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Mary Fallin, Governor
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Agency	Title	Agency	Title
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Submissions to Governor and Legislature

Within 10 calendar days after adoption by an agency of proposed PERMANENT rules, the agency must submit the rules to the Governor and the Legislature. A "statement" of such submission must subsequently be published by the agency in the *Register*.
For additional information on submissions to the Governor/Legislature, see 75 O.S., Section 303.1 and 308.

TITLE 25. OKLAHOMA AERONAUTICS COMMISSION CHAPTER 15. OAC GRANT PROGRAM

[OAR Docket #18-198]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

25:15-1-1 [AMENDED]

25:15-1-2 [AMENDED]

25:15-1-3 [AMENDED]

25:15-1-4 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 14, 2018

[OAR Docket #18-198; filed 3-14-18]

TITLE 25. OKLAHOMA AERONAUTICS COMMISSION CHAPTER 30. AIRCRAFT PILOT AND PASSENGER PROTECTION ACT

[OAR Docket #18-199]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions

25:30-1-2 [AMENDED]

25:30-1-4 [AMENDED]

Subchapter 7. Notice, Determination and Commission Actions

25:30-7-1 [AMENDED]

25:30-7-4 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 14, 2018

[OAR Docket #18-199; filed 3-14-18]

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 1. ADMINISTRATIVE OPERATIONS

[OAR Docket #18-230]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 11. Licensing Procedures

35:1-11-1. Application for license [AMENDED]

35:1-11-2. Expiration date of license [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 15, 2018

[OAR Docket #18-230; filed 3-21-18]

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 15. ANIMAL INDUSTRY

[OAR Docket #18-231]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions

35:15-1-2. Definitions [AMENDED]

35:15-1-7. Change of ownership for cattle within Oklahoma [NEW]

Subchapter 11. Importation of Livestock, Poultry, and Pets
Part 1. General

35:15-11-1. General import requirements [AMENDED]

Subchapter 13. Testing and Inspection for Disease and Release of Livestock at Auction Markets

35:15-13-5. Approval and responsibilities of veterinarians in livestock auction markets [AMENDED]

Subchapter 15. Equine Infectious Anemia (EIA)

Part 1. General Provisions

35:15-15-4. Definitions [AMENDED]

Part 5. Change of Ownership of Equidae

35:15-15-51. Testing requirements for change of ownership [AMENDED]

Part 7. Requirements for Approved Markets

35:15-15-71. Movement of Equidae through approved markets [AMENDED]

Part 9. Equine Exhibitions

35:15-15-91. Requirements of Equidae entering equine exhibitions [AMENDED]

Submissions to Governor and Legislature

Part 11. Requirements for Equidae Entering Oklahoma
35:15-15-111. General requirements for Equidae entering Oklahoma [AMENDED]
Subchapter 16. Contagious Equine Metritis
35:15-16-1. Incorporation by reference [AMENDED]
Subchapter 22. Swine Pseudorabies and Brucellosis
Part 1. General Provisions
35:15-22-1. Definitions [AMENDED]
35:15-22-4. Requirements for livestock auction markets [AMENDED]
Part 3. Requirements for Swine Entering Oklahoma
35:15-22-31. Entry requirements for commercial production breeding and feeding swine [AMENDED]
35:15-22-33. Entry requirements for transitional production swine [AMENDED]
Part 5. Requirements for a Validated/Qualified Herd
35:15-22-51. Validated/qualified herd establishment [AMENDED]
Subchapter 33. Livestock Brands
35:15-33-1. Acceptable brands [AMENDED]
35:15-33-3. Change of ownership [AMENDED]
Subchapter 36. Scrapie
35:15-36-1. Incorporation by reference of federal regulations [AMENDED]
35:15-36-2. Deleted regulations [AMENDED]
Subchapter 40. Bovine Tuberculosis
Part 3. General Tuberculosis Rules
35:15-40-49.2. Mexican cattle intrastate regulations [NEW]
35:15-40-49.3. Diversion or separation of Mexican origin cattle [NEW]
35:15-40-49.4. Rodeo bulls [NEW]
Part 7. Import Requirements
35:15-40-92. Mexican origin cattle [AMENDED]
35:15-40-92.1. Diversion or separation of Mexican origin cattle [AMENDED]
35:15-40-93. Rodeo bulls [AMENDED]
Subchapter 47. Chronic Wasting Disease (CWD) in Cervids
Part 3. Herd Certification Standards
35:15-47-6. Minimum requirements for herd certification [AMENDED]
Subchapter 49. Miscellaneous Animal Diseases
35:15-49-1. Definitions [AMENDED]
35:15-49-6. Exotic Swine [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 15, 2018

[OAR Docket #18-231; filed 3-21-18]

TITLE 40. BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE CHAPTER 1. ORGANIZATION, OPERATIONS, PROCEDURES AND POLICIES

[OAR Docket #18-232]

RULEMAKING ACTION:

Submission to Governor and Legislature

PROPOSED RULES:

40:1-1-3. General course and method of operation [AMENDED]

40:1-1-6. Fees [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 9, 2018

[OAR Docket #18-232; filed 3-22-18]

TITLE 40. BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE CHAPTER 50. IGNITION INTERLOCK DEVICES

[OAR Docket #18-233]

RULEMAKING ACTION:

Submission to Governor and Legislature

PROPOSED RULES:

40:50-1-1.1. Definitions [AMENDED]

40:50-1-2. Device certification process [AMENDED]

40:50-1-2.1. Approval and denial [AMENDED]

40:50-1-3. Standards and specifications [AMENDED]

40:50-1-3.2. ~~Reporting requirements~~ ~~Reportable Violations~~ [AMENDED]

40:50-1-4.1. Installation requirements [AMENDED]

40:50-1-5. Maintenance and calibration [AMENDED]

40:50-1-7. Service center licensing process [AMENDED]

40:50-1-7.3. Inactivation, suspension, and revocation [AMENDED]

40:50-1-8. Ignition interlock technician [AMENDED]

40:50-1-8.3. Inactivation, suspension, and revocation [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 9, 2018

[OAR Docket #18-233; filed 3-22-18]

**TITLE 40. BOARD OF TESTS FOR ALCOHOL AND DRUG INFLUENCE
CHAPTER 55. SCREENING DEVICES**

[OAR Docket #18-234]

RULEMAKING ACTION:

Submission to Governor and Legislature

PROPOSED RULES:

Subchapter 1. Alcohol Screening Devices
40:55-1-1. Approved devices

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 9, 2018

[OAR Docket #18-234; filed 3-22-18]

**TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

[OAR Docket #18-209]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Organization, Operations, Procedures and Forms

45:1-3-3 [AMENDED]

45:1-3-4 [AMENDED]

Subchapter 5. Hearing before the Commission

45:1-5-1 [AMENDED]

Subchapter 7. Director of the Commission

45:1-7-1 [AMENDED]

45:1-7-2 [AMENDED]

45:1-7-4 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 15, 2018

[OAR Docket #18-209; filed 3-19-18]

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

[OAR Docket #18-210]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Provisions Applicable to all Licensees

45:10-3-4 [AMENDED]

45:10-3-5 [AMENDED]

45:10-3-7 [AMENDED]

45:10-3-12 [AMENDED]

45:10-3-13 [AMENDED]

45:10-3-14 [AMENDED]

45:10-3-15 [AMENDED]

45:10-3-16 [AMENDED]

45:10-3-17 [AMENDED]

45:10-3-18 [AMENDED]

45:10-3-19 [AMENDED]

45:10-3-20 [AMENDED]

45:10-3-21 [AMENDED]

45:10-3-22 [AMENDED]

45:10-3-23 [AMENDED]

45:10-3-24 [AMENDED]

45:10-3-25 [AMENDED]

45:10-3-26 [AMENDED]

45:10-3-27 [AMENDED]

45:10-3-28 [AMENDED]

45:10-3-30 [AMENDED]

45:10-3-31 [AMENDED]

45:10-3-32 [AMENDED]

Subchapter 5. Penalties

45:10-5-3 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 15, 2018

[OAR Docket #18-210; filed 3-19-18]

**TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION
CHAPTER 15. EMPLOYEE LICENSES, TRAINING CERTIFICATION**

[OAR Docket #18-211]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. Training required [NEW]

45:15-1-1 [NEW]

Subchapter 3. Certified Trainers [NEW]

45:15-3-1 [NEW]

45:15-3-2 [NEW]

45:15-3-3 [NEW]

45:15-3-4 [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 15, 2018

[OAR Docket #18-211; filed 3-19-18]

Submissions to Governor and Legislature

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

[OAR Docket #18-212]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions

45:20-1-1 [AMENDED]

Subchapter 3. Retail Spirit Stores~~Retailer/Package Store~~

45:20-3-1 [AMENDED]

45:20-3-2 [AMENDED]

45:20-3-3 [AMENDED]

45:20-3-4 [AMENDED]

45:20-3-5 [AMENDED]

45:20-3-6 [AMENDED]

45:20-3-7 [AMENDED]

45:20-3-8 [AMENDED]

45:20-3-9 [AMENDED]

45:20-3-10 [AMENDED]

45:20-3-11 [AMENDED]

45:20-3-12 [AMENDED]

45:20-3-13 [AMENDED]

45:20-3-14 [AMENDED]

45:20-3-15 [AMENDED]

Subchapter 5. Mixed Beverage, Caterer, Special Event,
Additional Hours

45:20-5-6 [AMENDED]

45:20-5-7 [REVOKED]

45:20-5-8 [AMENDED]

45:20-5-9 [AMENDED]

Subchapter 9. Retail Beer Licensees [NEW]

45:20-9-1 [NEW]

45:20-9-2 [NEW]

45:20-9-3 [NEW]

45:20-9-4 [NEW]

45:20-9-5 [NEW]

Subchapter 11. Retail Wine Licensees [NEW]

45:20-11-1 [NEW]

45:20-11-2 [NEW]

45:20-11-3 [NEW]

45:20-11-3 [NEW]

45:20-11-5 [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERN AND LEGISLATURE:

March 15, 2018

[OAR Docket #18-212; filed 3-19-18]

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

[OAR Docket #18-213]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. Winery Premises, Festivals and Tradeshows
[NEW]

45:25-1-1 [NEW]

45:25-1-2 [NEW]

45:25-1-3 [NEW]

45:25-1-4 [NEW]

45:25-1-5 [NEW]

Subchapter 3. Self-Distribution License [NEW]

45:25-3-1 [NEW]

45:25-3-2 [NEW]

45:25-3-3 [NEW]

45:25-3-4 [NEW]

45:25-3-5 [NEW]

Subchapter 5. Direct Shipment of Wine [NEW]

45:25-5-1 [NEW]

45:25-5-2 [NEW]

45:25-5-3 [NEW]

45:25-5-4 [NEW]

45:25-5-5 [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERN AND LEGISLATURE:

March 15, 2018

[OAR Docket #18-213; filed 3-19-18]

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

[OAR Docket #18-214]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions

45:30-1-1 [AMENDED]

45:30-1-2 [AMENDED]

Subchapter 3. Manufacturers and Wine and Spirit
Wholesalers

45:30-3-1 [AMENDED]

45:30-3-2 [AMENDED]

45:30-3-3 [AMENDED]

45:30-3-4 [AMENDED]

- 45:30-3-5 [AMENDED]
- 45:30-3-6 [AMENDED]
- 45:30-3-7 [AMENDED]
- 45:30-3-8 [AMENDED]
- 45:30-3-9 [AMENDED]
- 45:30-3-10 [AMENDED]
- 45:30-3-11 [AMENDED]
- 45:30-3-12 [AMENDED]
- 45:30-3-13 [AMENDED]
- 45:30-3-14 [AMENDED]
- 45:30-3-15 [AMENDED]
- 45:30-3-16 [AMENDED]
- 45:30-3-17 [AMENDED]
- 45:30-3-18 [AMENDED]

Subchapter 5. Brewers, Nonresident Sellers and ~~Class-B~~
~~Wholesalers~~ Beer Distributors

- 45:30-5-1 [REVOKED]
- 45:30-5-2 [AMENDED]
- 45:30-5-3 [REVOKED]
- 45:30-5-4 [REVOKED]
- 45:30-5-5 [REVOKED]
- 45:30-5-6 [AMENDED]
- 45:30-5-7 [REVOKED]
- 45:30-5-8 [REVOKED]
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- 45:30-5-11 [AMENDED]
- 45:30-5-12 [REVOKED]
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- 45:30-5-16 [AMENDED]
- 45:30-5-17 [AMENDED]
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- 45:30-5-20 [NEW]
- 45:30-5-21 [NEW]
- 45:30-5-22 [NEW]
- 45:30-5-23 [NEW]
- 45:30-5-24 [NEW]
- 45:30-5-25 [NEW]

**SUBMISSION OF ADOPTED RULES TO GOVERN
AND LEGISLATURE:**

March 15, 2018

[OAR Docket #18-214; filed 3-19-18]

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

[OAR Docket #18-215]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. Special Events [NEW]

45:35-1-1 [NEW]

45:35-1-2 [NEW]

45:35-1-3 [NEW]

45:35-1-4 [NEW]

45:35-1-5 [NEW]

45:35-1-6 [NEW]

Subchapter 3. Public Events [NEW]

45:35-3-1 [NEW]

45:35-3-2 [NEW]

45:35-3-3 [NEW]

45:35-3-4 [NEW]

45:35-3-5 [NEW]

45:35-3-6 [NEW]

Subchapter 5. Charitable Events [NEW]

45:35-5-1 [NEW]

45:35-5-2 [NEW]

45:35-5-3 [NEW]

45:35-5-4 [NEW]

45:35-5-5 [NEW]

45:35-5-6 [NEW]

Subchapter 7. Airlines and Railroads [NEW]

45:35-7-1 [NEW]

45:35-7-2 [NEW]

45:35-7-3 [NEW]

Subchapter 9. Hotels and Motels [NEW]

45:35-9-1 [NEW]

45:35-9-2 [NEW]

45:35-9-3 [NEW]

45:35-9-4 [NEW]

**SUBMISSION OF ADOPTED RULES TO GOVERN
AND LEGISLATURE:**

March 15, 2018

[OAR Docket #18-215; filed 3-19-18]

**TITLE 45. ALCOHOLIC BEVERAGE LAWS
ENFORCEMENT COMMISSION
CHAPTER 40. TRANSPORTATION,
CONTAINERS AND CHANGES IN STATUS
OR LOCATION**

[OAR Docket #18-216]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Transportation, Bonded Carriers and Storage
in Transit

45:40-3-1 [AMENDED]

45:40-3-2 [AMENDED]

45:40-3-3 [AMENDED]

45:40-3-4 [AMENDED]

Subchapter 5. Containers and Labels

45:40-5-1 [AMENDED]

Submissions to Governor and Legislature

45:40-5-4 [AMENDED]
Subchapter 7. Changes in Status or Location
45:40-7-1 [AMENDED]
45:40-7-2 [AMENDED]
45:40-7-3 [AMENDED]
45:40-7-5 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 15, 2018

[OAR Docket #18-216; filed 3-19-18]

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

[OAR Docket #18-217]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Notification
45:60-3-3 [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 15, 2018

[OAR Docket #18-217; filed 3-19-18]

TITLE 92. OKLAHOMA STATE ATHLETIC COMMISSION CHAPTER 1. GENERAL AGENCY RULES

[OAR Docket #18-202]

PERMANENT RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. Purpose and Organization
92:1-1-1 [AMENDED]
92:1-1-4 [AMENDED]
Subchapter 5. General Course and Method of Operations
92:1-5-1 [AMENDED]
92:1-5-5 [AMENDED]
Subchapter 9. Procedure in Individual Proceedings
92:1-9-2 [AMENDED]
92:1-9-3 [AMENDED]
92:1-9-4 [AMENDED]
92:1-9-6 [REVOKED]
92:1-9-7 [AMENDED]
92:1-9-8 [AMENDED]
92:1-9-9 [AMENDED]
92:1-9-10 [AMENDED]
92:1-9-11 [AMENDED]
92:1-9-12 [AMENDED]

92:1-9-14 [AMENDED]

92:1-9-18 [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 15, 2018

[OAR Docket #18-202; filed 3-16-18]

TITLE 92. OKLAHOMA STATE ATHLETIC COMMISSION CHAPTER 10. RULES FOR BOXING AND OTHER ACTIVITIES

[OAR Docket #18-203]

PERMANENT RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions
92:10-1-2 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 15, 2018

[OAR Docket #18-203; filed 3-16-18]

TITLE 120. CAPITOL-MEDICAL CENTER IMPROVEMENT AND ZONING COMMISSION CHAPTER 10. ZONING REGULATIONS FOR CAPITOL-MEDICAL CENTER IMPROVEMENT AND ZONING DISTRICT

[OAR Docket #18-218]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions
120:10-1-3. Definitions [AMENDED]
Subchapter 3. Specific District Regulations
120:10-3-20. Single Family Residential District (RD-1) [AMENDED]
120:10-3-21. Low Density General Residential District (RD-2) [AMENDED]
120:10-3-22. Low Rise General Residential District (RD-3) [AMENDED]
120:10-3-23. High Rise General Residential District (RD-4) [AMENDED]
120:10-3-26. Health Center Commercial District (CHC) [AMENDED]
Subchapter 5. General District Provisions and Additional Zoning Regulations
Part 1. General Provisions
120:10-5.4.1. Area and open space [AMENDED]

Part 3. Special Districts
120:10-5-15. Mixed Use Overlay District-2, Limited Health Center Commercial [AMENDED]
Subchapter 7. Off-Street Automobile and Vehicle Parking and Loading
120:10-7-10. General Requirements [AMENDED]
Subchapter 11. Historical Preservation and Landmark Board of Review
120:10-11-1.1. Definitions [AMENDED]
120:10-11-6.1. Historical district designation procedures [AMENDED]
Subchapter 15. Signage Regulation
120:10-15-4. Principal signage [AMENDED]
Subchapter 17. Off-Street Parking Facilities Landscape Code
120:10-17-10. Miscellaneous provisions [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 20, 2018

[OAR Docket #18-218; filed 3-20-18]

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

[OAR Docket #18-227]

PERMANENT RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 5. Rules of Practice
175:1-5-6. Investigation of alleged violation [AMENDED]
175:1-5-15. Schedule of fines [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 21, 2018

[OAR Docket #18-227; filed 3-21-18]

**TITLE 175. STATE BOARD OF COSMETOLOGY AND BARBERING
CHAPTER 10. LICENSURE OF COSMETOLOGISTS, BARBERS, SCHOOLS AND RELATED ESTABLISHMENTS**

[OAR Docket #18-228]

PERMANENT RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Licensure of Schools

Part 1. Initial School Licensing
175:10-3-3 [AMENDED]
Part 3. Student Registration and Entrance Requirements
175:10-3-16 [AMENDED]
Part 5. Equipment and Curriculum Requirements
175:10-3-34 [AMENDED]
175:10-3-37 [AMENDED]
175:10-3-38 [AMENDED]
175:10-3-39 [AMENDED]
175:10-3-41 [AMENDED]
175:10-3-42 [AMENDED]
175:10-3-43 [AMENDED]
175:10-3-44 [AMENDED]
175:10-3-45 [AMENDED]
175:10-3-46 [AMENDED]
Part 7. General Operations and Licensing Requirements
175:10-3-55 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 21, 2018

[OAR Docket #18-228; filed 3-21-18]

**TITLE 175. STATE BOARD OF COSMETOLOGY AND BARBERING
CHAPTER 20. MASSAGE THERAPY**

[OAR Docket #18-229]

PERMANENT RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 5. Licensure of Massage Therapists
175:20-5-1 [AMENDED]
175:20-5-2 [AMENDED]
175:20-5-5 [AMENDED]

Subchapter 7. Continuing Education
175:20-7-1 [AMENDED]

Subchapter 9. Standards of Professional Conduct
175:20-9-1 [AMENDED]
175:20-9-2 [AMENDED]

Subchapter 11. Grounds for Discipline
175:20-11-1 [AMENDED]

Subchapter 13. Complaints and Hearings
175:20-13-1 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 21, 2018

[OAR Docket #18-229; filed 3-21-18]

**TITLE 260. OFFICE OF MANAGEMENT
AND ENTERPRISE SERVICES
CHAPTER 5. COUNTY COMMUNITY
SAFETY INVESTMENT FUND
PROCEDURES**

[OAR Docket #18-219]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 1. County Community Safety Investment Fund Procedures [NEW]
- 260:5-1-1. Purpose [NEW]
- 260:5-1-3. Calculations [NEW]
- 260:5-1-5. Funding [NEW]
- 260:5-1-7. Disbursement of funds [NEW]
- 260:5-1-9. Oversight of Funds [NEW]

**SUBMISSION OF ADOPTED RULES TO GOVERNOR
AND LEGISLATURE:**

March 20, 2018

[OAR Docket #18-219; filed 3-20-18]

**TITLE 260. OFFICE OF MANAGEMENT
AND ENTERPRISE SERVICES
CHAPTER 45. EMPLOYEES GROUP
INSURANCE DEPARTMENT DIVISION
- ADMINISTRATIVE AND GENERAL
PROVISIONS**

[OAR Docket #18-220]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 1. Purpose, Definitions, Rules and References
- 260:45-1-1. Purpose [AMENDED]
- 260:45-1-2. Definitions [AMENDED]
- 260:45-1-3. Rules, cumulative [AMENDED]
- Subchapter 5. Grievance Panel Procedures
- 260:45-5-1. Request for hearing [AMENDED]
- 260:45-5-2. Notice of hearing [AMENDED]

**SUBMISSION OF ADOPTED RULES TO GOVERNOR
AND LEGISLATURE:**

March 20, 2018

[OAR Docket #18-220; filed 3-20-18]

**TITLE 260. OFFICE OF MANAGEMENT
AND ENTERPRISE SERVICES
CHAPTER 50. EMPLOYEES GROUP
INSURANCE DEPARTMENT DIVISION
- HEALTH, DENTAL, VISION AND LIFE
PLANS**

[OAR Docket #18-221]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 1. Purpose and Definitions
- 260:50-1-2. Definitions [AMENDED]
- Subchapter 3. Administration of Plans
- 260:50-3-8. Refunds [AMENDED]
- 260:50-3-10. Timely filing of health, and dental ~~and~~ life claims [AMENDED]
- 260:50-3-15. Effective dates of coverage for current employees [AMENDED]
- 260:50-3-17. Dependents [AMENDED]
- 260:50-3-18. Eligibility criteria for disabled dependent ~~children~~ over the age of twenty-six [26] [AMENDED]
- Subchapter 5. Coverage and Limitations
- Part 1. Policy Provisions
- 260:50-5-2. Schedule of benefits and benefit administration procedures or guidelines as adopted by EGID [AMENDED]
- Part 3. The Plans
- 260:50-5-12. Health Choice plan limitations and exclusions [AMENDED]
- Part 9. Dental Benefits, Limitations, and Exclusions
- 260:50-5-32. HealthChoice Dental limitations and exclusions [AMENDED]

**SUBMISSION OF ADOPTED RULES TO GOVERNOR
AND LEGISLATURE:**

March 20, 2018

[OAR Docket #18-221; filed 3-20-18]

**TITLE 260. OFFICE OF MANAGEMENT
AND ENTERPRISE SERVICES
CHAPTER 55. EMPLOYEES GROUP
INSURANCE DEPARTMENT DIVISION - THE
DISABILITY PLAN**

[OAR Docket #18-222]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- 260:55-1-2. Definitions [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 20, 2018

[OAR Docket #18-222; filed 3-20-18]

**TITLE 260. OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES
CHAPTER 75. FLEET MANAGEMENT DEPARTMENT**

[OAR Docket #18-223]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- 260:75-1-2. Vehicle inventory control [AMENDED]
- 260:75-1-4. Use of state owned and leased vehicles [AMENDED]
- 260:75-1-11. Vehicle marking [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 20, 2018

[OAR Docket #18-223; filed 3-20-18]

**TITLE 260. OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES
CHAPTER 95. REAL ESTATE AND LEASING AND SPACE STANDARDS**

[OAR Docket #18-224]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 3. Real Property Disposal [NEW]
- 260:95-3-1. Purpose [NEW]
- 260:95-3-2. Definitions [NEW]
- 260:95-3-3. Declaration of surplus property [NEW]
- 260:95-3-4. Agency responsibilities after a property is declared surplus [NEW]
- 260:95-3-5. Reuse or repurposing of surplus property [NEW]
- 260:95-3-6. Direct sale of property to another public agency [NEW]
- 260:95-3-7. Disposal of surplus property by public auction or sealed bids [NEW]
- 260:95-3-8. Sale or lease, and redevelopment of property through Requests for Proposals [NEW]
- 260:95-3-9. Disposal of surplus property through liquidation [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 19, 2018

[OAR Docket #18-224; filed 3-20-18]

**TITLE 260. OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES
CHAPTER 115. PROCUREMENT**

[OAR Docket #18-225]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 7. Procurement
- Part 7. Additional Procurement Information
- 260:115-7-46. State Travel [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 20, 2018

[OAR Docket #18-225; filed 3-20-18]

**TITLE 260. OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES
CHAPTER 115. PROCUREMENT**

[OAR Docket #18-226]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 13. Disabled Veteran Business Enterprise Act [NEW]
- 260:115-13-1. Awarding Contracts [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 20, 2018

[OAR Docket #18-226; filed 3-20-18]

**TITLE 265. STATE FIRE MARSHAL COMMISSION
CHAPTER 25. REFERENCED STATE CODES AND STANDARDS**

[OAR Docket #18-200]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- 265:25-1-3 [AMENDED]

Submissions to Governor and Legislature

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 16, 2018

[OAR Docket #18-200; filed 3-16-18]

TITLE 265. STATE FIRE MARSHAL COMMISSION CHAPTER 55. FIREFIGHTER TRAINING ADVISORY COMMITTEE

[OAR Docket #18-201]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. Purpose and Responsibilities [NEW]

265:55-1-1 [NEW]

265:55-1-2 [NEW]

Subchapter 2. Volunteer Firefighter Tax Credit [NEW]

265:55-2-1 [NEW]

265:55-2-2 [NEW]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 16, 2018

[OAR Docket #18-201; filed 3-16-18]

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

[OAR Docket #18-182]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Office of Client Advocacy

Part 3. Investigations

340:2-3-34 [AMENDED]

340:2-3-36 [AMENDED]

Part 9. Advocacy Programs

340:2-3-71 through 340:2-3-73 [AMENDED]

340:2-3-74 [REVOKED]

340:2-3-75 [AMENDED]

(Reference WF 18-11)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-182; filed 3-9-18]

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

[OAR Docket #18-183]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 28. Office of Administrative Hearings: Child Support

340:2-28-4.1 through 340:2-28-4.3 [AMENDED]

340:2-28-24 [AMENDED]

340:2-28-30 [AMENDED]

(Reference WF 18-05)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-183; filed 3-9-18]

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

[OAR Docket #18-184]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. Human Resource Management

Part 1. General Provisions

340:2-1-5 [AMENDED]

340:2-1-7 [REVOKED]

Part 3. Internal Human Resources

340:2-1-26 through 340:2-1-29 [AMENDED]

340:2-1-31 through 340:2-1-32 [AMENDED]

340:2-1-34 [AMENDED]

Part 5. Administrative Procedures

340:2-1-55 [AMENDED]

340:2-1-58 [AMENDED]

Part 7. Recruitment, Selection, and Placement Policy and Procedures

340:2-1-75 through 340:2-1-79 [AMENDED]

340:2-1-81 through 340:2-1-83 [AMENDED]

340:2-1-84 [REVOKED]

340:2-1-85 [AMENDED]

340:2-1-88 through 340:2-1-89 [AMENDED]

340:2-1-93 [AMENDED]

(Reference WF 18-13)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-184; filed 3-9-18]

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

[OAR Docket #18-185]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 46. Office of Background Investigations [NEW]

Part 1. General provisions [NEW]

340:2-46-1 [NEW]

Part 2. Child Care Services [NEW]

340:2-46-2 through 340:2-46-5 [NEW]

(Reference WF 17-22)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-185; filed 3-9-18]

**TITLE 340. DEPARTMENT OF HUMAN SERVICES
CHAPTER 5. ADULT PROTECTIVE SERVICES**

[OAR Docket #18-186]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. ~~General Provisions~~ Adult Protective Services

340:5-1-1 [AMENDED]

340:5-1-2 through 340:5-1-3 [REVOKED]

340:5-1-4 through 340:5-1-6 [AMENDED]

340:5-1-7 [REVOKED]

340:5-1-8 [AMENDED]

Subchapter 3. ~~Reports of Maltreatment of Vulnerable Adults~~ Maltreatment Allegations

340:5-3-1 [AMENDED]

340:5-3-2 through 340:5-3-3 [REVOKED]

340:5-3-4 through 340:5-3-6 [AMENDED]

Subchapter 5. Investigation of Adult Protective Services ~~Referrals~~ Reports

340:5-5-1 through 340:5-5-8 [AMENDED]

Subchapter 7. Long-Term Care Investigations ~~Section~~

340:5-7-1 through 340:5-7-7 [AMENDED]

(Reference WF 18-10)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-186; filed 3-9-18]

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

[OAR Docket #18-187]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 2. Temporary Assistance for Needy Families (TANF) Work Program

340:10-2-1 [AMENDED]

340:10-2-4 [AMENDED]

340:10-2-6.1 through 340:10:10-2-7 [AMENDED]

Subchapter 3. Conditions of Eligibility - Need

Part 3. Income

340:10-3-31.1 [AMENDED]

(Reference WF 17-17 and 18-01)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-187; filed 3-9-18]

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

[OAR Docket #18-188]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. Low Income Home Energy Assistance Program

340:20-1-1 [AMENDED]

340:20-1-2.1 [NEW]

340:20-1-3 through 20-1-7 [AMENDED]

340:20-1-9 through 20-1-13 [AMENDED]

340:20-1-15 [AMENDED]

340:20-1-17 [AMENDED]

340:20-1-19 through 20-1-20 [AMENDED]

(Reference WF 17-13 and 18-03)

Submissions to Governor and Legislature

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-188; filed 3-9-18]

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

[OAR Docket #18-189]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. Scope and Applicability

340:25-1-1.1 [AMENDED]

Subchapter 5. Operational Policies

Part 15. Case Initiation, Case Management, and Case Closure

340:25-5-117 [AMENDED]

340:25-5-123 [AMENDED]

340:25-5-134 [NEW]

Part 21. Establishment

340:25-5-176 through 340:25-5-176.1 [AMENDED]

340:25-5-178 [AMENDED]

Part 22. Review and Modification

340:25-5-198.1 through 340:25-5-198.2 [AMENDED]

Part 23. Enforcement

340:25-5-200 [AMENDED]

340:25-5-212 [AMENDED]

Part 38. Title IV-D and Non-Title IV-D Central Case Registry Information

340:25-5-340 [AMENDED]

Part 39. Accounting and Distribution

340:25-5-350.3 [AMENDED]

(Reference WF 18-09)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-189; filed 3-9-18]

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

[OAR Docket #18-190]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Initial Application

340:40-3-1 [AMENDED]

Subchapter 5. Child Care Plan

340:40-5-1 [AMENDED]

Subchapter 7. Eligibility

340:40-7-10 [AMENDED]

340:40-7-13 [AMENDED]

Subchapter 9. Procedures Relating To Case Changes

340:40-9-1 [AMENDED]

340:40-9-2 [AMENDED]

Subchapter 13. Child Care Rates and Provider Issues

340:40-13-1 [AMENDED]

340:40-13-2 [AMENDED]

Subchapter 15. Overpayments

340:40-15-1 [AMENDED]

(Reference WF 17-16)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-190; filed 3-9-18]

TITLE 340. DEPARTMENT OF HUMAN SERVICES CHAPTER 50. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

[OAR Docket #18-191]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Application Process

340:50-3-2 [AMENDED]

Subchapter 5. Non-Financial Eligibility Criteria

Part 1. Household Definition

340:50-5-10.1 [AMENDED]

Part 5. Students, Strikers, Resident Farm Laborers, Migrant

Households, Sponsored Aliens, And School Employees

340:50-5-48 [AMENDED]

Part 7. Related Provisions

340:50-5-64 [REVOKED]

Part 9. Work Registration

340:50-5-85 through 340:50-5-87 [AMENDED]

340:50-5-88 [REVOKED]

340:50-5-89 [AMENDED]

340:50-5-90 through 340:50-5-91 [REVOKED]

340:50-5-92 [AMENDED]

340:50-5-93 [REVOKED]

340:50-5-94 [AMENDED]

340:50-5-95 through 340:50-5-96 [REVOKED]

Part 10. Able-Bodied Adult without Dependents [NEW]

340:50-5-100 through 340:50-101 [NEW]

Part 11. Supplemental Nutrition Assistance Program

Employment and Training Program [NEW]

340:50-5-106 [NEW]

Subchapter 7. Financial Eligibility Criteria

Part 3. Income
340:50-7-29 [AMENDED]
Subchapter 9. Eligibility and Benefit Determination Procedures
340:50-9-5 [AMENDED]
Subchapter 11. Special Procedures
Part 1. Households Entitled to Expedited Service
340:50-11-3 [AMENDED]
Subchapter 13. Fair Hearings and Quality Control
340:50-13-1 [REVOKED]
340:50-13-3 [AMENDED]
340:50-13-4 [REVOKED]
Subchapter 15. Overpayments and Fraud
Part 1. Overpayments
340:50-15-6 [AMENDED]
(Reference WF 18-02)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:
March 8, 2018

[OAR Docket #18-191; filed 3-9-18]

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

[OAR Docket #18-192]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

340:60-1-6 [AMENDED]

(Reference WF 16-11 and 18-07)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-192; filed 3-9-18]

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

[OAR Docket #18-193]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 5. Procedures Relating to Case Changes

Part 1. General Provisions

340:65-5-1 [AMENDED]

Subchapter 9. Overpayment Claims and Fraud in Temporary Assistance for Needy Families and State Supplemental Payment Benefits

340:65-9-1 through 340:65-9-2 [AMENDED]

340:65-9-4 through 340:65-9-7 [AMENDED]

(Reference WF 17-18 AND 18-04)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-193; filed 3-9-18]

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

[OAR Docket #18-194]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions of Child Welfare Services

Part 1. Scope and Applicability

340:75-1-9 [AMENDED]

340:75-1-9.1 [NEW]

340:75-1-18 [AMENDED]

340:75-1-32 [NEW]

Subchapter 3. Child Protective Services

Part 1. Purpose, Definitions, and Hotline Protocol

340:75-3-110 [AMENDED]

340:75-3-120 [AMENDED]

Part 3. Child Safety Evaluation Criteria and Procedure

340:75-3-300 [AMENDED]

Part 4. Specialized Investigative Protocols, Child Death or Near-Death Reporting Protocols

340:75-3-400 [AMENDED]

Subchapter 6. Permanency Planning

Part 1. General Provisions

340:75-6-1 [AMENDED]

Part 5. Permanency Planning Services

340:75-6-30 [AMENDED]

340:75-6-31.4 [AMENDED]

Part 8. Child Welfare Specialist Role

340:75-6-49 [AMENDED]

Part 11. Permanency Planning and Placement Services

340:75-6-85 [AMENDED]

340:75-6-89 [AMENDED]

Subchapter 7. Foster Home Care

Part 1. General Provisions

340:75-7-2 [AMENDED]

Part 2. Development of Resources Resource Families

340:75-7-10 [AMENDED]

340:75-7-10.1 [NEW]

340:75-7-12 [REVOKED]

340:75-7-14 through 340:75-7-15 [AMENDED]

Submissions to Governor and Legislature

340:75-7-18 [AMENDED]
340:75-7-19 [AMENDED]
340:75-7-24 [AMENDED]
Part 4. Roles and Responsibilities
340:75-7-37 through 340:75-7-37.1 [AMENDED]
340:75-7-41 [AMENDED]
Part 5. Eligibility and Payments
340:75-7-51 through 340:75-7-53 [AMENDED]
Part 6. ~~Foster~~Resource Home Care Support Services
340:75-7-65 [AMENDED]
Part 8. Resource Home Continuous Quality Assessment of
~~a Resource Home~~
340:75-7-94 [AMENDED]
Part 25. Emergency Foster Care Program [REVOKED]
340:75-7-262 [REVOKED]
Part 27. Oklahoma Department of Human Services (DHS)
Resource Family Partner (RFP) Foster Care Program
340:75-7-280 [AMENDED]
Part 28. Foster Parent Helpline, Mediation, and
Reports~~Complaints~~ about the Oklahoma Department
of Human Services (DHS) or Child-Placing Agency
Employees [AMENDED]
340:75-7-290 [AMENDED]
Subchapter 8. Therapeutic Foster Care and Developmental
Disabilities Services
Part 1. Therapeutic Foster Care
340:75-8-1 [AMENDED]
340:75-8-6 [AMENDED]
340:75-8-8 through 340:75-8-9 [AMENDED]
340:75-8-11 through 340:75-8-11.1 [AMENDED]
340:75-8-14 [AMENDED]
Subchapter 15. Adoptions
Part 2. Adoption Services Program Legal ~~Base~~Authority
and Scope of the ~~Adoption Program~~
340:75-15-5 through 340:75-15-7 [AMENDED]
340:75-15-8 [NEW]
340:75-15-9 [AMENDED]
Part 6. Adoption Process
340:75-15-41.1 [AMENDED]
340:75-15-41.2 through 340:75-15-41.4 [NEW]
340:75-15-47 [AMENDED]
Part 10. Integrated Family Assessment and Preparation
Process
340:75-15-82 [AMENDED]
340:75-15-84 [AMENDED]
340:75-15-84.1 [NEW]
340:75-15-87 through 340:75-15-89 [AMENDED]
340:75-15-91 [AMENDED]
Part 12. Adoption Placement Services
340:75-15-103 [AMENDED]
340:75-15-115 [NEW]
Part 14. Post-Adoption Placement Services
340:75-15-124 [AMENDED]
340:75-15-128 through 340:75-15-133 [AMENDED]
(Reference WF 18-12)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-194; filed 3-9-18]

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

[OAR Docket #18-195]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Administration
Part 1. General Administration
340:100-3-16 [AMENDED]
Subchapter 5. Client Services
Part 3. Service Provisions
340:100-5-26.1 [AMENDED]
Part 5. Individual Planning
340:100-5-57 [AMENDED]
Subchapter 6. Group Home Regulations
Part 7. Environmental Health, Safety, and Sanitation
Requirements
340:100-6-41 [AMENDED]
(Reference WF 18-06)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-195; filed 3-9-18]

TITLE 340. DEPARTMENT OF HUMAN SERVICES CHAPTER 110. LICENSING SERVICES

[OAR Docket #18-196]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions
Part 1. Licensing Services - Child Care
340:110-1-8.4 through 340:110-1-8.9 [AMENDED]
Subchapter 3. Licensing Standards for Child Care Facilities
Part 9. Requirements for Residential Child Care Facilities
340:110-3-146 [AMENDED]
340:110-3-152 [AMENDED]
340:110-3-154 [AMENDED]
340:110-3-170 [NEW]

Part 15. Requirements for Child Care Centers, Day Camps, Drop-In Programs, Out-of-School Time Programs, Part-Day Programs and Programs for Sick Children 340:110-3-284.2 [AMENDED]

(Reference WF 18-08)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-196; filed 3-9-18]

TITLE 340. DEPARTMENT OF HUMAN SERVICES CHAPTER 110. LICENSING SERVICES

[OAR Docket #18-197]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 1. General Provisions Part 1. Licensing Services - Child Care 340:110-1-8.1 [AMENDED] 340:110-1-8.3 [AMENDED] 340:110-1-8.10 through 340:110-1-9 [AMENDED] 340:110-1-10.1 [AMENDED] Part 3. Licensing Services-Residential Care and Agencies 340:110-1-47 [AMENDED] Subchapter 3. Licensing Standards for Child Care Facilities Part 5. Requirements for Family Child Care Homes and Large Family Child Care Homes 340:110-3-85 [AMENDED] Part 9. Requirements for Residential Child Care Facilities 340:110-3-153.1 [AMENDED] Part 15. Requirements for Child Care Centers, Day Camps, Drop-In Programs, Out-of-School Time Programs, Part-Day Programs and Programs for Sick Children 340:110-3-282 [AMENDED] Subchapter 5. Requirements for Child-Placing Agencies Part 1. Requirements for Child-Placing Agencies 340:110-5-8 [AMENDED]

(Reference WF 17-20)

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 8, 2018

[OAR Docket #18-197; filed 3-9-18]

TITLE 612. STATE DEPARTMENT OF REHABILITATION SERVICES CHAPTER 1. ADMINISTRATIVE OPERATIONS

[OAR Docket #18-206]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 5. Program Divisions Within the Department 612:1-5-2. Division of Vocational Rehabilitation (DVR) [AMENDED] 612:1-5-3. Division of Visual Services (DVS) [AMENDED] Subchapter 7. Relationships with Department Established by Law 612:1-7-3. Relationships with state boards: ex officio representation from the Department [AMENDED] 612:1-7-4. Relationships with federal officials [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 12, 2018

[OAR Docket #18-206; filed 3-19-18]

TITLE 612. STATE DEPARTMENT OF REHABILITATION SERVICES CHAPTER 3. MANAGEMENT SERVICES DIVISION

[OAR Docket #18-207]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 3. Human Resources Unit Part 3. Human Resources Management Section - Personnel Programs 612:3-3-20. Department of Rehabilitation Services recruitment and selection plan [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 12, 2018

[OAR Docket #18-207; filed 3-19-18]

Submissions to Governor and Legislature

TITLE 612. STATE DEPARTMENT OF REHABILITATION SERVICES CHAPTER 10. VOCATIONAL REHABILITATION AND VISUAL SERVICES

[OAR Docket #18-208]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 1. General Provisions
- 612:10-1-2. Definitions [AMENDED]
- Subchapter 3. Client Participation in Cost of Services
- 612:10-3-5. Basic living requirements [AMENDED]
- Subchapter 7. Vocational Rehabilitation and Visual Services
- Part 3. Case Processing Requirements
- 612:10-7-24.3. Trial Work Experience and ~~Extended Evaluation~~ [AMENDED]
- 612:10-7-24.5. Closed - Not Accepted for Services [AMENDED]
- 612:10-7-25.1. Order of selection [AMENDED]
- Part 5. Case Status and Classification System
- 612:10-7-45. Case statuses and case flow [AMENDED]
- 612:10-7-58. Closed Rehabilitated [AMENDED]
- Part 19. Special Services for Individuals who are Blind, Deaf, or have other ~~Severe~~ Significant Disabilities
- 612:10-7-201. Rehabilitation teaching services [AMENDED]
- Subchapter 9. Rehabilitation Teaching Services
- Part 1. General Provisions
- 612:10-9-1. Philosophy and scope of program [AMENDED]
- 612:10-9-2. Consumer rights [AMENDED]
- 612:10-9-3. Rehabilitation teacher's role [AMENDED]
- Part 3. Case Processing and Recording
- 612:10-9-13. Case recording [AMENDED]
- 612:10-9-15. Case status [REVOKED]
- 612:10-9-17. Application Status [REVOKED]
- 612:10-9-18. Closure from Application [REVOKED]
- 612:10-9-19. Eligibility Status [REVOKED]
- 612:10-9-20. Service Status [REVOKED]
- 612:10-9-21. Successful Closure [REVOKED]
- 612:10-9-22. Unsuccessful Closure after IPE Initiation [REVOKED]
- 612:10-9-24. Closed from Eligibility Status [REVOKED]
- 612:10-9-25. Post-Employment Service Status [REVOKED]
- 612:10-9-26. Post-Employment Closure Status [REVOKED]
- Part 5. Services
- 612:10-9-33. Communication Skills [AMENDED]
- 612:10-9-34. Personal management skills [AMENDED]
- 612:10-9-34.2. ~~Indoor mobility~~ Mobility within home environment [AMENDED]
- 612:10-9-34.3. Other adaptive skills [REVOKED]

- 612:10-9-35. Home management [AMENDED]
- 612:10-9-37. Referral for support services [AMENDED]
- 612:10-9-38. Vocational rehabilitation [AMENDED]
- Subchapter 13. Special Services for the Deaf and Hard of Hearing
- Part 3. Certification of Interpreters
- 612:10-13-16. Evaluation [AMENDED]
- 612:10-13-17. Evaluation team [AMENDED]
- 612:10-13-18. Fees [AMENDED]
- 612:10-13-20. Certification maintenance [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 12, 2018

[OAR Docket #18-208; filed 3-19-18]

TITLE 710. OKLAHOMA TAX COMMISSION CHAPTER 1. ADMINISTRATIVE OPERATIONS

[OAR Docket #18-235]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 3. Public Policy
- Part 3. Taxpayer Identification
- 710:1-3-15 [AMENDED]
- Part 11. Public Records
- 710:1-3-70 [AMENDED]
- Subchapter 5. Practice and Procedure
- Part 10. Business Compliance Proceedings
- 710:1-5-110 [AMENDED]
- 710:1-5-111 [AMENDED]
- 710:1-5-112 [AMENDED]
- 710:1-5-113 [AMENDED]
- 710:1-5-115 [AMENDED]
- 710:1-5-116 [AMENDED]
- 710:1-5-117 [AMENDED]
- 710:1-5-119 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 22, 2018

[OAR Docket #18-235; filed 3-23-18]

TITLE 710. OKLAHOMA TAX COMMISSION CHAPTER 10. AD VALOREM

[OAR Docket #18-236]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 1. General Provisions
 - 710:10-1-3 [AMENDED]
 - 710:10-1-4 [AMENDED]
- Subchapter 3. Equalization Study
 - Part 1. General Provisions
 - 710:10-3-20 [AMENDED]
 - Part 3. Data Collection
 - 710:10-3-22 [AMENDED]
 - 710:10-3-27 [AMENDED]
- Subchapter 7. Manufacturing Facilities
 - 710:10-7-2.3 [NEW]
 - 710:10-7-25 [AMENDED]
- Subchapter 9. Manufactured Homes
 - 710:10-9-2 [AMENDED]
- Subchapter 10. Visual Inspection Plan
 - Part 3. Planning and Organization
 - 710:10-10-12 [AMENDED]
- Subchapter 11. Reimbursements and Assistance to Counties
 - 710:10-11-2 [AMENDED]
 - 710:10-11-4 [REVOKED]
 - 710:10-11-5 [REVOKED]
 - 710:10-11-6 [REVOKED]
 - 710:10-11-8 [REVOKED]
 - 710:10-11-9 [REVOKED]
 - 710:10-11-11 [REVOKED]
 - 710:10-11-12 [REVOKED]
- Subchapter 12. Agricultural Land Conservation Adjustment
 - 710:10-12-6 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 22, 2018

[OAR Docket #18-236; filed 3-23-18]

**TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 15. AIRCRAFT**

[OAR Docket #18-237]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 3. Registration
 - Part 1. General Registration Provisions
 - 710:15-3-3 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 19, 2018

[OAR Docket #18-237; filed 3-23-18]

**TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 20. ALCOHOL AND MIXED BEVERAGES AND LOW-POINT BEER**

[OAR Docket #18-238]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- Subchapter 1. General Provisions
 - 710:20-1-2 [AMENDED]
 - 710:20-1-3 [AMENDED]
- Subchapter 2. Low-Point Beer [REVOKED]
 - Part 1. General Provisions [REVOKED]
 - 710:20-2-1 through 710:20-2-15 [REVOKED]
 - 710:20-2-20 [REVOKED]
 - Part 3. Low-Point Beer Distribution [REVOKED]
 - 710:20-2-50 through 710:20-2-56 [REVOKED]
 - 710:20-2-60 [REVOKED]
- Subchapter 3. Alcoholic Beverages
 - 710:20-3-1 [AMENDED]
 - 710:20-3-2 [AMENDED]
 - 710:20-3-3 [AMENDED]
 - 710:20-3-4 [AMENDED]
 - 710:20-3-7 [AMENDED]
- Subchapter 5. Mixed Beverages
 - 710:20-5-1 [AMENDED]
 - 710:20-5-3 [AMENDED]
 - 710:20-5-4 [AMENDED]
 - 710:20-5-6 [AMENDED]
 - 710:20-5-7 [AMENDED]
 - 710:20-5-8 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 22, 2018

[OAR Docket #18-238; filed 3-23-18]

**TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 25. COIN OPERATED VENDING DEVICES**

[OAR Docket #18-239]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

- 710:25-1-5 [AMENDED]
- 710:25-1-6 [AMENDED]
- 710:25-1-13 [REVOKED]

Submissions to Governor and Legislature

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 19, 2018

[OAR Docket #18-239; filed 3-23-18]

TITLE 710. OKLAHOMA TAX COMMISSION CHAPTER 40. FRANCHISE TAX

[OAR Docket #18-240]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

710:40-1-2.1 [AMENDED]

710:40-1-6 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 19, 2018

[OAR Docket #18-240; filed 3-23-18]

TITLE 710. OKLAHOMA TAX COMMISSION CHAPTER 45. GROSS PRODUCTION

[OAR Docket #18-241]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 9. Exemptions and Exclusions

Part 5. Horizontally Drilled Production Wells

710:45-9-20 [AMENDED]

Part 7. Incremental Production from Enhanced Recovery Projects or Properties

710:45-9-30 [AMENDED]

710:45-9-31 [AMENDED]

710:45-9-32 [AMENDED]

710:45-9-32.1 [AMENDED]

710:45-9-33 [AMENDED]

710:45-9-34 [AMENDED]

710:45-9-35 [AMENDED]

Part 9. Production Enhancement Projects

710:45-9-40 [AMENDED]

710:45-9-41 [AMENDED]

710:45-9-43 [AMENDED]

Part 11. Reestablishment of Production from an Inactive Well

710:45-9-50 [AMENDED]

710:45-9-51 [AMENDED]

710:45-9-53 [AMENDED]

Part 13. Deep Wells

710:45-9-60 [AMENDED]

710:45-9-62 [AMENDED]

Part 15. New Discovery Wells

710:45-9-70 [AMENDED]

710:45-9-73 [AMENDED]

Part 17. Economically At-Risk Leases

710:45-9-82 [AMENDED]

710:45-9-84 [AMENDED]

Part 19. Production Using Three Dimensional Seismic Shoots

710:45-9-90 [AMENDED]

710:45-9-92 [AMENDED]

710:45-9-93 [AMENDED]

710:45-9-94 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 19, 2018

[OAR Docket #18-241; filed 3-23-18]

TITLE 710. OKLAHOMA TAX COMMISSION CHAPTER 50. INCOME

[OAR Docket #18-242]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Returns and Reports

Part 1. General Information

710:50-3-1 [AMENDED]

Part 3. Liability; Penalties

710:50-3-24 [AMENDED]

Part 5. Filing Status; Elections; Accounting Periods and Methods

710:50-3-45 [AMENDED]

Part 7. Other Required Reporting

710:50-3-53 [AMENDED]

710:50-3-54 [AMENDED]

Subchapter 9. Refunds

710:50-9-2 [AMENDED]

Subchapter 15. Oklahoma Taxable Income

Part 3. Exemptions

710:50-15-31 [AMENDED]

Part 5. Other Adjustments to Income

710:50-15-50 [AMENDED]

710:50-15-54 [AMENDED]

710:50-15-65 [AMENDED]

710:50-15-68 [REVOKED]

Part 7. Credits against Tax

710:50-15-75 [REVOKED]

710:50-15-81 [AMENDED]

710:50-15-82 [REVOKED]

710:50-15-84 [REVOKED]

710:50-15-86 [REVOKED]

710:50-15-86.1 [REVOKED]
710:50-15-87 [REVOKED]
710:50-15-87.1 [REVOKED]
710:50-15-94 [AMENDED]
710:50-15-100 [REVOKED]
710:50-15-101 [REVOKED]
710:50-15-109 [AMENDED]
710:50-15-110 [REVOKED]
710:50-15-114 [AMENDED]
710:50-15-115 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 19, 2018

[OAR Docket #18-242; filed 3-23-18]

**TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 55. MOTOR FUEL**

[OAR Docket #18-243]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 4. Motor Fuel Tax
Part 3. Exemptions and Refunds
710:55-4-117 [AMENDED]
710:55-4-121 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 22, 2018

[OAR Docket #18-243; filed 3-23-18]

**TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 60. MOTOR VEHICLES**

[OAR Docket #18-244]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions
710:60-1-3 [AMENDED]
Subchapter 3. Registration and Licensing
Part 1. General Provisions
710:60-3-12 [AMENDED]
710:60-3-17 [AMENDED]
710:60-3-24 [AMENDED]
710:60-3-25 [AMENDED]
Part 3. Penalties
710:60-3-33 [AMENDED]
710:60-3-34 [AMENDED]

Part 5. Dealers
710:60-3-52 through 710:60-3-55 [AMENDED]
Part 7. Noncommercial Vehicles
710:60-3-70 [AMENDED]
Part 11. Other Vehicles
710:60-3-111 [AMENDED]
710:60-3-115 [AMENDED]
Part 13. Manufactured Homes
710:60-3-130 [AMENDED]
710:60-3-132 [AMENDED]
Part 15. Special License Plates
710:60-3-164 [AMENDED]
Part 17. Special Permits
710:60-3-202 [AMENDED]
Subchapter 5. Motor Vehicle Titles
Part 5. Certificates of Title
710:60-5-51 [AMENDED]
710:60-5-52 [AMENDED]
710:60-5-58 [AMENDED]
Part 7. Transfer of Title
710:60-5-71 [AMENDED]
Part 9. Affidavits for Use in Titles
710:60-5-91 [AMENDED]
Part 11. Liens
710:60-5-116 [AMENDED]
Subchapter 6. Vehicle Sales Tax [NEW]
710:60-6-1 [NEW]
710:60-6-2 [NEW]
Subchapter 7. Motor Vehicle Excise Tax
710:60-7-3 [AMENDED]
Subchapter 9. Motor Vehicle License Agents/Agencies
Part 5. Specific Recordkeeping Duties
710:60-9-55 [AMENDED]
Part 9. Specific Fiscal Duties
710:60-9-95 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 22, 2018

[OAR Docket #18-244; filed 3-23-18]

**TITLE 710. OKLAHOMA TAX COMMISSION
CHAPTER 65. SALES AND USE TAX**

[OAR Docket #18-245]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 3. Reports and Returns; Payments and Penalties; Records
Part 1. General Provisions
710:65-3-4 [AMENDED]
Subchapter 7. Duties and Liabilities

Submissions to Governor and Legislature

710:65-7-14 [AMENDED]
Subchapter 9. Permits
710:65-9-8 [AMENDED]
710:65-9-10 [AMENDED]
Subchapter 13. Sales and Use Tax Exemptions
Part 1. Advertising in Media
710:65-13-1 [AMENDED]
Part 5. Items Subject To Other Taxes
710:65-13-30 [AMENDED]
Part 25. Governmental Entities
710:65-13-134 [NEW]
Part 43. Social, Charitable, and Civic Organizations and
Activities
710:65-13-363 [NEW]
710:65-13-364 [NEW]
710:65-13-365 [NEW]
Subchapter 15. Interstate Commerce
710:65-15-3 [REVOKED]
Subchapter 19. Specific Applications and Examples
Part 25. "M"
710:65-19-215 [NEW]
Part 37. "S"
710:65-19-315 [NEW]
Part 39. "T"
710:65-19-328 [AMENDED]
Subchapter 21. Use Tax
710:65-21-7 [AMENDED]
710:65-21-8 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 22, 2018

[OAR Docket #18-245; filed 3-23-18]

TITLE 710. OKLAHOMA TAX COMMISSION CHAPTER 90. WITHHOLDING

[OAR Docket #18-246]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 1. General Provisions
710:90-1-11 [AMENDED]
Subchapter 3. Returns and Payments
710:90-3-10 [AMENDED]
710:90-3-11 [AMENDED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 19, 2018

[OAR Docket #18-246; filed 3-23-18]

TITLE 710. OKLAHOMA TAX COMMISSION CHAPTER 95. MISCELLANEOUS AREAS OF REGULATORY AND ADMINISTRATIVE AUTHORITY

[OAR Docket #18-247]

RULEMAKING ACTION:

Submission to Governor and Legislature

RULES:

Subchapter 5. Used Tire Recycling
710:95-5-2 [AMENDED]
710:95-5-3 [AMENDED]
710:95-5-12 [AMENDED]
Subchapter 19. Business Activity Tax [REVOKED]
710:95-19-1 [REVOKED]
710:95-19-2 [REVOKED]
710:95-19-3 [REVOKED]
710:95-19-4 [REVOKED]
710:95-19-5 [REVOKED]
710:95-19-6 [REVOKED]
710:95-19-7 [REVOKED]
710:95-19-8 [REVOKED]

SUBMISSION OF ADOPTED RULES TO GOVERNOR AND LEGISLATURE:

March 22, 2018

[OAR Docket #18-247; filed 3-23-18]

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 the 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
- e. avoid serious prejudice to the public interest." [75 O.S., Section 253(A)]

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 230. STATE ELECTION BOARD CHAPTER 15. VOTER REGISTRATION

[OAR Docket #18-204]

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

- Subchapter 5. Application for Voter Registration
Part 21. Voter Registration Application by Mail
230:15-5-87. Acknowledgment of voter registration application [AMENDED]
Part 23. Voter Registration Application Services at Department of Public Safety Facilities and in Motor License Agencies
230:15-5-100. Voter registration application services ~~required in motor license agency provided with driver license services at Department of Public Safety facilities and at motor license agencies~~ [AMENDED]
230:15-5-101.1. Training for driver license examiners and other Department of Public Safety personnel [NEW]
230:15-5-102. ~~Procedure Motor license agency procedure for active simultaneous voter registration application services in motor license agency with a driver license renewal~~ [AMENDED]
230:15-5-102.1. Motor license agency procedure for simultaneous voter registration application with in-person driver license change of address or name [NEW]
230:15-5-102.3. Confidential information regarding voter registration services [NEW]
230:15-5-103. Passive voter registration application services in motor license agency [AMENDED]
230:15-5-104. ~~Motor Department of Public Safety and motor license agency personnel responding to questions and/or requests for information about voter registration or election conduct~~ [AMENDED]
230:15-5-105. Voter registration application services impartial and nonpartisan [AMENDED]
230:15-5-108. Transmitting completed Oklahoma Voter Registration Application forms ~~from motor license agency~~ to the State Election Board [AMENDED]
230:15-5-109. ~~Forms and supplies Materials~~ for voter registration application services in motor license agency [AMENDED]
230:15-5-110. Payment of motor license agents [AMENDED]
Subchapter 9. Receiving and Processing Voter Registration Applications
Part 7. Acknowledgment of Voter Registration Applications
230:15-9-29. Preparation of voter identification cards [AMENDED]

AUTHORITY:

Title 26 O.S., Section 2-107; Secretary of the State Election Board

ADOPTION:

March 13, 2018

APPROVED BY GOVERNOR:

March 15, 2018

EFFECTIVE:

Immediately upon Governor's approval

EXPIRATION:

Effective through September 14, 2018, unless superseded by another rule or disapproved by the Legislature.

SUPERSEDED EMERGENCY ACTIONS:

N/A

INCORPORATIONS BY REFERENCE:

N/A

FINDING OF EMERGENCY:

The Secretary of the State Election Board finds that the promulgation of emergency rules in Chapter 15 is necessary in order to comply with amendments in the agency's governing law and to avoid violation of federal law, specifically Sections 5 and 8 of the National Voter Registration Act (NVRA).

In 2016, the Secretary was contacted by a representative of the advocacy group known as DEMOS with questions about the implementation of Section 5 of the NVRA, which is commonly known as the "motor-voter" law.

Subsequent to the initial contact from DEMOS, discussions with Department of Public Safety leadership led Senate Bill 148, which was passed by the Legislature, signed by the Governor, and became effective on May 17, 2017. The bill authorizes new processes and procedures that enable driver license examiners to offer voter registration services to applicants for new driver licenses. It also updates procedures used by for motor license agency (tag agency) personnel to provide voter registration services in connection with driver license renewals and with changes of address or name. These emergency rules are the final step to full implementation of updates to Oklahoma's NVRA procedures, and they also will be included in the permanent rulemaking actions underway in 2018.

In addition to the "motor-voter" amendments, the Secretary also finds that the promulgation of emergency amendments in two additional sections, one in Subchapter 5 and another in Subchapter 9, is necessary to clarify and to emphasize proper procedure concerning the issuance of voter identification cards and of temporary voter identification documents and to prevent potential violation of federal or state law concerning the acknowledgment of valid voter registration applications.

GIST/ANALYSIS:

Subsequent to inquiries from a national voter registration advocacy group concerning elements of Oklahoma's original implementation of the "motor-voter" requirements in the NVRA, the Secretary of the State Election Board and appropriate personnel in the Department of Public Safety worked to update processes and procedures for Public Safety employees and for motor license agents to provide simultaneous voter registration services with driver license applications and updates. These emergency amendments are the final step for full implementation of the revised and new procedures and ensure that Oklahoma remains compliant with both federal and state law.

Other amendments, which pertain to certain administrative requirements of NVRA, concern the proper procedures for the production and issuance of official voter identification cards following approval of applications for new voter registration or changes of existing voter registration and to the production and issuance temporary voter identification documents. The emergency amendments are needed clarify and emphasize these procedures to prevent inadvertent violation of the federal or state laws governing these processes.

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CONTACT PERSON:

Suzanne Cox, Support Services Director, State Election Board. Telephone: (405) 521-2391 (Dial "0" to speak with a customer service representative) or (405) 522-6618. E-mail: suzanne.cox@elections.ok.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):

SUBCHAPTER 5. APPLICATION FOR VOTER REGISTRATION

PART 21. VOTER REGISTRATION APPLICATION BY MAIL

230:15-5-87. Acknowledgment of voter registration application

(a) The Secretary of the County Election Board shall acknowledge by mail each application for voter registration and shall notify each applicant of the disposition of his or her application. If an application is determined to be valid, the acknowledgment shall be a voter identification card. If an application is rejected, the acknowledgment shall be a rejection notice. A rejection notice shall describe the reason for which the application is rejected and shall inform the applicant of the steps, if any, that may be taken to provide additional information to complete or to correct the application. Voter identification cards created to acknowledge applications for new voter registration and for change of existing voter registrations shall be mailed to the voter. Rejection notices also shall be mailed.

(b) If an applicant for new voter registration or for change of voter registration does not receive an acknowledgment of his or her application, as described in (a) of this Section, within 30 days after submitting it, the applicant is responsible for contacting the County Election Board in his or her county of residence to determine the status of the application.

PART 23. VOTER REGISTRATION APPLICATION SERVICES AT DEPARTMENT OF PUBLIC SAFETY FACILITIES AND IN MOTOR LICENSE AGENCIES

230:15-5-100. Voter registration application services ~~required in motor license agency~~ provided with driver license services at Department of Public Safety facilities and at motor license agencies

(a) Voter registration application services required. Both federal and state law require ~~motor license agency personnel to offer the opportunity to apply for voter registration to each person that an application for a new driver license in Oklahoma~~

shall be a simultaneous application for voter registration unless the driver license applicant specifically opts out of voter registration. The choice to opt out of voter registration shall be indicated in writing.

~~(b) **New driver license.** Each person who applies for or renews an a new Oklahoma driver license or a new state identification card at a Department of Public Safety facility shall be provided with simultaneous voter registration services as mandated by the National Voter Registration Act and by state law. [52 USC §20504; 26:4-109.3] Motor license agency personnel also shall be required to offer the opportunity to apply for voter registration change of address to each person who appears in person at the a motor license agency to change the address on an Oklahoma driver license or state identification card. An application submitted for a new driver license or new state identification card shall serve as an application for voter registration unless the applicant fails to sign the voter registration application. A Department of Public Safety driver license examiner enters information provided by each driver license applicant into the Department of Public Safety system. Information that is common to both the driver license and voter registration applications then prints on a voter registration application form unless the applicant has opted not to apply for voter registration. The examiner gives the applicant the voter registration application form and instructs the applicant to verify that all information is correct and to select a political affiliation, to enter information about previous voter registration in the spaces provided, to read the oath, and to sign and date the form. The examiner takes the signed voter registration application from the applicant and sends it by mail to the State Election Board as described in 230:15-5-108. When a new driver license recipient subsequently appears at a motor license agency to have his or her driver license made, motor license agency personnel are not required to repeat the offer of voter registration services.~~

~~(b) **Active voter registration application services required.** Motor license agency personnel shall be required to provide active voter registration application services to the persons identified in (a) of this Section. Active voter registration application services shall be provided according to the procedure established in 230:15-5-102. Active voter registration application services shall not be required in motor license agencies that do not issue or renew driver licenses or state identification cards.~~

(c) **Driver license renewal.** Each person who renews an Oklahoma driver license or a state identification card at a motor license agency shall be offered the opportunity by motor license agency personnel to register to vote by filling out and signing a paper copy of the Oklahoma Voter Registration Application form. Motor license agency personnel shall accept such completed and signed applications and shall send them by mail to the State Election Board as outlined in 230:15-5-108.

~~(e) **Passive voter registration application services available.** Passive voter registration application services shall be available to persons who conduct any business transactions other than those listed in (a) of this Section in any motor license agency. Passive voter registration application services~~

also shall be available to persons who transact no motor license agency business but who request voter registration application services. ~~Passive voter registration application services shall be available in motor license agencies that do not issue or renew driver licenses or state identification cards. See 230:15-5-103.~~

(d) **Driver license change of address or name.** A change of address or name for a driver license or state identification card submitted in person at a motor license agency or a change of address submitted online through the Department of Public Safety website also shall serve as a simultaneous change of address for voter registration purposes if the new address is located within the same county where the voter is currently registered to vote unless the applicant opts out of voter registration. However, the County Election Board shall not be authorized to change the name of a registered voter based only upon an electronic submission of data from the Department of Public Safety. See 230:15-5-102.1(c).

230:15-5-101.1. Training for driver license examiners and other Department of Public Safety personnel

All Department of Public Safety personnel shall receive training prior to providing voter registration services to persons applying for a new Oklahoma driver license or state identification card. The training shall be prescribed by the Secretary of the State Election Board and may be conducted by designated State Election Board agency personnel or by designated Department of Public Safety Driver License Services personnel. It shall be the responsibility of the Department of Public Safety Driver License Service personnel to ensure that all applicable employees are trained to provide voter registration services as required by federal and state law.

230:15-5-102. Procedure Motor license agency procedure for active simultaneous voter registration application services in motor license agency with a driver license renewal

~~(a) **Procedure for active voter registration application services in motor license agency.** Motor license agency personnel shall use the following procedure to offer the opportunity to apply to register to vote or to change voter registration services to each person who appears in person to apply for or to renew an Oklahoma driver license or state identification card, and to each person who appears in person to change the address on an Oklahoma driver license or state identification card, or change name on an Oklahoma driver license or state identification card.~~

- (1) Ask the applicant to read, fill out, and sign the Voter Registration Statement.
- (2) Ask If the applicant to print the applicant's name at the top of the indicates on the Voter Registration Statement that the applicant wants to register to vote, provide a copy of the Oklahoma Voter Registration Application form. Retain the Voter Registration Statement.

(3) Ask the applicant to answer check YES or NO and to sign and date the statement.

(A) If the applicant checks YES, keep the Voter Registration Statement and proceed to step (4) of this subsection.

(B) If the applicant checks NO, ~~keep~~ indicates on the Voter Registration Statement and file it as directed that the applicant does not want to register to vote, retain the Voter Registration Statement and ~~Proceed~~ proceed with the motor license agency's business.

(C) If the applicant either leaves the Voter Registration Statement blank or refuses to fill it out, ~~give the applicant an Oklahoma Voter Registration Application to take home. If the applicant refuses the application form, note the refusal on the Voter Registration Statement. Print the applicant's name and the date on the Voter Registration Statement form and file it as directed. Proceed with the motor license agency's business.~~

(4) Give the applicant an Oklahoma Voter Registration Application form and tell the applicant to read the Oath to determine whether the applicant is eligible to register to vote.

(5) Tell the applicant to read the Important Information and the Instructions pages of the form.

(6) If the applicant asks for help to fill out the form, help the applicant in the same way you would help any applicant fill out a motor license agency form.

(7) Take the executed form back from the applicant.

(8) Verify that the applicant signed the form and wrote today's date. Verify that the applicant provided either the applicant's Oklahoma driver license number or the last four digits of the applicant's Social Security number in the appropriate space on the form.

(9) If it appears that any information is appears to be omitted, show the omission it to the applicant. Tell the applicant that omitting the information may cause the application to be rejected. Only the applicant may add to or change the form.

(10) File the completed and signed Voter Registration Statement as directed.

(11) Secure the Follow agency procedure to ensure that a completed voter registration application form is date-stamped on the day it is received in your office and that the motor license agency identification number is entered in the "MLA Use Only" box on the form. Place the completed form in the appropriate correct location to be mailed to the State Election Board and proceed with the motor license agency's business.

(b) ~~**Confidential Information.** Information related to a declination to register to vote or to the identity of the agency at which any person applied to register to vote shall not be used for any purpose other than voter registration. The identity and location of the motor license agency at which a person registered or declined to register to vote shall not be disclosed to the public. Motor license agency personnel shall not write or stamp any information that could identify the agency outside the shaded area labeled "VRA/MLA Office Use Only" at~~

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the top of the form. Agency personnel shall record the motor license agent's Oklahoma Tax Commission identification number in the space provided for it on each voter registration application received through active or passive registration services. Completed voter registration applications shall be kept confidential while in the possession of motor license agency personnel. If the applicant either leaves the Voter Registration Statement blank or refuses to fill it out, give the applicant an Oklahoma Voter Registration Application form to take home. If the applicant refuses the application form, note the refusal on the Voter Registration Statement. Print the applicant's name and the date on the Voter Registration Statement form and file it as directed. Proceed with the motor license agency's business.

230:15-5-102.1. Motor license agency procedure for simultaneous voter registration application with in-person driver license change of address or name

(a) A change of address for an Oklahoma driver license or state identification card submitted by a registered voter also shall serve as a change of address for voter registration purposes if the new address is located within the same county where the voter is registered. [26:4-109.3] However, a change of address for an Oklahoma driver license or state identification card shall not be used to update a voter registration address if the registrant states in writing that the change of address is not for voter registration purposes. [26:4-109.3]

(b) Motor license agency personnel shall follow this procedure to provide voter registration services to customers who appear in person to change address on a driver license.

(1) Ask the applicant to read, fill out, and sign the Voter Registration Statement.

(2) If the customer indicates on the Voter Registration Statement that the applicant wants to register to vote, keep the Voter Registration Statement and proceed to step (4) of this subsection.

(3) If the applicant indicates that the applicant does not want to register to vote, keep the Voter Registration Statement.

(4) Give each applicant for change of address or name a copy of the Notice of Change of Address or Name form provided by the Driver License Services Division of the Oklahoma Department of Public Safety.

(5) Instruct each applicant to provide both a residence address and a mailing address on the Department of Public Safety form.

(6) Motor license agency personnel shall receive the completed and signed Notice of Change of Address or Name form and shall follow instructions provided by the Department of Public Safety to enter all information provided on the form, including both residence address and mailing address, into the Department of Public Safety system. If the applicant indicated on the Voter Registration Statement that the applicant does not want to register to vote, check to see that the applicant checked the box on the Department of Public Safety form to indicate that the change of address or name is not for voter registration.

(c) When a registered voter submits a driver license name change in person at a motor license agency, motor license agency personnel follow the procedure described in (b) of this Section to obtain and record the new name in the Department of Public Safety system. The information is provided electronically to the State Election Board by the Department of Public Safety, and if a match is found with an existing registered voter, the information is delivered electronically to the appropriate County Election Board for processing. However, the County Election Board shall not update a voter registration record with the new name based only on the electronic data submission from the Department of Public Safety. If County Election Board personnel determine that the match is valid, a letter to the voter is created instructing the voter to complete and submit a paper voter registration application form, a copy of which should be enclosed with the letter, to change the voter's name. An original signature of the voter's new name shall be required to complete a name change for voter registration purposes.

230:15-5-102.3. Confidential information regarding voter registration services

Information related to an individual's decision not to register to vote or to the identity of the agency at which any person applied to register to vote shall not be made public and shall not be used for any purpose other than voter registration. The identity and location of a motor license agency or Department of Public Safety facility at which a person registers or declines to register to vote shall not be disclosed to the public. Department of Public Safety and motor license agency personnel shall not write or stamp any information that could identify the agency outside the shaded box labeled for such purpose and located at the top of the voter registration application form. Completed and signed voter registration applications shall be maintained in a secure and confidential manner until they are mailed to the State Election Board as provided in 230:15-5-108.

230:15-5-103. Passive voter registration application services in motor license agency

(a) Motor license agency personnel shall provide ~~an~~ a paper copy of the Oklahoma Voter Registration Application form to any person who requests one while conducting any business transaction in the agency other than those described in 230:15-5-100. Motor license agency personnel also shall provide ~~an~~ a paper Oklahoma Voter Registration Application form to any person who requests one even if the person does not conduct a business transaction with the motor license agency.

(b) Motor license agency personnel shall accept paper voter registration application forms completed in the agency as a result of passive voter registration application services for transmittal to the State Election Board. The Voter Registration Statement form shall not be required in connection with passive voter registration application services.

(c) Motor license agency personnel shall not be authorized to provide any group or individual with paper voter registration application forms for voter registration drives or other similar

activities. Motor license agency personnel shall refer all persons who request forms for voter registration drives or other similar activities to the local County Election Board office or to the State Election Board. Motor license agency personnel shall be authorized but shall not be required to accept completed voter registration application forms that originated outside the motor license agency for transmittal to the State Election Board. If such forms are accepted, however, agency personnel shall ensure that the forms are stamped with a received date and sent to the State Election Board as outlined in 230:15-5-107 and 230:15-5-108. However, the agency ID number shall not be entered on such forms and the motor license agent shall not be eligible to receive compensation as outlined in 230:15-5-110. Motor license agency personnel may direct persons with quantities of completed voter registration application forms to the local County Election Board office or to the State Election Board for appropriate instructions.

(d) Motor license agencies have no authority to accept absentee ballots from voters or to transmit absentee ballots to the State Election Board in a pre-addressed, postage-paid business reply envelope provided to the agency for voter registration applications.

230:15-5-104. Motor-Department of Public Safety and motor license agency personnel responding to questions and/or requests for information about voter registration or election conduct

Motor-Department of Public Safety and motor license agency personnel shall not answer questions or provide information concerning voter registration or election conduct unless the answer or information is contained in the written materials supplied by the State Election Board. Applicants who have questions that cannot be answered by Department of Public Safety or motor license agency personnel shall be referred to the office of the local County Election Board, to the State Election Board office, or to the State Election Board's website: www.elections.ok.gov. Motor-Department of Public Safety and motor license agency personnel shall not attempt to explain or to amplify the information contained in the written materials supplied by the State Election Board.

230:15-5-105. Voter registration application services impartial and nonpartisan

Voter registration application services shall be provided in an impartial and nonpartisan manner. Motor-Department of Public Safety and motor license agency personnel providing active-voter registration application services are advised not to do any of the following things.

- (1) Do not seek to influence an applicant's political affiliation or party registration.
- (2) Do not display any political preference or party allegiance.
- (3) Do not make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote.

230:15-5-108. Transmitting completed Oklahoma Voter Registration Application forms from motor license agency to the State Election Board

(a) **Transmittal deadline.** All completed Oklahoma Voter Registration Application forms received by Department of Public Safety personnel and at a motor license agency as a result of active or passive-voter registration application services provided simultaneously with driver license services shall be transmitted to the State Election Board at the close of business each week. In addition, all voter registration application forms received by motor license agency personnel from customers transacting other business with the agency also shall be transmitted to the State Election Board at the close of business each week.

(b) **Procedure for transmitting completed Oklahoma Voter Registration Applications.** The following procedure shall be observed by Department of Public Safety and motor license agency personnel to transmit all completed Oklahoma Voter Registration Application forms to the State Election Board.

(1) Verify that the motor license agency identification number and the received date are stamped or written in the shaded area at the top of each form. If the agency identification number or received date do not appear on these forms, stamp or write the number and the current date in the space provided on the form.

(2) Place all completed Oklahoma Voter Registration Application forms received during the week in a postage-paid, pre-addressed business reply envelope provided by the State Election Board.

(3) Mail-Seal the envelope containing completed Oklahoma Voter Registration Application forms and mail it to the State Election Board at the close of business each week.

(c) **Transmitting applications received through passive voter registration application services.** Motor license agency personnel receiving All voter registration applications completed in the a motor license agency as a result of passive voter registration application services, from persons transacting business other than renewing or updating a driver license also shall code and date them be date-stamped and coded as outlined in 230:15-5-107; and shall transmit them be mailed to the State Election Board as outlined in (a) and (b) of this Section.

(d) The postage-paid, pre-addressed business reply envelope provided by the State Election Board to motor license agencies and to Department of Public Safety driver license examiners shall not be used for any purpose other than mailing completed voter registration application forms to the State Election Board on a weekly basis.

(e) Nothing in this Section shall prohibit an agreement between a motor license agent or Department of Public Safety driver license examiner and the Secretary of the County Election Board to allow County Election Board personnel to pick up completed voter registration applications from the motor license agency or driver license examiner on a regular basis.

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230:15-5-109. ~~Forms and supplies~~ **Materials for voter registration application services in motor license agency**

(a) All forms and ~~supplies—materials~~ required to provide ~~active and passive simultaneous~~ voter registration application services in a Department of Public Safety facility or a motor license agency shall be prescribed by the Secretary of the State Election Board.

(b) The Secretary of the State Election Board shall prepare and ~~distribute—provide to~~ Department of Public Safety Driver License Services and to each motor license agent the instructions, forms and supplies necessary to provide active and passive simultaneous voter registration application services in a motor license agency. Motor Department of Public Safety Driver License Services and individual motor license agents shall be responsible for ordering additional forms and supplies materials from the State Election Board as needed. Motor license agency personnel shall not be authorized to obtain voter registration application forms and supplies—materials from the local County Election Board office.

(c) The following materials shall be required to provide active voter registration application services in a motor license agency.

- (1) Oklahoma Voter Registration Application forms, pre-coded to indicate the form originated with a motor license agency.
- (2) Voter Registration Statement forms.
- (3) Pre-addressed, postage-paid business reply envelopes for transmitting completed voter registration applications to the State Election Board.
- (4) Procedure for Voter Registration cards.
- (5) Voter Registration Application Checklist cards.
- (6) Register While You Are Here Today signs.

(d) On any occasion that ~~only passive voter registration services are provided to an applicant in a motor license agency, persons conducting business with a motor license agency that does not include the renewal or update of a driver license requests voter registration, the use of the Voter Registration Statement form and the Procedure for Voter Registration card—~~shall not be required. However, motor license agency personnel are advised and encouraged to follow the Renew A Driver License steps described on the most recent Procedure for Voter Registration card provided by the State Election Board to review the content of any submitted voter registration application for completeness.

230:15-5-110. **Payment of motor license agents**

(a) ~~Payment for valid transactions only~~ **paper applications only.** Motor license agents shall be paid fifty cents by the State Election Board for each valid paper voter registration application form completed in the motor license agency. [26:4-109.3] A valid voter registration application shall be one that results either in a new voter registration or in a change to an existing voter registration. However, payment can be made only if the identification code assigned to the motor license agency by the Oklahoma Tax Commission is stamped or written in the shaded area provided for that purpose at the top of the form.

(b) **Schedule for payment.** Motor license agents shall be paid on a schedule to be determined by the Secretary of the State Election Board. However, motor license agents shall be paid at least four times each year. Motor license agent payroll records shall be cleared on March 31, June 30, September 30 and December 31 of each year.

SUBCHAPTER 9. RECEIVING AND PROCESSING VOTER REGISTRATION APPLICATIONS

PART 7. ACKNOWLEDGMENT OF VOTER REGISTRATION APPLICATIONS

230:15-9-29. **Preparation of voter identification cards**

(a) **Procedure for preparing voter identification cards.** The Secretary of the County Election Board shall cause voter identification cards to be prepared according to the following procedure.

- (1) Request the MESA process that both activates the voter registration and formats voter identification cards.
- (2) Print the voter identification cards and save the Voter ID Card Registry PDF in the MESA Reports Folder. Print the Voter ID Card Registry only as needed.
- (3) Separate the voter identification cards one from another at the perforations, apply postage to each card and mail.
- (4) Compare the names appearing on the Voter ID Card Registry with the approved voter registration application forms to be certain that a card has been created for each approved and activated application.
- (5) Write the voter identification number, precinct number and activation date on the application form in the shaded areas on the upper right corner.

(b) **Schedule for preparing voter identification cards.** The Secretary of the County Election Board shall cause voter identification cards to be prepared as often as is necessary to provide voters with prompt acknowledgment of the disposition of their applications for voter registration. Voter identification cards shall be prepared not less than once each week, unless no applications have been received during the week.

(c) **Method of preparing voter identification cards.** Voter identification cards prepared as acknowledgment of newly approved voter registration applications shall be generated and printed from MESA. All voter identification cards acknowledging applications for new voter registration and for change of voter registration shall be mailed to the applicant. Manual preparation of voter identification cards for the purpose of acknowledging the disposition of voter registration applications shall not be authorized. Duplicate voter identification cards requested by registered voters shall be generated and printed from MESA at the same time acknowledgment cards are generated and printed ~~if possible.~~ However, in the event that a registered voter's ~~need—asks~~ for a duplicate voter identification card is urgent and that any delay in receiving the duplicate card will cause hardship for the voter, in order

to have acceptable proof of identity for voting purposes, a temporary voter identification document may be requested and printed from MESA.

(d) ~~Preparing-Printing a temporary voter identification document.~~ A temporary voter identification document may be requested and printed from MESA. The temporary voter identification document prints on an 82-by-11-inch page and includes a control number and an expiration date. The temporary voter identification document shall be ~~accepted for any purpose for which a voter identification card may be used accepted by in-person Absentee Voting Board members and by Precinct Officials as a valid proof of identity document for voting.~~ A temporary voter identification document shall not be valid for any purpose other than voting. A temporary voter identification document cannot be obtained from MESA until a voter registration application has been activated and an official voter identification card has been formatted. A temporary voter identification document may be provided immediately to a voter who appears in the County Election Board office or it may be mailed to the voter at the mailing address in the voter's MESA record. Temporary voter identification documents shall not be emailed or faxed. The authenticity of a temporary voter identification document may be confirmed by the control number printed on the upper left corner of the page. A temporary voter identification document is valid for only ~~60~~ 30 days. When a temporary voter identification document is created, a voter identification card is scheduled to be printed. Follow the appropriate MESA instructions to create and to verify a temporary voter identification document.

[OAR Docket #18-204; filed 3-16-18]

**TITLE 230. STATE ELECTION BOARD
CHAPTER 20. CANDIDATE FILING**

[OAR Docket #18-205]

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

- Subchapter 1. General Provisions
- 230:20-1-1. Purpose [AMENDED]
- Subchapter 3. Filing ~~Candidacy for Federal, State, and County, and Other Elective Office~~
- Part 1. ~~When, and Where, and How to File Candidacy for Elective Office~~
- 230:20-3-2. Candidates ~~filing for federal and state offices file with Secretary of State Election Board~~ [AMENDED]
- 230:20-3-3. Candidates ~~filing for county, school district, municipal, and other elective offices file with Secretary of County Election Board~~ [AMENDED]
- 230:20-3-4. Forms for filing Declaration of Candidacy for federal, state, county, school district, and statutory municipal offices prescribed by Secretary of the State Election Board [NEW]
- 230:20-3-5. Candidate swears oath to correctness of Declaration of Candidacy and to qualifications and eligibility for office sought [NEW]
- 230:20-3-6. Candidate's signature on forms included in Declaration of Candidacy [NEW]
- Part 7. ~~Procedures for Filing State and County Election Board Procedures for Receiving, Reviewing, and Accepting Declarations of Candidacy~~
- 230:20-3-30. Necessary form [REVOKED]
- 230:20-3-31. Service to potential candidates [REVOKED]
- 230:20-3-32. Declarations of Candidacy may be ~~mailed or delivered submitted in person or by mail~~ [AMENDED]

- 230:20-3-32.1. Declarations of Candidacy shall not be accepted outside the prescribed hours of the candidate filing period [NEW]
- 230:20-3-33. Filing fees and petitions ~~for federal, state, and county offices~~ [AMENDED]
- 230:20-3-34. Personal checks, cash, money orders not acceptable [AMENDED]
- 230:20-3-35. Declarations must be notarized [AMENDED]
- 230:20-3-37. ~~Checking-Receiving, reviewing, and accepting~~ Declarations of Candidacy [AMENDED]
- 230:20-3-38. Candidate's name [AMENDED]
- 230:20-3-40. Assistance to candidates [REVOKED]
- 230:20-3-44. Candidates in restricted records status [AMENDED]
- Part 9. Withdrawals of Candidates
- 230:20-3-49. Becoming a candidate again [AMENDED]
- Subchapter 5. Contests of Candidacy
- 230:20-5-5. Date for hearing contest [AMENDED]
- Subchapter 9. Petitions Supporting Declarations of Candidacy [NEW]
- 230:20-9-1. Petition form prescribed by the Secretary of the State Election Board [NEW]
- 230:20-9-2. Petition pages shall only include signatures of registered voters from a single county [NEW]
- 230:20-9-3. Signatures on petitions in support of a Declaration of Candidacy for federal, state, or county office [NEW]
- 230:20-9-4. Processing a petition supporting a Declaration of Candidacy [NEW]
- Subchapter 11. Requirements for County Election Board Secretary Under the County Campaign Finance and Financial Disclosure Act [NEW]
- 230:20-11-1. Responsibilities of the County Election Board Secretary under the County Campaign Finance and Financial Disclosure Act [NEW]
- 230:20-11-2. Reports required by the County Campaign Finance and Financial Disclosure Act [NEW]

AUTHORITY:

Title 26 O.S., Section 2-107; Secretary of the State Election Board

ADOPTION:

March 13, 2018

APPROVED BY GOVERNOR:

March 15, 2018

EFFECTIVE:

Effective immediately upon Governor's approval

EXPIRATION:

Effective through September 14, 2018, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

N/A

INCORPORATIONS BY REFERENCE:

N/A

FINDING OF EMERGENCY:

The Secretary of the State Election Board finds that these emergency rules in Chapter 20 are necessary to comply with deadlines in amendments to the agency's governing law.

Senate Bill 323 was signed into law by Governor Fallin in May, 2017, and became effective on November 1, 2017. It will affect candidates who file for federal, state, and county offices in 2018. Senate Bill 323 increases the candidate filing fees for all federal, state, and county offices and also changes the signature requirements for petitions submitted in support of a Declaration of Candidacy, in lieu of a filing fee.

Senate Bill 323 became effective on November 1, 2017, with the result that it is impossible to promulgate permanent rules prior to April 11, 2018, the first day of the candidate filing period for all federal, state, and county offices on the ballot in the 2018 elections.

In addition to the amendments contained in SB323, new rules concerning the requirements of the County Campaign Finance and Financial Disclosure Act are promulgated. The County Campaign Finance and Financial Disclosure Act was implemented by rules of the Oklahoma Ethics Commission, and the Secretary of the State Election Board chose not to promulgate rules on this subject when the Act went into effect on January 1, 2015. However, it has become necessary to provide specific guidance and procedures concerning the responsibilities assigned to the County Election Board Secretary under the Act because the Ethics Commission has not, and the Secretary deems it necessary to promulgate emergency rules so that said guidance and procedures are in effect prior to the filing period to be held on April 11, 12, and 13, 2018, for all federal, state, and county offices.

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Implementation of the new petition requirements, revisions to candidate filing materials, and revisions to the forms included in a Declaration of Candidacy for federal, state, or county office in Oklahoma, as well as the need to provide more explicit guidance concerning the County Campaign Finance and Financial Disclosure Act, make emergency amendments to existing rules and the promulgation of new emergency rules necessary prior to the beginning of the 2018 federal, state, and county candidate filing period on April 11, 2018.

GIST/ANALYSIS:

Extensive emergency amendments in Chapter 20 redefine the contents of a Declaration of Candidacy filed by a candidate for federal, state, or county office, provide instructions to County Election Board personnel to follow when receiving, reviewing, and accepting Declarations of Candidacy. New emergency rules provide information and instructions concerning the responsibilities assigned to the County Election Board Secretary by the County Campaign Finance and Financial Disclosure Act and establish a procedure for receiving, verifying, and accepting petitions filed in support of a Declaration of Candidacy in lieu of filing fees.

The filing fees referred to in these amendments are those specifically established for each federal, state, and county office in Title 26 O.S., Section 5-112. The administrative rules of the Secretary of the State Election Board do not establish fees.

CONTACT PERSON:

Suzanne Cox, Support Services Director, State Election Board. Telephone: (405) 521-2391 (Dial "0" for a customer service representative) or (405) 522-6618. E-mail: suzanne.cox@elections.ok.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):

SUBCHAPTER 1. GENERAL PROVISIONS

230:20-1-1. Purpose

The rules in this Chapter prescribe the forms to be used by candidates for federal, state, county, Board of Education, and statutory municipal offices when making a Declaration of Candidacy. The rules in this Chapter establish procedures for State Election Board and County Election Board personnel to follow when conducting candidate filing periods and when receiving, reviewing and accepting Declarations of Candidacy. They also establish procedures for accepting contest of candidacy petitions and for conducting contest of candidacy hearings. These rules also describe the relationship between the County Election Board and the Oklahoma Ethics Commission establish procedures for the County Election Board Secretary to follow when accepting the various campaign finance and filings from candidates for county offices and financial disclosures from elected county officers as required by the County Campaign Finance and Financial Disclosure Act, Title 19 O.S., Sections 138.11 - 138.19.

SUBCHAPTER 3. FILING CANDIDACY FOR FEDERAL, STATE, AND COUNTY, AND OTHER ELECTIVE OFFICE

PART 1. WHEN, AND WHERE, AND HOW TO FILE CANDIDACY FOR ELECTIVE OFFICE

230:20-3-2. Candidates filing for federal and state offices file with Secretary of State Election Board

Candidates for the following offices ~~will~~ file with the Secretary of the State Election Board: United States Senator, United States Representative, State Officers, Governor, Lieutenant Governor, State Auditor and Inspector, Attorney General, State Treasurer, Superintendent of Public Instruction, Commissioner of Labor, Insurance Commissioner, Corporation Commissioner, State Senator, State Representative, District Judge, Associate District Judge, and District Attorney. [26:5-102] Candidates who choose to participate in the Presidential Preferential Primary Election also will file with the Secretary of the State Election Board. [26:20-102]

230:20-3-3. Candidates filing for county, school district, municipal, and other elective offices file with Secretary of County Election Board

Candidates for the following county ~~office will~~ offices file with the Secretary of the County Election Board: County Assessor, County Clerk, County Commissioner, County Court Clerk, County Sheriff, and County Treasurer. [26:5-103] Candidates for elective office in independent, elementary, and technology center school districts; in all statutory municipalities; in some home rule charter cities; and for fire protection districts file with the Secretary of the County Election Board. [26:5-102; 11:16-109; 11:16-110; 26:13-102; 26:13A-105; 19:901.5]

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

(a) The Secretary of the State Election Board shall prescribe forms to be used by candidates for federal, state, legislative, district, and nonpartisan judicial offices to declare their candidacy in Oklahoma. The Secretary of the State Election Board shall prescribe forms to be used by candidates to declare their candidacy for county offices, for Board of Education offices, and for municipal offices in statutory municipalities. The Secretary of the State Election Board also shall prescribe forms to be used by candidates to declare their candidacy in the Oklahoma Presidential Preferential Primary Election. The forms prescribed by the Secretary for the purpose of declaring candidacy for office shall request all the information listed in Title 26, Section 5-111 and may request any additional information the Secretary deems necessary.

(b) A Declaration of Candidacy for any office listed in (a) of this Section may include the following individual forms.

(1) Candidate Information and Oath. The Candidate Information and Oath form shall include all information required by state law about a candidate and the candidate's eligibility for the office being sought.

(2) Criminal History Disclosure. A candidate who indicates a criminal history involving charges or conviction for misdemeanor involving embezzlement or a felony

on the Candidate Information and Oath page is required to provide details on the Criminal History Disclosure form.

(3) **Candidate Qualifications.** A candidate is required to read, sign, and date a page listing all qualifications set forth in federal or state law as appropriate to the office sought.

(c) The forms required to be included in a Declaration of Candidacy are available on the State Election Board website (https://www.ok.gov/elections/Candidate_Info/Candidate_Filing). The forms may be filled out online, but they must be downloaded and printed and must be signed in writing, personally by the candidate in the presence of a Notary Public or other person authorized by law to administer oaths. [26:5-111-1] See 230:20-3-35.

230:20-3-5. Candidate swears oath to correctness of Declaration of Candidacy and to qualifications and eligibility for office sought

When a candidate for federal, state, county office, school district, or municipal office signs the oath on the Candidate Information and Oath page of a Declaration of Candidacy before a Notary Public or other official authorized by law to administer oaths, the candidate is swearing that all information provided in the Declaration of Candidacy is true and correct; that the candidate has read, signed, dated, and submitted the appropriate Candidate Qualifications page and is eligible for the office sought; and that, if required, has included a Criminal History Disclosure which also is true and correct.

230:20-3-6. Candidate's signature on forms included in Declaration of Candidacy

The signature on the various pages of a Declaration of Candidacy submitted to the Secretary of the State Election Board or to the Secretary of the County Election Board is required by state law to be the original, handwritten signature of the candidate. [26:5-111.1] No facsimile, reproduction, type-written, electronic, or other substitute signature is valid on a Declaration of Candidacy. [26:5-111.1]

PART 7. PROCEDURE FOR FILING STATE AND COUNTY ELECTION BOARD PROCEDURES FOR RECEIVING, REVIEWING, AND ACCEPTING DECLARATIONS OF CANDIDACY

230:20-3-30. Necessary form [REVOKED]

Candidates for county office must file a Declaration of Candidacy form. Declaration of Candidacy forms are available on the State Election Board website www.elections.ok.gov. The form may be filled out online but must be downloaded and printed and must be signed personally by the candidate in the presence of a Notary Public or other person authorized by law to administer oaths.

230:20-3-31. Service to potential candidates [REVOKED]

The Secretary may furnish the following items to any potential candidate who inquires about filing:

- (1) Two Declaration of Candidacy forms.
- (2) A copy of Instructions for Filing.

230:20-3-32. Declarations of Candidacy may be mailed or delivered-submitted in person or by mail

Declarations of Candidacy may only be delivered in person by the candidate or by an agent for the candidate or be sent to the appropriate election board via the United States Postal Service or private parcel delivery service. No filing can be accepted until the filing period opens. [26:5-110] No filing can be accepted unless it is in the hands of the Secretary by 5 p.m. on the last day of the filing period. [26:5-110] This applies even if a Declaration is mailed earlier, but is not received by the Secretary until after the 5 p.m. deadline. The Secretary should check his post office box shortly before 5 p.m. on the last day of the filing period. Each candidate who arrives to file by 5 p.m. on the last day of the filing period is entitled to file. Any candidate who arrives after that time is not entitled to file.
(a) Candidates may file their Declarations of Candidacy with the Secretary of the State Election Board or the Secretary of a County Election Board only as provided in this Section unless another method of filing is authorized by state law.

- (1) A candidate may appear in person to submit the Declaration of Candidacy to the Secretary of the appropriate Election Board.
- (2) A candidate may send an agent to submit the Declaration of Candidacy to the Secretary of the appropriate Election Board.
- (3) A candidate may send the Declaration of Candidacy to the Secretary of the appropriate Election Board by United States mail.
- (4) A candidate may send the Declaration of Candidacy to the Secretary of the appropriate Election Board by private parcel delivery service.

(b) A Declaration of Candidacy shall not be accepted if delivered to the Secretary of the State Election Board or the Secretary of a County Election Board by electronic mail, by fax, or by any other electronic means.

230:20-3-32.1. Declarations of Candidacy shall not be accepted outside the prescribed hours of the candidate filing period

(a) Declarations of Candidacy shall not be accepted by the Secretary of the State Election Board or the Secretary of a County Election Board prior to 8 a.m. or after 5 p.m. on any day of a candidate filing period. A Declaration of Candidacy shall not be accepted unless it is in the hands of the Secretary of the appropriate Election Board by 5 p.m. on the last day of the candidate filing period. However, the Secretary of the appropriate Election Board may accept a Declaration of Candidacy after 5 p.m. on the last day of filing from a candidate or an agent of a candidate who arrives at the appropriate Election

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Board prior to 5 p.m. with all required pages of a Declaration of Candidacy completed, signed, and notarized, as outlined in 230:20-3-4 through 230:20-3-6, and either a cashier's check or certified check in the correct amount for the office sought or a petition bearing the signatures of the required number of registered voters, as described in 230:20-3-33 and in 230:20-9-1 through 230:20-9-4. A Declaration of Candidacy received by the Secretary of the appropriate Election Board through the United States mail or from a private parcel delivery service after 5 p.m. on the last day of the filing period shall not be accepted.

(b) The Secretary of the State Election Board and the Secretary of the County Election Board are advised to refer to the official United States government time to establish the correct time and to announce the opening of the filing period at 8 a.m. and the closing of the filing period at exactly 5 p.m. each day. Official United States government time is kept by the United States Naval Observatory and by the National Institute of Standards and Technology. The official time may be viewed online at <https://time.gov>.

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

(a) A Declaration of Candidacy as defined in 230:20-3-4 ~~must~~ shall be accompanied by one of the following:

(1) ~~A cashier's check or certified check in the amount of \$200.~~ **Cashier's check or a certified check.** A cashier's check or certified check in the amount established by state law for the specific office sought may be submitted with a Declaration of Candidacy. [26:5-112] Said cashier's or certified check shall be made payable to "Secretary of State Election Board" for all offices for which candidates file at the State Election Board, or to "Secretary of County Election Board" for all offices for which candidates file with a County Election Board. Cashier's checks shall include money orders issued by banks or credit unions that have been signed by an officer of the institution.

(2) **Petition.** A petition supporting the candidate's Declaration of Candidacy signed by ~~four percent (4%)~~ two percent (2%) of the registered voters eligible to vote for the candidate in the first election that the candidate's name could appear on the ballot in the district, county, or state, as appropriate for the specific office sought. [26:5-112] The number of signatures required on a petition supporting a candidate's Declaration of Candidacy shall be based upon the number of registered voters in the district, county, or state on November 1 in the year preceding the filing period. See Subchapter 9 of this Chapter for more information about petitions supporting candidacy. For candidates seeking political party nomination, the first election wherein the candidate's name could appear on the ballot is the party Primary Election. For Independent candidates, the first election wherein the candidate's name could appear on the ballot is the General Election. To calculate the number of signatures required, the following examples are offered:

(A) ~~A Democratic candidate for County Clerk would need four percent of the registered Democrats in the county.~~

(B) ~~A Republican candidate for County Commissioner would need four percent of the registered Republicans in the County Commissioner district.~~

(C) ~~An Independent candidate for any county office would need four percent of all registered voters in the county (or County Commissioner district).~~

(b) The filing fees for federal, state, nonpartisan judicial, and county elective offices are established in Title 26 O.S., Section 5-112.

(c) Neither filing fees nor petitions are required in support of Declarations of Candidacy filed by school district, technology center district, and statutory municipal candidates. Candidates for municipal offices in some home rule charter cities may be required to submit a filing fee or petition if required by said charter.

230:20-3-34. Personal checks, cash, money orders not acceptable

Personal checks, ~~campaign account checks,~~ cash, and money orders other than money orders issued by banks or credit unions ~~are not acceptable~~ shall not be accepted as filing fees.

230:20-3-35. Declarations must be notarized

(a) ~~Declarations~~ The Candidate Information and Oath page of a Declaration of Candidacy must be notarized by a Notary Public or other person authorized by law to administer oaths perform notarial acts in the State of Oklahoma. [26:5-111] Neither State Election Board nor County Election Board personnel shall not act as Notaries Public for this purpose notarize a Candidate Information and Oath page. ~~The~~ A Notary Public must include both his or her official signature, an impression of the Notary's official seal, commission number, and commission expiration date. ~~However, failure~~ Failure of a Notary Public to include either of these items ~~the commission number or commission expiration date~~ shall not be grounds for rejecting a Declaration of Candidacy that is in all other respects valid on its face. However, a Declaration of Candidacy shall be deemed not to be notarized if a Notary Public fails to sign the notarial attestation or fails to apply the notarial seal on the Candidate Information and Oath page. [49:5]

(b) State law allows persons other than a Notary Public to administer oaths and to perform notarial acts. Those persons include any judge, the secretary-bailiff of any judge, and the clerk or deputy clerk of any court in this state; all judge advocates, staff judge advocates, assistant judge advocates, and all legal officers of the state military forces; and any other person authorized by state law to perform the specific act. [49:114(A)] Similarly, notarial acts performed in Oklahoma under federal authority have the same effect as if performed by a notarial officer of this state. [49:114(B)]

230:20-3-37. ~~Checking Receiving, reviewing, and accepting~~ Declarations of Candidacy

(a) ~~The Secretary of the Election Board or a designee of the Secretary shall scrutinize all information on included on each page of the Declaration of Candidacy form. The Secretary is advised to read each line of the Declaration aloud to the candidate and to spell out the candidate's name. Specifically, the Secretary or designee shall confirm the following facts regarding the Declaration:~~

~~(1) Determine whether the person who brings a Declaration of Candidacy to file is the candidate in person or an agent acting on behalf of the candidate. If the Declaration of Candidacy is brought in by an agent, check the NIP box ("not in person") at the bottom left of the Candidate Information and Oath page. Also check the NIP box if a Declaration of Candidacy is received by mail.~~

~~(2) Verify that all required pages of the Declaration of Candidacy are present. All candidates are required to file the Candidate Information and Oath page and the appropriate Candidate Qualifications page for the office sought. A candidate who checks YES to either question in the Criminal Disclosure section of the Candidate Information and Oath page is required to complete and file the Criminal History Disclosure form.~~

~~(3) The Verify that the candidate's signature on the Candidate Information and Oath page is notarized or witnessed by an appropriate authority. Check to see that both the Notary Public's signature and an impression of the Notary's seal are present on the Declaration of Candidacy form.~~ Candidate Information and Oath page. See 230:20-3-35.

~~(2) The supporting petition bears~~

~~(4) If the candidate presents a petition in support of the Declaration of Candidacy, verify that it contains, at minimum, the required number of signatures or more, or the accompanying cashier's check or certified check is in the proper amount and form, required for the office sought. See 230:20-3-33.~~

~~(A) Count the total number of signatures on the petition.~~

~~(B) Check the PET box at the bottom right of the Candidate Information and Oath page and record the total number of submitted signatures in the space provided.~~

~~(5) If the candidate presents a cashier's check or certified check, verify that the check is in the proper amount for the office sought and is in the proper form. See 230:20-3-33.~~

~~(3) The candidate has provided his or her name on the first line of the Declaration of Candidacy as it is to appear on the ballot.~~

~~(4) The candidate has provided his or her full legal name on the second line of the Declaration of Candidacy form.~~

~~(5) The office sought is complete, including district number if required.~~

~~(6) The address of residence listed is within the county (or district) of the office sought.~~

~~(7) The mailing address is complete, including zip code.~~

~~(8) The telephone number, if provided, is accurate.~~

~~(9) The e-mail address, if provided, is accurate.~~

~~(10) The website address, if provided, is accurate.~~

~~(11) The box for party candidate, Independent, or Judicial is checked. If the party candidate box is checked, then the name of the political party is written in immediately thereafter. Only the names of political parties recognized as provided by state law may be written on a Declaration of Candidacy. (Judicial candidates file Declarations of Candidacy only with the Secretary of the State Election Board.)~~

~~(12) The precinct and county blanks are completed.~~

~~(13) The date of birth blank is completed.~~

~~(14) The candidate checked either "Yes" or "No" in the Criminal History Disclosure box. If the candidate checks "Yes," a completed Criminal History Disclosure Supplement to the Declaration of Candidacy must be provided with the Declaration of Candidacy form.~~

~~(6) After verifying that the Declaration of Candidacy presented includes all necessary pages and supporting items, the Secretary or Secretary's designee shall read aloud the information entered on each line of the Candidate Information and Oath page to the candidate to give the candidate opportunity to verify that it is correct.~~

~~(A) Read the candidate's name as it appears on the first line and verify that is the way the candidate intends his or her name to be printed on the ballot. Spell the candidate's name aloud.~~

~~(B) Read the candidate's full legal name.~~

~~(C) Read the title of the office for which the candidate is filing, including the district number, if applicable.~~

~~(D) Read the candidate's residence address, including the ZIP code.~~

~~(E) Read the candidate's mailing address, including the ZIP code.~~

~~(F) Read the candidate's precinct number and county name.~~

~~(G) Indicate aloud whether the candidate checked Yes or No in the Criminal Disclosure section. If the candidate checked Yes, verify that the Criminal History Disclosure form is included, completed and signed by the candidate.~~

~~(H) Verify that the appropriate Candidate Qualifications page for the office sought is included and signed.~~

~~(b) The After conducting the review of the contents of a Declaration of Candidacy as described in (a) of this Sections, the Secretary has no authority to reject the filing of any candidate shall accept a Declaration of Candidacy unless the Declaration of Candidacy, as defined in 230:20-3-4, shows on its face that the candidate does not meet the qualifications to become a candidate for the office as contained such qualifications are set forth in the Oklahoma Constitution, statutes, or the resolution calling the election, or in the case of a home rule charter city, in the city charter. [26:5-117]~~

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(1) ~~If the candidate's date of birth shows that an age qualification for the office sought is not met, the Declaration of Candidacy shall be rejected.~~

(2) ~~If the date of conviction and length of original sentence on a Criminal History Disclosure form shows the candidate to be ineligible to file for or hold the office being sought, the Secretary immediately shall attempt to contact the District Attorney or the Assistant District Attorney assigned to the county or to contact the State Election Board office for advice before accepting or rejecting the Declaration.~~

(3) ~~If any other information provided in a Declaration of Candidacy appears to show the candidate is ineligible to file for or to hold the office being sought, the Secretary immediately shall attempt to contact the District Attorney or Assistant District Attorney or the State Election Board office for advice before accepting or rejecting the Declaration.~~

(c) ~~If there are errors on the any part of a Declaration of Candidacy, the Secretary shall point out such errors to the candidate. For example, one common error is to indicate the current year in the date of birth instead of the actual year of birth. The candidate then shall correct the errors and sign his or her initials beside the correction. Only the candidate may make corrections on any part of a Declaration of Candidacy.~~

(e) ~~If the Declaration of Candidacy was received by mail or was delivered by someone other than the candidate, the Secretary shall indicate on the form that it was not received in person from the candidate by noting the letters "NIP" for "not in person" on the upper right corner.~~

(d) ~~In the event that information provided on a candidate's Criminal History Disclosure Supplement form indicates that he or she is not eligible to become a candidate, the Declaration may be deemed invalid on its face and therefore may be rejected. However, the Secretary shall consult the District Attorney and the State Election Board before rejecting any Declaration of Candidacy for this reason.~~

230:20-3-38. Candidate's name

(a) The candidate's name shall appear on the ballot exactly as it appears on the ~~appropriate designated line of the Declaration of Candidacy form~~ Candidate Information and Oath. A candidate who is generally known by or who does business using a nickname, ~~maiden name, or birth name, any name other than his or her legal name~~ may choose to ~~provide~~ appear on the ballot by providing that name on the ~~appropriate designated line of the Declaration of Candidacy-Candidate Information and Oath form~~.

(b) Quotation marks and parentheses are not permitted to appear in, before, or after a candidate's name. Prefixes, suffixes, and titles are not permitted. To determine the foregoing, the following examples are offered:

(1) Mr., Mrs., Miss, Ms., Dr., M.D., Rev., Prof., Father, Judge, Sen., Gen., Col., Major, Capt., Sgt., etc., are not permitted.

(2) Jr., Sr., II, III, etc., may be permitted if they are part of the candidate's name.

(c) A candidate is required to list his or her full legal name on the appropriate line of the ~~Declaration of Candidacy-Candidate Information and Oath form~~. ~~The Neither the candidate's ballot name or full legal name on the appropriate line designated lines of the Declaration of Candidacy-Candidate Information and Oath form is not required to match exactly the name on his or her voter registration or to match exactly the candidate's signature on the Declaration of Candidacy-Candidate Information and Oath form.~~

230:20-3-40. Assistance to candidates [REVOKED]

~~The Secretary shall be helpful in answering any questions a candidate asks about completing his Declaration of Candidacy form. However, the Secretary shall not complete a Declaration for any candidate. Forms necessary for filing may be provided to a prospective candidate any time before or during the filing period.~~

230:20-3-44. Candidates in restricted records status

(a) A voter who has applied for restricted records status, as described in 230:15-9-25, and who files a Declaration of Candidacy with the Secretary of the State Election Board or the Secretary of the County Election Board may choose to keep his or her residence and mailing address information on the forms included in the Declaration of Candidacy form confidential. However, as provided by law, the information contained ~~in on the forms included in the Declaration of Candidacy, including address information, may be made available to another candidate in anticipation of or as part of a contest of candidacy or a contest of election. In order for residence and mailing address information on included in a Declaration of Candidacy to be kept confidential, the candidate must have applied for restricted records status with the County Election Board Secretary in the candidate's county of residence.~~ The candidate also must take the following steps when filing the Declaration of Candidacy.

(1) Complete and sign a Confidential Declaration of Candidacy Request form.

(2) Submit the Confidential Declaration of Candidacy Request form to the Secretary of the appropriate election board with the Declaration of Candidacy forms.

(b) Upon receipt of a Confidential Declaration of Candidacy Request form with a Declaration of Candidacy, the Secretary of the County Election Board shall take the following action.

(1) Check the forms included in the Declaration of Candidacy as outlined in 230:20-3-37.

(2) Make at least ~~two~~ three copies of the Confidential Declaration of Candidacy Request form.

(3) ~~File the white and yellow copies of the Declaration of Candidacy in the candidate's restricted record status file. Return the pink copy to the candidate. File the Candidate Information and Oath form in the candidate's existing restricted records file.~~

(4) File the original Confidential Declaration of Candidacy Request form with the ~~white~~ original copies of other Declarations of Candidacy.

(5) File a copy of the Confidential Declaration of Candidacy Request form with the ~~yellow~~ copies ~~photocopies~~ of

other Declarations of Candidacy that are made available for public inspection.

(6) Give one copy of the Confidential Declaration of Candidacy Request form to the candidate.

(c) Upon receipt of a Confidential Declaration of Candidacy Request form from a candidate, the Secretary of the State Election Board shall take appropriate steps to ensure that the candidate's ~~Declaration of Candidacy Candidate Information and Oath form~~ is withheld from public inspection and that the address information is withheld from publication. At least one copy of the Confidential Declaration of Candidacy Request form shall be made available for public inspection in place of the ~~Declaration of Candidacy Candidate Information and Oath page~~.

PART 9. WITHDRAWALS OF CANDIDATES

230:20-3-49. Becoming a candidate again

If a candidate withdraws his or her candidacy, in order to become a candidate again for the same office or for a different office in the same election, ~~he the candidate~~ must file a new Declaration of Candidacy and another filing fee in the form and amount required by law for the office sought before the filing period ends.

SUBCHAPTER 5. CONTESTS OF CANDIDACY

230:20-5-5. Date for hearing contest

When a contest of candidacy petition is filed, the Secretary of the Election Board who receives the contest petition shall set a date and hour for a hearing ~~and shall~~. The County Election Board Secretary shall direct the Assistant Secretary or Chief Clerk to notify the other County Election Board members and alternate members of the hearing. The Secretary shall make a written Notice of Hearing, setting out the date, hour and subject of the hearing. The contest shall be heard as quickly as possible. However, the hearing may not be held earlier than the fourth day after the petition is filed. In addition to issuing the written Notice of Hearing, the Secretary shall prepare and file with the County Clerk a Notice of Special Meeting for the purpose of the County Election Board conducting the contest of candidacy. See 230:10-7-1 through 230:10-7-7. To aid in calculating the earliest date that the hearing may be held, the following examples are offered:

- (1) ~~For a petition filed on Thursday, the hearing shall not be held earlier than Monday.~~
- (2) ~~For a petition filed on Friday, the hearing shall not be held earlier than Tuesday.~~

SUBCHAPTER 9. PETITIONS SUPPORTING DECLARATIONS OF CANDIDACY

230:20-9-1. Petition form prescribed by the Secretary of the State Election Board

(a) The Secretary of the State Election Board shall prescribe the form that shall be used by candidates for federal, state, or county offices to gather signatures from eligible voters in support of their candidacy. Such petitions may be submitted to the Secretary of the State Election Board or to the Secretary of the County Election Board in lieu of a filing fee for federal, state, and county offices.

(b) The form for a petition supporting a Declaration of Candidacy for a federal, state, or county office shall include at the top of each page spaces for the candidate's political affiliation, candidate's name, the title and district, if applicable, of the office sought, and the county in which the petition was circulated. See 230:20-9-2. A single petition page shall provide space for up to fifteen (15) voters to provide their names, addresses, and signatures. Each petition page shall include the printed name and signature of the person who circulated the petition and who witnessed the signatures of each voter who signed the page.

(c) Pages of a petition supporting a Declaration of Candidacy shall be printed on white paper measuring 8.5 inches by 11 inches. Pages of a petition shall be printed on only one side of said paper. Each page of a petition shall include the candidate information described in (b) of this Section.

(d) The forms prescribed by the Secretary of the State Election Board for petitions supporting Declarations of Candidacy shall be available on the State Election Board website: [https://elections.ok.gov/Candidate Info](https://elections.ok.gov/Candidate_Info). A petition form is available for candidates for all federal and state offices who file with the Secretary of the State Election Board and a petition form is available for all candidates for county offices that file with the Secretary of the County Election Board.

230:20-9-2. Petition pages shall only include signatures of registered voters from a single county

Each individual page of a petition in support of a candidate seeking any office that includes territory in more than one county may only include the signatures of voters from a single county. If registered voters from more than one county sign the same page of a petition, signatures of voters registered in a county other than the one named at the top of the page shall be deemed invalid. It shall be the responsibility of the circulator to ensure that voters sign the petition page for the correct county.

230:20-9-3. Signatures on petitions in support of a Declaration of Candidacy for federal, state, or county office

A signature on a petition in support of a Declaration of Candidacy filed by a candidate for a federal, state, or county office shall be the original, personally handwritten signature of a registered voter eligible to vote for the candidate and office. No one may sign a petition in support of a Declaration of Candidacy for another registered voter.

Emergency Adoptions

230:20-9-4. Processing a petition supporting a Declaration of Candidacy

(a) When a candidate for a federal, state, or county office presents a petition in support of a Declaration of Candidacy, the Secretary of the Election Board receiving the Declaration of Candidacy shall observe the following procedure.

(1) The Secretary or the Secretary's designee shall ask the candidate to step aside, if other candidates are in line to file, while the petition is processed.

(2) The Secretary or the Secretary's designee shall stamp the received date in the upper right corner of each page of the petition.

(3) The Secretary or the Secretary's designee immediately shall count and record the total number of pages included in the petition.

(4) The Secretary or the Secretary's designee shall count and record the total number of signatures on the petition.

(5) The count of both the number of pages and the number of signatures shall be repeated by another designee.

(6) If the page and signature counts made by the Secretary or designee match the counts made by the second designee, the Secretary shall refer to the official number of registered voters in the state, county, or district as of November 1 of the year preceding the candidate filing period to determine the minimum number of signatures required for the office sought. If the total number of signatures submitted equals or exceeds the number indicated on said report, the petition shall be deemed sufficient and the Declaration of Candidacy may be submitted.

(b) The Secretary of an Election Board who accepts a Declaration of Candidacy supported by petition shall not be required to verify the signatures submitted on the petition. Any other candidate who files for the same office shall be entitled to request a copy of a petition submitted in support of a Declaration of Candidacy and may verify the registration information of each person who signed the petition. In the event that a candidate who submits a petition in support of a Declaration of Candidacy is unopposed, any registered voter eligible to vote for the candidate may request a copy of such petition and may verify the registration information of each person who signed the petition. In the event another candidate for the same office, or a registered voter in the case of an unopposed candidate, is able to determine that a sufficient number of invalid signatures exists to render the petition insufficient, the candidate or the voter may so state in a contest of candidacy petition which may be filed as provided by state law. Any such contest of candidacy shall be filed no later than 5 p.m. on the second business day following the close of the filing period. [26:5-119]

SUBCHAPTER 11. REQUIREMENTS FOR COUNTY ELECTION BOARD SECRETARY UNDER THE COUNTY CAMPAIGN FINANCE AND FINANCIAL DISCLOSURE ACT

230:20-11-1. Responsibilities of the County Election Board Secretary under the County Campaign Finance and Financial Disclosure Act

(a) The County Campaign Finance and Financial Disclosure Act requires candidates for county office and elected county officers to file certain reports with the Secretary of the County Election Board. The Secretary of the County Election Board shall accept the reports, retain the original reports for four years, and shall make the reports available for public inspection and provide copies of the reports upon request as required by the Oklahoma Open Records Act. See 230:10-7-58 and 230:10-7-59.

(b) The Secretary of the County Election Board shall not be responsible for providing the necessary reporting forms to candidates or to county officers and also shall not be responsible for providing advice concerning the reporting requirements or the content of the reports. All necessary forms and all information about the requirements and responsibilities placed upon candidates for county office and elected county officers by the County Campaign Finance and Financial Disclosure act are available on the Oklahoma Ethics Commission website (<https://www.ok.gov/ethics>).

(c) The Secretary of the County Election Board shall not be responsible for enforcement of the County Campaign Finance and Financial Disclosure Act. The Secretary of the County Election Board has no responsibility to remind any candidate or any elected county officer of report filing deadlines. Any person who wishes to make a complaint concerning any county candidate's or any elected county officer's failure to comply with the act shall be referred to the Oklahoma Ethics Commission.

230:20-11-2. Reports required by the County Campaign Finance and Financial Disclosure Act

The following reports are required to be filed with the Secretary of the County Election Board by candidates and candidates' campaign committees:

(1) **Statement of Organization.** A candidate for county elective office is required to file a Statement of Organization of a campaign committee within ten days of receiving or expending \$1,000 or more for the candidate's campaign. A one-time, nonrefundable processing fee in the amount of \$50 is required to accompany the filing of an initial Statement of Organization. The processing fee shall be in the form of a check drawn on the campaign's bank account and shall be made payable to "Secretary of County Election Board." Additional processing fees are not required for amended Statements of Organization of the same campaign committee.

(2) **Campaign Contributions and Expenditure Reports.** After filing an initial Statement of Organization, candidates are required to file periodic reports on contributions received and expenditures made. Campaign Contributions and Expenditures Reports are required to be filed by candidates for county offices according to the same

schedule established by the Oklahoma Ethics Commission for the comparable required of candidates for state offices and elected state officeholders. The schedule for filing campaign reports in an election year is available on the Oklahoma Ethics Commission website.

(3) **Financial Disclosure Statement.** Elected county officers are required to file a Financial Disclosure Statement by May 15 each year.

[OAR Docket #18-205; filed 3-16-18]

Executive Orders

As required by 75 O.S., Sections 255 and 256, Executive Orders issued by the Governor of Oklahoma are published in both the *Oklahoma Register* and the *Oklahoma Administrative Code*. Executive Orders are codified in Title 1 of the *Oklahoma Administrative Code*.

Pursuant to 75 O.S., Section 256(B)(3), "Executive Orders of previous gubernatorial administrations shall terminate ninety (90) calendar days following the inauguration of the next Governor unless otherwise terminated or continued during that time by Executive Order."

TITLE 1. EXECUTIVE ORDERS

1:2017-43D.

FOURTH AMENDED EXECUTIVE ORDER 2017-43

To the Honorable Members of the Oklahoma House of Representatives and the Honorable Members of the Oklahoma State Senate:

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the authority vested in me by the provisions of Section 7 of Article VI of the Oklahoma Constitution, hereby amend the call for the Second Extraordinary Session of the Fifty Sixth Legislature which convened at the State Capitol on Monday, December 18, 2017. I recommend the following amended subjects for the Legislature's consideration:

To provide additional revenue for state government.

The subjects recommended in this Fourth Amended Executive Order and the subjects previously recommended in the original Executive Order 2017-43 filed December 15, 2017, the Amended Executive Order 2017-43 filed December 18, 2017, the Second Amended Executive Order 2017-43 filed January 19, 2018, and the Third Amended Executive Order 2017-43 filed February 15, 2018, shall be considered cumulative, and all the listed subjects contained within the original call and the amendments filed thereafter are subjects recommended for consideration during the Second Extraordinary Session of this Fifty-Sixth Legislature as provided by Article VI, Section 7 of the Oklahoma Constitution.

Copies of this Fourth Amended Executive Order shall be distributed to every member of the Oklahoma House of Representatives, every member of the Oklahoma State Senate, the Clerk of the House of Representatives, the Secretary of the Senate, and the Director of the Office of Management and Enterprise Services.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 26 day of March, 2018.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:
Dave Lopez
Secretary of State

[OAR Docket #18-254; filed 3-26-18]

1:2017-43E.

FIFTH AMENDED EXECUTIVE ORDER 2017-43

To the Honorable Members of the Oklahoma House of Representatives and the Honorable Members of the Oklahoma State Senate:

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the authority vested in me by the provisions of Section 7 of Article VI of the Oklahoma Constitution, hereby amend the call for the Second Extraordinary Session of the Fifty Sixth Legislature which convened at the State Capitol on Monday, December 18, 2017. I recommend the following amended subjects for the Legislature's consideration:

To provide for teacher salary increases.

The subjects recommended in this Fifth Amended Executive Order and the subjects previously recommended in the original Executive Order 2017-43 filed December 15, 2017, the Amended Executive Order 2017-43 filed December 18, 2017, the Second Amended Executive Order 2017-43 filed January 19, 2018, the Third Amended Executive Order 2017-43 filed February 15, 2018, and the Fourth Amended Executive Order 2017-43 filed March 26, 2018, shall be considered cumulative, and all the listed subjects contained within the original call and the amendments filed thereafter are subjects recommended for consideration during the Second Extraordinary Session of this Fifty-Sixth Legislature as provided by Article VI, Section 7 of the Oklahoma Constitution.

Executive Orders

Copies of this Fifth Amended Executive Order shall be distributed to every member of the Oklahoma House of Representatives, every member of the Oklahoma State Senate, the Clerk of the House of Representatives, the Secretary of the Senate, and the Director of the Office of Management and Enterprise Services.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 29 day of March, 2018.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:

Dave Lopez
Secretary of State

[OAR Docket #18-285; filed 3-29-18]

1:2017-43F.

SIXTH AMENDED EXECUTIVE ORDER 2017-43

To the Honorable Members of the Oklahoma House of Representatives and the Honorable Members of the Oklahoma State Senate:

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the authority vested in me by the provisions of Section 7 of Article VI of the Oklahoma Constitution, hereby amend the call for the Second Extraordinary Session of the Fifty Sixth Legislature which convened at the State Capitol on Monday, December 18, 2017. I recommend the following amended subjects for the Legislature's consideration:

The following engrossed House Bills of the Second Extraordinary Session of the 56th Oklahoma Legislature; HB 1012, HB 1014, HB 1015, HB 1016, HB 1018, HB 1024, and HB 1026.

The subjects recommended in this Sixth Amended Executive Order and the subjects previously recommended in the original Executive Order 2017-43 filed December 15, 2017, the Amended Executive Order 2017-43 filed December 18, 2017, the Second Amended Executive Order 2017-43 filed January 19, 2018, the Third Amended Executive Order 2017-43 filed February 15, 2018, the Fourth Amended Executive Order 2017-43 filed March 26, 2018, and the Fifth Amended Executive Order 2017-43 filed on March 29, 2018, shall be considered cumulative, and all the listed subjects contained within the original call and the amendments filed thereafter are subjects recommended for consideration during the Second Extraordinary Session of this Fifty-Sixth Legislature as provided by Article VI, Section 7 of the Oklahoma Constitution.

Copies of this Sixth Amended Executive Order shall be distributed to every member of the Oklahoma House of Representatives, every member of the Oklahoma State Senate, the Clerk of the House of Representatives, the Secretary of the Senate, and the Director of the Office of Management and Enterprise Services.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 29 day of March, 2018.

BY THE GOVERNOR OF THE
STATE OF OKLAHOMA

Mary Fallin

ATTEST:

Dave Lopez
Secretary of State

[OAR Docket #18-292; filed 3-29-18]
