

An Act

ENROLLED SENATE
BILL NO. 519

By: Pugh and Brooks of the
Senate

and

McBride of the House

An Act relating to the Commissioners of the Land Office Modernization Act; amending 64 O.S. 2021, Section 1093, which relates to rules and regulations; updating statutory reference; clarifying conformance with the Administrative Procedures Act; providing for certain hearing; requiring notice of certain hearing; requiring publication of interpretations in "The Oklahoma Register"; requiring notice of certain publication; providing an effective date; and declaring an emergency.

SUBJECT: Commissioners of the Land Office Modernization Act

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

SECTION 1. AMENDATORY 64 O.S. 2021, Section 1093, is amended to read as follows:

Section 1093. A. The Commissioners of the Land Office are hereby authorized to make and promulgate appropriate rules and regulations for the purpose of carrying into effect the provisions of ~~this act~~ Sections 1090 through 1095 of this title. Any rulemaking by the Commissioners of the Land Office shall be in accordance with the provisions of the Administrative Procedures Act.

B. Prior to the action of the Commissioners of the Land Office to promulgate rules pursuant to the Administrative Procedures Act,

the Commissioners shall hold an additional hearing on the proposed rulemaking action in accordance with the provisions of Section 303 of Title 75 of the Oklahoma Statutes. Not less than thirty (30) days prior to the scheduled hearing date, the Commissioners shall mail a copy of the hearing notice directly to all current lessees leasing land or minerals from the Commissioners at the time the rulemaking action is proposed. Notice shall be mailed via United States mail to the last known address of each current lessee shown in the records of the Commissioners or email if successfully delivered to a current and valid email address for the lessee that is kept on file by the Commissioners. Any finding of noncompliance with this subsection shall not invalidate the otherwise proper promulgation of rules by the Commissioners.

C. In regard to any existing rule of the Office, the Commissioners of the Land Office shall publish any interpretations of those rules in "The Oklahoma Register" within thirty (30) calendar days. The Commissioners shall also mail direct notice of publication of the interpretation to all persons currently leasing land or minerals from the Commissioners of the Land Office at the time the interpretation is adopted. Notice shall be mailed via United States mail to the last known address of each current lessee shown in the records of the Commissioners or email if successfully delivered to a current and valid email address for the lessee that is kept on file by the Commissioners. The Commissioners shall make the interpretation available for public inspection at the office of the Commissioners and on its website.

D. No interpretation of existing rules by the Commissioners of the Land Office shall be binding on any person affected by the interpretation unless the publication and notice requirements of subsection C of this section have been met.

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

SECTION 3. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 29th day of May, 2024.

Presiding Officer of the Senate

Passed the House of Representatives the 30th day of May, 2024.

Presiding Officer of the House
of Representatives

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: _____