

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 1669

By: West (Kevin)

4
5
6 AS INTRODUCED

7 An Act relating to public health and safety; amending
8 63 O.S. 2011, Section 6102, which relates to the
9 Catastrophic Health Emergency Powers Act; modifying
10 legislative findings; amending 63 O.S. 2011, Section
11 6103, which relates to the purpose of the
12 Catastrophic Health Emergency Powers Act; modifying
13 purposes; amending 63 O.S. 2011, Section 6105, which
14 relates to the Oklahoma Catastrophic Health Emergency
15 Planning Task Force; modifying membership; amending
16 63 O.S. 2011, Section 6301, which relates to reports
17 required from certain health care providers;
18 requiring executive order to authorize reporting
19 requirements; amending 63 O.S. 2011, Section 6302,
20 which relates to investigations of exposed
21 individuals; requiring executive order to authorize
22 investigations; amending 63 O.S. 2011, Section 6401,
23 which relates to a declaration of a state of
24 catastrophic health emergency; requiring Governor to
provide certain notification to the Speaker of the
House of Representatives and the President Pro
Tempore of the Senate; amending 63 O.S. 2011, Section
6402, which relates to executive order declaring a
state of catastrophic health emergency; requiring
statement of specific authorities requested in
executive order; amending 63 O.S. 2011, Section 6403,
which relates to activation of disaster response and
recovery aspects of emergency plans; requiring
certain meetings for duration of the emergency;
amending 63 O.S. 2011, Section 6405, which relates to
special session of State Legislature; clarifying call
of special session; modifying time of special
session; amending 63 O.S. 2011, Section 6802, which
relates to transfer of monies from state funds;
requiring itemized report to Legislature; amending 26
O.S. 2011, Section 2-107, which relates to authority

1 of the Secretary of the State Election Board;
2 authorizing Secretary to promulgate emergency rules
3 upon activation of Catastrophic Health Emergency
4 Powers Act; authorizing disapproval by Legislature;
5 and declaring an emergency.

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

7 SECTION 1. AMENDATORY 63 O.S. 2011, Section 6102, is
8 amended to read as follows:

9 Section 6102. The Oklahoma Legislature finds that:

10 1. Guided by principles of justice and antidiscrimination, it
11 is the duty of this state to act with fairness and tolerance towards
12 individuals and groups during catastrophic health emergencies;

13 2. The right of people to civil rights, liberty, bodily
14 integrity and privacy must be respected and consistent with
15 maintaining and preserving the health and security of the public
16 during a catastrophic health emergency;

17 3. The government must do more to protect the health, safety,
18 and general well-being of its citizens during a catastrophic health
19 emergency;

20 ~~2.~~ 4. New and emerging dangers, including emergent and
21 resurgent infectious diseases and incidents of civilian mass
22 casualties, pose serious and immediate threats during a catastrophic
23 health emergency;

1 ~~3.~~ 5. A renewed focus on the prevention, detection, management,
2 and containment of catastrophic health emergencies is needed;

3 ~~4.~~ 6. Catastrophic health emergency threats, including those
4 caused by nuclear, biological or chemical events, may require the
5 exercise of extraordinary government powers and functions;

6 ~~5.~~ 7. This state must have the ability to respond, rapidly and
7 effectively, to potential or actual catastrophic health emergencies;

8 ~~6.~~ 8. The exercise of catastrophic health emergency powers must
9 promote the common good;

10 ~~7.~~ 9. Catastrophic ~~emergency~~ health emergency powers must be
11 grounded in a thorough scientific understanding of public health
12 threats and disease transmission;

13 ~~8.~~ ~~Guided by principles of justice and antidiscrimination, it~~
14 ~~is the duty of this state to act with fairness and tolerance towards~~
15 ~~individuals and groups during catastrophic health emergencies;~~

16 ~~9.~~ ~~The rights of people to liberty, bodily integrity, and~~
17 ~~privacy must be respected to the fullest extent possible consistent~~
18 ~~with maintaining and preserving the health and security of the~~
19 ~~public during a catastrophic health emergency;~~

20 10. This act is necessary to protect the health and safety of
21 the citizens of this state during a catastrophic health emergency;
22 and

23

24

1 11. The provisions of Sections ~~9~~ 6401 through ~~25~~ 6804 of this
2 ~~act~~ title shall only be activated upon the occurrence of a
3 catastrophic health emergency.

4 SECTION 2. AMENDATORY 63 O.S. 2011, Section 6103, is
5 amended to read as follows:

6 Section 6103. The purposes of the Catastrophic Health Emergency
7 Powers Act are:

8 1. To ensure the civil rights and liberties of the citizens of
9 this state while providing for their safety;

10 2. To require the development of a comprehensive plan to
11 provide for a coordinated, appropriate response in the event of a
12 catastrophic health emergency;

13 ~~2.~~ 3. To authorize the reporting and collection of data and
14 records, the management of state property, the protection of
15 persons, and access to communications during a catastrophic health
16 emergency;

17 ~~3.~~ 4. To facilitate the early detection of a catastrophic
18 health emergency, and allow for immediate investigation of such a
19 catastrophic health emergency by granting access to health
20 information of individuals under specified circumstances;

21 ~~4.~~ 5. To grant state ~~and local~~ officials the authority during a
22 catastrophic health emergency to provide care, treatment, and
23 vaccination to persons who are interested in being vaccinated and to
24 persons who are ill or who have been exposed to transmissible

1 diseases, and to separate affected individuals from the population
2 at large to interrupt disease transmission;

3 ~~5.~~ 6. To ensure during a catastrophic health emergency that the
4 needs of infected or exposed persons are properly addressed to the
5 fullest extent possible, given the primary goal of controlling
6 serious health threats without unduly interfering with civil rights
7 and liberties; and

8 ~~6.~~ 7. To provide, during a catastrophic health emergency, state
9 ~~and local~~ officials with the ability to prevent, detect, manage, and
10 contain health threats without unduly interfering with civil rights
11 and liberties; and

12 8. To provide the Governor, during a catastrophic health
13 emergency, the power to grant local officials certain clearly
14 defined authorities.

15 SECTION 3. AMENDATORY 63 O.S. 2011, Section 6105, is
16 amended to read as follows:

17 Section 6105. A. There is hereby created the Oklahoma
18 Catastrophic Health Emergency Planning Task Force. The purpose of
19 the task force is to prepare a plan for responding to a catastrophic
20 health emergency.

21 B. The task force shall be comprised as follows:

22 1. The cabinet secretary with responsibilities for health and
23 human services, who shall serve as chair of the task force;

24 2. The State Commissioner of Health or a designee;

- 1 3. The Director of the Department of Public Safety or a
2 designee;
- 3 4. The State Attorney General or a designee;
- 4 5. The Administrative Director of the Courts or a designee;
- 5 6. The Director of Civil Emergency Management or a designee;
- 6 7. ~~Two~~ Three members of the State Senate, two members of the
7 majority party and one member of the minority party, to be appointed
8 by the President Pro Tempore of the Senate;
- 9 8. ~~Two~~ Three members of the Oklahoma House of Representatives,
10 two members of the majority party and one member of the minority
11 party, to be appointed by the Speaker of the House of
12 Representatives;
- 13 9. The Director of the Tulsa City-County Health Department or a
14 designee;
- 15 10. The Director of the Oklahoma City-County Health Department
16 or a designee;
- 17 11. The State Fire Marshal;
- 18 12. A representative of the Oklahoma State Board of Medical
19 Licensure and Supervision to be appointed by the State Board of
20 Medical Licensure and Supervision;
- 21 13. A representative of the State Board of Osteopathic
22 Examiners to be appointed by the State Board of Osteopathic
23 Examiners;

24

1 14. A representative of the Governor to be appointed by the
2 Governor;

3 15. A person appointed by the Governor representing a statewide
4 organization representing hospitals;

5 16. A representative of the Oklahoma Nurses Association to be
6 appointed by the Oklahoma Nurses Association; ~~and~~

7 17. A representative of the Oklahoma Psychological Association
8 to be appointed by the Oklahoma Psychological Association;

9 18. The Director of the Department of Corrections or a
10 designee;

11 19. Two members of law enforcement, who shall be a county
12 sheriff, chief of police of a municipality or other equivalent law
13 enforcement officer having administrative responsibilities or a
14 designee. One member shall be appointed by the Speaker of the House
15 of Representatives and one member shall be appointed by the
16 President Pro Tempore of the Senate;

17 20. Two members from the private sector with expertise in
18 disaster relief, one appointed by the Speaker of the House of
19 Representatives and one appointed by the President Pro Tempore of
20 the Senate; and

21 21. Four members from the private-sector business community,
22 two appointed by the Speaker of the House of Representatives and two
23 appointed by the President Pro Tempore of the Senate.

24

1 C. Appointees shall serve at the pleasure of the appointing
2 authority.

3 D. No later than December 31, ~~2004~~ 2021, the task force shall
4 deliver a plan for responding to a catastrophic health emergency to
5 the Governor, the President Pro Tempore of the State Senate, and the
6 Speaker of the Oklahoma House of Representatives. The plan shall
7 include provisions or guidelines for the following:

8 1. Notification of and communication with the population during
9 a catastrophic health emergency;

10 2. Central coordination of resources, manpower, and services,
11 including coordination of responses by state, local, tribal, and
12 federal agencies during a catastrophic health emergency;

13 3. The location, procurement, storage, transportation,
14 maintenance, and distribution of essential materials including, but
15 not limited to, medical supplies, drugs, vaccines, food, shelter,
16 clothing, and beds during a catastrophic health emergency;

17 4. The role of law enforcement agencies in response to a
18 catastrophic health emergency;

19 5. The method of evacuating populations and housing and feeding
20 evacuated populations during a catastrophic health emergency;

21 6. The identification and training of health care providers to
22 diagnose and treat persons with infectious disease during a
23 catastrophic health emergency;

24

1 7. The treatment of persons who have been exposed to or who are
2 infected with diseases or health conditions that may be the cause of
3 a catastrophic health emergency;

4 8. The safe disposal of contaminated wastes and human remains
5 during a catastrophic health emergency;

6 9. The safe and effective control of persons treated during a
7 catastrophic health emergency;

8 10. Tracking the source and outcomes of infected persons during
9 a catastrophic health emergency;

10 11. Ensuring that during a catastrophic health emergency each
11 city and county within the state identifies the following:

- 12 a. sites where medical supplies, food, and other
- 13 essentials can be distributed to the population,
- 14 b. sites where public health and emergency workers can be
- 15 housed and fed, and
- 16 c. routes and means of transportation of people and
- 17 materials;

18 12. The recognition of cultural norms, values, religious
19 principles, and traditions that may be relevant during a
20 catastrophic health emergency; and

21 13. Other measures necessary to carry out the purposes of this
22 act.

23
24

1 E. The task force shall distribute this plan to those who will
2 be responsible for its implementation, other interested persons and
3 the public and seek their review and comments.

4 F. The task force shall annually review its plan for responding
5 to a catastrophic health emergency.

6 G. Staff assistance for the task force shall be provided upon
7 request by the chair of the task force by the agency or agencies
8 determined to be appropriate by the chair.

9 H. Members of the task force shall receive no compensation for
10 serving on the task force, but shall receive travel reimbursement as
11 follows:

12 1. Legislative members of the task force shall be reimbursed
13 for their necessary travel expenses incurred in the performance of
14 their duties in accordance with Section 456 of Title 74 of the
15 Oklahoma Statutes; and

16 2. Nonlegislative members of the task force shall be reimbursed
17 pursuant to the Oklahoma Travel Reimbursement Act by their employing
18 or appointing agencies.

19 SECTION 4. AMENDATORY 63 O.S. 2011, Section 6301, is
20 amended to read as follows:

21 Section 6301. A. The provisions of this section shall be
22 contingent upon a specific executive order by the Governor
23 activating the reporting requirements.

24

1 B. A health care provider, coroner, or medical examiner shall
2 report all cases of persons who harbor any illness or health
3 condition that may be potential cause of a catastrophic health
4 emergency. Reportable illnesses and health conditions include, but
5 are not limited to, the diseases caused by the biological agents
6 listed in 42 C.F.R., Section 72, app. A (2000) and any illnesses or
7 health conditions identified by the public health authority.

8 ~~B.~~ C. In addition to the foregoing requirements for health care
9 providers, a pharmacist shall report any unusual or increased
10 prescription rates, unusual types of prescriptions, or unusual
11 trends in pharmacy visits that may be potential causes of a
12 catastrophic health emergency. Prescription-related events that
13 require a report include, but are not limited to:

14 1. An unusual increase in the number of prescriptions or over-
15 the-counter pharmaceuticals to treat conditions that the public
16 health authority identifies through regulations;

17 2. An unusual increase in the number of prescriptions for
18 antibiotics; and

19 3. Any prescription that treats a disease that is relatively
20 uncommon or may be associated with bioterrorism.

21 ~~C.~~ D. The report shall be made electronically or in writing
22 within twenty-four (24) hours to the public health authority. The
23 report shall include as much of the following information as is
24 available: the specific illness or health condition that is the

1 subject of the report; the name of the patient, date of birth, sex,
2 race, occupation, and current home and work addresses, including
3 city and county; the name and address of the health care provider,
4 coroner, or medical examiner and of the reporting individual, if
5 different; and any other information needed to locate the patient
6 for follow-up. For cases related to animal or insect bites, the
7 suspected locating information of the biting animal or insect, and
8 the name and address of any known owner, shall be reported.

9 ~~D.~~ E. Any animal case of a zoonotic disease that is suspected
10 to be a bioterrorism event or associated with an outbreak shall be
11 reported to the State Veterinarian. Appropriate clinical specimens
12 will be required to be rapidly submitted for laboratory
13 confirmation. The State Veterinarian or State Veterinary Diagnostic
14 Laboratory Director or a designee will immediately report by
15 telephone confirmed veterinary cases of public health importance to
16 the State Department of Health.

17 ~~E.~~ F. For the purposes of this section, "health care provider"
18 shall include out-of-state medical laboratories, provided that the
19 out-of-state laboratories have agreed to the reporting requirements
20 of this state. Results must be reported by the laboratory that
21 performs the test, but an in-state laboratory that sends specimens
22 to an out-of-state laboratory is also responsible for reporting
23 results.

24

1 ~~F.~~ G. The public health authority may enforce the provisions of
2 this section in accordance with existing enforcement rules.

3 SECTION 5. AMENDATORY 63 O.S. 2011, Section 6302, is
4 amended to read as follows:

5 Section 6302. A. The provisions of subsection B of this
6 section shall be contingent upon a specific executive order by the
7 Governor activating the investigatory requirements.

8 B. The public health authority shall ascertain the existence of
9 cases of an illness or health condition that may be potential causes
10 of a catastrophic health emergency~~+~~+, investigate all such cases for
11 sources of infection or contamination and to ensure that they are
12 subject to proper control measures~~+~~+, and define the distribution of
13 the illness or health condition. To fulfill these duties, the
14 public health authority shall identify exposed individuals as
15 follows:

16 1. Acting on information developed in accordance with Section ~~6~~
17 6301 of this ~~act~~ title, or other reliable information, the public
18 health authority shall identify all individuals thought to have been
19 exposed to an illness or health condition that may be a potential
20 cause of a catastrophic health emergency; and

21 2. The public health authority shall counsel and interview such
22 individuals where needed to assist in the positive identification of
23 exposed individuals and develop information relating to the source
24 and spread of the illness or health condition. Such information

1 includes the name and address, including city and county, of any
2 person from whom the illness or health condition may have been
3 contracted and to whom the illness or health condition may have
4 spread.

5 ~~B.~~ C. The public health authority, for examination purposes,
6 shall close, evacuate, or decontaminate any facility or
7 decontaminate or destroy any material when the authority reasonably
8 suspects that such facility or material may endanger the public
9 health.

10 ~~C.~~ D. The public health authority may enforce the provisions of
11 this section in accordance with existing enforcement rules. An
12 order of the public health authority given to effectuate the
13 purposes of this section shall be enforceable immediately by the
14 public safety authority.

15 SECTION 6. AMENDATORY 63 O.S. 2011, Section 6401, is
16 amended to read as follows:

17 Section 6401. A state of catastrophic health emergency may be
18 declared by the Governor upon the occurrence of a "catastrophic
19 health emergency" as defined in paragraph 2 of Section ~~4~~ 6104 of
20 this ~~act~~ title. Prior to such a declaration, the Governor shall
21 consult with the public health authority and may consult with any
22 additional public health or other experts as needed. The Governor
23 shall notify the Speaker of the House of Representatives and the
24 President Pro Tempore of the Senate of the powers being requested.

1 SECTION 7. AMENDATORY 63 O.S. 2011, Section 6402, is
2 amended to read as follows:

3 Section 6402. A. A state of catastrophic health emergency
4 shall be declared by an executive order that specifies:

- 5 1. The nature of the catastrophic health emergency;
- 6 2. The political subdivisions or geographic areas subject to
7 the declaration;
- 8 3. The conditions that have brought about the catastrophic
9 health emergency;
- 10 4. The duration of the state of the catastrophic health
11 emergency, if less than thirty (30) days; and
- 12 5. The primary public health authority responding to the
13 catastrophic health emergency.

14 B. In the event of an extension of the duration of the state of
15 the catastrophic health emergency, the Governor shall state the
16 specific authorities he or she is requesting in the executive order.

17 SECTION 8. AMENDATORY 63 O.S. 2011, Section 6403, is
18 amended to read as follows:

19 Section 6403. A. The declaration of a state of catastrophic
20 health emergency shall activate the disaster response and recovery
21 aspects of the state, local, and inter-jurisdictional disaster
22 emergency plans in the affected political subdivisions or geographic
23 areas. Such declaration authorizes the deployment and use of any
24 forces to which the plans apply and the use or distribution of any

1 supplies, equipment, and materials and facilities assembled,
2 stockpiled, or available pursuant to this act.

3 B. During a state of catastrophic health emergency, the
4 Governor may:

5 1. Suspend the provisions of any regulatory statute prescribing
6 procedures for conducting state business, or the orders and rules of
7 any state agency, to the extent that strict compliance with the same
8 would prevent, hinder, or delay necessary action (including
9 emergency purchases) by the public health authority to respond to
10 the catastrophic health emergency, or increase the health threat to
11 the population;

12 2. Utilize all available resources of the state government and
13 its political subdivisions, as reasonably necessary, to respond to
14 the catastrophic health emergency;

15 3. Transfer the direction, personnel, or functions of state
16 departments and agencies in order to perform or facilitate response
17 and recovery programs regarding the catastrophic health emergency;

18 4. Mobilize all or any part of the National Guard into service
19 of the state. An order directing the National Guard to report for
20 active duty shall state the purpose for which it is mobilized and
21 the objectives to be accomplished;

22 5. Provide aid to and seek aid from other states during the
23 catastrophic health emergency in accordance with any interstate
24 emergency compact made with this state; and

1 6. Seek aid from the federal government for the catastrophic
2 health emergency in accordance with federal programs or
3 requirements.

4 C. The public health authority shall coordinate all matters
5 pertaining to the catastrophic health emergency response of the
6 state. The public health authority shall have primary jurisdiction,
7 responsibility, and authority for:

8 1. Planning and executing catastrophic health emergency
9 assessment, mitigation, preparedness response, and recovery for the
10 state;

11 2. Coordinating catastrophic health emergency response between
12 state and local authorities during a catastrophic health emergency;

13 3. Collaborating with relevant federal government authorities,
14 elected officials of other states, private organizations or
15 companies during a catastrophic health emergency;

16 4. Coordinating recovery operations and mitigation initiatives
17 subsequent to catastrophic health emergencies; and

18 5. Organizing public information activities regarding
19 catastrophic health emergency response operations.

20 D. After the declaration of a state of catastrophic health
21 emergency, special identification for all public health personnel
22 working during the catastrophic health emergency shall be issued as
23 soon as possible. The identification shall indicate the authority
24 of the bearer to exercise public health functions and emergency

1 powers during the state of catastrophic health emergency. Public
2 health personnel shall wear the identification in plain view.

3 E. The Governor or a designee shall meet at a minimum twice per
4 week with the House and Senate members of the Oklahoma Catastrophic
5 Health Emergency Planning Task Force for the duration of the
6 emergency to discuss actions that have been taken and actions that
7 will be taken. The House and Senate task force members may report
8 updates back to their respective chambers.

9 SECTION 9. AMENDATORY 63 O.S. 2011, Section 6405, is
10 amended to read as follows:

11 Section 6405. A. The Governor shall terminate the declaration
12 of a state of catastrophic health emergency by executive order upon
13 finding that the occurrence of the condition that caused the
14 catastrophic health emergency no longer poses a high probability of
15 a large number of deaths in the affected population, a large number
16 of incidents of serious permanent or long-term disability in the
17 affected population, or a significant risk of substantial future
18 harm to a large number of people in the affected population.

19 B. Notwithstanding any other provision of the Catastrophic
20 Health Emergency Powers Act, the declaration of a state of
21 catastrophic health emergency shall be terminated automatically
22 after thirty (30) days unless renewed by the Governor under the same
23 standards and procedures set forth in this act. Any such renewal
24 shall also be terminated automatically after thirty (30) days unless

1 renewed by the Governor under the same standards and procedures set
2 forth in the Catastrophic Health Emergency Powers Act.

3 C. If the Governor declares a catastrophic health emergency,
4 the State Legislature shall ~~automatically~~ be called into Special
5 Session by call of the Governor at ~~8:00 a.m.~~ 10:00 a.m. on the
6 morning of the second business day following the date of such
7 declaration for the purpose of concurring with or terminating the
8 catastrophic health emergency. The State Legislature, by concurrent
9 resolution, may terminate a state of catastrophic health emergency
10 at any time. Thereupon, the Governor shall, by appropriate action,
11 end the state of catastrophic health emergency. Such termination by
12 the State Legislature shall override any renewal by the Governor.

13 D. All orders or legislative actions terminating the
14 declaration of a state of catastrophic health emergency shall
15 indicate the nature of the emergency, the area or areas threatened,
16 and the conditions that make possible the termination of the
17 declaration.

18 SECTION 10. AMENDATORY 63 O.S. 2011, Section 6802, is
19 amended to read as follows:

20 Section 6802. A. During a catastrophic health emergency, the
21 Governor may transfer from any fund available to the Governor in the
22 State Treasury sums of money as may be necessary during a state of
23 catastrophic health emergency.

24

1 B. Monies so transferred shall be repaid to the fund from which
2 they were transferred when monies become available for that purpose,
3 by legislative appropriation or otherwise.

4 C. A transfer of funds by the Governor under the provisions of
5 this section may be made only when one or more of the following
6 conditions exist:

7 1. No appropriation or other authorization is available to meet
8 the catastrophic health emergency;

9 2. An appropriation is insufficient to meet the catastrophic
10 health emergency; or

11 3. Federal monies available for such a catastrophic health
12 emergency require the use of state or other public monies.

13 D. All expenses incurred by the state during a state of
14 catastrophic health emergency shall be subject to the following
15 limitations:

16 1. No expense shall be incurred against the monies authorized
17 under this section, without the general approval of the Governor;

18 2. The aggregate amount of all expenses incurred pursuant to
19 this section shall not exceed Fifty Million Dollars (\$50,000,000.00)
20 for any fiscal year; and

21 3. Monies authorized for a state of catastrophic health
22 emergency in prior fiscal years may be used in subsequent fiscal
23 years only for the catastrophic health emergency for which they were
24 authorized. Monies authorized for a catastrophic health emergency

1 in prior fiscal years, and expended in subsequent fiscal years for
2 the catastrophic health emergency for which they were authorized,
3 apply toward the fifty-million-dollar expense limit for the fiscal
4 year in which they were authorized.

5 Itemized reports detailing any use of state dollars shall be
6 provided every ten (10) days to the Speaker of the House of
7 Representatives and the President Pro Tempore of the Senate.

8 SECTION 11. AMENDATORY 26 O.S. 2011, Section 2-107, is
9 amended to read as follows:

10 Section 2-107. A. The Secretary of the State Election Board
11 shall be the administrative officer of the State Election Board and
12 shall have general supervisory authority over county election boards
13 and shall have the authority to provide administrative supervision
14 to any county election board, as well as the authority to stand in
15 the place of the secretary of the county election board for the
16 purpose of employing county election board personnel when a vacancy
17 exists in the office of the secretary of the county election board.
18 The Secretary shall have the authority to employ and fix the
19 salaries and duties of such personnel as may be necessary to perform
20 the duties of the State Election Board. The Secretary may
21 promulgate, repeal or modify such rules or regulations as the
22 Secretary deems necessary to facilitate and assist in achieving and
23 maintaining uniformity in the application, operation and
24 interpretation of the state and federal election laws and a maximum

1 degree of correctness, impartiality and efficiency in administration
2 of the election laws; provided, however, that such rules or
3 regulations, to be binding and effective, must have been officially
4 adopted by the Secretary of the State Election Board; the procedure
5 and adoption of such rules and regulations shall be subject to the
6 provisions of the Administrative Procedures Act. The Secretary
7 shall promote and encourage voter registration and voter
8 participation in elections. The Secretary shall be the chief state
9 election official responsible for coordination of state
10 responsibilities under the National Voter Registration Act of 1993
11 and under the Help America Vote Act of 2002. The Secretary shall
12 have the authority to implement programs for confirmation of voter
13 registration and for removal of ineligible voters in compliance with
14 general Oklahoma election law and requirements of the National Voter
15 Registration Act of 1993.

16 B. If the Catastrophic Health Emergency Powers Act has been
17 activated pursuant to an executive order, the Secretary of the State
18 Election Board may promulgate emergency rules, which the Secretary
19 deems necessary to protect the public health while simultaneously
20 maintaining the integrity of the election process. Emergency rules
21 promulgated under this subsection shall not be subject to the
22 provisions of the Administrative Procedures Act and shall remain
23 effective unless disapproved by adoption of a concurrent resolution
24 by a constitutional majority of each chamber of the Legislature.

1 SECTION 12. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

5

6 58-1-6160 AB 12/28/21

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24