

ENROLLED SENATE
BILL NO. 28

By: Wyrick of the Senate

and

Nance and Wesselhoft of
the House

An Act relating to officers; amending Section 2, Chapter 175, O.S.L. 2003 (51 O.S. Supp. 2004, Section 24A.28), which relates to confidential information; modifying information that may be kept confidential; providing exceptions; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 2, Chapter 175, O.S.L. 2003 (51 O.S. Supp. 2004, Section 24A.28), is amended to read as follows:

Section 24A.28 The following information may be kept confidential:

A. Investigative evidence of a plan or scheme to commit an act of terrorism;

B. Assessments of the vulnerability of government facilities or public improvements to an act of terrorism and work papers directly related to preparing the assessment of vulnerability;

C. ~~Plans for~~ Records including details for deterrence or prevention of or protection from an act or threat of an act of terrorism;

D. ~~Plans for~~ Records including details for response or remediation after an act of terrorism;

E. Information technology of a public body or public official but only if the information specifically identifies:

1. Design or functional schematics that demonstrate the relationship or connections between devices or systems;

2. System configuration information;

3. Security monitoring and response equipment placement and configuration;

4. Specific location or placement of systems, components or devices;

5. System identification numbers, names, or connecting circuits;

6. Business continuity and disaster planning, or response plans; or

7. Investigative information directly related to security penetrations or denial of services; or

F. Investigation evidence of an act of terrorism that has already been committed.

G. Records received, maintained or generated by the Oklahoma Office of Homeland Security which include confidential private business information or an individual's private records.

H. Records received by the Oklahoma Office of Homeland Security from the United States Department of Homeland Security or records maintained or generated by the Oklahoma Office of Homeland Security involving the United States Department of Homeland Security.

I. The following information shall not be kept confidential:

1. Records related to federal grants administered by the Oklahoma Office of Homeland Security;

2. Records related to the receipt and expenditure of public funds; or

3. Records related to the financial performance or financial administration of the Oklahoma Office of Homeland Security.

J. For the purposes of this section, the term "terrorism" means any act encompassed by the definitions set forth in Section 1268.1 of Title 21 of the Oklahoma Statutes.

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.

Passed the Senate the 24th day of May, 2005.

Presiding Officer of the Senate

Passed the House of Representatives the 26th day of May, 2005.

Presiding Officer of the House
of Representatives