

SB 1164

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THE STATE SENATE
Monday, February 21, 2000

Senate Bill No. 1164

SENATE BILL NO. 1164 - By: HENRY of the Senate and BRADDOCK of the House.

An Act relating to state government; amending 74 O.S. 1991, Section 150.5, as last amended by Section 8, Chapter 344, O.S.L. 1999 (74 O.S. Supp. 1999, Section 150.5), which relates to requests for information from the Oklahoma State Bureau of Investigation; making records of certain laboratory services confidential; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 150.5, as last amended by Section 8, Chapter 344, O.S.L. 1999 (74 O.S. Supp. 1999, Section 150.5), is amended to read as follows:

Section 150.5 A. 1. Oklahoma State Bureau of Investigation investigations not covered under Section 150.2 of this title shall be initiated at the request of the following persons:

- ~~1. The~~ a. the Governor~~†,~~
- ~~2. The~~ b. the Attorney General~~†,~~
- ~~3. The~~ c. the Council on Judicial Complaints upon a vote by a majority of ~~said~~ the Council~~†,~~ or
- ~~4. The chairman~~ d. the chair of any Legislative Investigating Committee which has been granted subpoena powers by resolution, upon authorization by a vote of the majority of ~~said~~ the Committee.

1 ~~Such requests~~ 2. Requests for investigations shall be submitted
2 in writing and shall contain specific allegations of wrongdoing
3 under the laws of the State of Oklahoma.

4 B. The Governor may initiate special background investigations
5 with the written consent of the person who is the subject of the
6 investigation.

7 C. The ~~chairman~~ chair of any Senate committee which is
8 fulfilling the statutory responsibility for approving nominations
9 made by the Governor may, upon a vote by a majority of the committee
10 and with the written consent of the person who is to be the subject
11 of the investigation, initiate a special background investigation of
12 any nominee for the Oklahoma Horse Racing Commission as established
13 by Provision No. 1, State Question No. 553, Initiative Petition No.
14 315 (3A O.S. Supp. 1982, Section 201). The Bureau shall submit a
15 report to the committee within thirty (30) days of the receipt of
16 the request. Any consideration by the committee of a report from
17 the Bureau shall be for the exclusive use of the committee and shall
18 be considered only in executive session.

19 D. All records relating to any investigation being conducted by
20 the Bureau, including any records of laboratory services provided to
21 law enforcement agencies pursuant to paragraph 1 of Section 150.2 of
22 this title, shall be confidential and shall not be open to the
23 public or to the Commission except as provided in Section 150.4 of

1 this title; provided, however, officers and agents of the Bureau may
2 disclose, at the discretion of the Director, such investigative
3 information to officers and agents of federal, state, county, or
4 municipal law enforcement agencies and to district attorneys, in the
5 furtherance of criminal investigations within their respective
6 jurisdictions. Any unauthorized disclosure of any information
7 contained in the confidential files of the Bureau shall be a
8 misdemeanor. The person or entity authorized to initiate
9 investigations in this section, and the Attorney General in the case
10 of investigations initiated by the Insurance Commissioner, shall
11 receive a report of the results of the requested investigation. The
12 person or entity requesting the investigation may give that
13 information only to the appropriate prosecutorial officer or agency
14 having statutory authority in the matter if that action appears
15 proper from the information contained in the report, and shall not
16 reveal or give such information to any other person or agency.
17 Violation hereof shall be deemed willful neglect of duty and shall
18 be grounds for removal from office.

19 E. The State Treasurer ~~must~~ shall initiate a complete
20 background investigation of the positions with the written consent
21 of the persons who are the subject of the investigation pursuant to
22 subsection I of Section 71.1 of Title 62 of the Oklahoma Statutes.
23 The Bureau shall advise the State Treasurer and the Cash Management

1 and Investment Oversight Commission in writing of the results of the
2 investigation.

3 SECTION 2. This act shall become effective November 1, 2000.

4 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-15-00 - DO
5 PASS.