

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2211

6 By: Kiesel

7 COMMITTEE SUBSTITUTE

8 An Act relating to statutes and reports; imposing
9 duties upon Legislature with respect to bills and
10 resolutions; requiring preservation of legislative
11 history; requiring Oklahoma House of Representatives
12 and State Senate to develop uniform method for
13 creating and maintaining legislative history;
14 requiring records of committee proceedings; requiring
15 access through searchable database; prescribing
16 requirements; requiring records of proceedings of
17 floor action; requiring access through searchable
18 database; requiring preservation of certain
19 documents; requiring indices; providing for
20 certification of legislative history; providing for
21 self-authentication of documents; providing for
22 applicability of requirements; providing requirements
23 inapplicable to certain communications; providing for
24 codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 26.25 of Title 75, unless there
is created a duplication in numbering, reads as follows:

A. When funds are available, the Legislature shall create a
system for the creation and preservation of a legislative history

1 for each bill and resolution introduced in each regular or special
2 legislative session. The provisions of this subsection shall be
3 applicable to all resolutions whether such measures have the force
4 and effect of law or not.

5 B. The Oklahoma House of Representatives and the Oklahoma State
6 Senate shall, in consultation with the other chamber or pursuant to
7 joint rules established for such purpose, develop a uniform method
8 or system to comply with the requirements of subsection A of this
9 section.

10 C. A transcript or other recording of any testimony, whether
11 given under oath or not, and a transcript or other recording of all
12 proceedings before a committee, including questions, answers,
13 comments by members of the public and any debate by members of the
14 committee, presented to or occurring during any standing or special
15 committee of the Oklahoma House of Representatives or the Oklahoma
16 State Senate with respect to a bill or resolution shall be prepared
17 and preserved. The transcript shall be entered into a searchable
18 database accessible to the public through the website of each
19 chamber or in such other format as the Oklahoma House of
20 Representatives and the Oklahoma State Senate may develop in order
21 to allow public access to such testimony. The database shall allow
22 for searches using the measure number, the legislative session
23 during which the measure was considered, the principal author of the
24 measure, the general subject matter of the measure, the name of any

1 person providing testimony, the committee to which the measure was
2 assigned, and such other information as the two chambers shall
3 provide.

4 D. A transcript or other recording of the proceedings during
5 floor action in either the Oklahoma House of Representatives or the
6 Oklahoma State Senate shall be prepared with respect to each bill or
7 resolution considered during Third Reading and Fourth Reading. The
8 transcript shall be entered into a searchable database accessible to
9 the public through the website of each chamber or in such other
10 format as the Oklahoma House of Representatives and the Oklahoma
11 State Senate may develop in order to allow public access to such
12 testimony. The database shall allow for searches using the measure
13 number, the legislative session during which the measure was
14 considered, the principal author of the measure, the general subject
15 matter of the measure, and such other information as the two
16 chambers shall provide.

17 E. A paper copy or an electronic copy of each document,
18 including charts, graphs, photographs or other written materials,
19 presented to the members of any standing or special committee of the
20 Oklahoma House of Representatives or the Oklahoma State Senate shall
21 be preserved and indexed in a manner that allows retrieval and
22 duplication upon request. The index shall allow for searches using
23 the measure number, the legislative session during which the measure
24 was considered, the principal author of the measure, the general

1 subject matter of the measure, and such other information as the two
2 chambers shall provide.

3 F. The complete legislative history for a bill or resolution
4 shall, upon request, be certified by the Chief Clerk of the Oklahoma
5 House of Representatives or the Secretary of the Oklahoma State
6 Senate, as applicable, and when certified such legislative history
7 shall be a self-authenticating document or documents within the
8 meaning of the Oklahoma Evidence Code and shall be admitted into
9 evidence if the materials are otherwise admissible under applicable
10 law. As used in this subsection, "complete legislative history"
11 shall include all testimony, documents and proceedings related to
12 the measure.

13 G. The provisions of this section shall be applicable to bills
14 and resolutions introduced during the First Session of the 53rd
15 Oklahoma Legislature and for each regular or extraordinary session
16 thereafter.

17 H. The provisions of this section shall not be applicable to:

18 1. Communications, whether verbal or written, between a
19 legislator and members of the staff or other employees of either
20 chamber; or

21 2. Communications, whether verbal or written, among members of
22 either of the respective staffs of either chamber or to
23 communications between any member of the staff of one chamber with
24 any member of the staff of the other chamber; or

1 3. Communications, whether verbal or written between any
2 legislator and a third party, unless the communications are
3 otherwise subject to the provisions of this section; or

4 4. Communications made in anticipation of, during or after the
5 meeting of a Conference Committee unless the meeting involves the
6 General Conference Committee on Appropriations or a subcommittee of
7 the General Conference Committee on Appropriations.

8 SECTION 2. This act shall become effective November 1, 2010.

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