

1 B. If disclosure would give an unfair advantage to competitors
2 or bidders, a public body may keep confidential records relating to:

3 1. Bid specifications for competitive bidding prior to
4 publication by the public body; or

5 2. Contents of sealed bids prior to the opening of bids by a
6 public body; or

7 3. Computer programs or software but not data thereon; or

8 4. Appraisals relating to the sale or acquisition of real
9 estate by a public body prior to award of a contract; or

10 5. The prospective location of a private business or industry
11 prior to public disclosure of such prospect except for records
12 otherwise open to inspection such as applications for permits or
13 licenses.

14 C. Except as set forth hereafter, the Oklahoma Department of
15 Commerce may keep confidential:

16 1. Business plans, feasibility studies, financing proposals,
17 marketing plans, financial statements or trade secrets submitted by
18 a person or entity seeking economic advice from the Oklahoma
19 Department of Commerce; and

20 2. Information compiled by the Oklahoma Department of Commerce
21 in response to those submissions.

1 The Oklahoma Department of Commerce may not keep confidential
2 that submitted information when and to the extent the person or
3 entity submitting the information consents to disclosure.

4 D. Although they must provide public access to their records,
5 including records of the ~~name~~, address, rate paid for services,
6 charges, consumption rates, adjustments to the bill, reasons for
7 adjustment, the name of the person that authorized the adjustment,
8 and payment for each customer, public bodies that provide utility
9 services to the public may keep confidential credit information,
10 credit card numbers, telephone numbers, social security numbers,
11 bank account information for individual customers, and utility
12 supply and utility equipment supply contracts for any industrial
13 customer with a connected electric load in excess of two thousand
14 five hundred (2,500) kilowatts if public access to such contracts
15 would give an unfair advantage to competitors of the customer;
16 provided that, where a public body performs billing or collection
17 services for a utility regulated by the Corporation Commission
18 pursuant to a contractual agreement, any customer or individual
19 payment data obtained or created by the public body in performance
20 of the agreement shall not be a record for purposes of this act.

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

22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-2-08 - DO
23 PASS, As Amended and Coauthored.