

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 585

By: Ford of the Senate

and

Coody of the House

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9 COMMITTEE SUBSTITUTE

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

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

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

1 Section 24A.28 A. The following information may be kept
2 confidential:

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

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

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

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

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

14 ~~1.—Design~~

15 a. design or functional schematics that demonstrate
16 the relationship or connections between devices
17 or systems~~†,‡~~

18 ~~2.—System~~

19 b. system configuration information~~†,‡~~

20 ~~3.—Security~~

21 c. security monitoring and response equipment
22 placement and configuration~~†,‡~~

23 ~~4.—Specific~~

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

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

5 ~~J.~~ C. For the purposes of this section, the term "terrorism"
6 means any act encompassed by the definitions set forth in Section
7 1268.1 of Title 21 of the Oklahoma Statutes.

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

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

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

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

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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