

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 585

By: Ford of the Senate

3 and

4 Coody of the House

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6 (educational records - confidentiality - effective

7 date -

8 emergency)

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11 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
entire bill and insert

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13 "An Act relating to open records; amending Section 2,
14 Chapter 175, O.S.L. 2003, as amended by Section 1,
Chapter 399, O.S.L. 2005 (51 O.S. Supp. 2008,
15 Section 24A.28), which relates to confidential
information exceptions; updating statutory outline;
16 allowing certain public educational institutions to
keep campus security plans confidential; allowing
the discretionary release of information for certain
17 purposes; providing for the release of certain
higher education campus statistics and policies as
18 required by certain law; defining certain term;
providing an effective date; and declaring an
19 emergency.

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

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1 SECTION 1. AMENDATORY Section 2, Chapter 175, O.S.L.
2 2003, as amended by Section 1, Chapter 399, O.S.L. 2005 (51 O.S.
3 Supp. 2008, Section 24A.28), is amended to read as follows:

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

6 ~~A.~~ 1. Investigative evidence of a plan or scheme to commit an
7 act of terrorism;

8 ~~B.~~ 2. Assessments of the vulnerability of government facilities
9 or public improvements to an act of terrorism and work papers
10 directly related to preparing the assessment of vulnerability;

11 ~~C.~~ 3. Records including details for deterrence or prevention of
12 or protection from an act or threat of an act of terrorism;

13 ~~D.~~ 4. Records including details for response or remediation
14 after an act of terrorism;

15 ~~E.~~ 5. Information technology of a public body or public
16 official but only if the information specifically identifies:

17 ~~1.—Design~~

18 a. design or functional schematics that demonstrate
19 the relationship or connections between devices
20 or systems~~;~~

21 ~~2.—System~~

22 b. system configuration information~~;~~

23 ~~3.—Security~~

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1 ~~F.~~ B. The following information shall not be kept confidential:

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

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

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

8 ~~F.~~ C. For the purposes of this section, the term "terrorism"
9 means any act encompassed by the definitions set forth in Section
10 1268.1 of Title 21 of the Oklahoma Statutes.

11 D. 1. Public educational institutions may keep confidential
12 campus security plans. An institution or agency may in its
13 discretion release information contained in or related to the campus
14 security plan in order to design or implement the plan.

15 2. Nothing in this subsection shall preclude an institution or
16 agency within The Oklahoma State System of Higher Education from
17 collecting and releasing information relating to campus crime
18 statistics and campus security policies as is required pursuant to
19 the Jeanne Clery Disclosure of Campus Security Policy and Campus
20 Crime Statistics Act, 20 U.S.C. 1092(f).

21 3. For purposes of this subsection, "campus security plan"
22 shall include, but is not limited to, prevention and response
23 procedures to and notification procedures for perceived or actual
24 security threats and incidents on or impacting the campus.

1 SECTION 2. This act shall become effective July 1, 2009.

2 SECTION 3. It being immediately necessary for the preservation
3 of the public peace, health and safety, an emergency is hereby
4 declared to exist, by reason whereof this act shall take effect and
5 be in full force from and after its passage and approval."

6 Passed the House of Representatives the 1st day of April, 2009.

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Presiding Officer of the House of
10 Representatives

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11 Passed the Senate the ____ day of _____, 2009.

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Presiding Officer of the Senate

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