

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SUBCOMMITTEE RECOMMENDATION  
4 FOR

5 HOUSE BILL NO. 2815

6 By: Sullivan

7 SUBCOMMITTEE RECOMMENDATION

8 An Act relating to homeland security; requiring  
9 persons to report certain terrorist activities to  
10 peace officers; providing reporting requirements;  
11 requiring law enforcement agency to forward certain  
12 report to the Oklahoma Office of Homeland Security;  
13 providing for an investigation upon request from  
14 certain officials; providing penalty; providing for  
15 civil and criminal immunity; providing presumption of  
16 good faith for certain persons; providing for  
17 codification; and providing an effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 1268.7 of Title 21, unless there  
21 is created a duplication in numbering, reads as follows:

22 A. Every person having reason to believe that an act of  
23 terrorism against a child or children under the age of eighteen (18)  
24 years, or involving in any way such a child or children in Oklahoma,  
is being considered, contemplated, planned or is underway, shall  
report the matter promptly to a commissioned peace officer of the

1 State of Oklahoma. If the report is not made in writing in the  
2 first instance, the report shall be reduced to writing by the taker  
3 thereof as soon as possible after it is initially made by telephone  
4 or otherwise. The report shall contain as much detail as is  
5 reasonably available to the informant, such as names and locations  
6 of the child or children at risk or names and locations of  
7 individuals suspected of being involved in the consideration,  
8 contemplation, or planning of acts of terrorism against a child or  
9 children in Oklahoma.

10 B. A law enforcement agency receiving any report as provided in  
11 this section shall promptly report the information to the Oklahoma  
12 Office of Homeland Security. When requested by appropriate state  
13 and federal homeland security officials, the law enforcement agency  
14 shall promptly investigate the matter.

15 C. Any person who knowingly and willfully fails to report any  
16 incident as provided for in subsection A of this section shall, upon  
17 conviction, be guilty of a felony.

18 D. Any person who, in good faith and exercising due care,  
19 participates in the making of a report pursuant to this section  
20 shall be immune from any civil or criminal liability. The person  
21 shall also have the same immunity with respect to participation in  
22 any judicial proceeding resulting from such report.

23 E. The good faith of any individual including, but not limited  
24 to, public officials, peace officers, health care providers and

1 private investigators in making a report pursuant to this section,  
2 shall be presumed.

3 SECTION 2. This act shall become effective November 1, 2008.

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