

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 349

By: Bergstrom

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6 AS INTRODUCED

7 An Act relating to higher education; defining terms;
8 requiring certain institutions of higher education to
9 provide certain report on certain funding by the
10 first day of each calendar quarter; providing for
11 contents of report; directing the report to be
12 subject to certain act and posted on certain
13 institution's website; requiring report to be
14 electronically submitted to the Governor and the
15 chairs of certain committees; subjecting covered
16 institutions to certain fine for willful failure to
17 include certain information in certain report;
18 directing fine amount and unreported funding to be
19 deposited in certain fund; allowing the Attorney
20 General to investigate noncompliance; providing
21 certain construction; providing for promulgation of
22 rules; providing for codification; providing an
23 effective date; and declaring an emergency.

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

29 SECTION 1. NEW LAW A new section of law to be codified
30 in the Oklahoma Statutes as Section 3260 of Title 70, unless there
31 is created a duplication in numbering, reads as follows:

32 A. As used in this section:
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1 1. "Contract" means any agreement for the acquisition by
2 purchase, lease, or barter of property or services by a foreign
3 source for the direct benefit or use of either of the parties;

4 2. "Covered institution" means any institution of higher
5 education within The Oklahoma State System of Higher Education or a
6 private institution of higher education located within this state
7 and accredited pursuant to Section 4103 of Title 70 of the Oklahoma
8 Statutes;

9 3. "Foreign source" means:

10 a. a foreign government including an agency of a foreign
11 government,

12 b. a legal entity, governmental or otherwise, created
13 solely under the laws of a foreign government,

14 c. an individual who is not a citizen or a national of
15 the United States or a trust territory or protectorate
16 thereof, and

17 d. an agent including a subsidiary or affiliate of a
18 foreign legal entity acting on behalf of a foreign
19 source; and

20 4. "Reportable funding" means any contract, gift, grant,
21 endowment, award, or donation or payment in exchange for services,
22 capital investment, salary, wage, compensation, fee, or other
23 monetary exchange including any pledge, promise, agreement, or
24 expressed intention by a foreign source to provide funding which

1 exceeds Fifty Thousand Dollars (\$50,000.00) in value or is expected
2 to exceed Fifty Thousand Dollars (\$50,000.00) in value over the
3 projected length of the funding relationship between the covered
4 institution and a foreign source.

5 B. Except as provided for in subsection E of this section, each
6 covered institution shall provide on the first day of each calendar
7 quarter a report detailing all reportable funding received by the
8 covered institution from a foreign source during the previous
9 calendar quarter. The report shall include:

10 1. The amount of reportable funding received;

11 2. A description of the type of reportable funding and the
12 purpose thereof including whether the funding reported is part of an
13 ongoing relationship with the foreign source;

14 3. A detailed description of the foreign source providing the
15 funding including the name and address of the entity or individual
16 providing the funding; and

17 4. A copy of any contract, agreement, pledge, or memorandum of
18 understanding associated with the funding.

19 C. The report required by subsection B of this section shall be
20 a public record subject to the Oklahoma Open Records Act and shall
21 be timely posted and regularly updated on the covered institution's
22 website. A copy of the report shall be electronically submitted to
23 the Governor and the chairs of the Senate and House of

1 Representatives committees with responsibility over higher
2 education.

3 D. Willful failure of the covered institution to include
4 reportable funding in a report required by subsection B of this
5 section shall subject the covered institution to a fine of up to Ten
6 Thousand Dollars (\$10,000.00) per incident. The fine amount and the
7 amount of reportable funding not included in the report required by
8 subsection B of this section shall be deposited in the General
9 Revenue Fund. The Attorney General may investigate a covered
10 institution for noncompliance with the provisions of this section.

11 E. The provisions of this section shall not apply to payments
12 made by an individual who would otherwise qualify as a foreign
13 source for tuition and related fees to support an individual
14 enrolled as a student at the covered institution.

15 F. The Oklahoma State Regents for Higher Education may
16 promulgate rules to implement the provisions of this section.

17 SECTION 2. This act shall become effective July 1, 2025.

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

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