

THE HOUSE OF REPRESENTATIVES
Thursday, February 5, 2009

House Bill No. 1334

HOUSE BILL NO. 1334 - By: DENNEY of the House and BINGMAN of the Senate.

An Act relating to records; stating legislative finding and intent; authorizing state agencies to transfer certain state records to the Oklahoma City National Memorial Foundation; providing for transfer of original records; providing for transfer of confidential or restricted records; directing the State Records Administrator to enter into a transfer agreement with the Foundation; specifying certain provisions; providing for codification; providing for noncodification; and declaring an emergency.

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

1 SECTION 1. NEW LAW A new section of law not to be codified in the
2 Oklahoma Statutes reads as follows:
3 The Legislature finds that the Oklahoma City National Memorial Foundation, a
4 not-for-profit corporation, which owns and operates the Oklahoma City National
5 Memorial, including the Oklahoma City Memorial Archives, has as its objective the
6 gathering and maintaining of the most complete collection of documents, photographs,
7 memorabilia, and other materials pertaining to the April 19, 1995, bombing of the Alfred
8 P. Murrah Federal Building in Oklahoma City. The Legislature further finds that some
9 state agencies have custody, control, or possession of certain state records and material
10 pertaining to the Murrah Bombing. It is the intent of the Legislature that the

1 Foundation be a repository for state records and materials pertaining to the Murrah
2 Bombing in the custody, control, or possession of state agencies.

3 SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma
4 Statutes as Section 217 of Title 67, unless there is created a duplication in numbering,
5 reads as follows:

6 A. Notwithstanding any other law prohibiting the transfer or disposal of state
7 records, a state agency may transfer copies of state records made or received by the
8 agency pertaining to the April 19, 1995, bombing of the Alfred P. Murrah Federal
9 Building in Oklahoma City, Oklahoma, to the Oklahoma City National Memorial
10 Foundation, a not-for-profit corporation. Originals of state records may be transferred if
11 not otherwise required to be maintained by the state agency. All records deemed to be
12 private or confidential by law or are restricted law enforcement, criminalistic, or
13 investigative records may be transferred provided the Foundation agrees to hold the
14 records as restricted or confidential records pursuant to an agreement made with the
15 State Records Administrator as provided for in subsection B of this section.

16 B. The State Records Administrator shall enter into an agreement with the
17 Oklahoma City National Memorial Foundation on behalf of the state for the transfer of
18 state records to the Foundation. The agreement shall outline the obligations of the state
19 and the Foundation in regards to the housing, maintenance, ownership, liability, access,
20 restriction, transfer, and destruction of the records.

1 SECTION 3. It being immediately necessary for the preservation of the public
2 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
3 this act shall take effect and be in full force from and after its passage and approval.
4 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated
5 02-04-09 - DO PASS, As Coauthored.