



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

January 21, 2026

Via Email

The Honorable Molly Jenkins
Oklahoma House of Representatives, District 33
2300 N. Lincoln Boulevard, Room 340
Oklahoma City, OK 73105
molly.jenkins@okhouse.gov

Re: Attorney General Opinion Request – Internal Tracking No. AGO25-59

Dear Representative Jenkins:

I am following up about your request for an official Attorney General Opinion dated November 24, 2025. The office declines to revisit the conclusion reached in A.G. Opin. 1996-40. The Board of Legislative Compensation and the Statewide Official Compensation Commission relied in good faith on both section 307(B)(1) of the Open Meeting Act (“Act”), as interpreted by A.G. Opin. 1996-40. An agenda giving notice of the meeting was posted in prominent public view and online as required by section 311(12) of the Act. As mandated by section 311(B)(2), the agenda also provided the provision of section 307 that the Board and Commission relied on to hold an executive session as well as a citation to A.G. Opin. 1996-40. And members of the Board and Commission held publicly cast and recorded votes to increase the salaries as required by section 305 of the Act. Thus, the Board and Commission followed Oklahoma law.

Crucially, it is important to state what happened and what did not happen during the meetings. The Board and Commission discussed positions and salaries that have a nexus to their constitutional or statutory purposes. The Board and Commission did not discuss positions and salaries of public officers outside of their purview. Certainly, section 307(B)(1) would prevent a public body from using executive session to discuss matters irrelevant to its responsibilities. The public servants who sit on the Board and Commission therefore clearly operated consistently with the letter and spirit of section 307 when discussing the salaries of individual salaried officers in executive session.

Additionally, this office is unable to answer your remaining questions for two reasons. First, your questions regarding whether a public body may convene in executive session to discuss public employees or officers who are “not hired, supervised, evaluated, or disciplined by that public body” presents hypothetical scenarios that I cannot address. This equally applies to your question about a purported “narrow construction historically applied to executive session exceptions.” Again, as detailed above, the agendas and actions relating to the Board of Legislative Compensation and the

Statewide Official Compensation Commission complied with the Act and related to matters having a nexus to their work. Whether the decisions of these public bodies are wise or sound policy falls outside of the Attorney General's mandate under title 74, section 18b(A)(5), which is to respond to questions of law. Second, the ATTORNEY GENERAL'S POLICY ON ISSUING OFFICIAL OPINIONS states, "The Attorney General will not furnish official opinions on questions relating to legislation pending before either house of the Legislature. Policy, ¶ 10 (Feb. 6, 2025), <https://oklahoma.gov/content/dam/ok/en/oag/opinions/AG%20Policy%20on%20Issuing%20Official%20Opinions.pdf>. Currently, you have authored and filed [House Bill 3093](#), which is relevant to the issue you seek to address through your request and is the proper subject of the Legislature's policymaking role. Therefore, the office defers to the will of the Legislature on this matter of policy.

Sincerely,



THOMAS R. SCHNEIDER

Deputy General Counsel