

CS for SB 28

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THE STATE SENATE
Thursday, February 24, 2005

Committee Substitute for
Senate Bill No. 28

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 28 - By: WYRICK of the Senate and NANCE 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; establishing confidentiality of certain information; stating 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 deterrence or prevention of or protection from an act of terrorism;
- D. Plans for response or remediation after an act of terrorism;

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

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

5 2. System configuration information;

6 3. Security monitoring and response equipment placement and
7 configuration;

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

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

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

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

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

18 G. Information received, maintained or generated by the
19 Oklahoma Office of Homeland Security. This subsection shall not
20 apply to:

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

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

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

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

6 SECTION 2. It being immediately necessary for the preservation
7 of the public peace, health and safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

10 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-22-05 - DO
11 PASS, As Amended and Coauthored.