 O.S. § 199.3 and § 199.7; State Board of Cosmetology and Barbering
75 O.S. § 305; Oklahoma Administrative Procedures Act

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to John Funderburk at the above address during the period from February 1, 2022 to March 3, 2022.

COPIES OF PROPOSED RULES:
The proposed rules may be viewed on the agency's website at www.cosmo.ok.gov and copies may be obtained from the Oklahoma State Board of Cosmetology and Barbering Board's office located at 2401 NW 23rd Street, Suite 84, Oklahoma City, OK 73107. Copies may also be obtained by written request mailed to the attention of John Funderburk, 2401 NW 23rd Street, Suite 84, Oklahoma City, OK 73107 or emailed to John.Funderburk@cosmo.ok.gov

RULE IMPACT STATEMENT:
Pursuant to 75 O.S., §303(D), a rule impact statement is being prepared and will be available for review on and after February 1, 2022 at the above addresses.

CONTACT PERSON:
John Funderburk, Oklahoma, State Board of Cosmetology and Barbering. Tel. 405-522-7616, John.Funderburk@cosmo.ok.gov.

[OAR Docket #21-915; filed 12-14-21]

TITLE 235. OKLAHOMA FUNERAL BOARD
CHAPTER 10. FUNERAL SERVICES LICENSING

[OAR Docket #21-949]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
235:10-1-4 [AMENDED]

SUMMARY:
The proposed rule provides for instructions for requests for rule adoption, amendment, or repeal.

AUTHORITY:
Oklahoma Funeral Board
Title 59 O.S. Section 396.2a
Title 59 O.S. Section 396.17
Title 75 O.S. Section 302 (A)(1)
Title 75 O.S. Section 307

COMMENT PERIOD:
Persons wishing to present their views regarding this action may do so by delivering or mailing their written comments to the Oklahoma Funeral Board, 3700 N. Classen Boulevard,
NOTICES OF RULEMAKING INTENT

Suite 175, Oklahoma City, Oklahoma 73118, from December 27, 2021 to February 17, 2022.

PUBLIC HEARING:
A public hearing will be held at 10:00 a.m. on Thursday, February 17, 2022 in the Oklahoma Funeral Board office, 3700 N. Classen Boulevard, Suite 175, Oklahoma City, Oklahoma 73118.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:
The Oklahoma Funeral Board request that business entities affected by these proposed rules provide the Board, within the comment period, in dollar amounts the level of direct cost, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Tyler Stiles, Executive Director, Oklahoma Funeral Board, 3700 N. Classen Blvd., Suite 175, Oklahoma City, Oklahoma 73118, 405-522-1790.

Copies of the proposed rules may be obtained for review at the office of the Oklahoma Funeral Board, 3700 N. Classen Boulevard, Suite 175, Oklahoma City, Oklahoma 73118 or by email request at info@funeral.ok.gov.

RULE IMPACT STATEMENT:
A rule impact statement waiver will be requested from the Office of the Governor.

CONTACT PERSON:
Tyler Stiles, Executive Director, Oklahoma Funeral Board, 3700 N. Classen Blvd., Suite 175, Oklahoma City, Oklahoma 73118, 405-522-1790.

[OAR Docket #21-949: filed 12-20-21]

TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 410. RADIATION MANAGEMENT

[OAR Docket #21-920]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
252:410-1-7 [AMENDED]
Subchapter 5. Certification of Industrial Radiographers
252:410-5-5 [AMENDED]
Subchapter 7. Radiation Management Authorizations; Procedures and Requirements
Part 1. General Provisions Common to All Authorizations
252:410-7-1 [AMENDED]
252:410-7-5 [AMENDED]
Part 3. Reciprocity Recognition
252:410-7-31 [AMENDED]
Subchapter 10. Radioactive Materials Program
Part 37. Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material
252:410-10-37 [AMENDED]
Part 71. Packaging and Transporting Radioactive Material
252:410-10-71 [AMENDED]

SUMMARY:
The proposed rulemaking consists of four main elements. The first element is to amend Chapter 410, Subchapter 1, General Provisions, [See OAC 252:410-1-7(a) and (b)] to change the date for incorporation of federal regulations by reference to January 1, 2021 for 10 C.F.R. and July 1, 2020 for 40 C.F.R. The second element of this rulemaking is to amend the regulations related to the industrial radiography certification. All industrial radiography certification requests for active-duty military personnel and their spouses will be processed pursuant to 59 O.S. § 4100.8. The third element is to remove references to revoked Subchapter 19. The fourth element is to clarify communication requirements in 252:410-10-37 and 252:410-10-71.

The gist of this rulemaking is to maintain compatibility with federal regulations and meet the requirements of 59 O.S. § 4100.8. This rulemaking also completes the rule review directed by Governor Stitt's Executive Order 2020-03.

AUTHORITY:
Environmental Quality Board; 27A O.S. §§ 2-2-101, and 2-2-104.
Radiation Management Advisory Council; 27A O.S. § 2-2-201.
Radiation Management Act; 27A O.S. §§ 2-9-104, and 2-9-105.

COMMENT PERIOD:
Oral comments may be made at the Environmental Quality Board meeting on February 18, 2022, at the Department of Environmental Quality offices, first floor, 707 N. Robinson, Oklahoma City, OK 73101. Previously, the written comment period was open from August 16, 2021 through September 29, 2021 and oral comments were received before the Radiation Management Advisory Council at 9:00 a.m. on September 30, 2021.

PUBLIC HEARINGS:
Before the Environmental Quality Board at its meeting scheduled for February 18, 2022, at the Department of Environmental Quality offices, first floor, 707 N. Robinson, Oklahoma City, OK 73101.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
The Department requests that business entities affected by these proposed rules provide the Department, within the comment period and in dollar amounts if possible, the increase or decrease in the level of direct costs such as fees, and the indirect costs such as reporting, record keeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules.

PROPOSED RULES:
Copies of the proposed rules may be obtained from the contact person, may be viewed on the DEQ website at www.deq.ok.gov/land-protection-division/land-protection-
division-proposed-rules/, or may be reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma 73102.

RULE IMPACT STATEMENT:
The Rule Impact Statement for the proposed rules will be on file at the Department of Environmental Quality and may be requested from the contact person, or viewed on the DEQ website at www.deq.ok.gov/land-protection-division/land-protection-division-proposed-rules/.

CONTACT PERSON:
Mike Broderick, Environmental Programs Manager, Land Protection Division, Radiation Management Section, may be reached by phone at (405) 702-5100 or fax at (405) 702-5101. Please email written comments to mike.broderick@deq.ok.gov. Mail should be addressed to Department of Environmental Quality, Radiation Management Section, P.O. Box 1677, Oklahoma City, OK 73101-1677.

ADDITIONAL INFORMATION:
Persons with disabilities who desire to attend the public hearing and need assistance should notify the contact person three days in advance of the meeting during business hours at 405-702-5100 or by using TDD relay number 1-800-522-8506.

[OAR Docket #21-920; filed 12-16-21]

TITLE 300. GRAND RIVER DAM AUTHORITY
CHAPTER 20. ACQUISITION POLICY

[OAR Docket #21-921]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
300:20-1-1. [AMENDED]

SUMMARY:
Consulting services were included in the services that are exempt from the competitive bidding processes. In addition, the Authority has clarified that utility acquisitions include services, equipment, and materials related to the supply or provision of electrical power and energy. The proposed changes will streamline the processes as internal GRDA policies govern the details.

AUTHORITY:
Grand River Dam Authority; 82 O.S. 2019 § 861A(B)(1), 82 O.S. 2019 § 363.2(B)

COMMENT PERIOD:
Written and oral comments will be accepted January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, Attention: Tamara Jahnke or by email to tamara.jahnke@grda.com.

PUBLIC HEARING:
A public hearing will be conducted to provide an opportunity for persons to orally present their views on the content of the proposed rules. Each person will be allowed a maximum of five minutes to speak and each person must sign in at the door. The public hearing will be held on Wednesday, February 23, 2022 at 10:00 a.m. in the Scissortail Room of Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The alternate date and time in the event of inclement weather is Tuesday, March 1, 2022 at 10:00 a.m. in the Scissortail Room.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
Grand River Dam Authority requests that business entities or any other members of the public affected by these rules provide the agency, within the Comment Period from January 19, 2022 through 4:00 p.m. on February 18, 2022, in dollar amounts if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity or public member due to compliance with the proposed rules. This information may be submitted in writing from January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, Attention: Tamara Jahnke or tamara.jahnke@grda.com.

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained by contacting Tamara Jahnke at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, tamara.jahnke@grda.com.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. 2021 § 303 (D), a Rule Impact Statement has been prepared and is available at the offices of Grand River Dam Authority, Legal Division, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The Rule Impact Statement may also be viewed on the Grand River Dam Authority website at www.grda.com.

CONTACT PERSON:
Tamara Jahnke, Assistant General Counsel, (918) 610-9686, tamara.jahnke@grda.com.

[OAR Docket #21-921; filed 12-20-21]

TITLE 300. GRAND RIVER DAM AUTHORITY
CHAPTER 30. AIRCRAFT TRAVEL USE LOGS

[OAR Docket #21-922]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
300:30-1-1. [REVOKED]
300:30-1-2. [REVOKED]
NOTICES OF RULEMAKING INTENT

300:30-1-3. [REVOKED]
300:30-1-4. [REVOKED]

SUMMARY:
Under 82 O.S. § 862.1, the Grand River Dam Authority is exempt from the State Travel Reimbursement Act. The administrative rules in Title 300, Chapter 30, concerning aircraft travel use log provisions of the State Travel Reimbursement Act are no longer necessary.

AUTHORITY:
Grand River Dam Authority; 82 O.S. 2019 § 861A(B)(1), 82 O.S. 2019 § 863.2(B)

COMMENT PERIOD:
Written and oral comments will be accepted January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, Attention: Tamara Jahnke or by email to tamara.jahnke@grda.com.

PUBLIC HEARING:
A public hearing will be conducted to provide an opportunity for persons to orally present their views on the content of the proposed rules. Each person will be allowed a maximum of five minutes to speak and each person must sign in at the door. The public hearing will be held on Wednesday, February 23, 2022 at 10:00 a.m. in the Scissortail Room of Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The alternate date and time in the event of inclement weather is Tuesday, March 2, 2022 at 10:00 a.m. in the Scissortail Room.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
Grand River Dam Authority requests that business entities or any other members of the public affected by these rules provide the agency, within the comment period from January 19, 2022 through 4:00 p.m. on February 18, 2022, in dollar amounts if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity or public member due to compliance with the proposed rules. This information may be submitted in writing from January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, 918) 610-9686, Attention: Tamara Jahnke or tamara.jahnke@grda.com.

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained by contacting Tamara Jahnke at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, 918) 610-9686, tamara.jahnke@grda.com.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. 2021 § 303(D), a Rule Impact Statement has been prepared and is available at the offices of Grand River Dam Authority, Legal Division, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The Rule Impact Statement may also be viewed on the Grand River Dam Authority website at www.grda.com.

CONTACT PERSON:
Tamara Jahnke, Assistant General Counsel, (918) 610-9686, tamara.jahnke@grda.com.

[OAR Docket #21-922; filed 12-20-21]

TITLE 300. GRAND RIVER DAM AUTHORITY
CHAPTER 35. LAKE RULES

[OAR Docket #21-923]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Subchapter 1. Definitions, Purpose and Application
300:35-1-1. [AMENDED]
300:35-3-12. [AMENDED]
300:35-3-14. [AMENDED]
300:35-3-15. [AMENDED]
Subchapter 11. Permits for Wharves, Landings, Buoys, Breakwaters and Docking Facilities
300:35-11-3. [AMENDED]
300:35-11-4. [AMENDED]
300:35-11-14. [NEW]
Subchapter 13. Permits for Dikes, Excavations, Dredgings, Erosion Control Devices, Retaining Walls, and Shoreline Stabilization
300:35-13-2. [AMENDED]
300:35-13-4. [AMENDED]
300:35-13-7. [NEW]
Subchapter 15. Commercial Use of the Lakes and Lands of GRDA
300:35-15-2. [AMENDED]
Subchapter 21. Administration of Rules and Hearings
300:35-21-1. [REVOKED]
300:35-21-2. [REVOKED]
300:35-21-3. [REVOKED]
300:35-21-4. [REVOKED]
300:35-21-5. [REVOKED]
300:35-21-6. [REVOKED]
300:35-21-7. [REVOKED]
300:35-21-8. [REVOKED]
Subchapter 23. Four-Wheel Vehicles, Off-Road Vehicles and All Terrain Vehicles
300:35-23-8. [AMENDED]
Subchapter 27. Vegetation Management Plan
300:35-27-4. [AMENDED]
300:35-27-8. [AMENDED]
Subchapter 30. Flowage Easements [NEW]
300:35-30-1. [NEW]

SUMMARY:
A definition for flowage easement has been added, as well as two new paragraphs governing flowage easement activities.
A new paragraph has been included addressing the prohibition of habitable structures or Dock-o-miniums after November 12, 2008. Structures existing before this date must meet health, safety and construction guidelines approved by the Grand River Dam Authority Board of Directors. The Administration of Rules and Hearings subchapter has been stricken and being proposed for promulgation as new Chapter 45 Administration of Rules and Hearings. Other general clarifications have been made.

AUTHORITY:
Grand River Dam Authority; 82 O.S. 2019 § 861A(B)(1), 82 O.S. 2019 § 863.2(B)

COMMENT PERIOD:
Written and oral comments will be accepted January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, Attention: Tamara Jahnke or by email to tamara.jahnke@grda.com.

PUBLIC HEARING:
A public hearing will be conducted to provide an opportunity for persons to orally present their views on the content of the proposed rules. Each person will be allowed a maximum of five minutes to speak and each person must sign in at the door. The public hearing will be held on Wednesday, February 23, 2022 at 10:00 a.m. in the Scissortail Room of Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The alternate date and time in the event of inclement weather is Tuesday, March 1, 2022 at 10:00 a.m. in the Scissortail Room.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
Grand River Dam Authority requests that business entities or any other members of the public affected by these rules provide the agency, within the Comment Period from January 19, 2022 through 4:00 p.m. on February 18, 2022, in dollar amounts if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity or public member due to compliance with the proposed rules. This information may be submitted in writing from January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, Attention: Tamara Jahnke or tamara.jahnke@grda.com.

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained by contacting Tamara Jahnke at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, tamara.jahnke@grda.com.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. 2021 § 303 (D), a Rule Impact Statement has been prepared and is available at the offices of Grand River Dam Authority, Legal Division, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The Rule Impact Statement may also be viewed on the Grand River Dam Authority website at www.grda.com.

CONTACT PERSON:
Tamara Jahnke, Assistant General Counsel, (918) 610-9686, tamara.jahnke@grda.com.

[OAR Docket #21-923; filed 12-20-21]

TITLE 300. GRAND RIVER DAM AUTHORITY
CHAPTER 40. SCENIC RIVERS RULES

[OAR Docket #21-924]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Subchapter 1. Licensing and Use Permits [NEW]
300:40-1-1. [NEW]
300:40-1-2. [NEW]
300:40-1-3. [NEW]
300:40-1-4. [NEW]
300:40-1-5. [NEW]
300:40-1-6. [NEW]
Subchapter 2. Public Access Areas [NEW]
300:40-2-1. [NEW]
300:40-2-2. [NEW]
300:40-2-3. [NEW]
Subchapter 3. Boater Safety [NEW]
300:40-3-1. [NEW]
300:40-3-2. [NEW]
300:40-3-3. [NEW]
Subchapter 4. Protection of Natural Resources [NEW]
300:40-4-1. [NEW]
300:40-4-2. [NEW]
300:40-4-3. [NEW]
300:40-4-4. [NEW]
300:40-4-5. [NEW]
300:40-4-6. [NEW]
300:40-4-7. [NEW]

SUMMARY:
Effective July 1, 2016, the Scenic Rivers Commission created pursuant to Section 1461 of Title 82 of the Oklahoma Statutes was terminated and the rights and authorities of the Scenic Rivers Commission were transferred to the Grand River Dam Authority. 82 O.S. § 896.1. Further, Chapters 10 and 15 of Title 630 of the Oklahoma Administrative Code relating to licensing, use permits, and the protection of natural resources were transferred to the Grand River Dam Authority. 82 O.S. § 896.2. Additionally, the Authority is authorized to promulgate rules protecting the natural resources of the scenic rivers, regulating public use areas, establishing use permits for scenic rivers, establishing licensing requirements for commercial float operators and setting fees for the issuance of the licenses. Id. The proposed rules concern licensing of commercial float operations and flotation devices, and the collection of fees to preserve the Illinois River as a Scenic River located within
the counties of Adair, Cherokee, and Delaware in Oklahoma. Additionally, rules have been proposed regarding public access areas, camping restrictions, and boater safety to protect the natural resources of the Illinois River.

**AUTHORITY:**

Grand River Dam Authority; 82 O.S. 2019 § 861A(B)(1), 82 O.S. 2019 § 863.2(B)

**COMMENT PERIOD:**

Written and oral comments will be accepted January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, Attention: Tamara Jahnke or by email to tamara.jahnke@grda.com.

**PUBLIC HEARING:**

A public hearing will be conducted to provide an opportunity for persons to orally present their views on the content of the proposed rules. Each person will be allowed a maximum of five minutes to speak and each person must sign in at the door. The public hearing will be held on Wednesday, February 23, 2022 at 10:00 a.m. in the Scissortail Room of Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The alternate date and time in the event of inclement weather is Tuesday, March 1, 2022 at 10:00 a.m. in the Scissortail Room.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Grand River Dam Authority requests that business entities or any other members of the public affected by these rules provide the agency, within the Comment Period from January 19, 2022 through 4:00 p.m. on February 18, 2022, in dollar amounts if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity or public member due to compliance with the proposed rules. This information may be submitted in writing from January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, Attention: Tamara Jahnke or tamara.jahnke@grda.com.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Tamara Jahnke at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, tamara.jahnke@grda.com.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. 2021 § 303 (D), a Rule Impact Statement has been prepared and is available at the offices of Grand River Dam Authority, Legal Division, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The Rule Impact Statement may also be viewed on the Grand River Dam Authority website at www.grda.com.

**CONTACT PERSON:**

Tamara Jahnke, Assistant General Counsel, (918) 610-9686, tamara.jahnke@grda.com.

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**TITLE 300. GRAND RIVER DAM AUTHORITY
CHAPTER 45. ADMINISTRATION OF RULES AND HEARINGS**

*[OAR Docket #21-925]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

300:45-1-1. [NEW]
300:45-1-2. [NEW]
300:45-1-3. [NEW]
300:45-1-4. [NEW]
300:45-1-5. [NEW]
300:45-1-6. [NEW]
300:45-1-7. [NEW]
300:45-1-8. [NEW]

**SUMMARY:**

The proposed rules detail the duties of the Chief Executive Officer and the Board of Directors for enforcement proceedings related to the issuance of permits, and licenses by the agency. The proposed rules allow for a Notice of Violation to be issued, a hearing officer to preside over any hearing and prepare a written report which shall be presented to the Board of Directors for action. The text of the proposed rules is currently included in Title 300, Chapter 35 Lake Rules and has been revised and is proposed as a separate chapter.

**AUTHORITY:**

Grand River Dam Authority; 82 O.S. 2019 § 861A(B)(1), 82 O.S. 2019 § 863.2(B)

**COMMENT PERIOD:**

Written and oral comments will be accepted January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, Attention: Tamara Jahnke or by email to tamara.jahnke@grda.com.

**PUBLIC HEARING:**

A public hearing will be conducted to provide an opportunity for persons to orally present their views on the content of the proposed rules. Each person will be allowed a maximum of five minutes to speak and each person must sign in at the door. The public hearing will be held on Wednesday, February 23, 2022 at 10:00 a.m. in the Scissortail Room of Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The alternate date and time in the event of inclement weather is Tuesday, March 1, 2022 at 10:00 a.m. in the Scissortail Room.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Grand River Dam Authority requests that business entities or any other members of the public affected by these rules provide the agency, within the Comment Period from January 19, 2022 through 4:00 p.m. on February 18, 2022, in dollar amounts if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the
business entity or public member due to compliance with the proposed rules. This information may be submitted in writing from January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, Attention: Tamara Jahnke or tamara.jahnke@grda.com.

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained by contacting Tamara Jahnke at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, tamara.jahnke@grda.com.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. 2021 § 303 (D), a Rule Impact Statement has been prepared and is available at the offices of Grand River Dam Authority, Legal Division, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The Rule Impact Statement may also be viewed on the Grand River Dam Authority website at www.grda.com.

CONTACT PERSON:
Tamara Jahnke, Assistant General Counsel, (918) 610-9686, tamara.jahnke@grda.com.

[OAR Docket #21-925; filed 12-20-21]

TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH
CHAPTER 315. PUBLIC BATHING PLACE FACILITY STANDARDS

[OAR Docket #21-890]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
310:315-1-1 [AMENDED]
310:315-1-2 [AMENDED]
Subchapter 3. Plan Documents
310:315-3-1 [AMENDED]
Subchapter 5. Water and Sewer Facilities
310:315-5-1 [AMENDED]
310:315-5-2 [AMENDED]
Subchapter 7. Construction and Operation
310:315-7-1 [AMENDED]
310:315-7-2 [AMENDED]
310:315-7-3 [AMENDED]
310:315-7-4 [AMENDED]
310:315-7-6 [AMENDED]
310:315-7-7 [AMENDED]
310:315-7-9 [AMENDED]
310:315-7-10 [REVOKED]
310:315-7-11 [AMENDED]
310:315-7-12 [AMENDED]
310:315-7-13 [AMENDED]
310:315-7-14 [AMENDED]
310:315-7-15 [AMENDED]

310:315-7-16 [AMENDED]
310:315-7-18 [AMENDED]
APPENDIX A [NEW]
APPENDIX B [NEW]
APPENDIX C [NEW]

SUMMARY:
These proposed rules are primarily a reduction in rule language related to the Governor's executive order to do so. Reductions remove unnecessary language, provide clarity, or relocate information to better serve the industry or general public. Items added provide clarity of existing operations or provide allowances to reduce burden on industry.

AUTHORITY:
Commissioner of Health; Title 63 O.S. § 1-104; Title 63 O.S. § 1-1013

COMMENT PERIOD:
January 18, 2022 through the close of the Department's normal business hours, 5 PM, on February 18, 2022. Interested persons may informally discuss the proposed rules with the contact person identified below; or may, through the close of the Department's normal business hours, 5 PM, on February 18, 2022, submit written comment to the contact person identified below, or may, at the hearing, ask to present written or oral views.

PUBLIC HEARING:
Pursuant to 75 O.S. § 303(A), the public hearing for the proposed rulemaking in this chapter shall be on February 18, 2022 at the Oklahoma State Department of Health Auditorium, 123 Robert S. Kerr Avenue, Oklahoma City, Oklahoma 73102 from 9:30 AM to 12:30 PM. The meeting may adjourn earlier if all attendees who signed up to comment have completed giving their comments. The alternate date and time in the event of an office closure due to inclement weather is February 22, 2022 in the Auditorium, from 9:30 AM to 12:30 PM. Those wishing to present oral comments should be present at that time to register to speak. The hearing will close at the conclusion of those registering to speak. Interested persons may attend for the purpose of submitting data, views or concerns, orally or in writing, about the rule proposal described and summarized in this Notice. Validated parking will be provided for the parking lot located at the east corner of Broadway and Robert S. Kerr Avenue, subject to availability.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, on the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rule. Business entities may submit this information in writing through the close of the Department's normal business hours, 5 PM, on February 18, 2022, to the contact person identified below.
NOTICES OF RULEMAKING INTENT

COPIES OF PROPOSED RULES:
The proposed rules may be obtained for review from the contact person identified below or via the agency website at www.ok.gov/health.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S., § 303(D), a rule impact statement is available through the contact person identified below or via the agency website at www.ok.gov/health.

CONTACT PERSON:
Audrey C. Talley, Agency Rule Liaison, Oklahoma State Department of Health, 123 Robert S. Kerr Avenue, Oklahoma City, OK 73102, phone (405) 426-8563, e-mail AudreyT@health.ok.gov.

[OAR Docket #21-890; filed 12-13-21]

TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH
CHAPTER 320. PUBLIC BATHING PLACE OPERATIONS

[OAR Docket #21-891]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
310:320-1-2. [AMENDED]
310:320-1-3. [AMENDED]
310:320-3-1. [AMENDED]
310:320-3-2. [AMENDED]
310:320-3-3. [AMENDED]
310:320-3-4. [AMENDED]
310:320-3-5. [AMENDED]
310:320-3-6. [AMENDED]
310:320-3-7. [AMENDED]
310:320-3-9. [AMENDED]
310:320-3-10. [AMENDED]
310:320-3-11. [AMENDED]
310:320-3-13. [AMENDED]
Subchapter 5. Forms and Tables
310:320-5-1. [AMENDED]
310:320-5-2. [AMENDED]
310:320-5-3. [REVOLED]
310:320-5-4. [REVOLED]
310:320-5-5. [REVOLED]
310:320-5-5.1. [NEW]
310:320-5-6. Application guidelines for permits to construct and licenses to operate public bathing places [REVOLED]
310:320-5-6.1. [NEW]
310:320-5-7. Figures [REVOLED]

SUMMARY:
310:320-1-2. Definitions [AMENDED] removal of unused definitions, clarifying existing definitions, added a definition to provide clarity
310:320-1-3. Operational license [AMENDED] reduction in language, clarification
310:320-3-1. Life saving equipment [AMENDED] clarified rules to manufacturer's recommendations and cleaned up language around safety equipment.
310:320-3-2. Personnel [AMENDED] Adds an allowance for the lifeguard age to be reduced to 15 in the event of a lifeguard shortage. Removes the requirement to conduct emergency drills. Reduction in language, clarification. Changed bleach solution concentration units to match other sections. Move signage requirement to this section.
310:320-3-4. Safety provisions [AMENDED] reduction in language, clarification
310:320-3-5. Swimming suits and towels furnished by management [AMENDED] reduction in language, clarification
310:320-3-6. Wading and spray pool operation [AMENDED] reduction in language, clarification
310:320-3-9. Sampling and testing procedures [AMENDED] reduction in language, clarification
310:320-3-10. Satisfactory compliance of records [AMENDED] Removed requirement to post inspection sheets. Clarified reporting requirements. reduction in language, clarification
310:320-3-13. Subsequent examination, investigation, and inspection [AMENDED] Lowered reinspection fee amount. Clarified language around when fee required. reduction in language, clarification
310:320-5-1. Portable pools [AMENDED] reduction in language, clarification
310:320-5-5. Application for license [AMENDED] reduction in language, clarification
310:320-5-6. [REVOLED] removed
310:320-5-6.1. Application guidelines for permits to construct and licenses to operate public bathing places [AMENDED] reduction in language, clarification
310:320-5-7. Figures [REVOLED] removed

AUTHORITY:
Commissioner of Health; Title 63 O.S. § 1-104
COMMENT PERIOD:

January 18, 2022 through the close of the Department's normal business hours, 5 PM, on February 18, 2022. Interested persons may informally discuss the proposed rules with the contact person identified below; or may, through the close of the Department's normal business hours, 5 PM, on February 18, 2022, submit written comment to the contact person identified below, or may, at the hearing, ask to present written or oral views.

PUBLIC HEARING:

Pursuant to 75 O.S. § 303(A), the public hearing for the proposed rulemaking in this chapter shall be on February 18, 2022 at the Oklahoma State Department of Health Auditorium, 123 Robert S. Kerr Avenue, Oklahoma City, Oklahoma 73102 from 9:30 AM to 12:30 PM. The meeting may adjourn earlier if all attendees who signed up to comment have completed giving their comments. The alternate date and time in the event of an office closure due to inclement weather is February 22, 2022 in the Auditorium, from 9:30 AM to 12:30 PM. Those wishing to present oral comments should be present at that time to register to speak. The hearing will close at the conclusion of those registering to speak. Interested persons may attend for the purpose of submitting data, views or concerns, orally or in writing, about the rule proposal described and summarized in this Notice. Validated parking will be provided for the parking lot located at the east corner of Broadway and Robert S. Kerr Avenue, subject to availability.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, on the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rule. Business entities may submit this information in writing through the close of the Department's normal business hours, 5 PM, on February 18, 2022, to the contact person identified below.

COPIES OF PROPOSED RULES:

The proposed rules may be obtained for review from the contact person identified below or via the agency website at www.ok.gov/health.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a rule impact statement is available through the contact person identified below or via the agency website at www.ok.gov/health.

CONTACT PERSON:

Audrey C. Talley, Agency Rule Liaison, Oklahoma State Department of Health, 123 Robert S. Kerr Avenue, Oklahoma City, OK 73102, phone (405) 426-8563, e-mail AudreyT@health.ok.gov.

[OAR Docket #21-892: filed 12-13-21]
costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rule. Business entities may submit this information in writing through the close of the Department's normal business hours, 5 PM, on February 18, 2022, to the contact person identified below.

**COPIES OF PROPOSED RULES:**
The proposed rules may be obtained for review from the contact person identified below or via the agency website at www.ok.gov/health.

**RULE IMPACT STATEMENT:**
Pursuant to 75 O.S., § 303(D), a rule impact statement is available through the contact person identified below or via the agency website at www.ok.gov/health.

**CONTACT PERSON:**
Audrey C. Talley, Agency Rule Liaison, Oklahoma State Department of Health, 123 Robert S. Kerr Avenue, Oklahoma City, OK 73102, phone (405) 426-8563, e-mail AudreyT@health.ok.gov.

*[OAR Docket #21-892: filed 12-13-21]*

**TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH**
**CHAPTER 641. EMERGENCY MEDICAL SERVICES**

*[OAR Docket #21-893]*

**RULEMAKING ACTION:**
Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**
Chapter 641. Emergency Medical Services [AMENDED]

**SUMMARY:**
Executive Order 2020-03 (signed February 3, 2020) directed all state agencies to undertake a critical and comprehensive review of their administrative rules to reduce regulatory burden, while continuing to protect public health and safety. Agencies are to specifically identify costly, ineffective, duplicative, and outdated regulations. This EO also requests elimination of regulatory restriction words: shall, must, require, shall not, may not and prohibit.

A review of 641 did determine that the current rules contain duplicative language regarding the different applications the EMS Division processes for agency certifications and licenses. The proposed changes address this by creating one new subchapter for all applications, and by revoking the individual application sections in each subchapter. Additional sections of the regulations have been revoked or deleted because the specific language does not apply to the certification or license type.

While complying with EO 2020-03, the Division engaged with a subcommittee of the Oklahoma Trauma and Emergency Response Advisory Council. The subcommittee was comprised of individuals from the industry to determine which regulations needed to be amended for clarification purposes as well as staying abreast of industry needs. This has resulted in two new rules and amended language to clarify existing rules.

**AUTHORITY:**
Commissioner of Health; Title 63 O.S. § 1-104; § 1-2501 et seq.

**COMMENT PERIOD:**
January 18, 2022 through the close of the Department's normal business hours, 5 PM, on February 18, 2022. Interested persons may informally discuss the proposed rules with the contact person identified below; or may, through the close of the Department's normal business hours, 5 PM, on February 18, 2022, submit written comment to the contact person identified below, or may, at the hearing, ask to present written or oral views.

**PUBLIC HEARING:**
Pursuant to 75 O.S. § 303(A), the public hearing for the proposed rulemaking in this chapter shall be on February 18, 2022 at the Oklahoma State Department of Health Auditorium, 123 Robert S. Kerr Avenue, Oklahoma City, Oklahoma 73102 from 9:30 AM to 12:30 PM. The meeting may adjourn earlier if all attendees who signed up to comment have completed giving their comments. The alternate date and time in the event of an office closure due to inclement weather is February 22, 2022 in the Auditorium, from 9:30 AM to 12:30 PM. Those wishing to present oral comments should be present at that time to register to speak. The hearing will close at the conclusion of those registering to speak. Interested persons may attend for the purpose of submitting data, views or concerns, orally or in writing, about the rule proposal described and summarized in this Notice. Validated parking will be provided for the parking lot located at the east corner of Broadway and Robert S. Kerr Avenue, subject to availability.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**
Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, on the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rule. Business entities may submit this information in writing through the close of the Department's normal business hours, 5 PM, on February 18, 2022, to the contact person identified below.

**COPIES OF PROPOSED RULES:**
The proposed rules may be obtained for review from the contact person identified below or via the agency website at www.ok.gov/health.

**RULE IMPACT STATEMENT:**
Pursuant to 75 O.S., § 303(D), a rule impact statement is available through the contact person identified below or via the agency website at www.ok.gov/health.
**CONTACT PERSON:**
Audrey C. Talley, Agency Rule Liaison, Oklahoma State Department of Health, 123 Robert S. Kerr Avenue, Oklahoma City, OK 73102, phone (405) 426-8563, e-mail AudreyT@health.ok.gov.

[OAR Docket #21-893; filed 12-13-21]

**TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 661. HOSPICE**

[OAR Docket #21-894]

**RULEMAKING ACTION:**
Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**
Chapter 661. Hospice Regulation [AMENDED]

**SUMMARY:**
The changes to Chapter 661 were editorial to achieve clarity in the rules to facilitate understanding of the requirements and consequently, to facilitate compliance with the rules. Governor Kevin Stitt issued an executive order designed to reduce state regulations by 25%. The order requires that state agencies review their administrative rules and list any that are expensive, ineffective, redundant, or outdated and for all new restrictive rules proposed after February 15, 2020, eliminate at least two existing regulatory restrictions until agencies reduce regulations.

**AUTHORITY:**
Commissioner of Health; Title 63 O.S. § 1-104

**COMMENT PERIOD:**
January 18, 2022 through the close of the Department's normal business hours, 5 PM, on February 18, 2022. Interested persons may informally discuss the proposed rules with the contact person identified below; or may, through the close of the Department's normal business hours, 5 PM, on February 18, 2022, submit written comment to the contact person identified below, or may, at the hearing, ask to present written or oral views.

**PUBLIC HEARING:**
Pursuant to 75 O.S. § 303(A), the public hearing for the proposed rulemaking in this chapter shall be on February 18, 2022 at the Oklahoma State Department of Health Auditorium, 123 Robert S. Kerr Avenue, Oklahoma City, Oklahoma 73102 from 9:30 AM to 12:30 PM. The meeting may adjourn earlier if all attendees who signed up to comment have completed giving their comments. The alternate date and time in the event of an office closure due to inclement weather is February 22, 2022 in the Auditorium, from 9:30 AM to 12:30 PM. Those wishing to present oral comments should be present at that time to register to speak. The hearing will close at the conclusion of those registering to speak. Interested persons may attend for the purpose of submitting data, views or concerns, orally or in writing, about the rule proposal described and summarized in this Notice. Validated parking will be provided for the parking lot located at the east corner of Broadway and Robert S. Kerr Avenue, subject to availability.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**
Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, on the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rule. Business entities may submit this information in writing through the close of the Department's normal business hours, 5 PM, on February 18, 2022, to the contact person identified below.

**COPIES OF PROPOSED RULES:**
The proposed rules may be obtained for review from the contact person identified below or via the agency website at www.ok.gov/health

**RULE IMPACT STATEMENT:**
Pursuant to 75 O.S., § 303(D), a rule impact statement is available through the contact person identified below or via the agency website at www.ok.gov/health.

**CONTACT PERSON:**
Audrey C. Talley, Agency Rule Liaison, Oklahoma State Department of Health, 123 Robert S. Kerr Avenue, Oklahoma City, OK 73102, phone (405) 426-8564, e-mail AudreyT@health.ok.gov.

[OAR Docket #21-894; filed 12-13-21]

**TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 663. CONTINUUM OF CARE AND ASSISTED LIVING**

[OAR Docket #21-895]

**RULEMAKING ACTION:**
Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**
Subchapter 3. Service and Care
310:663-3-5 [AMENDED]
Subchapter 21. Applying for a License
310:663-21-2 [AMENDED]
310:663-21-4 [AMENDED]

**SUMMARY:**
The proposed rule amendments will change the licensure renewal from annual to every three years.

The rule change aligns rule requirements with SB 654, which became effective November 1, 2021. This legislation changed the licensure renewal from annual to every three years. This changes the fee for licensure to (number of beds) x ($10.00) x (3 years), which will vary from facility to facility.
AUTHORITY:
Commissioner of Health; Title 63 O.S. § 1-104; Title 63 O.S. § 1-890.4

COMMENT PERIOD:
January 18, 2022 through the close of the Department's normal business hours, 5 PM, on February 18, 2022. Interested persons may informally discuss the proposed rules with the contact person identified below; or may, through the close of the Department's normal business hours, 5 PM, on February 18, 2022, submit written comment to the contact person identified below, or may, at the hearing, ask to present written or oral views.

PUBLIC HEARING:
Pursuant to 75 O.S. § 303(A), the public hearing for the proposed rulemaking in this chapter shall be on February 18, 2022 at the Oklahoma State Department of Health Auditorium, 123 Robert S. Kerr Avenue, Oklahoma City, Oklahoma 73102 from 9:30 AM to 12:30 PM. The meeting may adjourn earlier if all attendees who signed up to comment have completed giving their comments. The alternate date and time in the event of an office closure due to inclement weather is February 22, 2022 in the Auditorium, from 9:30 AM to 12:30 PM. Those wishing to present oral comments should be present at that time to register to speak. The hearing will close at the conclusion of those registering to speak. Interested persons may attend for the purpose of submitting data, views or concerns, orally or in writing, about the rule proposal described and summarized in this Notice. Validated parking will be provided for the parking lot located at the east corner of Broadway and Robert S. Kerr Avenue, subject to availability.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, on the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rule. Business entities may submit this information in writing through the close of the Department's normal business hours, 5 PM, on February 18, 2022, to the contact person identified below.

COPIES OF PROPOSED RULES:
The proposed rules may be obtained for review from the contact person identified below or via the agency website at www.ok.gov/health.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S., § 303(D), a rule impact statement is available through the contact person identified below or via the agency website at www.ok.gov/health.

CONTACT PERSON:
Audrey C. Talley, Agency Rule Liaison, Oklahoma State Department of Health, 123 Robert S. Kerr Avenue, Oklahoma City, OK 73102, phone (405) 426-8563, e-mail AudreyT@health.ok.gov.

[OAR Docket #21-895; filed 12-13-21]

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TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH
CHAPTER 667. HOSPITAL STANDARDS

[OAR Docket #21-896]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Subchapter 1. General Provisions [AMENDED]
Subchapter 59. Classification of Hospital Emergency Services [AMENDED]

SUMMARY:
The legal citations and terminology used in 310:667-1-2 Definitions have been revised to align with statute. In an effort to improve conciseness and readability, the proposed revisions to Subchapter 59. Classification of Hospital Emergency Services eliminate duplication within each Section and consolidate identical requirements by using references to requirements stated in lower classification levels, e.g. "A Level I hospital is subject to the same emergency services requirement as a Level II hospital as set forth in (c)(1)(A) of this Section." We have also applied the same concept for requirements that include a long list of items, e.g. "All of the quality improvement indicators listed for Level III classification set forth in (a)(5) of this Section" and then state the one or two new items, rather than repeating the entire list in each classification level.

AUTHORITY:
Commissioner of Health; Title 63 O.S. § 1-104; Rules and Standards, 63 O.S. § 1-705

COMMENT PERIOD:
January 18, 2022 through the close of the Department's normal business hours, 5 PM, on February 18, 2022. Interested persons may informally discuss the proposed rules with the contact person identified below; or may, through the close of the Department's normal business hours, 5 PM, on February 18, 2022, submit written comment to the contact person identified below, or may, at the hearing, ask to present written or oral views.

PUBLIC HEARING:
Pursuant to 75 O.S. § 303(A), the public hearing for the proposed rulemaking in this chapter shall be on February 18, 2022 at the Oklahoma State Department of Health Auditorium, 123 Robert S. Kerr Avenue, Oklahoma City, Oklahoma 73102 from 9:30 AM to 12:30 PM. The meeting may adjourn earlier if all attendees who signed up to comment have completed giving their comments. The alternate date and time in the event of an office closure due to inclement weather is February 22, 2022 in the Auditorium, from 9:30 AM to 12:30 PM. Those
wishing to present oral comments should be present at that time to register to speak. The hearing will close at the conclusion of those registering to speak. Interested persons may attend for the purpose of submitting data, views or concerns, orally or in writing, about the rule proposal described and summarized in this Notice. Validated parking will be provided for the parking lot located at the east corner of Broadway and Robert S. Kerr Avenue, subject to availability.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, on the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rule. Business entities may submit this information in writing through the close of the Department's normal business hours, 5 PM, on February 18, 2022, to the contact person identified below.

COPIES OF PROPOSED RULES:

The proposed rules may be obtained for review from the contact person identified below or via the agency website at www.ok.gov/health.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., § 303(D), a rule impact statement is available through the contact person identified below or via the agency website at www.ok.gov/health.

CONTACT PERSON:

Audrey C. Talley, Agency Rule Liaison, Oklahoma State Department of Health, 123 Robert S. Kerr Avenue, Oklahoma City, OK 73102, phone (405) 426-8563, e-mail AudreyT@health.ok.gov.

[OAR Docket #21-896; filed 12-13-21]

TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH
CHAPTER 670. CITY AND COUNTY DETENTION FACILITY STANDARDS

[OAR Docket #21-897]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

310:670-1-2 [AMENDED]

Subchapter 5. Standards for Detention Facilities
310:670-5-2 [AMENDED]
310:670-5-5 [AMENDED]
310:670-5-8 [AMENDED]
310:670-5-10 [AMENDED]
310:670-5-11 [AMENDED]

Subchapter 7. Standards for Detention Facilities Holding Juveniles
310:670-7-1 [AMENDED]
310:670-7-2 [AMENDED]

SUMMARY:

310:670-1-2. Definitions - Amendment clarifies definition of words used in the rule (Bunk, Count, Detention Facility, Hot Water, Inmate, Juvenile, Natural Light, Sight Check, Unencumbered Space).
310:670-5-2. Amendment clarifies that three counts are to be conducted daily.
310:670-5-5. Amendment clarifies unencumbered floor space required per inmate.
310:670-5-8. Amendment clarifies number of over-counter medication that can be processed by an inmate and TP screening for new employees.
310:670-5-10. Amendment removes the Department administered examination and amends the detention officer training approval process.
310:670-5-11. Amendment clarifies unencumbered floor space required per inmate.
310:670-7-1. Amendment to reflect recent legislative changes for juvenile detention in adult jails.
310:670-7-2. Amendment to reflect recent legislative changes for juvenile detention in adult jails.

AUTHORITY:

Commissioner of Health; Title 63 O.S. § 1-104; Title 74 O.S. § 192-E

COMMENT PERIOD:

January 18, 2022 through the close of the Department's normal business hours, 5 PM, on February 18, 2022. Interested persons may informally discuss the proposed rules with the contact person identified below; or may, through the close of the Department's normal business hours, 5 PM, on February 18, 2022, submit written comment to the contact person identified below, or may, at the hearing, ask to present written or oral views.

PUBLIC HEARING:

Pursuant to 75 O.S. § 303(A), the public hearing for the proposed rulemaking in this chapter shall be on February 18, 2022 at the Oklahoma State Department of Health Auditorium, 123 Robert S. Kerr Avenue, Oklahoma City, Oklahoma 73102 from 9:30 AM to 12:30 PM. The meeting may adjourn earlier if all attendees who signed up to comment have completed giving their comments. The alternate date and time in the event of an office closure due to inclement weather is February 22, 2022 in the Auditorium, from 9:30 AM to 12:30 PM. Those wishing to present oral comments should be present at that time to register to speak. The hearing will close at the conclusion of those registering to speak. Interested persons may attend for the purpose of submitting data, views or concerns, orally or in writing, about the rule proposal described and summarized in this Notice. Validated parking will be provided for the parking lot located at the east corner of Broadway and Robert S. Kerr Avenue, subject to availability.
REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, on the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rule. Business entities may submit this information in writing through the close of the Department's normal business hours, 5 PM, on February 18, 2022, to the contact person identified below.

COPIES OF PROPOSED RULES:
The proposed rules may be obtained for review from the contact person identified below or via the agency website at www.ok.gov/health.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S., § 303(D), a rule impact statement is available through the contact person identified below or via the agency website at www.ok.gov/health.

CONTACT PERSON:
Audrey C. Talley, Agency Rule Liaison, Oklahoma State Department of Health, 123 Robert S. Kerr Avenue, Oklahoma City, OK 73102, phone (405) 426-8563, e-mail AudreyT@health.ok.gov.

[OAR Docket #21-897; filed 12-13-21]

TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH
CHAPTER 675. NURSING AND SPECIALIZED FACILITIES

[OAR Docket #21-898]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Subchapter 11. Intermediate Care Facilities of 16 Beds and Less for Individuals with Intellectual Disabilities (ICF/IID-16)
310:675-11-2 [AMENDED]
310:675-11-4 [AMENDED]

SUMMARY:
In both sections, the term "mental retardation" is removed.

AUTHORITY:
Commissioner of Health; Title 63 O.S. §§ 1-104; Nursing Home Care Act, Title 63 O.S. § 1-1904 et seq.; Persons with Disabilities - Respectful Language, Title 25 O.S. § 40

COMMENT PERIOD:
January 18, 2022 through the close of the Department's normal business hours, 5 PM, on February 18, 2022. Interested persons may informally discuss the proposed rules with the contact person identified below; or may, through the close of the Department's normal business hours, 5 PM, on February 18, 2022, submit written comment to the contact person identified below, or may, at the hearing, ask to present written or oral views.

PUBLIC HEARING:
Pursuant to 75 O.S. § 303(A), the public hearing for the proposed rulemaking in this chapter shall be on February 18, 2022 at the Oklahoma State Department of Health Auditorium, 123 Robert S. Kerr Avenue, Oklahoma City, Oklahoma 73102 from 9:30 AM to 12:30 PM. The meeting may adjourn earlier if all attendees who signed up to comment have completed giving their comments. The alternate date and time in the event of an office closure due to inclement weather is February 22, 2022 in the Auditorium, from 9:30 AM to 12:30 PM. Those wishing to present oral comments should be present at that time to register to speak. The hearing will close at the conclusion of those registering to speak. Interested persons may attend for the purpose of submitting data, views or concerns, orally or in writing, about the rule proposal described and summarized in this Notice. Validated parking will be provided for the parking lot located at the east corner of Broadway and Robert S. Kerr Avenue, subject to availability.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, on the increase in the level of direct costs such as fees, and indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rule. Business entities may submit this information in writing through the close of the Department's normal business hours, 5 PM, on February 18, 2022, to the contact person identified below.

COPIES OF PROPOSED RULES:
The proposed rules may be obtained for review from the contact person identified below or via the agency website at www.ok.gov/health.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S., § 303(D), a rule impact statement is available through the contact person identified below or via the agency website at www.ok.gov/health.

CONTACT PERSON:
Audrey C. Talley, Agency Rule Liaison, Oklahoma State Department of Health, 123 Robert S. Kerr Avenue, Oklahoma City, OK 73102, phone (405) 426-8563, e-mail AudreyT@health.ok.gov.

[OAR Docket #21-898; filed 12-13-21]
TITLE 310. OKLAHOMA STATE
DEPARTMENT OF HEALTH
CHAPTER 680. RESIDENTIAL CARE
HOMES

[OAR Docket #21-899]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
- Subchapter 3. Licensure Requirements
  310:680-3-2 [AMENDED]
  310:680-3-3 [AMENDED]

SUMMARY:
The proposed rule amendments will change the licensure
from annual to renewal every three years.
The purpose of the rule change is to align rule requirements
with SB 654, which became effective November 1, 2021. This
legislation changed the licensure from annual to renewal every
three years. This changes the fee for licensure to $75.00 every
three years, which is the sum of the previous $50.00 every two
years.

AUTHORITY:
Commissioner of Health; Title 63 O.S. § 1-104; Title 63
O.S. § 1-822

COMMENT PERIOD:
January 18, 2022 through the close of the Department's
normal business hours, 5 PM, on February 18, 2022. Interested
persons may informally discuss the proposed rules with the
contact person identified below; or may, through the close of the
Department's normal business hours, 5 PM, on February 18,
2022, submit written comment to the contact person identified
below, or may, at the hearing, ask to present written or oral
views.

PUBLIC HEARING:
Pursuant to 75 O.S. § 303(A), the public hearing for the
proposed rulemaking in this chapter shall be on February 18,
2022 at the Oklahoma State Department of Health Auditorium,
123 Robert S. Kerr Avenue, Oklahoma City, OK 73102 from
9:30 AM to 12:30 PM. The meeting may adjourn earlier
if all attendees who signed up to comment have completed
giving their comments. The alternate date and time in the event
of an office closure due to inclement weather is February 22,
2022 in the Auditorium, from 9:30 AM to 12:30 PM. Those
wishing to present oral comments should be present at that time
to register to speak. The hearing will close at the conclusion of
those registering to speak. Interested persons may attend for
the purpose of submitting data, views or concerns, orally or in
writing, about the rule proposal described and summarized in
this Notice. Validated parking will be provided for the parking
lot located at the east corner of Broadway and Robert S. Kerr
Avenue, subject to availability.

REQUESTS FOR COMMENTS FROM BUSINESS
ENTITIES:
Business entities affected by these proposed rules are
requested to provide the agency with information, in dollar
amounts if possible, on the increase in the level of direct
costs such as fees, and indirect costs such as reporting,
recordkeeping, equipment, construction, labor, professional
services, revenue loss, or other costs expected to be incurred
by a particular entity due to compliance with the proposed
rule. Business entities may submit this information in writing
through the close of the Department's normal business hours,
5 PM, on February 18, 2022, to the contact person identified
below.

COPIES OF PROPOSED RULES:
The proposed rules may be obtained for review from the
contact person identified below or via the agency website at
www.ok.gov/health.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S., § 303(D), a rule impact statement is
available through the contact person identified below or via the
agency website at www.ok.gov/health.

CONTACT PERSON:
Audrey C. Talley, Agency Rule Liaison, Oklahoma
State Department of Health, 123 Robert S. Kerr Avenue,
Oklahoma City, OK 73102, phone (405) 426-8563, e-mail
AudreyT@health.ok.gov.

[OAR Docket #21-899; filed 12-13-21]

TITLE 340. DEPARTMENT OF HUMAN
SERVICES
CHAPTER 1. FUNCTION AND STRUCTURE
OF THE OKLAHOMA DEPARTMENT OF
HUMAN SERVICES

[OAR Docket #21-931]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
  340:1-1-1 [AMENDED]
  340:1-1-2 [REVOKED]
  340:1-1-4 [REVOKED]
  340:1-1-17 [REVOKED]
  340:1-1-19 [REVOKED]

(Reference WF 22-1A)

SUMMARY:
Chapter 1, Subchapter 1 is revised as part of the
Governor's Executive Order 2020-03 to reorganize and make
non-substantive changes to improve rule clarity.

AUTHORITY:
Director of Human Services; Section 162 of Title 56 of
the Oklahoma Statutes (56 O.S. § 162); and 75 O.S. §§ 250
through 323.

COMMENT PERIOD:
Written comments are accepted through February 23,
2022, during regular business hours by contacting Holli Kyker,
Oklahoma Human Services (OKDHS), Legal Services, PO
AUTHORITY:
   Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. § 162); 74 O.S. §840-1.3; 74 O.S. §840-1.9; 74 O.S. §840-6.2; 74 O.S. § 840-6.6; OAC 260:25-3-72; OAC 340:1-11-43; and OAC 340:50-1-5.

COMMENT PERIOD:
   Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, Oklahoma Human Services (OKDHS), Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.

PUBLIC HEARING:
   A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
   OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.

COPIES OF PROPOSED RULES:
   Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:
   Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:
   Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

[OAR Docket #21-931; filed 12-20-21]

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TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 1. FUNCTION AND STRUCTURE OF THE OKLAHOMA DEPARTMENT OF HUMAN SERVICES

[OAR Docket #21-932]

RULEMAKING ACTION:
   Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
   Subchapter 11. Civil Rights and Nondiscrimination
   Part 1. Administration Methods
   340:1-11-12 [AMENDED]
   (Reference WF 22-1B)

SUMMARY:
   The proposed amendment to Chapter 1, Subchapter 11 amends the rule to remove information that is misleading or inaccurate in regards to individuals’ right to appeal and to whom.

[OAR Docket #21-932; filed 12-20-21]

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TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 2. ADMINISTRATIVE COMPONENTS

[OAR Docket #21-933]

RULEMAKING ACTION:
   Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
   Subchapter 7. Office of Inspector General
Part 1. Responsibilities and Functions
340:2-7-9 [REVOKED]
Part 2. Use of Force
340:2-7-17 [REVOKED]
Part 3. Audits of Grant Recipients and Subrecipients
340:2-7-28 [AMENDED]
340:2-7-29 through 340:27-30 [REVOKED]
Subchapter 23. Administrative Reviews
340:2-23-13 [AMENDED]
340:2-23-14 [REVOKED]
340:2-23-15 [REVOKED]
340:2-23-16 [REVOKED]
340:2-23-17 [REVOKED]
340:2-23-18 [REVOKED]
340:2-23-19 [AMENDED]
340:2-23-20 [REVOKED]
340:2-23-21 [AMENDED]
340:2-23-22 [AMENDED]
Subchapter 46. Office of Background Investigations
340:2-46-1 [AMENDED]
Part 2. Child Care Services
340:2-46-2 [REVOKED]
(Reference WF 22-2A)

SUMMARY:
The proposed amendments to Chapter 2 Subchapter 7: (1) removes information about commissioned agents because it is a duplication of 56 O.S. Section 162:4; (2) removes information about use of force by commissioned agents (3) adds information about audit report distribution; and (4) adds information about the resolution of audit findings to 340:2-7-28.

The proposed amendments to Chapter 2 Subchapter 23: (1) adds information about the Office of Inspector General (OIG) Administrative Review Unit (ARU) and removes outdated information no longer a function of the ARU.

The proposed amendment to Chapter 2 of Subchapter 46: (1) implement rule changes recommended during the OIG rule review process by combining Sections and (2) making non-substantive changes to improve the clarity of the rules.

AUTHORITY:
Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. § 162); 56 O.S. § 162.4; 70 O.S. § 3311; Chapter 2 Subchapter 7: Part 235.100 of Title 45 of the Code of Federal Regulations (45 C.F.R. § 235.110); 7 C.F.R. § 273.16; and 42 C.F.R. § 455.12-23; 28 C.F.R. § 901; and the National Child Protection Act of 1993, Public Law (P.L.) 103-209, as amended by the Volunteers for Children Act, P.L. 105-251.

COMMENT PERIOD:
Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, Oklahoma Human Services (OKDHS), Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.

PUBLIC HEARING:
A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 74015, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.

COPIES OF PROPOSED RULES:
Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:
Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

[OAR Docket #21-933; filed 12-20-21]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 2. ADMINISTRATIVE COMPONENTS

[OAR Docket #21-934]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Subchapter 3. Office of Client Advocacy
Part 1. Administration
340:2-3-2 [AMENDED]
Part 3. Investigations
340:2-3-36 [AMENDED]
340:2-3-36.1 [NEW]
340:2-3-39 [AMENDED]
Part 7. Grievance and Abuse Review Committee
340:2-3-61 [AMENDED]
340:2-3-62 [REVOKED]
(Reference WFs 22-2B and 21-06)
SUMMARY:  
The proposed amendments to Chapter 2, Subchapter 3 create new rules to separate investigative procedures for vulnerable adults from investigative procedures for child abuse or neglect.  
The proposed amendments to Chapter 2, Subchapter 3 amend existing rules to: (1) bring rules into conformity with recently passed statutes; (2) bring rules into conformity with federal regulation; (3) harmonize Office of Client Advocacy (OCA) rules with other Oklahoma Human Services (OKDHS) program's rules; (4) and to clarify and simplify existing rules.  

AUTHORITY:  
10A O.S. § 1-1-101 et seq.; 10A O.S. § 162; 43A § 10-102 et seq.; Director of Human Services; O.S. 56 § 162; and Section 5101 et seq. of Title 42 of the United States Code.  

COMMENT PERIOD:  
Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, Oklahoma Human Services (OKDHS), Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.  

PUBLIC HEARING:  
A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.  

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:  
OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.  

COPIES OF PROPOSED RULES:  
Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.  

RULE IMPACT STATEMENT:  
Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.  

CONTACT PERSON:  
Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.  

[OAR Docket #21-934: filed 12-20-21]
maximum of three minutes and must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.

COPIES OF PROPOSED RULES:
Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:
Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

[OAR Docket #21-935; filed 12-20-21]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 2. ADMINISTRATIVE COMPONENTS

[RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Subchapter 11. Financial Services
Part 9. Travel Reimbursement
340:2-11-119 through 340:2-11-119.1 [AMENDED]
(Reference WF 22-2D)

SUMMARY:
The proposed amendments to Chapter 2, Subchapter 11, amend the rules to: (1) update public information regarding Oklahoma Human Services (OKDHS) operating procedures and governing bodies; and (2) remove duplicative rules.

AUTHORITY:
Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. § 162); Administrative Procedures Act, 75 O.S. §§ 250 et. seq.; and the Oklahoma Central Purchasing Act, 74 O.S. §§ 85.1 et. seq.

COMMENT PERIOD:
Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, Oklahoma Human Services (OKDHS), Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.

PUBLIC HEARING:
A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.

COPIES OF PROPOSED RULES:
Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:
Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

[OAR Docket #21-936; filed 12-20-21]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 10. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

[OAR Docket #21-937]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
340:10-1-3 [AMENDED]
340:10-1-4 [REVOKED]
Subchapter 3. Conditions of Eligibility - Need
Part 1. Resources
340:10-3-1 [REVOKED]
340:10-3-2 [AMENDED]
340:10-3-10 [REVOKED]
Part 3. Income
340:10-3-32 [AMENDED]
340:10-3-39 through 340:10-3-40 [AMENDED]
Part 5. Assistance Payments
340:10-3-56 [AMENDED]
340:10-3-58 [REVOKED]
Subchapter 4. Conditions of Eligibility - Mandatory Drug Screening
340:10-4-1 [AMENDED]
Subchapter 7. Conditions of Eligibility - Residence
340:10-7-1 [AMENDED]
340:10-7-2 [REVOKED]
Subchapter 15. Conditions of Eligibility - Citizenship and Alienage
340:10-15-1 [AMENDED]
Subchapter 19. Eligibility Requirements for Emergency Assistance to Needy Families With Children
340:10-19-9 [AMENDED]
(Reference WFs 20-08, 21-14, and 22-10)

SUMMARY:
The proposed amendments to Chapter 10, Subchapter 1: (1) amend the rules to revoke a Section as relevant information regarding the 60-month lifetime receipt limit is included in another Section; (2) remove reference to the Temporary Assistance for Needy Families (TANF) State Plan and the components in this Section added specifically for State Plan purposes; (3) add a 60-month time limit; (4) rearrange, update, and simplify information for clarity; (5) update terminology; and (6) add rule citations.

The proposed amendments to Chapter 10, Subchapter 3 amend the rules to: (1) update Section titles; (2) revoke two Sections containing resource information as relevant information is added to another Section within this Subchapter; (3) rearrange resource availability and maximum resources information; (4) revoke the income determination Section and add relevant information regarding verifying and calculating income, benefit changes, including when to close or reopen benefits based on income, to earned and unearned income Sections; (5) add clarifying information regarding contributions, child support, and financial assistance from agencies or organizations; (6) move income from home produce to self-employment income; (7) move income received from the Oklahoma Department of Rehabilitation Services (DRS) to the income disregard Section; (8) add when gifts or financial aid received from agencies and organizations are disregarded; (9) add rule citations; and (10) update terminology.

The proposed amendments to Chapter 10, Subchapter 4 amend the rules to: (1) add the safety reason screening for illegal use of controlled substances is used; and (2) update terminology.

The proposed amendments to Chapter 10, Subchapter 7 amend the rules to: (1) revoke a Section regarding homeless persons and add relevant information to another Section within the same Subchapter; and (2) rearrange information and add taglines for greater clarity.

The proposed amendment to Chapter 10 Subchapter 15 amend the rules to add: (1) recently admitted Afghans who are considered humanitarian parolees to qualified aliens eligible for TANF benefits; and (2) legal citations to reference the Afghanistan Supplemental Appropriations Act 2022.

The proposed amendment to Chapter 10, Subchapter 19 amends the rule to cite the federal authority that allows Emergency Family Services to be provided.

AUTHORITY:
Director of Human Services; Section 162 and 230.52 of Title 56 of the Oklahoma Statues (56 O.S. §§ 162 and 230.52); Sections 602 and 608 of Title 42 of the United States Code, Section 404(a)(2) of Public Law 104-193; the Afghanistan Supplemental Appropriations Act 2022, and TANF-ACF-PI-2021-06, Afghan Parolees Now Eligible for TANF.

COMMENT PERIOD:
Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, Oklahoma Human Services (OKDHS), Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.

PUBLIC HEARING:
A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.

COPIES OF PROPOSED RULES:
Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:
Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

[OAR Docket #21-937; filed 12-20-21]
Notices of Rulemaking Intent

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 15. STATE SUPPLEMENTAL PAYMENT AND THE SUPPLEMENTAL SECURITY INCOME-DISABLED CHILDREN'S PROGRAM

[OAR Docket #21-938]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Subchapter 1. State Supplemental Payment
340:15-1-1 through 340:15-1-2 [AMENDED]
340:15-1-3 [REVOKED]
340:15-1-4 through 340:15-1-6 [AMENDED]
340:15-1-7 [REVOKED]
(Reference WF 22-15)

SUMMARY:
The proposed amendments to Chapter 15, Subchapter 1 amend the rules: (1) update Section titles; (2) revoke two Sections and add relevant information from these Sections regarding the Chapter's legal basis, and non-conditioning of payments to other Sections within this Subchapter; (3) add a definition for an ineligible child; (4) update when the income and resources of a Supplemental Security Income (SSI) recipient must be verified; (5) add information regarding passively renewing the State Supplemental Payment (SSP) and SoonerCare (Medicaid) benefit for SSI recipients; (6) clarify income deeming; (7) remove worker instruction regarding overpayments; (8) add rule and legal citation; and (9) update terminology.

AUTHORITY:
Director of Human Services; Sections 161, 162, 164, and 165 of Title 56 of the Oklahoma Statutes; and Section 435.916 of Title 42 of the Code of Federal Regulations.

COMMENT PERIOD:
Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, Oklahoma Human Services (OKDHS), Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.

PUBLIC HEARING:
A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.

COPIES OF PROPOSED RULES:
Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:
Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

[OAR Docket #21-938; filed 12-20-21]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 20. LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)

[OAR Docket #21-939]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Subchapter 1. Low Income Home Energy Assistance Program (LIHEAP)
340:20-1-1 [AMENDED]
340:20-1-3 through 340:20-1-4 [AMENDED]
340:20-1-5 through 340:20-1-9 [REVOKED]
340:20-1-10 through 340:20-1-12 [AMENDED]
340:20-1-17 [AMENDED]
340:20-1-19 through 340:20-1-20 [AMENDED]
(Reference WFs 21-09 and 22-20)

SUMMARY:
The proposed amendments to Chapter 20, Subchapter 1 amend the rules to: (1) change Section titles; (2) revoke Sections and transfer relevant information to other Sections within the Subchapter; (3) remove the specific months Low Income Home Energy Assistance Program (LIHEAP) winter heating or summer cooling notices are sent; (4) remove the specific months LIHEAP pre-authorizations and winter heating and summer cooling application periods begin; (5) update Energy Crisis Application Program (ECAP) and reasons why an energy crisis may exist; remove reasons the Energy Crisis Assistance Program (ECAP) may be approved from the application rule Section; (6) update the conditions that constitute a verified energy crisis exists; (7) add clarifying
information; (8) add and update rule citations; and (9) update terminology.

AUTHORITY:
District of Human Services, Section 162 of Title 56 of the Oklahoma Statutes, and Sections 8623 and 8624 of Title 42 of the United States Code.

COMMENT PERIOD:
Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, Oklahoma Human Services (OKDHS), Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.

PUBLIC HEARING:
A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.

COPIES OF PROPOSED RULES:
Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:
Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

[OAR Docket #21-939; filed 12-20-21]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 25. CHILD SUPPORT SERVICES

[OAR Docket #21-940]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Subchapter 3. Commissioned Peace Officers
340:25-3-1 through 340:25-3-1.1 [REVOKED]
340:25-3-3 [REVOKED]
340:25-3-5 [REVOKED]
Subchapter 5. Operational Policies
Part 11. OCSS System Security
340:25-5-75 [AMENDED]
Part 15. Case Initiation, Case Management, and Case Closure
340:25-5-114 [AMENDED]
Part 17 Past Support
340:25-5-140 [AMENDED]
Part 21. Establishment
340:25-5-178 [AMENDED]
340:25-5-190 [NEW]
Part 22 Review and Modification
340:25-5-198.2 [AMENDED]
Part 23 Enforcement
340:25-5-200 [AMENDED]
Part 33. Intergovernmental Cases
340:25-5-270 [AMENDED]
Part 37 Recovery
340:25-5-305 [AMENDED]
(Reference WFs 21-7 and 22-25)

SUMMARY:
The proposed amendments to Chapter 25 Subchapters 3 and 5 amend the rules to: (1) implement rule changes recommended during the annual Child Support Services (CSS) policy review process; (2) bring CSS process for implementing national background checks into compliance with Internal Revenue Service (IRS) requirements for employees and contractors that have access to federal tax information (FTI); (3) align CSS process with Senate Bill 421 (SB 421) from the 1st Regular Session of the 58th Oklahoma Legislature as it amends Section 118A through 118I of Title 43 of the Oklahoma Statutes (43 O.S. §§ 118A through 118I) modify the child support guidelines for income computation under certain conditions; (4) amend legal authorities as necessary; and (5) make non-substantive changes to improve rule clarity.

AUTHORITY:
Director of Human Services, Section 162, of Title 56 of the Oklahoma Statutes (56 O.S. § 162); 56 O.S. § 237; 75 O.S. § 253; 43 O.S. §§ 118A, 118B, 118G, 118I; SB 421; Chapter III of Subtitle B of Title 45 of the Code of Federal Regulations (C.F.R.); 45 C.F.R. §§ 302.56, 303.8 and 303.11; and Executive Order 13563: Improving Regulation and Regulatory Review; Section 1738B of Title 28 of the United States Code (28 U.S.C. § 1738B); 42 U.S.C. § 1396k; Chapter 7, Subchapter IV, Part D; 50A U.S.C. §§ 501 through 596; 3A O.S. § 724.1; 10 O.S. §§ 80, 83, 90.5, 7700-101 through 7800; 12 O.S. §§ 1170, 1171.2 through 1171.4, 2004, and 2005.2; 21 O.S. §§ 566, 566.1, 567, and 852; 36 O.S. § 605A; 43 O.S. §§ 109.2 through 110, 112, 112A, 112.1A, 114 through 120, 135 through 139.1, 140, 410 through 413, 601-100 through 601-903; 47 O.S. §§ 1-153, 6-201, 6-201.1, 6-211, and 6-212; 56 O.S. §§ 166.1, 183,
230.60, and 231 through 240.24; 63 O.S. §§ 1-311, 1-311.2, 1-311.3, and 1-321; 68 O.S. § 205.2; and 70 O.S. §§ 3970.1 through 3970.12.

COMMENT PERIOD:
Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, Oklahoma Human Services (OKDHS), Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.

PUBLIC HEARING:
A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.

COPIES OF PROPOSED RULES:
Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:
Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

[OAR Docket #21-940; filed 12-20-21]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 40. CHILD CARE SUBSIDY PROGRAM

[OAR Docket #21-941]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
340:40-1-1 [AMENDED]

340:40-1-2 through 340:40-1-3 [REVOKED]
340:40-1-4 [AMENDED]
340:40-1-5 [REVOKED]
Subchapter 3. Initial Application
340:40-3-1 [AMENDED]
Subchapter 5. Child Care Plan
340:40-5-1 [AMENDED]
Subchapter 7. Eligibility
340:40-7-5 [AMENDED]
340:40-7-7 through 340:40-7-8 [AMENDED]
340:40-7-11 through 340:40-7-12 [AMENDED]
Subchapter 9. Procedures Relating to Case Changes
340:40-9-2 [AMENDED]
Subchapter 10. Electronic Benefit Transfer (EBT) System for Child Care
340:40-10-1 through 340:40-10-4 [AMENDED]
Subchapter 13. Child Care Rates and Provider Issues
340:40-13-5 [AMENDED]

(Reference WFs-22-40 and WF 21-16)

SUMMARY:
The proposed amendments to Chapter 40, Subchapter 1 amend the rules to: (1) change two Section titles; (2) revoke four Sections and incorporate relevant information regarding the legal basis, State Plan, and information disclosure into other Sections within the same Subchapter; and (3) update terminology.

The proposed amendments to Chapter 40, Subchapter 3 amend the rules to: (1) clarify language; (2) add the ECC Connect mobile app as a way for clients to record their child's attendance; and (3) update terminology.

The proposed amendments to Chapter 40, Subchapter 5 amend rules to: (1) add Community Hope Centers to provider choices; and (2) update terminology.

The proposed amendments to Chapter 40, Subchapter 7 amend rules to: (1) add job search as an allowable need factor for child care; (2) clarify when job search is not allowed; (3) remove language disallowing a change of providers when child care closes due to failure to participate in Temporary Assistance to Needy Families (TANF) Work activities or Oklahoma Supplemental Nutrition Assistance Program Works (OK SNAP Works) component assignments and activities; (4) exclude the Basic Allowance for Housing (BAH) as countable income for military families; (5) update terminology; (6) exclude the income of post-adoptive families who adopt a child with disabilities through Oklahoma Human Services (OKDHS) until the child's 19th birthday; (7) update and add a rule citation; (8) add recently admitted Afghans who are considered humanitarian paralees to qualified aliens eligible for Child Care Subsidy benefits; and (9) legal citations to reference the Afghanistan Supplemental Appropriations Act 2022.

The proposed amendments to Chapter 40, Subchapter 9 amend rules to: (1) update terminology; (2) add to child care closure reasons when the approval period for job search ends; and (3) add rule citations.
The proposed amendments to Chapter 40, Subchapter 10 amend rules to: (1) add the ECC Connect mobile app as a way to record child care attendance; and (2) update terminology.

The proposed amendments to Chapter 40, Subchapter 13 amend rules to: (1) update terminology; (2) exempt Community Hope Centers from Stars quality rating system requirements; (3) update what documents a child care contract signor must provide; (4) remove the requirement that Adult and Family Services (AFS) approval must be written before a child care provider temporarily moves a point-of-service (POS) machine or submits electronic claims from a different location; and (5) add the ECC Connect mobile app as a way to record child care attendance.

AUTHORITY:
Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes; and Sections 98.11, 98.16, 98.20, 98.21, 98.30, and 98.46 of Title 45 of the Code of Federal Regulations; the Afghanistan Supplemental Appropriations Act 2022, and Policy Letter 22-01, Afghan Humanitarian Parolees and Unaccompanied Afghan Minors Eligible for ORR Benefits and Services.

COMMENT PERIOD:
Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, OKDHS, Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.

PUBLIC HEARING:
A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.

COPIES OF PROPOSED RULES:
Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.
The proposed amendments to Chapter 50, Subchapter 11 amend the rules to: (1) change Section titles; (2) revoke Sections and incorporate relevant information into other Sections within this Subchapter regarding: (a) the expedited certification period; (b) household definition for the Simplified Supplemental Nutrition Assistance Program (SSNAP); (c) when SSNAP rules do not apply to Temporary Assistance for Needy Families (TANF) applicants; (d) food benefit allotments; and (e) SNAP benefit proration; (3) add legal citations and a rule citation; (4) clarify multiple expedited services certifications information and the income determination process for SSNAP households who receive TANF cash assistance; (5) add resource and non-financial criteria to SSNAP rules; and (6) update a rule citation.

The proposed amendments to Chapter 50, Subchapter 15 amend the rules to: (1) change a Section title; (2) revoke Sections and incorporate relevant information into other Sections of this Subchapter regarding: (a) when an overpayment claim is not established; (b) fair hearing rights; and (c) overpayment claims termination; (3) add an intentional program violation (IPV) definition; (4) clarify how an IPV is determined; (5) add OKDHS imposes an appropriate IPV disqualification period when a court fails to impose a disqualification period and the court order does not prohibit it; (6) add legal citations; and (7) update terminology.

AUTHORITY:


COMMENT PERIOD:

Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, Oklahoma Human Services (OKDHS), Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.
COPIES OF PROPOSED RULES:
Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:
Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

[OAR Docket #21-942; filed 12-20-21]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 60. REFUGEE RESETTLEMENT PROGRAM

[OAR Docket #21-943]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
340:60-1-1 through 340:60-1-2 [REVOKED]
340:60-1-3 [AMENDED]
340:60-1-5 [REVOKED]
340:60-1-6 [AMENDED]
(WFs 22-60, 21-04, and 21-13)

SUMMARY:
The proposed amendments to Chapter 60 amend the rule to: (1) revoke Sections and consolidate relevant information regarding the purpose, legal basis, and funding availability into another Section within the Chapter; (2) add clarifying language and a legal citation; (3) update terminology; (4) remove Oklahoma Human Services (OKDHS) as an agency that determines Refugee Cash Assistance (RCA) as the contracted provider agency recently agreed to determine RCA eligibility statewide; (5) refer to an appendix for the resource standard instead of listing an amount; (6) add the resource standard for refugee medical assistance (RMA); (7) consolidate relevant information regarding the purpose, legal basis, and funding availability being revoked from Oklahoma Administrative Code (OAC) 340:60-1-1 and 340:60-1-2; (8) add recently admitted Afghans who receive special immigrant (SI) conditional permanent residence, SI/SQ parole, or who are considered humanitarian parolees to be eligible for RCA and RMA benefits for a designated time period; and (9) add clarifying language and a legal citation.

AUTHORITY:
Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes; and Sections 400.1, 400.23, 400.50, 400.56 through 400.59, and 400.102 of Title 45 of the Code of Federal Regulations; Section 1392(b)(2) of the Social Security Act; the Afghanistan Supplemental Appropriations Act, 2022, Policy Letter 22-01, Afghan Humanitarian Parolees and Unaccompanied Afghan Minors Eligible for Office of Refugee Resettlement (ORR) Benefits and Services, and Policy Letter 22-02, Additional ORR-Eligible Statuses and Categories and Acceptable Documentation Requirements for Afghan Nationals.

COMMENT PERIOD:
Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, OKDHS, Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.

PUBLIC HEARING:
A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.

COPIES OF PROPOSED RULES:
Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:
Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

[OAR Docket #21-943; filed 12-20-21]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 61. REPATRIATION PROGRAM

[OAR Docket #21-944]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking
PROPOSED RULES:
  340:61-1-1 [REVOKED]
  340:61-1-2 through 340:61-1-4 [AMENDED]
  (Reference WF 22-61)
SUMMARY:
The proposed amendments to Chapter 61 amend the rules to: (1) update a Section title; (2) revoke one Section and add relevant information regarding the Chapter's purpose to another Section within this Chapter; (3) update the federal agency responsible for the Repatriation Program (RP); (4) add staff from an agency other than Oklahoma Human Services (OKDHS) staff may meet a repatriate to provide RP documents, explain program rules, offer services, and obtain necessary signatures; (5) update referral information packet documents; and (6) update terminology.
AUTHORITY:
  Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes; and Section 1113 of Title 42 of the United States Code.
COMMENT PERIOD:
Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, Oklahoma Human Services (OKDHS), Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.
PUBLIC HEARING:
A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.
REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.
COPIES OF PROPOSED RULES:
Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.
RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:
Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

[OAR Docket #21-944; filed 12-20-21]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 65. PUBLIC ASSISTANCE PROCEDURES

[OAR Docket #21-945]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
  340:65-1-1 [REVOKED]
  340:65-1-2 [AMENDED]
  340:65-1-5 [AMENDED]
  340:65-1-6 [REVOKED]
Subchapter 3. Eligibility for Benefits
  340:65-3-1 [AMENDED]
  340:65-3-5 [AMENDED]
  340:65-3-8 [AMENDED]
Subchapter 5. Procedures Relating To Case Changes
  340:65-5-1 [AMENDED]
  340:65-5-2 [REVOKED]
  340:65-5-3 [AMENDED]
  340:65-5-6 [AMENDED]
Part 7. Guardianships, Conservatorships, and Substitute Payees
  340:65-5-60 [AMENDED]
  340:65-9-1 [AMENDED]
  340:65-9-5 [REVOKED]
  340:65-9-7 [AMENDED]
  340:65-9-8 [REVOKED]
Subchapter 11. Voter Registration
  340:65-11-1 [AMENDED]
  340:65-11-2 [REVOKED]
  340:65-11-3 [AMENDED]
  340:65-11-4 [REVOKED]
  (Reference WF 22-65)

SUMMARY:
The proposed amendments to Chapter 65, Subchapter 1 amend the rules to: (1) update Section titles; (2) revoke two Sections and add relevant information from these Sections regarding the Chapter's purpose and information and referral information to other Sections within this Subchapter; (3) add an additional information safeguarding practice; (4) add how
 Notices of Rulemaking Intent

often background investigations are completed: (5) remove obsolete language regarding warrants; (6) add a legal citation; and (7) update terminology.

The proposed amendments to Chapter 65, Subchapter 3 amend the rules to: (1) change a Section title; (2) add an embedded work location as a place applicants may apply for benefits; (3) add information regarding passive renewals completed for the State Supplemental Payment (SSP) Program and SoonerCare (Medicaid) recipients; (4) update benefit renewal notification for SoonerCare (Medicaid) and SSP recipients; (5) add clarifying language; and (6) update a rule citation.

The proposed amendments to Chapter 65, Subchapter 5 amend the rules to: (1) revoke nine Sections and add relevant information from these Sections to other Sections in this Subchapter regarding: (a) how changes that increase or reduce cash benefits are handled; (b) when benefits are closed; (c) how suspensions are resolved; and (d) guardians and conservators; (2) update two Section titles: (3) update and clarify language regarding correct administrative actions and issuing retroactive SSP or Temporary Assistance for Needy Families (TANF) benefits; (4) add definitions for: (a) incapacitated adults; (b) partially incapacitated persons, (c) natural guardians; (d) guardians; (e) conservators; (f) managing financial resources; and (g) meeting the essential requirements for physical health or safety; (5) update terminology; and (6) add rule and legal citations.

The proposed amendments to Chapter 65, Subchapter 9 amend the rules to: (1) revoke two Sections and add relevant information from these Sections regarding appeal rights and Oklahoma Human Services (OKDHS) action when an overpayment debt is satisfied to other Sections within this Subchapter; (2) change a Section title; and (3) update terminology.

The proposed amendments to Chapter 65, Subchapter 11 amend the rules to: (1) revoke two Sections and add relevant information from these Sections regarding legal authority and criminal penalties to another Section within this Subchapter; (2) update a Section title; and (3) update a rule citation and terminology.

AUTHORITY:
Director of Human Services; Section 4-109.2 of Title 26 of the Oklahoma Statutes (26 O.S. § 4-109.2); 30 O.S. §§ 1-103 through 1-106, 1-108 through 112, 2-103 through 2-104, 3-102, 3-211, and 3-214 through 3-215; 43 O.S. § 112-5; 56 O.S. §§ 162, 166, 172, 182 through 183, and 192; and Section 435.916 of Title 42 of the United States Code.

COMMENT PERIOD:
Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, OKDHS, Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.

PUBLIC HEARING:
A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.

COPIES OF PROPOSED RULES:
Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:
Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

OAR Docket #21-945; filed 12-20-21

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 75. CHILD WELFARE SERVICES

OAR Docket #21-946

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Part 10. Oklahoma Children's Services
340:75-1-150 [AMENDED]
340:75-1-151.3 [NEW]
340:75-1-152 [AMENDED]
340:75-1-152.3 [AMENDED]
340:75-1-152.5 [AMENDED]
340:75-1-152.6 [AMENDED]
340:75-1-152.7 [AMENDED]
340:75-1-152.9 [AMENDED]
340:75-1-155 [REVOKED]

Subchapter 3. Child Protective Services
Part 1. Purpose, Definitions, and Child Abuse and Neglect
Hotline Protocol
340:75-3-120 [AMENDED]
Notices of Rulemaking Intent

Part 2. Investigative Protocols
340:75-3-200 [AMENDED]
340:75-3-300 [AMENDED]
Part 4. Specialized Investigative Protocols, Child Death or Near-Death Reporting Protocols
340:75-3-400 [AMENDED]
Part 5. Investigative Findings and Appeals
340:75-3-520 [AMENDED]
340:75-3-530 [AMENDED]
Subchapter 4. Family-Centered and Community Services
Part 1. Family-Centered Services
340:75-4-9 [AMENDED]
340:75-4-12.1 [AMENDED]
Subchapter 6. Permanency Planning
Part 5. Permanency Planning Services
340:75-6-31.4 [AMENDED]
Part 7. Family and Child Individualized Service Planning Components
340:75-6-40.8 [AMENDED]
340:75-6-40.9 [AMENDED]
Subchapter 7. Foster Home Care
340:75-7-2 [AMENDED]
Part 2. Development of Resource Families
340:75-7-15 [AMENDED]
340:75-7-18 [AMENDED]
340:75-7-24 [AMENDED]
Part 5. Eligibility and Payments
340:75-7-52.1 [AMENDED]
Part 27. Oklahoma Department of Human Services (DHS)(OKDHS) Resource Family Partner (RFP) Foster Care Program
340:75-7-280 [AMENDED]
Part 28. Foster Parent Helpline, Mediation and Reports about the Oklahoma Department of Human Services (DHS)(OKDHS) or Child-Placing Agency Employees
340:75-7-290 [AMENDED]
Part 30. Enhanced Foster Care [NEW]
340:75-7-301 [NEW]
340:75-7-303 [NEW]
Subchapter 8. Therapeutic Foster Care and Developmental Disabilities Services
Part 1. Therapeutic Foster Care
340:75-8-1 [AMENDED]
340:75-8-4 [AMENDED]
340:75-8-6 [AMENDED]
340:75-8-8 [AMENDED]
340:75-8-9 [AMENDED]
340:75-8-11 [AMENDED]
340:75-8-11.1 [AMENDED]
Subchapter 11. Child Welfare Community-Based Residential Care
Part 17. Contracted Community-Based Residential Care Providers
340:75-11-230 [AMENDED]
340:75-11-237 [AMENDED]
340:75-11-240 [AMENDED]
Part 21. Residential Intensive Treatment Services
340:75-11-265 [AMENDED]
Part 25. Family-Style Living Programs and Non-Funded Contracted Level B Placements
340:75-11-300 [AMENDED]
340:75-11-301 [AMENDED]
Part 29. Contracted Level C Placements Qualified Residential Treatment Programs (QRTP)
340:75-11-330 [AMENDED]
Part 33. Contracted Level D Plus and Level E Placements Qualified Residential Treatment Programs (QRTP)
340:75-11-360 [AMENDED]
340:75-11-364 [NEW]
Subchapter 13. Other Child Welfare Services and Medical Services for Children in Out-of-Home Care
Part 2. Title IV-E Eligibility and Reimbursability
340:75-13-16 [AMENDED]
Subchapter 15. Adoptions
Part 2. Adoption Services Program Legal Authority and Scope
340:75-15-5 [AMENDED]
340:75-15-7 [AMENDED]
340:75-15-8 [AMENDED]
Part 6. Adoption Process
340:75-15-41.3 [AMENDED]
340:75-15-41.4 [AMENDED]
Part 10. Family Assessment and Preparation Process
340:75-15-84 [AMENDED]
340:75-15-84.1 [AMENDED]
340:75-15-87 [AMENDED]
Part 12. Adoption Placement Services
340:75-15-103 [AMENDED]
Part 14. Post-Adoption Services
340:75-15-128 [AMENDED]
340:75-15-128.1 [AMENDED]
340:75-15-128.2 [AMENDED]
340:75-15-128.4 [AMENDED]
340:75-15-128.5 [AMENDED]
Subchapter 19. Working with Indian Children
340:75-19-26 [AMENDED]
340:75-19-26.1 [AMENDED]
340:75-19-28 [AMENDED]
340:75-19-29 [AMENDED]
340:75-19-31 [AMENDED]
340:75-19-32 [AMENDED]
340:75-19-33 [AMENDED]
340:75-19-34 [NEW]
(Reference WFs 21-1, 21-11, and 22-75)
SUMMARY:
The proposed amendments to Chapter 75 Subchapter 1: (1) update Oklahoma Children's Services (OCS) to utilize Title IV-E prevention services to prevent a child from entering foster care; (2) expand the OCS program to include Title IV-E
Notices of Rulemaking Intent

prevention services; (3) establish a process for requesting 12-month extensions for Title IV-E prevention services; and (4) clarify responsibilities of the OCS contract liaison.

The proposed amendments to Chapter 75 Subchapter 3: (1) revise "neglect" definition, per House Bill (HB) 2565 (2021); (2) authorize court-ordered transport of child to an examination or interview, per Senate Bill (SB) 987 (2021); (3) permit a Safety Plan monitor to authorize medical or dental treatment or examinations when necessary, per HB 1902 (2021); (4) revise a newborn’s age for relinquishment, per SB 960 (2021); (5) establish a process to notify Child Care Services (CCS) about a person responsible for the child’s (PRFC) substantiated heinous and shocking abuse finding, per HB 1797 (2021); and (6) revise appeals notification process as a result of organizational changes due to the COVID-19 pandemic.

The proposed amendments to Chapter 75 Subchapter 4: (1) update the legal base and authority for establishing preventive and pre-placement services to include the Family First Prevention Services Act, Title IV-E; (2) clarify the authorization of community-based contracted services; and (3) acknowledge a change to the Safety Plan monitor’s authority regarding medical or dental treatment for a child, per HB 1902 (2021).

The proposed amendment to Chapter 75 Subchapter 6: (1) lowers the age to 14 for a child to request reinstatement of a parent’s previously terminated rights by the court under specific requirements, per House Bill (HB) 1273 (2019); and (2) expands the criteria for the court to terminate parent rights (TPR), per HB 1902 (2021).

The proposed amendments to Chapter 75 Subchapter 7: (1) establish enhanced foster care (EFC) that provides additional services to a child in Oklahoma Human Services (OKDHS) custody placed, or needing placement, in a family-based setting and address a child’s complex behavioral, medical, developmental and mental health needs that may exceed the capacity of traditional foster care; (2) set the timeframe for completing fingerprint verification for emergency kinship placements, per SB 27 (2021); (3) and revise the rule to agree with federal State Plan requirements about exceeding the maximum number of children residing in a resource home.

The proposed amendments to Chapter 75 Subchapter 8 include: (1) providing additional services through intensive treatment foster care (ITFC) to therapeutic foster care (TFC) children who meet targeted criteria; and (2) the related internal restructuring of the TFC Unit.

The proposed amendments to Chapter 75 Subchapter 11 include: (1) deleting outdated contracted care requirements in community-based residential care (CBRC); (2) removing references to funded Level B placements; and (3) state the care options available for youth needing placement in community-based residential care (CBRC) and address placement issues Oklahoma Human Services (OKDHS) is confronting with courts and attorneys in Tulsa County.

The proposed amendment to Chapter 75 Subchapter 13 update the legal base and authority for claiming foster care maintenance payment (FCMP) for a child in qualified residential treatment program (QRTP), per the Family First Prevention Services Act, Title IV-E.

The proposed amendments to Chapter 75 Subchapter 15 reflect internal restructuring of the Adoptions program with a greater emphasis on the child’s needs when seeking permanent placement through adoption.

The proposed amendments to Chapter 75 Subchapter 19 update policy to clarify the distinctions between OKDHS tribal program and Child Welfare Services (CWS) tribal IV-E program and address HB 2352 (2021) regarding jurisdiction over child custody proceedings.

AUTHORITY:


COMMENT PERIOD:

Written comments are accepted through February 17, 2022, during regular business hours by contacting Holli Kyker, Oklahoma Human Services (OKDHS), Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 17, 2022.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:

Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

[OAR Docket #21-946; filed 12-20-21]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 100. DEVELOPMENTAL DISABILITIES SERVICES

[OAR Docket #21-947]

PROPOSED RULES:

340:100-1-2 [AMENDED]
Subchapter 3. Administration
Part 1. General Administration
340:100-3-8 [REVOKED]
Part 3. Administration
340:100-3-27 [AMENDED]
340:100-3-40 [AMENDED]
340:100-3-40.1 [REVOKED]
340:100-3-41 [NEW]
Subchapter 5. Client Services
Part 1. Admission and Safeguards
340:100-5-2 [REVOKED]
340:100-5-22.7 [NEW]
Part 5. Individual Planning
340:100-5-57.1 [REVOKED]
Subchapter 11. Admission to Robert M. Greer Center
340:100-11-1 [REVOKED]
340:100-11-2 [AMENDED]
340:100-11-3 through 340:100-11-7 [REVOKED]
Subchapter 17. Employment Services
Part 4. Community Integrated Employment Services
340:100-17-25 [REVOKED]
(Reference WFs 20-09 and 22-100)

SUMMARY:

The proposed amendments to Chapter 100, Subchapters 1, 3, 5, 11 and 17 amend rules to implement changes recommended during the annual Developmental Disabilities Services (DDS) rule review process. The proposed rule adds provisions for Developmental Disabilities Services (DDS) to supplement room and board costs for individuals with exceptionally low income. These new provisions ensure that provider agencies are not paying room and board costs with Medicaid funding.

AUTHORITY:

Director of Human Services; 56 O.S. §§ 162 and 1025 et seq., and the 21st Century Cares Act; and 1915(c) of the Social Security Act.

COMMENT PERIOD:

Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, Oklahoma Human Services (OKDHS), Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.
REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:

Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

[OAR Docket #21-947; filed 12-20-21]

TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 105. AGING SERVICES

[OAR Docket #21-948]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 10. Policies and Procedures Manual for Title III of the Older Americans Act of 1965, as Amended
Part 5. Area Agencies on Aging
340:105-10-36 [AMENDED]
Part 7. Program Standards for Services Funded Under Title III of the Older Americans Act of 1965, as Amended
340:105-10-50.1 [AMENDED]
340:105-10-51 [AMENDED]
340:105-10-57 through 340:105-10-59 [AMENDED]
340:105-10-61 [AMENDED]
340:105-10-70 through 340:105-10-72 [AMENDED]
340:105-10-75 [AMENDED]
340:105-10-77 [AMENDED]
340:105-10-79 [AMENDED]
340:105-10-80 [AMENDED]
340:105-10-82 through 340:105-10-83 [AMENDED]
340:105-10-86 [AMENDED]
340:105-10-89 [AMENDED]
340:105-10-90.1 [AMENDED]

340:105-10-91 through 340:105-10-93 [AMENDED]
Part 9. Fiscal and Administrative Policies for Area Agencies on Aging and Title III Projects
340:105-10-101 [AMENDED]
(Reference WF 22-105)

SUMMARY:

Proposed amendments to Chapter 105 Subchapter 10: (1) remove outdated, restrictive requirements, processes, and language; (2) add and adjust language for consistency with federal standards; (3) simplify current process requirements; and (4) cleanup language for improved clarity and readability.

AUTHORITY:

Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes.

COMMENT PERIOD:

Written comments are accepted through February 23, 2022, during regular business hours by contacting Holli Kyker, Oklahoma Human Services (OKDHS), Legal Services, PO Box 25352, Oklahoma City, Oklahoma 73125, 405-982-2217 or by email to Holli.Kyker@okdhs.org.

PUBLIC HEARING:

A public hearing is scheduled for 10:00 a.m. on February 23, 2022, at OKDHS, Sequoyah Memorial Office Building, 2400 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105, Room C-48. Anyone who wants to speak will be allowed a maximum of three minutes and must sign in at the door by 10:05 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

OKDHS requests that business entities affected by these proposed rules provide OKDHS, within the comment period, in dollar amounts if possible, the increase in the level of direct costs, such as fees and indirect costs, reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Holli Kyker, at the above address, before the close of the comment period on February 23, 2022.

COPIES OF PROPOSED RULES:

Copies of proposed rules may be obtained for review by contacting the person listed above or going to http://www.okdhs.org/sites/searchcenter/Pages/okdhsproposedpolicyresults.aspx.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a rule impact statement has been prepared and is available for review by contacting the person listed above.

CONTACT PERSON:

Holli Kyker, Policy Specialist, Legal Services - Policy, 405-982-2217, Holli.Kyker@okdhs.org.

[OAR Docket #21-948; filed 12-20-21]
TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 1. AGENCY AUTHORITY AND OBJECTIVES

[OAR Docket #21-950]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
390:1-1-1. [AMENDED]
390:1-1-4. [AMENDED]
390:1-1-6. [AMENDED]
390:1-1-8. [AMENDED]
390:1-1-9. [AMENDED]
390:1-1-10. [AMENDED]
390:1-1-12. [AMENDED]

SUMMARY:
Amendments to 390:1-1-1. Purpose.
Pursuant to the authority vested in the Council by 70 O.S., Section 3311 et seq., 20 O.S., Section 1313.2, and 59 O.S., Section 1750.1 et seq., 1451 et seq., 1350.1 et seq., 21 O.S. Section 1289.8 and 1290.1 et seq., the rules of this Title have been promulgated. The purpose of these rules is to set forth the requirements and procedures needed to effectively implement and enforce the provisions of these statutes. These rules supplement existing state and federal laws, and being duly promulgated, shall have the force and effect of law.


(E) Appointing a larger Advisory Council.

(i) The Advisory Council shall be composed of seventeen (17) fifteen (15) members who are certified full-time peace officers employed by a campus, city, county, state or federal law enforcement agency. At least one member shall be appointed from each of the ten (10) geographic CLEET training regions. At least two members shall be from law enforcement agencies in each of the four quadrants of the state (Northwest, Southwest, Northeast, and Southeast) as defined by CLEET. One member shall be the training coordinator or designee for Oklahoma City Police Department, one member shall be the training coordinator or designee for Tulsa Police Department, and one member shall be appointed by the Chief of the Highway Patrol.

(ii) Advisory Council members shall serve for a term of three years and may be reappointed for additional terms, unless removed by the Council. A term of service will begin upon a member's official appointment to the Advisory Council.

(v) Annual quarterly meetings. The Advisory Council shall meet as often as is necessary to attend to business but not less than at least one time annually Any Advisory Council member with more than two (2) absences from either regular or special meetings in a calendar year will be subject to review and possible removal from the Advisory Council by the Council.

(F) Appointing a Drug Dog Advisory Council.

(vii) Annual quarterly meetings. Any DDAC member with more than two (2) absences from either regular or special meetings in a calendar year will be subject to review and possible removal from the DDAC by the Council.

(G) Appointing a Bomb Dog Advisory Council

(vii) Annual quarterly meetings. Any BDAC member with more than two (2) absences from either regular or special meetings in a calendar year will be subject to review and possible removal from the BDAC by the Council.

(H) Appointing a Curriculum Review Board as provided in 70 O.S., Section 3311(B)(16).

Six Annual meetings. The CRB shall meet as often as is expedient to accomplish its obligations but not less than at least one time annually. Any CRB member with more than three (3) absences from either regular or special meetings in a calendar year will be subject to review and possible removal from the CRB by the Council.

(I) Approve New and Reactivated Law Enforcement Agencies and Police Departments as provided in 70 O.S., Section 3311.

Remove (J) (K) (L)

(D) Appointing an Advisory Committee comprised of representatives from security guard and investigative agencies.

(ii) Committee representatives shall serve for a term of three years and may be reappointed for one additional term unless removed by the Council.

(III) Annual quarterly meetings. Any PSAC member with more than two (2) absences from either regular or special meetings in a calendar year will be subject to review and possible removal from the PSAC by the Council.

(v) Committee representatives shall meet at least quarterly or more often as the business of the Committee demands but not less than at least one time annually.

(vi) The Committee shall report research, recommendations and other matters related to licensure of security guards, security agencies, private investigators and private investigative agencies to the Advisory Council for review prior to submission to the Council for final action.


(e) (1) Individual requests for records will only be accepted if received by U.S. Mail or through CLEET’s online portal or a designated email address, if any, facsimile.


(a) (b) CLEET may use an online portal to conduct business with the public and various forms may be accessed, filled, and submitted through such portal. Any time a writing is required in these rules, if such writing can be accomplished through the online portal it will be considered as complying with the rules. Logging into and submitting any information through the online portal with an individual user identification and password will constitute submission with an original signature as that term is used in these rules.

Notices of Rulemaking Intent

(b) The normal business hours of CLEET are 8:00 a.m. to 5:00 p.m. Normal public hours will be 8:00 a.m. to 4:30 p.m. Central Time, Monday through Friday, except legal holidays. Amendments to 390:1-1-10. Electronic signatures, photographs and records.

(b) All applications for a license or certification must be original and contain original signatures—completed through CLEET’s online application portal unless otherwise allowed by CLEET.

Amendments to 390:1-1-12. Changing verbiage from cost to costs.

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

AUTHORITY:

Council on Law Enforcement and Training; 20 O.S., § 1313.2; 21 O.S., §§ 1289.8 and 1290.1; 51 O.S., §§ 24-A et seq.; 59 O.S., §§ 1350.1 et seq.; 59 O.S., §§ 1750.1 through 1750.14 and 1451 through 1476; 70 O.S., § 3311 et seq., § 3311.2 through 3311.13; 74 O.S., §§ 4111 et seq.; 75 O.S., §§ 250 et seq. and 250.3.

COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 17, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 22, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 17, 2022.

COPIES OF PROPOSED RULES:

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

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 2, 2022, at the CLEET offices and web address listed above.

CONTACT PERSON:

Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

[OAR Docket #21-950; filed 12-22-21]

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING

CHAPTER 2. ADMINISTRATIVE PROCEDURES

[OAR Docket #21-951]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

390:2-1-2. [AMENDED]

SUMMARY:

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

(c) (3)

(D) If the written request for hearings is timely received by CLEET, such hearings shall be scheduled and notice provided in accordance with the Administrative Procedures Act within sixty (60) days from the date said request is received to be heard at the date to be determined.

(7) The hearing will be electronically recorded and the recording tapes of said hearing will be preserved until all avenues of appeal have expired or been exhausted. If a party desires a court reporter, or certified stenographer, it shall be the party's burden to provide and bear the cost of said services and subsequent transcription.

AUTHORITY:

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

COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 17, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 22, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma.
REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 17, 2022

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

RULE IMPACT STATEMENT:
Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 2, 2022, at the CLEET offices and web address listed above.

CONTACT PERSON:
Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

[OAR Docket #21-951; filed 12-22-21]

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 10. PEACE OFFICER CERTIFICATION
[OAR Docket #21-952]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
390:10-1-2. [AMENDED]
390:10-1-3. [AMENDED]
390:10-1-4. [AMENDED]
390:10-1-6. [AMENDED]
390:10-1-7. [AMENDED]

SUMMARY:
Amendments to 390:10-1-2. Minimum certification and employment standards
(c) The Council, or its designee, may grant an extension of the time frame specified in Section 3311 of Title 70 of the Oklahoma Statutes, upon written application by the employing agency, and when good cause is shown, as determined by the Council or its designee. Peace officers granted an extension of time to attend and complete a training academy normally are not permitted to work in the capacity of a peace officer during the extension period. If an applicant has timely complied with all notice and application procedures but because of CLEET’s training capacity cannot enter an academy within the six-month time frame, the Director or designee may grant an extension that allows the person to work. Failure of an applicant or agency to timely comply with notice and application procedures, short staffing at a law enforcement agency, or other matters will not be considered good cause to grant an extension to work.

Amendments to 390:10-1-3. Employment status reporting.
(a) and remove (b)
Amendments to 390:10-1-4. Peace officer employment standards
(c) All peace officers, reserve officers and tribal officers are required to maintain with CLEET, their current mailing address. Notice of change of address or telephone number must be made within ten (10) days of the effective change-through CLEET’s online portal or in writing, with an original signature. Notice will not be accepted over the phone, by fax, or by email.
(d) All peace officers, reserve officers, and tribal officers shall notify, in writing, with an original signature, CLEET of any change of name through CLEET’s online portal. Notification of change of name shall include certified copies of any marriage license or court document which reflects the change of name. Notice will not be accepted over the phone, by fax, or by email and must be made within ten (10) days of the date of change. The certified copy provided to CLEET will not be returned to the licensee. Any deviation from this Rule will require the Director’s or his/her designee’s approval.
Amendment to 390:10-1-6. Certification by reciprocity
(2) The officer must have been employed as a full-time peace officer for at least three (3) consecutive months within the two (2) year period immediately preceding the request for Oklahoma certification.
(3) The officer must attend the legal block and training as specified by CLEET. The officer must attend and successfully complete approved reciprocity training within six months of their hire date in Oklahoma.
(6) The director or the director’s designee may, in the exercise of discretion, award a certificate to any person who has been duly certified under the laws of another state if, in the opinion of the director, the education, training and experience of that officer equal or exceed the qualifications required to complete satisfactorily the basic course of instruction required for Oklahoma certification. Any person who is awarded reciprocity under this subsection shall attend and successfully complete approved reciprocity training within six months of their hire date in Oklahoma. In his or her discretion, the director or the director’s designee may require a person who has been duly certified under the laws of another state to attend and successfully complete a bridge academy in this state within six months of their hire date in Oklahoma in order to receive reciprocity certification. In any event, each officer must attend the legal refresher block of instruction as specified by CLEET.
Amendments to 390:10-1-7. Withdrawal, voluntary withdraw, suspension, revocation and reinstatement of certification

January 18, 2022
(e) Reinstatement.

(5) CLEET may require an applicant for reinstatement to successfully complete certain refresher training either before granting reinstatement or within a specific time following reinstatement.

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

COMMENT PERIOD:
Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 17, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:
Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 22, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 17, 2022.

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

RULE IMPACT STATEMENT:
Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 2, 2022, at the CLEET offices and web address listed above.

CONTACT PERSON:
Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

[OAR Docket #21-952: filed 12-22-21]
AUTHORITY:
   Council on Law Enforcement Education and Training; 20 O.S., §1313.2; 70 O.S., 3311 through 3311.13.

COMMENT PERIOD:
   Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 17, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:
   Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 22, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
   CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 17, 2022.

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

RULE IMPACT STATEMENT:
   Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 2, 2022, at the CLEET offices and web address listed above.

CONTACT PERSON:
   Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

[OAR Docket #21-953; filed 12-22-21]

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

[OAR Docket #21-954]

RULEMAKING ACTION:
   Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
   390:20-1-15. [AMENDED]

SUMMARY:
   Amendment to 390:20-1-15. Inactive reserve officers
   Every reserve officer, certified by the Council, who has not been employed as a reserve officer in the State of Oklahoma for five or more years, upon re-entry to reserve status, must complete refresher training as prescribed by CLEET.

AUTHORITY:

COMMENT PERIOD:
   Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 17, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:
   Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 22, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
   CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 17, 2022.

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

RULE IMPACT STATEMENT:
   Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 2, 2022, at the CLEET offices and web address listed above.

CONTACT PERSON:
   Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

[OAR Docket #21-954; filed 12-22-21]
TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 25. CONTINUING LAW ENFORCEMENT EDUCATION

[OAR Docket #21-955]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
390:25-1-8. [AMENDED]
390:25-1-10. [AMENDED]
390:25-1-18. [AMENDED]

SUMMARY:
Amendments to 390:25-1-8. Outside law enforcement schools and seminars
(a) Centralized peace officer training records.
(C) One of the following:
(i) The name and address of the instructor(s); or
Amendments to 390:25-1-10. Requirements for basic instructor certification
(a) Qualification. To qualify for basic instructor certification, applicants must meet the following qualifications:
(1) Have a minimum of two (2) years of full-time or five (5) years of reserve or an equivalent combination of such full-time and reserve experience in law enforcement after completing the basic or reserve certification course, and be in compliance with 70 O.S., Section 3311, and have written endorsement from the applicant's agency head or designee and
(b) Waiver. To qualify for basic instructor certification waiver, applicants must meet the following qualifications:
390:25-1-18. Point computation formula
(c) Each semester hour of college credit from an Accredited College or University shall equal one training point; each quarter hour shall equal two-third point.
(e) Using a table provided by the Council, training points may be substituted for years of experience.
(f) Using a table provided by the Council, certificates shall be awarded to levels achieved by applicants based upon points accumulated and years of experience.

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

COMMENT PERIOD:
Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 17, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:
Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 22, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by any particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 17, 2022

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

RULE IMPACT STATEMENT:
Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 2, 2022, at the CLEET offices and web address listed above.

CONTACT PERSON:
Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

[OAR Docket #21-955; filed 12-22-21]

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 27. POLICE OFFICER ANNUAL FIREARMS REQUALIFICATION

[OAR Docket #21-956]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
390:27-1-2. [AMENDED]
390:27-1-5. [AMENDED]

SUMMARY:
Amendments to 390:27-1-2. Minimum requalification standards
(d) Requalification must be successfully completed in the presence of a CLEET certified firearms instructor, a certified firearms instructor approved by the employing agency, or a CLEET certified line safety officer. No person may requalify themselves.

Amendments to 390:27-1-5. Proof of requalification
(a) Proof of successful firearms requalification shall be reported to CLEET by the employing agency or the individual in a format approved by CLEET. The report shall contain the following information:

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

**COMMENT PERIOD:**
Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 17, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cles.state.ok.us.

**PUBLIC HEARING:**
Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 22, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**
CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 17, 2022.

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

**RULE IMPACT STATEMENT:**
Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 2, 2022, at the CLEET offices and web address listed above.

**CONTACT PERSON:**
Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

[OAR Docket #21-956; filed 12-22-21]

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING**

**CHAPTER 30. CDS DETECTOR DOG CERTIFICATION**

[OAR Docket #21-957]

**RULEMAKING ACTION:**
Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**
390:30-1.6. [AMENDED]

**SUMMARY:**
Amendments to 390:30-1-6. Application for certification

(b) Persons wishing to seek CLET CDS detector canine team certification may apply through CLET’s online portal receive an application and instructions by calling or making a written request to CLET administrative offices.

(d) All applications must be completely filled out and be accompanied by two (2) full-body, color photographs of the applicant canine team and any other information required by CLET. The photographs shall include the full side-body of the dog and the face of the handler.

**AUTHORITY:**
Council on Law Enforcement Education and Training; 51 O.S., § 24.A.1 et seq.; 70 O.S., § 3311 through 3311.13; 75 O.S. § 250 et seq.

**COMMENT PERIOD:**
Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 17, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cles.state.ok.us.

**PUBLIC HEARING:**
Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 22, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**
CLEET requests that business entities affected by these proposed rule changes provide CLET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 17, 2022.

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

**RULE IMPACT STATEMENT:**
Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 2, 2022, at the CLEET offices and web address listed above.
NOTICES OF RULEMAKING INTENT

CONTACT PERSON:
Shelly Lowrance, Executive Administrative Assistant,
(405) 239-5152.

[OAR Docket #21-957: filed 12-22-21]

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 31. BOMB DETECTOR DOG CERTIFICATION

[OAR Docket #21-958]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
390:31-1-6 [AMENDED]

SUMMARY:
Amendments to 390:31-1-6. Application for certification
(b) Persons wishing to seek CLEET CDS detector canine
   team certification may apply through CLEET’s online
   portal to receive an application and instructions by calling or
   making a written request to CLEET administrative offices.
   (d) All applications must be completely filled out and
   be accompanied by two (2) full-body, color photographs
   of the applicant canine team and any other information
   required by CLEET. The photographs shall include the full
   side-body of the dog and the face of the handler.

AUTHORITY:
Council on Law Enforcement Education and Training; 51
O.S.§ 24-A.1 et seq.; and 70 O.S., § 3311 through 3311.13; 75
O.S., § 250 et seq.

COMMENT PERIOD:
Persons wishing to make written or oral comments may do
so by 4:00 p.m. on February 17, 2022, at CLEET, 2401 Egypt
Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or
by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:
Public hearings will be held to provide an opportunity
for persons to orally present their views. Each person will
be allowed a maximum of 5 minutes to speak and must sign
in at the door. The public hearing will be held at 10:00 a.m.
on February 22, 2022, at CLEET, 2401 Egypt Road, Ada,
Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
CLEET requests that business entities affected by these
proposed rule changes provide CLEET, within the comment
period, in dollar amounts, if possible, the increase in the level
of direct costs such as fees, and indirect costs such as labor,
reporting, professional services or other costs expected to be
incurred by the particular business entity due to compliance
with the proposed rules. Business entities may submit this
information in writing to Shelly Lowrance, at the above
address, before the close of the comment period on February
17, 2022.

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

RULE IMPACT STATEMENT:
Pursuant to 75 O.S., Section 303(D), a rule impact statement
will be issued and made available on February 2, 2022, at the
CLEET offices and web address listed above.

CONTACT PERSON:
Shelly Lowrance, Executive Administrative Assistant,
(405) 239-5152.

[OAR Docket #21-958: filed 12-22-21]

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

[OAR Docket #21-959]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
390:35-1-3. [AMENDED]
390:35-1-4. [AMENDED]

Subchapter 5. License Requirements
390:35-5-1. [AMENDED]
390:35-5-2. [AMENDED]
390:35-5-2.1. [AMENDED]
390:35-5-3. [AMENDED]
390:35-5-5. [AMENDED]
390:35-5-9. [AMENDED]
390:35-5-13. [AMENDED]

Subchapter 7. Application Procedure
390:35-7-1. [AMENDED]
390:35-7-4. [AMENDED]
390:35-7-5. [AMENDED]
390:35-7-6. [AMENDED]
390:35-7-8. [AMENDED]

Subchapter 9. Violations and Investigations
390:35-9-2. [AMENDED]
390:35-9-5. [AMENDED]

Subchapter 13. Use of Firearms
390:35-13-1. [AMENDED]
390:35-13-3. [NEW]

Subchapter 15. Training Requirements
390:35-15-1. [AMENDED]
390:35-15-2. [AMENDED]
390:35-15-5. [AMENDED]
Notices of Rulemaking Intent

SUMMARY:


Amendments to 390:35-1-3. Definitions

"Publish" means to make publically, publicly or generally known.

"Security guard services" means the providing or coordinating of services of the type described in the definition of security guard in the Act to include but not be limited to prevention of trespass, theft, misappropriation, wrongful concealment of merchandise, goods, money or other tangible items, or providing bodyguard or private watchman services to protect persons or property and shall include those types of services even if provided in part or in whole by active peace officers while working in a private capacity.

Amendments to 390:35-1-4. Compliance with laws and rules

(d) Interested parties may obtain information or submit comments related to this Chapter by writing to CLEET, Private Security Division, 2401 Egypt Road, Ada, Oklahoma, 74820-0660.

Subchapter 5. License Requirements

Amendments to 390:35-5-1. Agency license requirements

(a) All licensed security guard and private investigative agencies, shall maintain a place of business within the State of Oklahoma, and shall maintain an operative telephone having a published listing, in the agency name. The agency must also provide proof of published phone number in a format specified by CLEET. Every license issued under this chapter shall be posted conspicuously in the licensee's principal place of business in this state. The phone number shall be on file with CLEET. The office of such business may be maintained at the personal residence of the executive officer, manager, or supervisor of such office. Such notification shall include both the geographical location (street address) and the mailing address. Any changes in the above shall be submitted to CLEET in writing, with an original signature, within 10 days of the effective date of the change. Notice of change of address will not be accepted over the phone, fax or by email.

(b) (1) The executive officer, manager, or other person in charge of supervising security guards in the performance of their duties shall be a licensed security guard. This provision applies to a peace officer who would otherwise be exempt from licensure requirements.

(c) Agency licenses issued in the name of a corporation, limited liability company (LLC), or other non-natural person legal entity recognized by the State of Oklahoma remain with the corporation, LLC, or other non-natural person legal entity regardless of changes in ownership interests. Agency licenses issued in the name of an individual or in the name of a company which is not a corporation LLC, or other non-natural person legal entity, such as a "doing business as" (d/b/a) company, are not transferrable upon the sale of the company. Any agency licensee shall notify CLEET in writing, with an original signature, of changes in agency head, security guard and/or private investigator supervisor, and/or branch manager and such substitutes must satisfy the requirements listed in (d) of this section and be approved by CLEET. Such notices must be made within ten (10) days of any changes and will not be accepted over the phone, by fax, or by email.

(f) Temporary employment agencies who provide guards or private investigators to their clients on a contractual basis shall fall within the definition of a contract security or investigative company and must be licensed pursuant to the Act.

(i) Agency licenses that have expired for a period of more than thirty (30) days must complete the entire application process. If an agency renewal application is received more than thirty (30) days after the agency license expiration date, a letter will be mailed to the Agency address of record with instructions to submit a completed new application and complete licensing fee.

Amendments to 390:35-5-2. Security guard, armed security guard, and private investigator licenses

(a) Applicants for security guard, private investigator or armed security guard licenses must meet and satisfy the requirements set forth in 59 O.S., Section 1750.1 et seq., The Oklahoma Security Guard and Private Investigator Act.

(c) Proof of training and testing for purposes of obtaining an original license will only be acceptable for five years from the date of completion of the training or testing. Applicants for an armed security guard license must submit an affidavit that they are gainfully employed as an armed security guard and that a firearm is required within the scope of their employment.

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

(a) (D) Completion of training courses required for initial licensing will satisfy the continuing education requirements for the first licensing period of an initial license.

(6) Continuing education training may be reported to CLEET as it is completed or at the time of license renewal. Verification of the minimum hours of continuing education training will be made by CLEET when the licensee requests renewal. A licensee will not be eligible for renewal if continuing education hours are not completed. be subject to the following disciplinary sanctions for failure to comply with the mandate training requirements:

(A) Written Reprimand

(D) Denial

(C) Suspension

(D) Revocation and/or

(E) Disciplinary penalty or fine

(c) A renewal license will be issued only after CLEET receives a completed renewal application, the renewal fee, current passport size and quality photographs, verification of current employment with a licensed Agency or verification of current insurance or bond coverage, and verification of the minimum hours of continuing education training for the license period including any requested supporting documentation and is determined to be eligible for renewal.

Amendments to 390:35-5-3. Conditional licenses
(b) (1) Receipt of an applicant's completed license application form. An application form shall be considered complete when all applicable spaces have been filled in properly, required documents have been provided, and it has been signed and notarized;

(2) Receipt of two (2) properly completed, CLEET issued "applicant" fingerprint cards or fingerprints submitted electronically through a fingerprint system approved by CLEET;

(3) Receipt of correct license fees;

(4) Receipt of a completed OSBI records name check.

Amendments to 390:35-5-5. Peace officer exemptions and non-exemptions

(b) (1) When a peace officer contracts with an employer to provide other guards or to supervise others who are providing security guard services;

(4) Active, full-time peace officers are exempt from the psychological evaluation that is required for armed security guard applicants. Retired, full-time peace officers are exempt from the psychological evaluation for a period of one (1) year from the date of their retirement. This exemption shall apply to any person who possesses CLEET peace officer certification, except when such person has been terminated from a law enforcement agency for failure to exercise appropriate judgement, restraint, and self-control in the use of force, or when there exists clear and convincing evidence of such;

(6) Reserve peace officers are not exempt from security guard, armed security guard, or private investigator licenses, and must be licensed while employed as such;

(7) When working as a licensed security guard, armed security guard, or private investigator, peace officers and reserve peace officers may possess firearms only to the extent of the authority allowed under law, as applied to licensed armed security guards.

Amendments to 390:35-5-9. Individual identification cards

e) The licensee shall present his identification card upon demand, for inspection by any person, within the course and scope of his employment as a security guard, armed security guard, or private investigator, unless the licensee is involved in a bonafide, covert investigation at the time. The card must be presented, upon demand, for inspection by a law enforcement officer or by a representative of CLEET, at any time.

Amendments to 390:35-5-13. Notification of change of name or address or telephone number

(a) Private investigators, and security guards shall maintain, with the Council, a current residential address and a current telephone number. Notice of change of address or telephone number must be made through CLEET's online portal or in writing, with an original signature within ten (10) days of the effect of the change. Notices will not be accepted over the phone, by fax, or by email and must be made within (10) days of the date of change. The certified copy provided to CLEET will not be returned to the licensee. Any deviation from this Rule will require the Directors' or his/her designee's approval.

(c) The Agency owner or branch manager (in the instances of national corporations) shall notify the Council through CLEET's online portal or in writing, with an original signature of changes in the business address and/or telephone number within 10 days of the effective date of the change. Notices will not be accepted over the phone, by fax, or by email.

Subchapter 7. Application Procedure

Amendments to 390:35-7-1. Requests for applications/Applications

Applications may be completed through CLEET's online portal or other method authorized by CLEET. (a) An application may be requested at the following address: CLEET, Private Security Division, 2401 Egypt Road, Ada, Oklahoma, 74820-0669.

(b) When such request is received, requests will be handled in the most expeditious and cost effective manner.

Amendment to 390:35-7-4. Background investigation of applicants

(a) The requirements of the Act will necessitate an investigation into the personal history, employment history, and moral character of each applicant. Local, state, and federal criminal indices will be examined in the normal processing of applications for evidence of any prior criminal record. In addition to those offenses set forth in the Statutes, convictions of crimes set forth in Appendix A of this Chapter, may be deemed as disqualifying convictions.

(c) All applicants shall submit to a fingerprint background check as required by statute and in accordance with procedures in effect at the time the application is made. Fingerprint cards or electronically captured fingerprints submitted by an applicant which have been rejected by the Oklahoma State Bureau of Investigation (OSBI) or Federal Bureau of Investigation (FBI), have failed to meet the statutory requirement of 59 O. S. Section 1750.6 (A)(1) for providing "classifiable fingerprints to enable the search of criminal indices for evidence of prior criminal record".

(1) Upon notice to CLEET from the OSBI or FBI that fingerprints have been rejected, CLEET shall send written notice to the applicant requesting re-submission of fingerprints.

(2) Failure to re-submit fingerprints within thirty (30) days of the request for re-submittal shall preclude any further processing and shall result in denial, suspension or revocation of any license held by the applicant.

(3) Upon the third rejection of fingerprints by the OSBI or FBI or the expiration of one hundred eighty days (180) days, whichever occurs first, from the original date of issuance of any license, such license shall be suspended or revoked until such time that classifiable fingerprints have been submitted and criminal history reports have been received from OSBI and FBI.

Amendments to 390:35-7-5. License fees
(a) Individual and Agency license fees shall be determined as set forth in 59 O.S., Section 1750.1 et seq and applicable rules.

(b) One fingerprint fee is required of each applicant. For example, if a private investigator also applies for an armed security guard license, the applicant need not pay another fingerprint fee. Applicant is responsible for paying any fees required by the F.B.I.

(c) No fingerprint fee is required for Special Event Licenses.

(d) Overpayments of more than Ten Dollars ($10.00) will be returned to the remitter.

(e) Overpayments less than Ten Dollars ($10.00) will be returned to the remitter upon receipt of a written request by the remitter.

Amendments to 390:35-7-6. Conditional license fees

(a) All conditional license and fingerprint fees shall be non-refundable, and must accompany the license application.

Amendments to 390:35-7-8. Individual private security applicant requirements

(c) The applicant must submit a fingerprint search of provide CLEET and the Oklahoma State Bureau of Investigation with individual fingerprints for a state and national criminal history records pursuant to procedures in effect at the time the application is submitted.

(f) The applicant must supply CLEET an two (2) current individual passport style sized photographs with the completed CLEET application.

(g) The submission by the applicant of an online application or the signature of the applicant on the Application shall be considered an attestation that the Applicant has read these Rules, and agrees to obey these Rules.

Subchapter 9. Violations and Investigations

Amendments to 390:35-9-2. Complaint procedure

Complaints of violations subject to investigation may be made in person, by telephone, through CLEET’s online portal, or in writing to CLEET.

Amendments to 390:35-9-5. Grounds for actions against licenses


Subchapter 13. Use of Firearms

Amendments to 390:35-13-1. Authorized firearms

(d) No armed security guard or private investigator shall carry a type of firearm with which he has not been formally trained to handle and operate. Formal training must be conducted by a CLEET-licensed private security school which is authorized to provide firearms training or by an accredited and recognized firearms instructor and training program approved by CLEET. Compliance with this requirement is incumbent upon the licensee and notification to CLEET shall be required by submitting a certificate of training or a copy thereof upon completion of said training. Said notification shall include:

(e) The only weapons authorized by CLEET for use by armed security guards or armed private investigators are revolvers, semi-automatic handguns, rifles, and shotguns. The prescribed revolver or semi-automatic handgun ammunition shall be “factory-loaded”. Ammunition commonly referred to as "re-loads" is strictly prohibited for use as service ammunition.

(f) The pump (slide action) 12 gauge shotgun shall be the only authorized shotgun weapon. Pump shotguns which have a hammer safety are prohibited. The pump shotgun nomenclature shall be similar to the type indicated in Appendix B of this Chapter. A semi-automatic rifle chambered in a 5.56x45 mm or .223 caliber with a detachable box magazine shall be the only authorized rifle weapon.

(g) The authorized shotgun service ammunition shall be the standard 12-gauge shell which is 2 3/4 inches in length and ordinarily carries from 1 to 1 5/8 ounces of shot with pellets ranging from light bird shot to heavy buckshot. Authorized rifle ammunition shall be American, factory-made, American and designed for law enforcement duty use.

(h) The prescribed shotgun and rifle ammunition shall be "factory loaded". Ammunition commonly referred to as "re-loads" is strictly prohibited for use as service ammunition. 390:35-13-3. Annual firearm requalification [NEW RULE] Every licensed security guard or private investigator who is authorized by CLEET to carry a firearm must requalify annually on any firearm the licensee is authorized to carry. Requalifications will be pursuant to standards set by CLEET and shall be reported as directed by CLEET.

Subchapter 15. Training Requirements

Amendments to 390:35-15-1. Private security school accreditation

(b) The CLEET approved curricula for private security training was developed and validated by the Oklahoma State Department of Career and Technology Vocational and Technical Education, under the direction of the Oklahoma Department of Public Safety, the Council on Law Enforcement Education and Training, and representatives from the fields of industrial security and private investigation. No additions, deletions, or revisions shall be made to the approved curricula without first obtaining the express permission of CLEET.

(e) Specific instructional objectives, lesson plans, and examinations for each training phase are published by the Department of Career and Technology Vocational and Technical Education, in manual form.

(j) (1) All training requirements, except for firearms training, may be waived upon proof that the applicant was employed as a licensed or certified security guard, armed security guard, private investigator, or law enforcement officer on a full-time basis for at least one (1) year in the three (3) years immediately preceding the date of application. This experience may be continuous or cumulative, and must be in accordance with (2) of this subsection. An applicant who previously held a CLEET license as a security guard or private investigator and who has been inactive for more than five years must complete all applicable phases of training before being eligible for a anew license.

(2) As defined in the Act, it is unlawful to be employed as a security guard, or private investigator after January 1, 1988 unless properly licensed. It is unlawful to be employed as
an armed security guard after July 1, 1988 unless properly licensed. No person could lawfully gain the experience necessary to qualify for the "Experience Waiver" while working in a private security position under the purview of the Act. Therefore, credit for experience gained in a private security position shall only apply when this experience was accumulated prior to January 1, 1988. This "Experience Waiver" shall expire on January 1, 1990, except for applicants who accumulated such full-time experience while employed in a private security position that is specifically exempted from the license requirements of the Act, or in another state.

(2) CLEET may grant an applicant credit for fulfilling all or part of the training requirements, including firearms training, when an applicant submits documented proof of training that meets or exceeds the prescribed training standards as set forth in the Phase 4 - Firearms curriculum. Such training must have occurred within the last five (5) years to be eligible for credit. For firearms training to be eligible for credit the applicant must also provide proof of a successful firearms qualification obtained within sixty (60) days prior to submitting the application.

(3) Completion of CLEET mandated Basic Peace Officer training or reserve officer training, pursuant to applicable statute and rules Title 70, Section 3311(E), may be considered as comparable training.

Amendments to 390:35-5-2. Schools, school coordinators, and instructors
(a)(4)(A)
(i) Completion of a curriculum orientation workshop conducted by the State Department of Career and Technology Vocational and Technical Education.

(D) Instructors for Fire Safety must be certified by the accrediting authorities in those fields.

Amendments to 390:35-5-5. Firearms training
(b) Standards for completion of firearms training are set forth in the firearms curriculum available from developed by the Oklahoma State Department of Career and Technology Vocational and Technical Education, which is based on the CLEET Basic Peace Officer Firearms curriculum.

(c) Firearms used for approved firearms training shall be consistent with those described in 390:35-13-1. Handguns shall be limited to revolvers in a minimum of .38 and .357 or larger caliber or semi-automatic handguns in a minimum of 9mm or larger caliber. Rifles shall be limited to semi-automatic chambered in 5.56x45 mm or .223 caliber with detachable box magazines.

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

COMMENT PERIOD:
Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 17, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:
Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 22, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 17, 2022.

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

RULE IMPACT STATEMENT:
Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 2, 2022, at the CLEET offices and web address listed above.

CONTACT PERSON:
Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

[OAR Docket #21-959; filed 12-22-21]

TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 45. RETIRED PEACE OFFICER FIREARMS PERMITS

[OAR Docket #21-960]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
390:45-1-7-1. [AMENDED]

SUMMARY:
Amendments to 390:45-7-1. Renewal
(c) In addition to the renewal application, applicant shall be subject to a background check pursuant to statute and in accordance with procedures and fees in place at the time the application is made and as provided in section 150.9 of Title 74 of the Oklahoma Statutes, the applicant shall submit two fingerprint cards and a nonrefundable fee for a national criminal history record check by fingerprint analysis. Fees will only be accepted in a format described in 390:1-1-13.
AUTHORITY:
Council on Law Enforcement Education and Training; 21 O.S., §§ 1289.8 and 1290.1 et seq.; 70 O.S., § 3311 et seq.; 74 O.S., § 150.9.

COMMENT PERIOD:
Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 17, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:
Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 22, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 17, 2022.

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

RULE IMPACT STATEMENT:
Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 2, 2022, at the CLEET offices and web address listed above.

CONTACT PERSON:
Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

[OAR Docket #21-960; filed 12-22-21]

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

[OAR Docket #21-961]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Subchapter 13. Private Bail Enforcer Schools 390:60-13-1. [AMENDED]

390:60-13-2. [AMENDED]

SUMMARY:
Subchapter 13. Private Bail Enforcer Schools
Amendments to 390:60-13.1. Private school accreditation
(b) The CLEET approved curricula for Bail Enforcer training was developed and validated by the Oklahoma State Department of Career and Technology Vocational and Technical Education, under the direction of the Oklahoma Department of Public Safety, the Council on Law Enforcement Education and Training, and representatives from the fields of industrial security and private investigation and bail enforcement. No additions, deletions, or revisions shall be made to the approved curricula without first obtaining the express permission of CLEET.

(f) Specific instructional objectives, lesson plans, and examinations for each training phase are published by the Department of Career and Technology Vocational and Technical Education, in manual form.

Amendments to 390:60-13-2. Schools, school coordinators, and instructors
(c) (2) Completion of a curriculum orientation workshop conducted by the State Department of Career and Technology Vocational and Technical Education.

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

COMMENT PERIOD:
Persons wishing to make written or oral comments may do so by 4:00 p.m. on February 17, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Shelly Lowrance, or by e-mail to shelly.lowrance@cleet.state.ok.us.

PUBLIC HEARING:
Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on February 22, 2022, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts, if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Shelly Lowrance, at the above address, before the close of the comment period on February 17, 2022.

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained by contacting Shelly Lowrance at CLEET, 2401 Egypt Road, Ada, Oklahoma
NOTICES OF RULEMAKING INTENT

74820-0669, 405-239-5152, 405-206-0278 or from the CLEET web site at www.ok.gov/cleet.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 2, 2022, at the CLEET offices and web address listed above.

CONTACT PERSON:
Shelly Lowrance, Executive Administrative Assistant, (405) 239-5152.

[OAR Docket #21-961; filed 12-22-21]

TITLE 630. SCENIC RIVERS COMMISSION
CHAPTER 1. OSRC OPERATIONS

[OAR Docket #21-926]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
630:1-1-1. [REVOKED]
630:1-1-2. [REVOKED]
630:1-1-3. [REVOKED]
630:1-1-4. [REVOKED]
630:1-1-5. [REVOKED]
630:1-1-6. [REVOKED]
630:1-1-7. [REVOKED]
630:1-1-8. [REVOKED]

SUMMARY:
Effective July 1, 2016, the Scenic Rivers Commission created pursuant to Section 1461 of Title 82 of the Oklahoma Statutes was terminated. On the same date, the rights and authorities of the Scenic Rivers Commission were transferred to the Grand River Dam Authority. Some of the above rules have been revised and are being proposed for promulgation as new Chapter 40 Scenic Rivers Rules under Title 300 Grand River Dam Authority.

AUTHORITY:
Grand River Dam Authority; 82 O.S. 2019 § 861A(B)(1), 82 O.S. 2019 § 863.2(B), 82 O.S. 2016 § 896.1

COMMENT PERIOD:
Written and oral comments will be accepted January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, Attention: Tamara Jahnke or by email to tamara.jahnke@grda.com.

PUBLIC HEARING:
A public hearing will be conducted to provide an opportunity for persons to orally present their views on the content of the proposed rules. Each person will be allowed a maximum of five minutes to speak and each person must sign in at the door. The public hearing will be held on Wednesday, February 23, 2022 at 10:00 a.m. in the Scissortail Room of Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The alternate date and time in the event of inclement weather is Tuesday, March 1, 2022 at 10:00 a.m. in the Scissortail Room.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
Grand River Dam Authority requests that business entities or any other members of the public affected by these rules provide the agency, within the Comment Period from January 19, 2022 through 4:00 p.m. on February 18, 2022, in dollar amounts if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity or public member due to compliance with the proposed rules. This information may be submitted in writing from January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, Attention: Tamara Jahnke or tamara.jahnke@grda.com.

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained by contacting Tamara Jahnke at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, tamara.jahnke@grda.com.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. 2021 § 303 (D), a Rule Impact Statement has been prepared and is available at the offices of Grand River Dam Authority, Legal Division, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The Rule Impact Statement may also be viewed on the Grand River Dam Authority website at www.grda.com.

CONTACT PERSON:
Tamara Jahnke, Assistant General Counsel, (918) 610-9686, tamara.jahnke@grda.com.

[OAR Docket #21-926; filed 12-20-21]

TITLE 630. SCENIC RIVERS COMMISSION
CHAPTER 3. ELECTION PROCEDURES

[OAR Docket #21-927]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
630:3-1-1. [REVOKED]
630:3-1-2. [REVOKED]
630:3-1-3. [REVOKED]
630:3-1-4. [REVOKED]
630:3-1-5. [REVOKED]
630:3-1-6. [REVOKED]
630:3-1-7. [REVOKED]
630:3-1-8. [REVOKED]
630:3-1-9. [REVOKED]
630:3-1-10. [REVOKED]
630:3-1-13. [REVOKED]
630:3-1-16. [REVOKED]
630:3-1-17. [REVOKED]
630:3-1-18. [REVOKED]
630:3-1-21. [REVOKED]
SUMMARY:
Effective July 1, 2016, the Scenic Rivers Commission created pursuant to Section 1461 of Title 82 of the Oklahoma Statutes was terminated. On the same date, the rights and authorities of the Scenic Rivers Commission were transferred to the Grand River Dam Authority. Some of the above rules have been revised and are being proposed for promulgation as new Chapter 40 Scenic Rivers Rules under Title 300 Grand River Dam Authority.

AUTHORITY:
Grand River Dam Authority; 82 O.S. 2019 § 861A(B)(1), 82 O.S. 2019 § 863.2(B), 82 O.S. 2016 § 896.1

COMMENT PERIOD:
Written and oral comments will be accepted January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, Attention: Tamara Jahnke or by email to tamara.jahnke@grda.com.

PUBLIC HEARING:
A public hearing will be conducted to provide an opportunity for persons to orally present their views on the content of the proposed rules. Each person will be allowed a maximum of five minutes to speak and each person must sign in at the door. The public hearing will be held on Wednesday, February 23, 2022 at 10:00 a.m. in the Scissortail Room of Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The alternate date and time in the event of inclement weather is Tuesday, March 1, 2022 at 10:00 a.m. in the Scissortail Room.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
Grand River Dam Authority requests that business entities or any other members of the public affected by these rules provide the agency, within the Comment Period from January 19, 2022 through 4:00 p.m. on February 18, 2022, in dollar amounts if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity or public member due to compliance with the proposed rules. This information may be submitted in writing from January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, Attention: Tamara Jahnke or tamara.jahnke@grda.com.

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained by contacting Tamara Jahnke at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, tamara.jahnke@grda.com.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. 2021 § 303 (D), a Rule Impact Statement has been prepared and is available at the offices of Grand River Dam Authority, Legal Division, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The Rule Impact Statement may also be viewed on the Grand River Dam Authority website at www.grda.com.

CONTACT PERSON:
Tamara Jahnke, Assistant General Counsel, (918) 610-9686, tamara.jahnke@grda.com.

[OAR Docket #21-927; filed 12-20-21]

TITLE 630. SCENIC RIVERS COMMISSION
CHAPTER 4. HEARING PROCEDURES, PRACTICES, AND APPEALS

[OAR Docket #21-928]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
630:4-1-1. [REVOKED]
630:4-1-2. [REVOKED]
630:4-1-3. [REVOKED]
630:4-1-4. [REVOKED]
630:4-1-5. [REVOKED]
630:4-1-6. [REVOKED]
630:4-1-7. [REVOKED]

Subchapter 5. Individual Hearings
630:4-5-1. [REVOKED]
630:4-5-2. [REVOKED]
630:4-5-3. [REVOKED]
630:4-5-4. [REVOKED]
630:4-5-5. [REVOKED]
630:4-5-6. [REVOKED]
630:4-5-7. [REVOKED]
630:4-5-8. [REVOKED]
630:4-5-9. [REVOKED]
630:4-5-10. [REVOKED]
630:4-5-11. [REVOKED]
630:4-5-12. [REVOKED]
630:4-5-14. [REVOKED]
630:4-5-15. [REVOKED]
630:4-5-16. [REVOKED]
630:4-5-17. [REVOKED]

SUMMARY:
Effective July 1, 2016, the Scenic Rivers Commission created pursuant to Section 1461 of Title 82 of the Oklahoma Statutes was terminated. On the same date, the rights and authorities of the Scenic Rivers Commission were transferred to the Grand River Dam Authority. Some of the above rules have been revised and are being proposed for promulgation as new Chapter 40 Scenic Rivers Rules under Title 300 Grand River Dam Authority.

AUTHORITY:
Grand River Dam Authority; 82 O.S. 2019 § 861A(B)(1), 82 O.S. 2019 § 863.2(B), 82 O.S. 2016 § 896.1

COMMENT PERIOD:
Written and oral comments will be accepted January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa,
Notices of Rulemaking Intent

Oklahoma 74128, Attention: Tamara Jahnke or by email to tamara.jahnke@grda.com.

PUBLIC HEARING:
A public hearing will be conducted to provide an opportunity for persons to orally present their views on the content of the proposed rules. Each person will be allowed a maximum of five minutes to speak and each person must sign in at the door. The public hearing will be held on Wednesday, February 23, 2022 at 10:00 a.m. in the Scissortail Room of Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The alternate date and time in the event of inclement weather is Tuesday, March 1, 2022 at 10:00 a.m. in the Scissortail Room.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
Grand River Dam Authority requests that business entities or any other members of the public affected by these rules provide the agency, within the Comment Period from January 19, 2022 through 4:00 p.m. on February 18, 2022, in dollar amounts if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity or public member due to compliance with the proposed rules. This information may be submitted in writing from January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, Attention: Tamara Jahnke or tamara.jahnke@grda.com.

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained by contacting Tamara Jahnke at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, tamara.jahnke@grda.com.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. 2021 § 303 (D), a Rule Impact Statement has been prepared and is available at the offices of Grand River Dam Authority, Legal Division, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The Rule Impact Statement may also be viewed on the Grand River Dam Authority website at www.grda.com.

CONTACT PERSON:
Tamara Jahnke, Assistant General Counsel, (918) 610-9686, tamara.jahnke@grda.com.

[OAR Docket #21-928; filed 12-20-21]

TITLE 630. SCENIC RIVERS COMMISSION
CHAPTER 10. LICENSING AND USE PERMITS

[OAR Docket #21-929]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Subchapter 1. General Provisions and Licensing

630:10-1. [REVOKED]
630:10-1-1. [REVOKED]
630:10-1-2. [REVOKED]
630:10-1-3. [REVOKED]
630:10-1-5. [REVOKED]
630:10-1-6. [REVOKED]
630:10-1-7. [REVOKED]
630:10-1-9. [REVOKED]

Subchapter 2. Public Access Areas
630:10-2-1. [REVOKED]
630:10-2-2. [REVOKED]
630:10-2-3. [REVOKED]
630:10-2-4. [REVOKED]

Subchapter 3. Boater Safety
630:10-3-1. [REVOKED]
630:10-3-2. [REVOKED]

SUMMARY:
Effective July 1, 2016, the Scenic Rivers Commission created pursuant to Section 1461 of Title 82 of the Oklahoma Statutes was terminated. On the same date, the rights and authorities of the Scenic Rivers Commission were transferred to the Grand River Dam Authority. Some of the above rules have been revised and are being proposed for promulgation as new Chapter 40 Scenic Rivers Rules under Title 300 Grand River Dam Authority.

AUTHORITY:
Grand River Dam Authority; 82 O.S. 2019 § 861A(B)(1), 82 O.S. 2019 § 863.2(B), 82 O.S. 2016 § 896.1

COMMENT PERIOD:
Written and oral comments will be accepted January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, Attention: Tamara Jahnke or by email to tamara.jahnke@grda.com.

PUBLIC HEARING:
A public hearing will be conducted to provide an opportunity for persons to orally present their views on the content of the proposed rules. Each person will be allowed a maximum of five minutes to speak and each person must sign in at the door. The public hearing will be held on Wednesday, February 23, 2022 at 10:00 a.m. in the Scissortail Room of Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The alternate date and time in the event of inclement weather is Tuesday, March 1, 2022 at 10:00 a.m. in the Scissortail Room.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
Grand River Dam Authority requests that business entities or any other members of the public affected by these rules provide the agency, within the Comment Period from January 19, 2022 through 4:00 p.m. on February 18, 2022, in dollar amounts if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity or public member due to compliance with the proposed rules. This information may be submitted in writing from January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa,
Oklahoma 74128, (918) 610-9686, Attention: Tamara Jahnke or tamara.jahnke@grda.com.

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained by contacting Tamara Jahnke at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, tamara.jahnke@grda.com.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. 2021 § 303 (D), a Rule Impact Statement has been prepared and is available at the offices of Grand River Dam Authority, Legal Division, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The Rule Impact Statement may also be viewed on the Grand River Dam Authority website at www.grda.com.

CONTACT PERSON:
Tamara Jahnke, Assistant General Counsel, (918) 610-9686, tamara.jahnke@grda.com.

[TITLE 630. SCENIC RIVERS COMMISSION
CHAPTER 15. PROTECTION OF NATURAL RESOURCES

PROPOSED RULES:
630:15-1-1. [REVOKED]
630:15-1-6. [REVOKED]
630:15-1-7. [REVOKED]
630:15-1-13. [REVOKED]
630:15-1-14. [REVOKED]
630:15-1-15. [REVOKED]
630:15-1-16. [REVOKED]

SUMMARY:
Effective July 1, 2016, the Scenic Rivers Commission created pursuant to Section 1461 of Title 82 of the Oklahoma Statutes was terminated. On the same date, the rights and authorities of the Scenic Rivers Commission were transferred to the Grand River Dam Authority. Some of the above rules have been revised and are being proposed for promulgation as new Chapter 40 Scenic Rivers Rules under Title 300 Grand River Dam Authority.

AUTHORITY:
Grand River Dam Authority; 82 O.S. 2019 § 861A(B)(1), 82 O.S. 2019 § 863.2(B), 82 O.S. 2016 § 896.1

COMMENT PERIOD:
Written and oral comments will be accepted January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, Attention: Tamara Jahnke or by email to tamara.jahnke@grda.com.

PUBLIC HEARING:
A public hearing will be conducted to provide an opportunity for persons to orally present their views on the content of the proposed rules. Each person will be allowed a maximum of five minutes to speak and each person must sign in at the door. The public hearing will be held on Wednesday, February 23, 2022 at 10:00 a.m. in the Scissortail Room of Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The alternate date and time in the event of inclement weather is Tuesday, March 1, 2022 at 10:00 a.m. in the Scissortail Room.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:
Grand River Dam Authority requests that business entities or any other members of the public affected by these rules provide the agency, within the Comment Period from January 19, 2022 through 4:00 p.m. on February 18, 2022, in dollar amounts if possible, the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity or public member due to compliance with the proposed rules. This information may be submitted in writing from January 19, 2022 through 4:00 p.m. on February 18, 2022 at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, Attention: Tamara Jahnke or tamara.jahnke@grda.com.

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained by contacting Tamara Jahnke at Grand River Dam Authority, 9933 E. 16th Street, Tulsa, Oklahoma 74128, (918) 610-9686, tamara.jahnke@grda.com.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. 2021 § 303 (D), a Rule Impact Statement has been prepared and is available at the offices of Grand River Dam Authority, Legal Division, 9933 E. 16th Street, Tulsa, Oklahoma 74128. The Rule Impact Statement may also be viewed on the Grand River Dam Authority website at www.grda.com.

CONTACT PERSON:
Tamara Jahnke, Assistant General Counsel, (918) 610-9686, tamara.jahnke@grda.com.

[TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 1. ADMINISTRATIVE OPERATIONS

PROPOSED RULES:
Chapter 1. Administrative Operations [AMENDED]
SUMMARY:
Section 710:1-5-81 has been amended to implement the provisions of Section 2 of HB 2780 [2021] which provides for personal liability for mixed beverage gross receipts tax levied pursuant to 37A O.S. § 5-105. This provision was also amended to strike the incorrect reference to use tax as a trust fund tax.

The proposed amendments to Sections 710:1-3-70, 710:1-3-71, 710:1-3-73, 710:1-5-15, 710:1-5-16, 710:1-5-17, and 710:1-13-3, along with other sections which may be amended, are to clarify policy, improve readability, correct scrivener's errors, remove obsolete language, update or correct citations, update contact information, and ensure accurate internal cross-references.

AUTHORITY:
68 O.S. § 203; Oklahoma Tax Commission

COMMENT PERIOD:
Persons wishing to present their views in writing may do so by 4:30 p.m., February 22, 2022, at the following address: Oklahoma Tax Commission, Tax Policy and Research Division, Oklahoma City, Oklahoma 73194, Attention: Lisa Haws, or by email to lhaws@tax.ok.gov.

PUBLIC HEARING:
A public hearing is scheduled for 1:30 p.m., on Wednesday, February 23, 2022, at the Oklahoma Tax Commission, 123 Robert S. Kerr Ave, Oklahoma City, Oklahoma. Those wishing to make oral comments at the public hearing should request placement on the docket well in advance of the hearing date by calling Lakesha Mackie at (405) 521-3133. Time limitations may be imposed on oral presentations to ensure that all persons who have filed written requests for placement on the docket will have an opportunity to speak.

In order to facilitate entry into the building, those wishing to appear should contact Lakesha Mackie at (405) 521-3133 at least 24 hours prior to the hearing date to complete their visitor pre-registration. In order to gain access to the hearing, attendees must register at the information desk in the lobby by presenting a driver license or other photo identification.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:
Although nothing in this rulemaking action has been determined to adversely impact small business, the Oklahoma Tax Commission (OTC) requests that, pursuant to 75 O.S. § 303(B)(6), business entities affected by these rules provide the OTC, within the comment period, in dollar amounts, if possible, information on any increase in direct costs, such as fees, and indirect costs, such as those associated with reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained from the below listed contact person. The proposed rules may also be viewed on the agency's website at http://www.tax.ok.gov.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available from the below listed contact person. The Rule Impact Statement may also be viewed on the agency's website at http://www.tax.ok.gov.

CONTACT PERSON:
Lisa R. Haws, Agency Liaison, Tax Policy Division, Oklahoma Tax Commission, Oklahoma City, Oklahoma 73194. Telephone number: 405-521-3133; Email: lhaws@tax.ok.gov

[OAR Docket #21-902; filed 12-14-21]

TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 10. AD VALOREM

[OAR Docket #21-903]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Chapter 10. Ad Valorem [AMENDED]

SUMMARY:
As part of the Commission's ongoing review of its rules, many proposed amendments to the existing rules have been made to implement recent legislation. All legislative references are to the First Regular Session of the 58th Legislature (2021) unless otherwise indicated.

Section 710:10-1-4 has been amended to implement the provisions of House Bill 1009 which increased the income eligibility ceiling for additional homestead exemption qualification to gross household income not to exceed $25,000 instead of the current $20,000 limit and provided that gross household income shall not include the amount of any federal stimulus or relief payments related to the COVID-19 virus. [68 O.S. § 2890]

Section 710:10-2-6 has been updated to remove antiquated types of miscellaneous equipment.

Section 710:10-7-2.2 has been amended to implement the provisions of Senate Bill 609 which modified payroll and investment cost requirements and included custom manufacturers for purposes of eligibility and qualification for the five-year ad valorem manufacturing exemption. Additionally the amendment allows exemption qualification of replacement personal property for certain data processing facilities classified under NAICS 518210. [68 O.S. § 2902]

Section 710:10-14-4 has been amended to implement the provisions of House Bill 1990 which provides that a 100% disabled veteran owning a residence on leased land owned by a municipality, town, or city qualifies for the statutory homestead exemption from ad valorem taxes. [62:193]

Section 710:10-16-1 has been amended to implement the provisions of House Bill 1062 which provides that an unmarried spouse of a veteran killed in action owning a
Notices of Rulemaking Intent

residence on leased land owned by a municipality, town, or city qualifies for the statutory homestead exemption from ad valorem taxes. [68 O.S. § 2888]

The proposed amendment to Section 710:10-2-1, along with other sections which may be amended, is to clarify policy, improve readability, correct scrivener's errors, remove obsolete language, update or correct citations, update contact information, and ensure accurate internal cross-references.

AUTHORITY:

68 O.S. §§ 203 and 2902; Oklahoma Tax Commission

COMMENT PERIOD:

Persons wishing to present their views in writing may do so by 4:30 p.m., February 22, 2022, at the following address: Oklahoma Tax Commission, Tax Policy and Research Division, Oklahoma City, Oklahoma 73194, Attention: Lisa Haws, or by email to lhaws@tax.ok.gov.

PUBLIC HEARING:

A public hearing is scheduled for 1:30 p.m., on Wednesday, February 23, 2022, at the Oklahoma Tax Commission, 123 Robert S. Kerr Ave, Oklahoma City, Oklahoma. Those wishing to make oral comments at the public hearing should request placement on the docket well in advance of the hearing date by calling Lakesha Mackie at (405) 521-3133. Time limitations may be imposed on oral presentations to ensure that all persons who have filed written requests for placement on the docket will have an opportunity to speak.

In order to facilitate entry into the building, those wishing to appear should contact Lakesha Mackie at (405) 521-3133 at least 24 hours prior to the hearing date to complete their visitor pre-registration. In order to gain access to the hearing, attendees must register at the information desk in the lobby by presenting a driver license or other photo identification.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

Although nothing in this rulemaking action has been determined to adversely impact small business, the Oklahoma Tax Commission (OTC) requests that, pursuant to 75 O.S. § 303(B)(6), business entities affected by these rules provide the OTC, within the comment period, in dollar amounts, if possible, information on any increase in direct costs, such as fees, and indirect costs, such as those associated with reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the below listed contact person. The proposed rules may also be viewed on the agency's website at http://www.tax.ok.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available from the below listed contact person. The Rule Impact Statement may also be viewed on the agency's website at http://www.tax.ok.gov.

CONTACT PERSON:

Lisa R. Haws, Agency Liaison, Tax Policy Division, Oklahoma Tax Commission, Oklahoma City, Oklahoma 73194. Telephone number: 405-521-3133; Email: lhaws@tax.ok.gov

[OAR Docket #21-904; filed 12-14-21]

TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 15. AIRCRAFT

[OAR Docket #21-904]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Chapter 15. Aircraft [AMENDED]

SUMMARY:

Section 710:15-2-5 has been amended to update the mailing address for aircraft dealer license applications.

Other sections may be amended to clarify policy, improve readability, correct scrivener's errors, remove obsolete language, update or correct citations, update contact information, and ensure accurate internal cross-references.

AUTHORITY:

Oklahoma Tax Commission; 68 O.S. § 203

COMMENT PERIOD:

Persons wishing to present their views in writing may do so by 4:30 p.m., February 22, 2022, at the following address: Oklahoma Tax Commission, Tax Policy and Research Division, Oklahoma City, Oklahoma 73194, Attention: Lisa Haws, or by email to lhaws@tax.ok.gov.

PUBLIC HEARING:

A public hearing is scheduled for 1:30 p.m. on Wednesday, February 23, 2022, at the Oklahoma Tax Commission, 123 Robert S. Kerr Ave, Oklahoma City, Oklahoma. Those wishing to make oral comments at the public hearing should request placement on the docket well in advance of the hearing date by calling Lakesha Mackie at (405) 521-3133. Time limitations may be imposed on oral presentations to ensure that all persons who have filed written requests for placement on the docket will have an opportunity to speak.

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REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

Although nothing in this rulemaking action has been determined to adversely impact small business, the Oklahoma Tax Commission (OTC) requests that, pursuant to 75 O.S. § 303(B)(6), business entities affected by these rules provide the OTC, within the comment period, in dollar amounts, if possible, information on any increase in direct costs, such as fees, and indirect costs, such as those associated with reporting,
Notice of Rulemaking Intent

recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the below listed contact person. The proposed rules may also be viewed on the agency's website at http://www.tax.ok.gov.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available from the below listed contact person. The Rule Impact Statement may also be viewed on the agency's website at http://www.tax.ok.gov.

**CONTACT PERSON:**

Lisa R. Haws, Agency Liaison, Tax Policy Division, Oklahoma Tax Commission, Oklahoma City, Oklahoma 73194. Telephone number: 405-521-3133; Email: lhaws@tax.ok.gov

[OAR Docket #21-904; filed 12-14-21]

**TITLE 710. OKLAHOMA TAX COMMISSION**

**CHAPTER 22. BOATS AND MOTORS**

[OAR Docket #21-905]

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 22. Boats and Motors [AMENDED]

**SUMMARY:**

Section 710:22-1-3 has been amended consistent with the provisions of SB 899 [2021] which exempts kiteboards from the titling and registration requirements of the Oklahoma Vessel and Motor Registration Act. [63:4005]

Other sections may be amended to clarify policy, improve readability, correct scrivener's errors, remove obsolete language, update or correct citations, update contact information, and ensure accurate internal cross-references.

**AUTHORITY:**

68 O.S. § 203; Oklahoma Tax Commission

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so by 4:30 p.m., February 22, 2022, at the following address: Oklahoma Tax Commission, Tax Policy and Research Division, Oklahoma City, Oklahoma 73194, Attention: Lisa Haws, or by email to lhaws@tax.ok.gov.

**PUBLIC HEARING:**

A public hearing is scheduled for 1:30 p.m. on Wednesday, February 23, 2022, at the Oklahoma Tax Commission, 123 Robert S. Kerr Ave, Oklahoma City, Oklahoma. Those wishing to make oral comments at the public hearing should request placement on the docket well in advance of the hearing date by calling Lakesha Mackie at (405) 521-3133. Time limitations may be imposed on oral presentations to ensure that all persons who have filed written requests for placement on the docket will have an opportunity to speak.

In order to facilitate entry into the building, those wishing to appear should contact Lakesha Mackie at (405) 521-3133 at least 24 hours prior to the hearing date to complete their visitor pre-registration. In order to gain access to the hearing, attendees must register at the information desk in the lobby by presenting a driver license or other photo identification.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

Although nothing in this rulemaking action has been determined to adversely impact small business, the Oklahoma Tax Commission (OTC) requests that, pursuant to 75 O.S. § 303(B)(6), business entities affected by these rules provide the OTC, within the comment period, in dollar amounts, if possible, information on any increase in direct costs, such as fees, and indirect costs, such as those associated with reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the below listed contact person. The proposed rules may also be viewed on the agency's website at http://www.tax.ok.gov.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available from the below listed contact person. The Rule Impact Statement may also be viewed on the agency's website at http://www.tax.ok.gov.

**CONTACT PERSON:**

Lisa R. Haws, Agency Liaison, Tax Policy Division, Oklahoma Tax Commission, Oklahoma City, Oklahoma 73194. Telephone number: 405-521-3133; Email: lhaws@tax.ok.gov

[OAR Docket #21-905; filed 12-14-21]

**TITLE 710. OKLAHOMA TAX COMMISSION**

**CHAPTER 25. COIN OPERATED VENDING DEVICES**

[OAR Docket #21-906]

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 25. Coin Operated Vending Devices [AMENDED]

**SUMMARY:**

The amendment to Section 710:25-1-2 is proposed to implement Section 7 of HB 2780 [2021], effective November 1, 2021, which excludes from the coin-op fee and decal requirement any device dispensing tangible personal property or providing amusement where payment is made solely
through the use of a credit or debit card or other electronic or digital payment process. [68:1501]

Other sections may be amended to clarify policy, improve readability, correct scrivener's errors, remove obsolete language, update or correct citations, update contact information, and ensure accurate internal cross-references.

**AUTHORITY:**
68 O.S. §§ 203 and 1504; Oklahoma Tax Commission

**COMMENT PERIOD:**
Persons wishing to present their views in writing may do so by 4:30 p.m., February 22, 2022, at the following address: Oklahoma Tax Commission, Tax Policy and Research Division, Oklahoma City, Oklahoma 73194, Attention: Lisa Haws, or by email to lhaws@tax.ok.gov.

**PUBLIC HEARING:**
A public hearing is scheduled for 1:30 p.m. on Wednesday, February 23, 2022, at the Oklahoma Tax Commission, 123 Robert S. Kerr Ave, Oklahoma City, Oklahoma. Those wishing to make oral comments at the public hearing should request placement on the docket well in advance of the hearing date by calling Lakesha Mackie at (405) 521-3133. Time limitations may be imposed on oral presentations to ensure that all persons who have filed written requests for placement on the docket will have an opportunity to speak.

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**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**
Although nothing in this rulemaking action has been determined to adversely impact small business, the Oklahoma Tax Commission (OTC) requests that, pursuant to 75 O.S. § 303(B)(6), business entities affected by these rules provide the OTC, within the comment period, in dollar amounts, if possible, information on any increase in direct costs, such as fees, and indirect costs, such as those associated with reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.

**COPIES OF PROPOSED RULES:**
Copies of the proposed rules may be obtained from the below listed contact person. The proposed rules may also be viewed on the agency's website at http://www.tax.ok.gov.

**RULE IMPACT STATEMENT:**
Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available from the below listed contact person. The Rule Impact Statement may also be viewed on the agency's website at http://www.tax.ok.gov.

**CONTACT PERSON:**
Lisa R. Haws, Agency Liaison, Tax Policy Division, Oklahoma Tax Commission, Oklahoma City, Oklahoma 73194. Telephone number: 405-521-3133; Email: lhaws@tax.ok.gov

[OAR Docket #21-906; filed 12-14-21]

**TITLE 710. OKLAHOMA TAX COMMISSION**

**CHAPTER 45. GROSS PRODUCTION**

[OAR Docket #21-907]

**RULEMAKING ACTION:**
Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**
Chapter 45. Gross Production [AMENDED]

**SUMMARY:**
Section 710:45-1-3 has been amended to clarify that bond reductions may occur only after the first year and are subject to review and approval by the Tax Commission. [68 O.S. §1010a]

Other sections may be amended to clarify policy, improve readability, correct scrivener's errors, remove obsolete language, update or correct citations, update contact information, and ensure accurate internal cross-references.

**AUTHORITY:**
Oklahoma Tax Commission; 68 O.S. § 203

**COMMENT PERIOD:**
Persons wishing to present their views in writing may do so by 4:30 p.m., February 22, 2022, at the following address: Oklahoma Tax Commission, Tax Policy and Research Division, Oklahoma City, Oklahoma 73194, Attention: Lisa Haws, or by email to lhaws@tax.ok.gov.

**PUBLIC HEARING:**
A public hearing is scheduled for 1:30 p.m. on Wednesday, February 23, 2022, at the Oklahoma Tax Commission, 123 Robert S. Kerr Ave, Oklahoma City, Oklahoma. Those wishing to make oral comments at the public hearing should request placement on the docket well in advance of the hearing date by calling Lakesha Mackie at (405) 521-3133. Time limitations may be imposed on oral presentations to ensure that all persons who have filed written requests for placement on the docket will have an opportunity to speak.

In order to facilitate entry into the building, those wishing to appear should contact Lakesha Mackie at (405) 521-3133 at least 24 hours prior to the hearing date to complete their visitor pre-registration. In order to gain access to the hearing, attendees must register at the information desk in the lobby by presenting a driver license or other photo identification.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**
Although nothing in this rulemaking action has been determined to adversely impact small business, the Oklahoma Tax Commission (OTC) requests that, pursuant to 75 O.S. § 303(B)(6), business entities affected by these rules provide the OTC, within the comment period, in dollar amounts, if possible, information on any increase in direct costs, such as fees, and indirect costs, such as those associated with reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.
Notices of Rulemaking Intent

fees, and indirect costs, such as those associated with reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained from the below listed contact person. The proposed rules may also be viewed on the agency's website at http://www.tax.ok.gov.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available from the below listed contact person. The Rule Impact Statement may also be viewed on the agency's website at http://www.tax.ok.gov.

CONTACT PERSON:
Lisa R. Haws, Agency Liaison, Tax Policy Division, Oklahoma Tax Commission, Oklahoma City, Oklahoma 73194. Telephone number: 405-521-3133; Email: lhaws@tax.ok.gov

[OAR Docket #21-907; filed 12-14-21]

TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 50. INCOME

[OAR Docket #21-908]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Chapter 50. Income [AMENDED]

SUMMARY:
As part of the Commission's ongoing review of its rules, many proposed amendments to the existing rules have been made to implement recent legislation. All legislative references are to the First Regular Session of the 58th Legislature (2021) unless otherwise indicated.

The proposed amendment to Section 710:50-3-53 reflects changes to the individual income tax rate for tax year 2022. [68:2355]

The proposed amendment to Section 710:50-3-54 reflects changes to the individual income tax rate for tax year 2022 and changes to filing format for the Nonresident Member Withholding Exemption Affidavit; the format for filing the affidavit on CD will be in either a spreadsheet format (i.e. Excel) or a database format (i.e. dbf or Access) or a Delimited Text File. [68:2355]

The proposed amendment to Section 710:50-3-53 implements the provisions of Senate Bill 601 which provides that if an income tax refund is not paid to the taxpayer within a certain number of days after the income tax return is filed or due, whichever is later, the Tax Commission must pay interest on the refund. [68:217]

The proposed amendments to Subchapter 11. Intercept of Refunds implement the provisions of Senate Bill 343 which clarifies that a qualified entity seeking to collect unpaid municipal and district court fines and costs from an individual who has filed a state income tax return, may file a claim with the Tax Commission requesting that the amount owed be deducted from the individual's state income tax refund. [68:205.2]

The proposed amendment to Section 710:50-13-8 implements the provisions of Senate Bill 601 which provides that the period of underpayment be consistent with 68 O.S. § 2368; the underpayment due date of both individual income tax and corporate income tax is 30 days after the due date for returns established under the Internal Revenue Code. [68:2385.13]

The proposed amendment to Section 710:50-15-90 implements the provisions of House Bill 2962; the earned income tax credit was made refundable and the amount of the credit will be computed using the same requirements for computing the earned income tax credit for federal income tax purposes in effect for the 2020 income tax year. [68:2357.43]

The proposed amendment to Section 710:50-15-109 implements the provisions of Senate Bill 893 which amended the definition of "qualified employee" to include engineers licensed as a Professional Engineer, and the definition of "qualified program" to mean both the undergraduate and graduate programs of the same discipline of engineering at an institution shall be part of the qualified program if either program is ABET accredited. [68:2357.301]


The proposed amendments to Section 710:50-17-5, Section 710:50-17-51 and Appendix A. Computation of Tax Accrual When Tax Credits Are Allowable implement the provisions of House Bill 2960 which reduced the corporate income tax rate from 6% to 4% beginning with tax year 2022. [68:2355]

Other sections may be amended to clarify policy, improve readability, correct scrivener's errors, remove obsolete language, update or correct citations, update contact information, and ensure accurate internal cross-references.

AUTHORITY:
68 O.S. §§ 203, 205.2, and 2357.206; Oklahoma Tax Commission

COMMENT PERIOD:
Persons wishing to present their views in writing may do so by 4:30 p.m., February 22, 2022, at the following address: Oklahoma Tax Commission, Tax Policy and Research Division, Oklahoma City, Oklahoma 73194, Attention: Lisa Haws, or by email to lhaws@tax.ok.gov.

PUBLIC HEARING:
A public hearing is scheduled for 1:30 p.m. on Wednesday, February 23, 2022, at the Oklahoma Tax Commission, 123 Robert S. Kerr Ave, Oklahoma City, Oklahoma. Those wishing to make oral comments at the public hearing should request placement on the docket well in advance of the hearing.
date by calling Lakesha Mackie at (405) 521-3133. Time limitations may be imposed on oral presentations to ensure that all persons who have filed written requests for placement on the docket will have an opportunity to speak.

In order to facilitate entry into the building, those wishing to appear should contact Lakesha Mackie at (405) 521-3133 at least 24 hours prior to the hearing date to complete their visitor pre-registration. In order to gain access to the hearing, attendees must register at the information desk in the lobby by presenting a driver license or other photo identification.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

Although nothing in this rulemaking action has been determined to adversely impact small business, the Oklahoma Tax Commission (OTC) requests that, pursuant to 75 O.S. § 303(B)(6), business entities affected by these rules provide the OTC, within the comment period, in dollar amounts, if possible, information on any increase in direct costs, such as fees, and indirect costs, such as those associated with reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the below listed contact person. The proposed rules may also be viewed on the agency's website at http://www.tax.ok.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available from the below listed contact person. The Rule Impact Statement may also be viewed on the agency's website at http://www.tax.ok.gov.

CONTACT PERSON:

Lisa R. Haws, Agency Liaison, Tax Policy Division, Oklahoma Tax Commission, Oklahoma City, Oklahoma 73194. Telephone number: 405-521-3133; Email: lhaws@tax.ok.gov

[OAR Docket #21-908; filed 12-14-21]

TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 60. MOTOR VEHICLES

[OAR Docket #21-909]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Chapter 60. Motor Vehicles [AMENDED]

SUMMARY:

As part of the Commission's ongoing review of its rules, many proposed amendments to the existing rules have been made to implement recent legislation. All legislative references are to the First Regular Session of the 58th Legislature (2021) unless otherwise indicated.

Section 710:60-3-28 has been amended and new Section 710:60-3-56.1 has been promulgated consistent with the passage of SB 263, which amends 47 O.S. § 1112.2 and provides that when a lender or lender's agent repossesses a vehicle for which a license plate has not been removed, the lender or lender's agent is not subject to the current requirement imposed in 47 O.S § 1112.2 to remove and return the plate to the Tax Commission or a motor license agent.

Section 710:60-3-37 has been amended to authorize the Tax Commission to waive a delinquent vehicle registration penalty related to a stolen vehicle as certified by a police report or other documentation required by the Tax Commission, consistent with the provisions of HB 1065. [47:1115, 1132]

New Part 8. Electric Vehicles and New Section 710:60-3-80 have been added to implement the provisions of HB 2234 which imposes and sets an initial and renewal fee in addition to the registration fees imposed pursuant to 47 O.S. § 1132 for electric vehicles based on the weight of the vehicle and the assigned classification thereof. [68:6511]

Section 710:60-3-184 has been amended to implement the provisions of HB 1044 by modifying the authorization language creating the Gold Star special license plate. The plate is to be designed to honor members who were killed while on active duty and expands eligibility to additional family members. [47:1135.2]

Section 710:60-5-71 has been amended to prohibit a motor license agent from transferring the certificate of title on a vehicle when there is an active lien from a commercial lender in place on that vehicle until the lien is satisfied, consistent with the provisions of HB 2056. [47:1110]

Other sections may be amended to clarify policy, improve readability, correct scrivener's errors, remove obsolete language, update or correct citations, update contact information, and ensure accurate internal cross-references.

AUTHORITY:

68 O.S. § 203; 47 O.S. §§, 1112.2 and 1132; Oklahoma Tax Commission

COMMENT PERIOD:

Persons wishing to present their views in writing may do so by 4:30 p.m., February 22, 2022, at the following address: Oklahoma Tax Commission, Tax Policy and Research Division, Oklahoma City, Oklahoma 73194, Attention: Lisa Haws, or by email to lhaws@tax.ok.gov.

PUBLIC HEARING:

A public hearing is scheduled for 1:30 p.m. on Wednesday, February 23, 2022, at the Oklahoma Tax Commission, 123 Robert S. Kerr Ave, Oklahoma City, Oklahoma. Those wishing to make oral comments at the public hearing should request placement on the docket well in advance of the hearing date by calling Lakesha Mackie at (405) 521-3133. Time limitations may be imposed on oral presentations to ensure that all persons who have filed written requests for placement on the docket will have an opportunity to speak.

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Notices of Rulemaking Intent

visitors pre-registration. In order to gain access to the hearing, attendees must register at the information desk in the lobby by presenting a driver license or other photo identification.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:
Although nothing in this rulemaking action has been determined to adversely impact small business, the Oklahoma Tax Commission (OTC) requests that, pursuant to 75 O.S. § 303(B)(6), business entities affected by these rules provide the OTC, within the comment period, in dollar amounts, if possible, information on any increase in direct costs, such as fees, and indirect costs, such as those associated with reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained from the below listed contact person. The proposed rules may also be viewed on the agency's website at http://www.tax.ok.gov.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available from the below listed contact person. The Rule Impact Statement may also be viewed on the agency's website at http://www.tax.ok.gov.

CONTACT PERSON:
Lisa R. Haws, Agency Liaison, Tax Policy Division, Oklahoma Tax Commission, Oklahoma City, Oklahoma 73194. Telephone number: 405-521-3133; Email: lhaws@tax.ok.gov

[OAR Docket #21-909: filed 12-14-21]

TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 65. SALES AND USE TAX
[OAR Docket #21-910]

RULEMAKING ACTION:
Notice of proposed PERMANENT rulemaking

PROPOSED RULES:
Chapter 65. Sales and Use Tax [AMENDED]

SUMMARY:
As part of the Commission's ongoing review of its rules, many proposed amendments to the existing rules have been made to implement recent legislation. All legislative references are to the First Regular Session of the 58th Legislature (2021) unless otherwise indicated.

Sections 710:65-1-7 and 710:65-7-13 have been amended to update the list of entities which may pass through their sales tax exemption to a contractor for purposes of fulfilling a public contract with the exempt entity.

Section 710:65-7-15 has been amended to add existing entities exempted from sales tax on their purchases with the applicable documentation to be accepted by the vendor for purposes of a vendor's relief from liability to collect sales tax.

Section 710:65-13-30 has been amended to update the in lieu tax provisions of the rule relating to motor vehicles consistent with the provisions of HB 2964, effective November 1, 2021, to exempt commercial trailers and semitrailers registered under 47 O.S. § 1133(C) to transport cargo over the highways of this state from imposition of the 1.25% motor vehicle sales tax upon payment of the excise tax levied pursuant to 68 O.S. § 2103. The payment of excise tax levied by Section 2013 also exempts vehicles/units proportionally registered pursuant to Section 1120 of Title 47 from the 1.25% motor vehicle sales tax which is also noted in the rule amendment.

Section 710:65-13-201 has been amended consistent with the passage of HB 1060, which amends Section 1360(1) of Title 68 to exempt from the sales tax levy, sales or transfers of tangible personal property between wholly owned subsidiaries of a parent company and between a parent company and its wholly owned subsidiary.

Section 710:65-13-275, relating to the sales tax exemption afforded qualifying 100% disabled veterans, has been amended to implement the provisions of Sections 10 and 11 of HB 1198 [2017], effective November 1, 2020, which added a veterans registry qualification requirement for the sales tax exemption; Section 2 of SB 415 [2021], effective April 28, 2021 which provides that qualifying 100% veterans receiving the referenced exemption prior to November 1, 2020, must register with the veterans registry prior to July 1, 2023, in order to remain qualified for exemption and HB 2780 [2021] which provides that in order to claim a refund of sales taxes erroneously paid, the eligible taxpayer must submit to the OTC a signed notification of the vendor's denial of the sales tax exemption for 100% disabled veterans. [68:1357, 1361.2]

New Sections 710:65-13-368 and 710:65-13-369 have been added to outline the process to qualify for the sales tax exemption for sales of tangible personal property or services used solely for construction and remodeling projects to a qualifying organization that is exempt from taxation pursuant to the provisions of the IRC, 26 U.S.C., Section 501(c)(3) and for the sales tax exemption to qualified non-profit organizations that provide repair or restoration of single-family dwellings or the construction of a replacement single-family dwelling following a natural disaster. The referenced sales tax exemptions were enacted pursuant to the passage of HB 1935 [2021], effective November 1, 2021. [68:1356]

New Section 710:65-13-370 has been added to outline the procedures for obtaining the sales tax exemption enacted pursuant to SB 909 [2021] which exempts from the sales tax levy effective November 1, 2021, through December 31, 2024, sales of tangible personal property or services to a museum that operates as part of an organization that is exempt from taxation pursuant to 26 U.S.C., § 501(c)(3) and is not accredited by the American Alliance of Museums. To qualify, the described entities must operate on an annual budget of less than $1 million. [68:1356]
New Part 47 and New Section 710:65-13-470 have been added to outline the application process to qualify for the sales tax exemption beginning January 1, 2022, until January 31, 2027, for sales of commercial forestry service equipment, limited to, forwarders, fellers, bunchers, track skidders, wheeled skidders, hydraulic excavators, delimbers, soil compactors and skid steer loaders, to businesses engaged in logging, timber and tree farming. HB 1588 [2021]. [68:1357]

Section 710:65-19-305 has been amended to detail the requirement and process for scrap metal dealers and junkyards to obtain an Oklahoma sales tax permit.

In addition, several sections have been amended to update the location and mailing address of the Tax Commission, to clarify policy, improve readability, correct scriveners' errors, remove obsolete language, update or correct citations, update contact information, and ensure accurate internal cross-references.

**AUTHORITY:**

68 O.S. §§ 203, 1357; Oklahoma Tax Commission

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so by 4:30 p.m., February 22, 2022, at the following address: Oklahoma Tax Commission, Tax Policy and Research Division, Oklahoma City, Oklahoma 73194, Attention: Lisa Haws, or by email to lhaws@tax.ok.gov.

**PUBLIC HEARING:**

A public hearing is scheduled for 1:30 p.m. on Wednesday, February 23, 2022, at the Oklahoma Tax Commission, 123 Robert S. Kerr Ave, Oklahoma City, Oklahoma. Those wishing to make oral comments at the public hearing should request placement on the docket well in advance of the hearing date by calling Lakesha Mackie at (405) 521-3133. Time limitations may be imposed on oral presentations to ensure that all persons who have filed written requests for placement on the docket will have an opportunity to speak.

In order to facilitate entry into the building, those wishing to appear should contact Lakesha Mackie at (405) 521-3133 at least 24 hours prior to the hearing date to complete their visitor pre-registration. In order to gain access to the hearing, attendees must register at the information desk in the lobby by presenting a driver license or other photo identification.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

Although nothing in this rulemaking action has been determined to adversely impact small business, the Oklahoma Tax Commission (OTC) requests that, pursuant to 75 O.S. § 303(B)(6), business entities affected by these rules provide the OTC, within the comment period, in dollar amounts, if possible, information on any increase in direct costs, such as fees, and indirect costs, such as those associated with reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the below listed contact person. The proposed rules may also be viewed on the agency's website at http://www.tax.ok.gov.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available from the below listed contact person. The Rule Impact Statement may also be viewed on the agency's website at http://www.tax.ok.gov.

**CONTACT PERSON:**

Lisa R. Haws, Agency Liaison, Tax Policy Division, Oklahoma Tax Commission, Oklahoma City, Oklahoma 73194. Telephone number: 405-521-3133; Email: lhaws@tax.ok.gov

[OAR Docket #21-910; filed 12-14-21]

**TITLE 710. OKLAHOMA TAX COMMISSION**

**CHAPTER 70. TOBACCO, TOBACCO PRODUCTS, AND CIGARETTES**

[OAR Docket #21-911]

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 70. Tobacco, Tobacco Products, and Cigarettes

[AMENDED]

**SUMMARY:**

Section 710:70-5-13 has been amended to include the new invoice information required to be maintained by wholesalers and retailers of tobacco products while Section 710:70-5-8 has been amended and Section 710:70-5-9 has been revoked to remove all references to drop shipments. All proposed amendments are a result of the passage of HB 2292 [2021].

The proposed amendment to Section 710:70-2-11, along with other sections which may be amended, is to clarify policy, improve readability, correct scriveners' errors, remove obsolete language, update or correct citations, update contact information, and ensure accurate internal cross-references.

**AUTHORITY:**

68 O.S. §§ 203, 403, 403.1 and 415; Oklahoma Tax Commission

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so by 4:30 p.m., February 22, 2022, at the following address: Oklahoma Tax Commission, Tax Policy and Research Division, Oklahoma City, Oklahoma 73194, Attention: Lisa Haws, or by email to lhaws@tax.ok.gov.

**PUBLIC HEARING:**

A public hearing is scheduled for 1:30 p.m., on Wednesday, February 23, 2022, at the Oklahoma Tax Commission, 123 Robert S. Kerr Ave, Oklahoma City, Oklahoma. Those wishing to make oral comments at the public hearing should request placement on the docket well in advance of the hearing.
date by calling Lakesha Mackie at (405) 521-3133. Time limitations may be imposed on oral presentations to ensure that all persons who have filed written requests for placement on the docket will have an opportunity to speak.  

In order to facilitate entry into the building, those wishing to appear should contact Lakesha Mackie at (405) 521-3133 at least 24 hours prior to the hearing date to complete their visitor pre-registration. In order to gain access to the hearing, attendees must register at the information desk in the lobby by presenting a driver license or other photo identification.  

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

Although nothing in this rulemaking action has been determined to adversely impact small business, the Oklahoma Tax Commission (OTC) requests that, pursuant to 75 O.S. § 303(B)(6), business entities affected by these rules provide the OTC, within the comment period, in dollar amounts, if possible, information on any increase in direct costs, such as fees, and indirect costs, such as those associated with reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the below listed contact person. The proposed rules may also be viewed on the agency's website at http://www.tax.ok.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available from the below listed contact person. The Rule Impact Statement may also be viewed on the agency's website at http://www.tax.ok.gov.

CONTACT PERSON:

Lisa R. Haws, Agency Liaison, Tax Policy Division, Oklahoma Tax Commission, Oklahoma City, Oklahoma 73194. Telephone number: 405-521-3133; Email: lhaws@tax.ok.gov

[OAR Docket #21-911: filed 12-14-21]

TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 85. VARIOUS TAX INCENTIVES

[OAR Docket #21-912]

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Chapter 85. Various Tax Incentives [AMENDED]

SUMMARY:

Section 710:85-7-3 has been amended to implement the provisions of Senate Bill 200 [2019] which increased the maximum amount of rebates eligible to be paid in any one fiscal year from $4 million to $8 million, and House Bill 2780 [2021] which clarifies that the amount of claims prequalified and approved by the Office of the Oklahoma Film and Music Commission must not exceed $8 million for any fiscal year. [68:3624]

Other sections may be amended to clarify policy, improve readability, correct scrivener's errors, remove obsolete language, update or correct citations, update contact information, and ensure accurate internal cross-references.

AUTHORITY:

68 O.S. §203; Oklahoma Tax Commission

COMMENT PERIOD:

Persons wishing to present their views in writing may do so by 4:30 p.m., February 22, 2022, at the following address: Oklahoma Tax Commission, Tax Policy and Research Division, Oklahoma City, Oklahoma 73194, Attention: Lisa Haws, or by email to lhaws@tax.ok.gov.

PUBLIC HEARING:

A public hearing is scheduled for 1:30 p.m. on Wednesday, February 23, 2022, at the Oklahoma Tax Commission, 123 Robert S. Kerr Ave, Oklahoma City, Oklahoma. Those wishing to make oral comments at the public hearing should request placement on the docket well in advance of the hearing date by calling Lakesha Mackie at (405) 521-3133. Time limitations may be imposed on oral presentations to ensure that all persons who have filed written requests for placement on the docket will have an opportunity to speak.

In order to facilitate entry into the building, those wishing to appear should contact Lakesha Mackie at (405) 521-3133 at least 24 hours prior to the hearing date to complete their visitor pre-registration. In order to gain access to the hearing, attendees must register at the information desk in the lobby by presenting a driver license or other photo identification.

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

Although nothing in this rulemaking action has been determined to adversely impact small business, the Oklahoma Tax Commission (OTC) requests that, pursuant to 75 O.S. § 303(B)(6), business entities affected by these rules provide the OTC, within the comment period, in dollar amounts, if possible, information on any increase in direct costs, such as fees, and indirect costs, such as those associated with reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the below listed contact person. The proposed rules may also be viewed on the agency's website at http://www.tax.ok.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available from the below listed contact person. The Rule Impact Statement may also be viewed on the agency's website at http://www.tax.ok.gov.

CONTACT PERSON:

Lisa R. Haws, Agency Liaison, Tax Policy Division, Oklahoma Tax Commission, Oklahoma City, Oklahoma
REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:
Although nothing in this rulemaking action has been
determined to adversely impact small business, the Oklahoma
Tax Commission (OTC) requests that, pursuant to 75 O.S. §
303(B)(6), business entities affected by these rules provide
the OTC, within the comment period, in dollar amounts, if
possible, information on any increase in direct costs, such as
fees, and indirect costs, such as those associated with reporting,
recordkeeping, equipment, construction, labor, professional
services, revenue loss, or other costs expected to be incurred by
a particular entity due to compliance with the proposed Rules.

COPIES OF PROPOSED RULES:
Copies of the proposed rules may be obtained from the
below listed contact person. The proposed rules may also be
viewed on the agency's website at http://www.tax.ok.gov.

RULE IMPACT STATEMENT:
Pursuant to 75 O.S. § 305(D), a Rule Impact Statement will
be prepared and available from the below listed contact person.
The Rule Impact Statement may also be viewed on the agency's

CONTACT PERSON:
Lisa R. Haws, Agency Liaison, Tax Policy Division,
Oklahoma Tax Commission, Oklahoma City, Oklahoma
73194. Telephone number: 405-521-3133; Email:
lhaws@tax.ok.gov

PUBLIC HEARING:
A public hearing is scheduled for 1:30 p.m. on Wednesday,
February 23, 2022, at the Oklahoma Tax Commission, 123
Robert S. Kerr Ave, Oklahoma City, Oklahoma. Those
wishing to make oral comments at the public hearing should
request placement on the docket well in advance of the hearing
date by calling Lakesha Mackie at (405) 521-3133. Time
limitations may be imposed on oral presentations to ensure that
all persons who have filed written requests for placement on
the docket will have an opportunity to speak.

In order to facilitate entry into the building, those wishing
to appear should contact Lakesha Mackie at (405) 521-3133
at least 24 hours prior to the hearing date to complete their
visitor pre-registration. In order to gain access to the hearing,
attendees must register at the information desk in the lobby by
presenting a driver license or other photo identification.

The proposed amendment to Section 710:95-22-8, along
with other sections may be amended, is to clarify policy,
 Notices of Rulemaking Intent

improve readability, correct scrivener's errors, remove obsolete language, update or correct citations, update contact information, and ensure accurate internal cross-references.

**AUTHORITY:**

68 O.S. §§203, 2110, and 4309; Oklahoma Tax Commission

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so by 4:30 p.m., February 22, 2022, at the following address: Oklahoma Tax Commission, Tax Policy and Research Division, Oklahoma City, Oklahoma 73194, Attention: Lisa Haws, or by email to lhaws@tax.ok.gov.

**PUBLIC HEARING:**

A public hearing is scheduled for 1:30 p.m., on Wednesday, February 23, 2022, at the Oklahoma Tax Commission, 123 Robert S. Kerr Ave, Oklahoma City, Oklahoma. Those wishing to make oral comments at the public hearing should request placement on the docket well in advance of the hearing date by calling Lakesha Mackie at (405) 521-3133. Time limitations may be imposed on oral presentations to ensure that all persons who have filed written requests for placement on the docket will have an opportunity to speak.

In order to facilitate entry into the building, those wishing to appear should contact Lakesha Mackie at (405) 521-3133 at least 24 hours prior to the hearing date to complete their visitor pre-registration. In order to gain access to the hearing, attendees must register at the information desk in the lobby by presenting a driver license or other photo identification.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

Although nothing in this rulemaking action has been determined to adversely impact small business, the Oklahoma Tax Commission (OTC) requests that, pursuant to 75 O.S. § 303(B)(6), business entities affected by these rules provide the OTC, within the comment period, in dollar amounts, if possible, information on any increase in direct costs, such as fees, and indirect costs, such as those associated with reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed Rules.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the below listed contact person. The proposed rules may also be viewed on the agency's website at http://www.tax.ok.gov.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a Rule Impact Statement will be prepared and available from the below listed contact person. The Rule Impact Statement may also be viewed on the agency's website at http://www.tax.ok.gov.

**CONTACT PERSON:**

Lisa R. Haws, Agency Liaison, Tax Policy Division, Oklahoma Tax Commission, Oklahoma City, Oklahoma 73194. Telephone number: 405-521-3133; Email: lhaws@tax.ok.gov.

[OAR Docket #21-914; filed 12-14-21]
Emergency Adoptions

"If an agency finds that a rule is necessary as an emergency measure, the rule may be promulgated" if the Governor approves the rules after determining "that the rule is necessary as an emergency measure to do any of the following:

a. protect public health, safety or welfare,
b. comply with deadlines in amendments to an agency’s governing law or federal programs,
c. avoid violation of federal law or regulation or other state law,
d. avoid imminent reduction to the agency’s budget, or

An emergency rule is considered promulgated immediately upon approval by the Governor, and effective immediately upon the Governor’s approval or a later date specified by the agency in the emergency rule document. An emergency rule expires on September 15 following the next regular legislative session after its promulgation, or on an earlier date specified by the agency, if not already superseded by a permanent rule or terminated through legislative action as described in 75 O.S., Section 253(H)(2).

Emergency rules are not published in the Oklahoma Administrative Code; however, a source note entry, which cites to the Register publication of the emergency action, is added to the Code upon promulgation of a superseding permanent rule or expiration/termination of the emergency action.

For additional information on the emergency rulemaking process, see 75 O.S., Section 253.

TITLE 150. OKLAHOMA DEPARTMENT OF COMMERCE
CHAPTER 160. INVEST IN OKLAHOMA ACT

[OAR Docket #21-919]

RULEMAKING ACTION:
EMERGENCY adoption

RULES:
150:160-1. Purpose and authority [NEW]
150:160-1.2. Definitions [NEW]
150:160-1.3. Qualifying firms [NEW]
150:160-1.4. Applications, renewal, and removal from program [NEW]
150:160-1.5. Participating public entities [NEW]
150:160-1.6. Sharing of information [NEW]
150:160-1.7. Requests for additional information [NEW]

AUTHORITY:
62 O.S. §2403; Oklahoma Department of Commerce

ADOPTION:
November 23, 2021

EFFECTIVE:
Immediately upon Governor’s approval

APPROVED BY GOVERNOR:
December 15, 2021

EXPIRATION:
Effective through September 14, 2022, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:
n/a

INCORPORATIONS BY REFERENCE:
n/a

FINDING OF EMERGENCY:
This rule is necessary because a compelling public interest requires an emergency rule and imminent peril exists to the preservation of public welfare. Adoption of these rules provides the mechanism for private equity funds, venture capital funds and growth funds to apply the Oklahoma Department of Commerce for inclusion as a participating venture capital and growth fund for purposes of the Invest in Oklahoma Act. This would help populate a list of available venture capital and growth funds in which public entities are encouraged to invest. As this is a new program, if these emergency rules were not enacted, neither public entities nor venture capital and growth funds could take advantage of this new statutory program until permanent rules were enacted in the Spring of 2022.

CONTACT PERSON:
B. Joshua McGoldrick, General Counsel and Chief of Staff, Oklahoma Department of Commerce, 900 N. Stiles Avenue, Oklahoma City, OK, 73104, 405-815-5153, josh.mcgoldrick@okcommerce.gov

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED AND EFFECTIVE UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253(F):

150:160-1.1. Purpose and Authority

These rules implement the Invest in Oklahoma Act as set forth in Section 2400 et. seq. of Title 62 of the Oklahoma Statutes.

150:160-1.2. Definitions

The following words and terms, when used in this chapter, shall have the following meaning, unless context clearly indicates otherwise:

"Department" means the Oklahoma Department of Commerce.

"Firm" means the legal entity charged with management of the private equity fund, venture capital fund, or growth fund.

"Fund" means a private equity fund, venture capital fund or growth fund.

"Oklahoma based" means that the Fund or other business entity maintains their principal physical place of business in the State of Oklahoma.

"Principal place of business" means the place where a company's officers direct, control and coordinate the business's activities.

"Principal" means any person employed by the Fund responsible for making decisions about investments for the Firm, regardless of their job title.

"Program" means the Invest in Oklahoma Program.

"Public entity" means a public entity listed in section 2402 of Title 62 of the Oklahoma Statutes.

"Substantial investments in this state" means that the Fund has invested at least One Million Dollars ($1,000,000) in Oklahoma based businesses over the three (3) years prior to application and is committed to invest at least ten percent (10%) of any funds received by one of the Public Entities in an Oklahoma Based business.
"Venture capital fund" means as defined in paragraph (a) of section 275.203(I) of Title 17 of the Code of Federal Regulations.

150:160-1-3. Qualifying firms

(a) To qualify to participate in the Program, a Firm must meet all of the following criteria at the time the application is received by the Department:

1. An internal rate of return, including realized and unrealized gains, for the Firm's portfolio over the last since inception which is the greater of either:
   (A) One-third (1/3) of the annual rate of return for venture capital firms as reported by Pitchbook Data, Inc., or
   (B) Five percent (5%),
2. The Firm managing the Fund will have been active for at least one full year prior to application.
3. The Firm managing the Fund will have at least Five Million Dollars ($5,000,000.00) in assets under management over the most recent year prior to application.
4. Principals or Limited Partners associated with the Firm cannot have ever been convicted of or received a deferred sentence for the following:
   (A) Any felony offense.
   (B) Any misdemeanor offense involving a financial related crime.
5. The Firm will commit to investing at least ten percent (10%) of any investment they receive from a Public Entity in Oklahoma Based businesses.
6. A Firm participating in the program may charge no more than 2.5% of its capital as a management fee and may collect no more than 30% of carried interest.
7. Principals affiliated with the Firm will have a minimum of five (5) years of experience in one of the following areas:
   (A) Institutional Investment.
   (B) Executive level management, or
   (C) Investment Banking.
(b) In addition to the criteria set forth above, a Firm which is not Oklahoma Based may only participate if the Firm has made Substantial Investments in this State.

150:160-1-4. Application, renewal, and removal from program

(a) A Firm who wishes to participate in the Program will apply to the Department for participation using a form created by the Department.
(b) The application will mandate that the Firm provide all of the following information:

1. Documentation concerning the rate of return for the Firm's portfolio from at least the most recent full calendar year to the time of application.
2. Documentation establishing the Firm's years of operation.
3. Documentation establishing the amount of assets under management by the Firm from at least the most recent full calendar year to the time of application.
4. Documentation concerning the differentiation and sustainability of investment strategy.
5. Documentation establishing that a Firm who is Oklahoma-based meets the definition of an Oklahoma-based Firm.
6. Documentation of the Firm's fee structure.
7. Documentation establishing the experience of Principals associated with the Firm.
8. Other documentation requested by the Department.
(c) Incomplete or improperly completed applications may be returned to the Firm without further consideration.
(d) Firms approved for participation in the Program may be approved for three (3) years.
(e) Renewal of program participation

1. If a Firm which is participating in the Program seeks to continue in the Program after their approval period expires, the Firm will complete a renewal application and submit the same to the Department along with all documentation requested by the Department.
2. The Department may provide a simplified renewal application for participation if it is deemed by the Department to be sufficient to determine the Fund meets program criteria.
3. A Firm who applies for renewal must submit proof that it has invested at least ten percent (10%) of the amount received from a Public Entity in an Oklahoma Based business along with the renewal application. If a Firm cannot provide this information, it will not be renewed.
4. If a Firm is approved for participation in the Program, the decision as to the length of its participation or renewal will be made in the sole discretion of the Department.
5. If a Firm is not renewed for participation in the program, the Department will notify each Public Entity that the Firm has been removed from the program for failure to renew participation.
(f) Suspension and Removal of a Firm from the Program.

1. The Department may suspend a Firm from participation in the Program at any time for any of the following reasons:
   (A) If the Department reasonably believes the Firm is not being appropriately managed and invested.
   (B) If an event occurs that, had it happened prior to the Firm's application, the Firm would have not been allowed to participate in the program.
2. If the Department suspends a Firm from the Program, the Department will notify the Firm of the suspension within five (5) business days and will also notify each Public Entity that the Firm has been suspended from the Program.
3. A Firm who is suspended from the Program may request an administrative hearing pursuant to the provisions regarding Individual Proceedings found in 150:1-11-1 et seq. of the Department's General Rules of Practice and Procedures. If a hearing is held, each Public Entity will be notified of the result of the administrative hearing within a reasonable time.
(4) If the Firm does not prevail at the hearing, or if they do not timely request a hearing, they may be removed from participation in the Program and each Public Entity will be notified of the removal.

(5) Firms who are removed from the program may be disqualified from future participation by the Department either permanently or for a number of years if the Department believes that it is in the best interest of the State to do so.

150:160-1.5. Participating public entities
(a) Public Entities who are considering investing under the act should not rely, either solely or in part, on the fact that a Firm has been approved for participation in making investment decisions.
(b) Because the needs of each Public Entity may be different, each Public Entity should do their own due diligence before investing in a participating Firm.
(c) By allowing a Firm to participate, the Department does not make any representation as to the performance or viability of any Fund or Firm. Public entities who choose to participate do so at their own risk after performing their own due diligence and make decisions in accord with their fiduciary duties to their clients.

150:160-1.6. Sharing of information
The Department of Commerce will maintain a list of Firms who have been approved for participation in the Program. This list, along with a brief description of the Fund and contact information for the Firm may be shared with Public Entities upon request, and/or shared publicly on the website of the Department of Commerce.

150:160-1.7. Requests for additional information
The Department may request additional information from a Firm as deemed reasonably necessary by the Department at any time. Failure to provide such information within a time period set forth by the Department will be grounds for immediate suspension from the Program.

[OAR Docket #21-919; filed 12-15-21]

TITLE 330. OKLAHOMA HOUSING FINANCE AGENCY
CHAPTER 36. AFFORDABLE HOUSING TAX CREDIT PROGRAM

[OAR Docket #21-918]

RULEMAKING ACTION:
EMERGENCY adoption
RULES:
Subchapter 6. Program Administration
330:36-6-1 [AMENDED]
AUTHORITY:
These Chapter 36 Rules are authorized by 75 O.S., Section 302; 60 O.S., Section 176 through 180.3; the Board of Trustees of Oklahoma Housing Finance Agency (OHFA), the Amended Trust Indenture, and the Bylaws of OHFA as established by the OHFA Board of Trustees

ADOPTION:
November 17, 2021

EFFECTIVE:
Immediately upon Governor's approval

APPROVED BY GOVERNOR:
December 15, 2021

EXPIRATION:
Effective through September 14, 2022, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:
N/A

INCORPORATIONS BY REFERENCE:
N/A

FINDING OF EMERGENCY:
Modifications to these Chapter 36 Rules are adopted in response to Oklahoma House Bill 2399, passed on April 29, 2019 allowing Landlords/Owners the authority to decide whether or not to rent to someone based on their criminal background.

GIST/ANALYSIS:
Requesting a modification to allow the removal of a felony rule per the house bill stated above.

CONTACT PERSON:
Darrell Beavers, Agency Liaison, 100 Northwest 63rd Street, Suite 200, Oklahoma City, Oklahoma, 73116, (405) 419-8261, darrell.beavers@ohfa.org.

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED AND EFFECTIVE UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253(F):

330:36-6. Program violations and revocation
(a) The following are violations of OAHTC Program policies and procedures and these OAHTC Program Rules:
(1) The filing of false information in an Application and/or a Development report;
(2) Failure of an Applicant or Owner, as the case may be, to satisfy any of the requirements of the Code, applicable State or federal statutes, rules or regulations, these OAHTC Program Rules, or any requirements contained in the AP, or any Commitments made in the Application upon which the award of a TCA was based;
(3) Breach of any of the terms, conditions, obligations, covenants, warranties, or representations of the Owner or Applicant contained in the Regulatory Agreement and/or the Carryover Allocation Agreement or the breach of any terms conditions, obligations or requirements set forth in any Resolution of the Trustees pertaining to the Applicant/Owner or the Development;
(4) Notice by OHFA to the Owner that significant corrective actions are necessary to protect the integrity of the Development and that such corrective actions have not been, or cannot be, effected within a reasonable time, in the judgment of OHFA staff;
(5) An administrative or judicial determination that the Applicant or Owner has committed fraud, waste, or mismanagement in any current or prior State or federally funded project;
(6) The housing of a person(s) convicted of a felony or engaged in any illegal or criminal activities as set forth
in this subsection, if the Owner, or managers of the Development, or any of their Affiliates, have knowledge of or about, or by reasonable inquiry should have known of same. The prohibition on housing shall apply to any person who:

(A) is currently engaged in, has been convicted of using, distributing, or manufacturing methamphetamine. Housing of such person shall be prohibited for a period of ten (10) years from the date of the conviction, or end of the incarceration, whichever is most recent.

(B) is currently engaged in, has been convicted of Violent Criminal Activity or Drug-Related Criminal Activity. Housing of such person shall be prohibited for a period of three (3) years from the date of the conviction, or end of the incarceration, whichever is most recent.

(C) has been convicted of any other felonious activities other than Drug Related Criminal Activity or Violent Criminal Activity. Housing of such person shall be prohibited for a period of three (3) years from the date of the conviction or end of the incarceration, whichever is most recent.

(D) is subject to a lifetime registration requirement under a Federal or State sex offender registration program.

(E) is a sex offender, not subject to lifetime registration. Housing of such person shall be prohibited for a period of ten (10) years from the date of the arrest, conviction, or end of incarceration (whichever is later) or the period of required registration as a sex offender, whichever is greater.

(2) The prohibition on the housing of a convicted felon shall not apply to qualified tenants of Transitional Housing or Permanent Supportive Housing, except that the housing of a person in any Transitional Housing or Permanent Supportive Housing shall be prohibited if said person:

(A) is subject to a lifetime registration requirement under a Federal or State sex offender registration program.

(B) is currently engaged in or has been convicted of a violent felony in the last three (3) years.

(3) From and after the date of the filing of the Application, failure to notify OHFA of any material changes effecting the proposed Development, including, but not limited to, modifications to any representations contained in the Application, any amendments or modifications of the financing plan, syndicators or equity partners or any other Threshold requirement and/or changes in Development Team Members, contractors, property managers, etc. Notification must be filed with OHFA not less than sixty (60) calendar days prior to the proposed change. Approval by the Trustees is required for any changes or amendments involving the ownership or Control of the Development or the Owner after the Application is filed. This would include, but not be limited to, changes or Transfers of the Development, changes or modifications of the ownership or composition of the general partner entity (i.e. addition or removal of members, partners, stockholders, etc.), any addition, substitution, withdrawal or removal of any general partner. Other amendments may be handled administratively by staff, although staff reserves the right to refer any amendments to the Trustees for their consideration;

(47) Failure to submit reports including but not limited to the timely filing of progress reports, updates, compliance reports, etc., and failure to provide OHFA with any additional information requested by OHFA within the period set forth in any request for information. Failure to pay fees when due. If payment is returned for insufficient funds, it will be deemed nonpayment and the amount to defray bank costs will be due.

(48) Little or no progress has been achieved with previous Tax Credit Reservations approved for the Applicant or Developer or any of the Principals of either. This would include, but not be limited to: failure to meet the minimum Carryover Allocation requirements resulting in the return of Credits; failure to have all Buildings Placed-In-Service no later than the close of the second calendar year following the calendar year in which the Allocation is made; or involvement of a foreclosure or deed-in-lieu of foreclosure within the past seven (7) years.

(b) Failure to follow all required procedures throughout the Allocation process could jeopardize the final Allocation or result in housing Credits being revoked.

(61) The following shall not be considered violations of OAHTC Program policies and procedures and these OAHTC Program Rules. The owner of any real property, including any improvements consisting of dwelling units, acquired or improved in connection with an allocation of income tax credits pursuant to the provisions of Section 42 of the Internal Revenue Code of 1986, as amended, or in connection with an allocation of income tax credits pursuant to the provisions of Section 2357.403 of Title 68 of the Oklahoma Statutes shall have the right to impose conditions in any lease agreement for the occupancy of any dwelling located on real property as described by this section which allow the owner to accept or decline to enter into the lease agreement, or to terminate a previously executed lease agreement based upon the discovery of incomplete or false information, with respect to the prior felony conviction of any person identified as a tenant pursuant to the terms of the lease agreement, including occupants of the dwelling whether or not those occupants formally execute a lease agreement.

(c) The owner of real property as described in subsection (c) of this section may either accept or decline to enter into a lease agreement or to terminate a previously executed lease agreement based upon felony convictions, whether pursuant to federal law or the laws of any state or other governmental jurisdiction, for the following types of offenses:

(1) Possession of any drug or chemical;

(2) Possession of any drug or chemical with intent to manufacture or distribute;

(3) Possession of a firearm;
(3) Sex offenses, including but not limited to any form of sexual assault, rape, indecent exposure, or other sexually related offense if such offense was a felony;
(4) Assault or battery or both if the offense was a felony;
(5) Any felony involving violence against another person; and
(6) Such other felony offenses as the owner of the real property as described in subsection A of this section includes in the terms of the lease agreement.

[OAR Docket #21-918; filed 12-15-21]

TITLE 485. OKLAHOMA BOARD OF NURSING
CHAPTER 10. LICENSURE OF PRACTICAL AND REGISTERED NURSES

[OAR Docket #21-900]

RULEMAKING ACTION:
EMERGENCY adoption

RULES:
Subchapter 7. Requirements for Registration and Licensure as a Registered Nurse and Licensed Practical Nurse
485:10-7-9[AMENDED]

AUTHORITY:
Oklahoma Board of Nursing; 59 O.S., §§ 567.2 (A), 567.3a, 567.5 (B)(5), 567.5a (B)(6), 567.6 (B)(5), 567.6a (B)(5)

ADOPTION:
November 17, 2021

EFFECTIVE:
Immediately upon Governor's approval

APPROVED BY GOVERNOR:
December 10, 2021

EXPIRATION:
Effective through September 14, 2022, unless superseded by another rule or disapproved by the Legislature.

SUPERSEDED EMERGENCY ACTIONS:
n/a

INCORPORATIONS BY REFERENCE:
n/a

FINDING OF EMERGENCY:
Emergency rule changes to 485:10-7-9 are necessary as an emergency measure due to need to clarify language regarding notification by all licensees to the Board of a name and/or address change. This change will allow all licensees and certificants to receive Board notifications regarding licensure, as well as changes in the Nursing Practice Act, Rules and agency policy.

GIST/ANALYSIS:
The promulgation of emergency rules is aimed at clarifying language regarding notification to the Board of Nursing of a change of name and/or change of address applies to all licensees, not just those requesting such a change.

CONTACT PERSON:
Jackye Ward, Deputy Director, (405) 962-1809, 2915 North Classen Boulevard, Suite 524, Oklahoma City, OK 73106

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED AND EFFECTIVE UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253(F):

SUBCHAPTER 7. REQUIREMENTS FOR REGISTRATION AND LICENSURE AS A REGISTERED NURSE AND LICENSED PRACTICAL NURSE

485:10-7-9. Change of name and address
Each Registered Nurse or Licensed Practical Nurse licensee requesting a change of name and/or address shall:
(1) Provide certified evidence (a copy of marriage license or court action) to the Board regarding any change of name of the licensee within 30 days of the change.
(2) Submit a fee as established by the Board, to accompany the change of name request.
(3) Submit the any change of address in writing to the Board within 30 days of the change.

[OAR Docket #21-900; filed 12-13-21]

TITLE 485. OKLAHOMA BOARD OF NURSING
CHAPTER 10. LICENSURE OF PRACTICAL AND REGISTERED NURSES

[OAR Docket #21-901]

RULEMAKING ACTION:
EMERGENCY adoption

RULES:
Subchapter 23. Temporary COVID licensure requirements [NEW]
485:10-23-1 [NEW]
485:10-23-2 [NEW]
485:10-23-3 [NEW]

AUTHORITY:
Oklahoma Board of Nursing; 59 O.S., §§ 567.2 (A), 567.3a, 567.5 (B)(5)(D), 567.5a (C), 567.6 (B)(5)(D), 567.6a (B)(5), 567.7 (B), 567.15

ADOPTION:
September 22, 2021

EFFECTIVE:
Immediately upon Governor's approval

APPROVED BY GOVERNOR:
October 28, 2021

EXPIRATION:
Effective through September 14, 2022, unless superseded by another rule or disapproved by the Legislature.

SUPERSEDED EMERGENCY ACTIONS:
n/a

INCORPORATIONS BY REFERENCE:
n/a

FINDING OF EMERGENCY:
Emergency rules 485:10-23-1, 485:10-23-2, and 485:10-23-3 are necessary as emergency measures to respond to the continued presence of COVID by increasing the number of nursing professionals able to practice in the State of Oklahoma.

GIST/ANALYSIS:
The promulgation of emergency rules is aimed at increasing the number of nursing professionals able to practice in the State. The proposed new rules in 485:10-23-2 allow for reinstatement of temporary licensure and certification of Registered Nurses (RN), Licensed Practical Nurses (LPN) and Advanced Unlicensed Assistants (AUA), waiving the continuing qualification requirements for up to 5 years for RNs and LPNs and 2 years for AUA. The proposed new rules in 485:10-22-3 broadens the opportunity Licensed Practical Nurses, Registered Nurses and Advanced Practice Registered Nurses from other states to seek licensure in Oklahoma.
Emergency Adoptions

CONTACT PERSON:
Jackie Ward, Deputy Director, (405) 962-1809, 2915 North Classen Boulevard, Suite 524, Oklahoma City, OK 73106

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED AND EFFECTIVE UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253(F):

SUBCHAPTER 23. TEMPORARY COVID LICENSURE REQUIREMENTS

485:10-23-1. Purpose
The rules of this Subchapter have been adopted in response to the nurse staffing needs created by the presence of COVID in the State of Oklahoma. These requirements, known as the Temporary COVID Licensure Requirements, will assist in the licensure of nurses.

485:10-23-2. Continuing qualifications waiver for licensure/certification reinstatement
(a) Through September 14, 2022, or until superseded by another rule, continuing qualifications for licensure reinstatement to a temporary license or certification in the following sections are waived:
   (1) 485:10-7-4(g);
   (2) 485:10-7-5(d);
   (3) 485:10-10-8.1(d); and
   (4) 485:10-10-8.2(6).
(b) An applicant must submit a temporary license fee [O.A.C. 485:10-1-3(1)(A)(viii)] and an application containing such information as the Board may prescribe and meet the qualifications established by the Board.

485:10-23-3. Temporary licensure waiver for individuals holding a license issued by any state
(a) Through September 14, 2022, or until superseded by another rule, any individual who, upon application, holds an unencumbered nursing license issued by any state, evidencing the meeting of qualifications for the practice of nursing may be issued a temporary nursing license at the same level of licensure held in the other state with the following requirements waived:
   (1) 485:10-7-2(f)(1)(F);
   (2) 485:10-7-2(f)(1)(G);
   (3) 485:10-7-2(f)(2); and
   (4) 485:10-7-2(f)(3).
(b) The endorsement fee in O.A.C. 485:10-7-2(f)(1)(D) is waived.
(c) An applicant must submit a temporary license fee [O.A.C. 485:10-1-3(1)(A)(viii)] and an application containing such information as the Board may prescribe and meet the qualifications established by the Board.

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED AND EFFECTIVE UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S., SECTION 253(F):

SUBCHAPTER 7. INVESTMENT OF DEFERRED AMOUNTS

590:25-7-1. Investment contracts
The deferred amount shall be delivered by the Employer to the Board to be invested in one or more of the following types of contracts or accounts issued or made available by a company or companies approved by the Board:
   (1) Make deposits through a savings account in an institution or institutions as determined by the Board;
   (2) Make deposits to a deferred fixed interest contract or other type of investment;
SUBCHAPTER 7. DEFINED CONTRIBUTION
401(A) PLAN

PART 7. INVESTMENTS

590:40-7-25.  Investment contracts
Employer and Participant contributions shall be delivered by the Employer to OPERS to be invested in one or more of the following types of contracts or accounts issued or made available by a company or companies approved by the Board:
(1) savings account in an institution or institutions as determined by the Board;
(2) deferred fixed interest contract or other type of investment;
(3) deferred variable interest contract or other types of investment;
(4) mutual fund or common/collective trust fund or separate account;
(5) any combination of the investment options in paragraphs (1) through (4) of this Section.

SUBCHAPTER 9. DEFINED CONTRIBUTION
457(B) PLAN

PART 5. INVESTMENTS

590:40-9-20.  Investment contracts
The deferred amount shall be delivered by the Employer to OPERS to be invested in one or more of the following types of contracts or accounts issued or made available by a company or companies approved by the Board:
(1) savings account in an institution or institutions as determined by the Board;
(2) deferred fixed interest contract or other type of investment;
(3) deferred variable interest contract or other type of investment;
(4) mutual fund or common/collective trust fund or separate account;
(5) any combination of the investment options in paragraphs (1) through (4) of this Section.

Pursuant to the actions described herein, the following emergency rules are considered promulgated and effective upon approval by the governor as set forth in 75 O.S., section 253(f):