

3 Senate Bill No. 803

4 SENATE BILL NO. 803 - By: CAIN of the Senate and GLENN of the House.

5 An Act relating to the Oklahoma State Bureau of
6 Investigation; amending 74 O.S. 2001, Section 150.10, which
7 relates to uniform crime reporting system; requiring certain
8 reports; designating certain records comply with the
9 Oklahoma Open Records Act; establishing and limiting access,
10 disclosure and discovery of certain records for certain
11 purposes; construing investigative records and law
12 enforcement records; and declaring an emergency.

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

14 SECTION 1. AMENDATORY 74 O.S. 2001, Section 150.10, is
15 amended to read as follows:

16 Section 150.10 A. A uniform crime reporting system shall be
17 established by the Oklahoma State Bureau of Investigation. The
18 Director shall have the power and duty, when directed by the
19 Commission, to collect and gather such information from such state
20 agencies as may be prescribed in Section 150.1 et seq. of this
21 title.

22 B. The Oklahoma State Bureau of Investigation is hereby
23 designated as the agency which shall collect, gather, assemble and
24 collate such information as is prescribed by this section.

25 C. 1. All state, county, city and town law enforcement
26 agencies shall submit ~~a monthly report~~ reports to the Oklahoma State
27 Bureau of Investigation on forms prescribed by the Bureau, ~~which~~

1 ~~report.~~ The reports shall contain the number and nature of offenses
2 committed within their respective jurisdictions, the disposition of
3 such matters, and such other information as the Bureau may require,
4 respecting information relating to the cause and prevention of
5 crime, recidivism, the rehabilitation of criminals and the proper
6 administration of criminal justice.

7 2. Any information taken from such information, data, records
8 or reports submitted to the uniform crime reporting system and used
9 to prepare the Uniform Crime Report shall be an open record pursuant
10 to the Oklahoma Open Records Act. Requests for such information
11 shall be submitted to the Bureau.

12 3. Any request under the Oklahoma Open Records Act for any
13 other information, data, records or reports submitted to the uniform
14 crime reporting system by the Oklahoma State Bureau of Investigation
15 shall be directed to the Bureau pursuant to Section 24A.20 of Title
16 51 of the Oklahoma Statutes. Such information, data, records or
17 reports shall be considered investigative records of the Bureau and
18 shall be subject to discovery and disclosure only in compliance with
19 Section 150.5 of Title 74 of the Oklahoma Statutes or other
20 applicable statute.

21 4. Any request under the Oklahoma Open Records Act for any
22 information, data, records or reports submitted by a law enforcement
23 agency other than the Oklahoma State Bureau of Investigation to the

1 uniform crime reporting system shall be directed to the law
2 enforcement agency submitting the information, data, records or
3 reports to the Bureau unit pursuant to Section 24A.20 of Title 51 of
4 the Oklahoma Statutes. Such information, data, records or reports
5 shall be considered law enforcement records and shall be subject to
6 discovery and disclosure only in compliance with Section 24A.8 of
7 Title 51 of the Oklahoma Statutes or other applicable statute.

8 D. Upon receipt of such information the Director shall have
9 such data collated and formulated and shall compile such statistics
10 as ~~he~~ the Director may deem necessary in order to present a proper
11 classification and analysis of the volume and nature of crime and
12 the administration of criminal justice within this state.

13 E. Refusal or persistent failure of any law enforcement agency
14 to submit reports required by this section may result in
15 discontinued access to Bureau information and assistance.

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

20 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-15-05 - DO
21 PASS, As Coauthored.