

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1474

By: Crutchfield

AS INTRODUCED

An Act relating to the Oklahoma Open Records Act; requiring public bodies to keep records related to certain industries confidential; authorizing release of certain records to law enforcement and other agencies upon certain findings; protecting certain records from discovery in court actions; authorizing discovery of certain records upon certain findings; requiring certain records to be maintained in sealed file; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24A.27 of Title 51, unless there is created a duplication in numbering, reads as follows:

A. Except as provided in this section, a public body shall keep confidential all records pertaining to locations, blueprints, designs, or operations of:

1. Refineries and pipelines that distill, produce, or transport petroleum products;

2. The Grand River Dam Authority and other public utilities, including electrical generating plants, transmission lines, and booster stations; and

3. Municipal water and rural water district systems, including supplies, sources, and distribution lines.

B. A public body shall be authorized to make the public records listed in subsection A of this section available to law enforcement agencies and other municipal, state, or federal agencies upon a finding by the administrative head of the public body having the records that the records are necessary to enable the requesting

agency to fulfill its statutory obligations or to protect the public health and safety. Any agency acquiring such records pursuant to this section shall keep the records confidential.

C. Records listed in subsection A of this section shall not be subject to production requests or orders in litigation except as specifically provided in this subsection. A court may order an in camera review of such records. Upon a finding that the inclusion of such records in the court file is necessary in the interest of justice, the court may order the records included in a file to be sealed.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and 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.

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