

An Act

ENROLLED HOUSE
BILL NO. 2367

By: Townley of the House

and

Rader of the Senate

An Act relating to the Corporation Commission; making certain exemption; allowing Corporation Commissioners to have certain discussions when quorum is present provided no official action is taken; disallowing certain discussions; providing list of allowable matters for discussion; authorizing attendance, discussion, and participation at certain events if certain conditions are met; disallowing certain discussions; defining term; requiring certain timely documentation for certain matters; requiring public vote to determine form and manner of documentation; allowing for amendment to form and manner subject to certain requirements; stating purpose of certain documentation; requiring posting of documentation to website within certain time frame; requiring certain documentation be posted within certain time prior to consideration at a public meeting; requiring certain notice for certain changes to or cancellation of regularly scheduled meetings; requiring notice be filed within certain time frame; requiring certain training be implemented; providing for codification; and providing an effective date.

SUBJECT: Corporation Commission

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 180.13 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. While the Oklahoma Corporation Commission is subject to the Oklahoma Open Meeting Act, Corporation Commissioners are exempt from and may discuss administrative, operational, and procedural matters of the Corporation Commission between or among Commissioners, even if a quorum is present, provided the discussions do not address appropriation of Corporation Commission funds and no official action is taken. Corporation Commissioners may not discuss pending legislative matters before the Corporation Commission without complying with the Oklahoma Open Meeting Act. The administrative, operational, and procedural matters authorized under this subsection are limited to the following:

1. Scheduling of agenda items to be set before the Corporation Commission for an emergency, regular, or special meeting;

2. Prioritizing cases pending before the Corporation Commission;

3. Identifying legislative changes, proposed or passed, and their effects on the Corporation Commission;

4. Discussing public and media statements;

5. Discussing organizational structure;

6. Discussing internal processes;

7. Discussing staffing needs;

8. Receiving informational updates from Corporation Commission staff on the business of the Corporation Commission, as long as such updates do not pertain to pending legislative proceedings of the Corporation Commission;

9. Conducting regular staff meetings where discussions of the day-to-day management of the Corporation Commission occur, as long as such updates do not pertain to pending legislative proceedings of the Corporation Commission;

10. Interviewing potential employees for the position of Director of Administration and Division Directors; and

11. Assessing performance reviews and duties of the Director of Administration and Division Directors.

B. Corporation Commissioners may attend and participate in conferences, training, educational, press, and social events, where the topic of these events is the Corporation Commission, even if a quorum is present, provided that no official action is taken and any discussion of the business of the Corporation Commission is incidental to the event.

C. Corporation Commissioners may not discuss any pending legislative proceedings of the Corporation Commission without complying with the Oklahoma Open Meeting Act.

D. Corporation Commissioners may attend and participate in meetings and proceedings of the Legislature, even if a quorum is present, provided that no official action is taken.

E. As used in this subsection, the term "event" means any matters authorized in subsections A through D of this section. After participating in any events authorized by this section, the Corporation Commission shall be required to provide timely documentation, in the form and manner as determined by a public vote of the Corporation Commission, which may be amended subject to the requirements of this section. This documentation is for the purpose of providing public notice of the subject matter received by or discussed between or among Commissioners, even if a quorum is present, outside of a public meeting. Such documentation shall be posted to the Corporation Commission's website within five (5) business days following the event. However, should the Corporation Commission wish to take potential action on the subject of a disclosed event, such potential action item shall be documented at least forty-eight (48) hours prior to the Corporation Commission considering such item at a public meeting.

F. Should the Corporation Commission make any changes to the date, time, or place, including cancellation of any regularly scheduled meeting, the Corporation Commission shall provide notice in writing to the Secretary of State as required by paragraph 8 of subsection A of Section 311 of Title 25 of the Oklahoma Statutes; provided that the Corporation Commission may file the required notice not less than five (5) days prior to the implementation of any such change or cancellation.

G. The Corporation Commission shall implement periodic training on the Oklahoma Open Meeting Act for Commissioners and designated staff.

H. The provisions of this section shall cease to have the force and effect of law on July 1, 2026.

SECTION 2. This act shall become effective November 1, 2024.

Passed the House of Representatives the 14th day of March, 2024.

Presiding Officer of the House
of Representatives

Passed the Senate the 23rd day of April, 2024.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____