

THE HOUSE OF REPRESENTATIVES
Thursday, February 26, 2009

Committee Substitute for
House Bill No. 2211

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2211 - By: KIESEL of the House.

An Act relating to statutes and reports; imposing duties upon Legislature with respect to bills and resolutions; requiring preservation of legislative history; requiring Oklahoma House of Representatives and State Senate to develop uniform method for creating and maintaining legislative history; requiring records of committee proceedings; requiring access through searchable database; prescribing requirements; requiring records of proceedings of floor action; requiring access through searchable database; requiring preservation of certain documents; requiring indices; providing for certification of legislative history; providing for self-authentication of documents; providing for applicability of requirements; providing requirements inapplicable to certain communications; providing for codification; and providing an effective date.

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

- 1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma
2 Statutes as Section 26.25 of Title 75, unless there is created a duplication in numbering,
3 reads as follows:
- 4 A. When funds are available, the Legislature shall create a system for the creation
5 and preservation of a legislative history for each bill and resolution introduced in each
6 regular or special legislative session. The provisions of this subsection shall be
7 applicable to all resolutions whether such measures have the force and effect of law or
8 not.

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

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

18 D. A transcript or other recording of the proceedings during floor action in either
19 the Oklahoma House of Representatives or the Oklahoma State Senate shall be prepared
20 with respect to each bill or resolution considered during Third Reading and Fourth
21 Reading. The transcript shall be entered into a searchable database accessible to the
22 public through the website of each chamber or in such other format as the Oklahoma

1 House of Representatives and the Oklahoma State Senate may develop in order to allow
2 public access to such testimony. The database shall allow for searches using the measure
3 number, the legislative session during which the measure was considered, the principal
4 author of the measure, the general subject matter of the measure, and such other
5 information as the two chambers shall provide.

6 E. A paper copy or an electronic copy of each document, including charts, graphs,
7 photographs or other written materials, presented to the members of any standing or
8 special committee of the Oklahoma House of Representatives or the Oklahoma State
9 Senate shall be preserved and indexed in a manner that allows retrieval and duplication
10 upon request. The index shall allow for searches using the measure number, the
11 legislative session during which the measure was considered, the principal author of the
12 measure, the general subject matter of the measure, and such other information as the
13 two chambers shall provide.

14 F. The complete legislative history for a bill or resolution shall, upon request, be
15 certified by the Chief Clerk of the Oklahoma House of Representatives or the Secretary
16 of the Oklahoma State Senate, as applicable, and when certified such legislative history
17 shall be a self-authenticating document or documents within the meaning of the
18 Oklahoma Evidence Code and shall be admitted into evidence if the materials are
19 otherwise admissible under applicable law. As used in this subsection, “complete
20 legislative history” shall include all testimony, documents and proceedings related to the
21 measure.

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

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

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

7 2. Communications, whether verbal or written, among members of either of the
8 respective staffs of either chamber or to communications between any member of the
9 staff of one chamber with any member of the staff of the other chamber; or

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

13 4. Communications made in anticipation of, during or after the meeting of a
14 Conference Committee unless the meeting involves the General Conference Committee
15 on Appropriations or a subcommittee of the General Conference Committee on
16 Appropriations.

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

18 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 02-
19 25-09 - DO PASS, As Amended.