

THE HOUSE OF REPRESENTATIVES
Thursday, April 9, 2009

Committee Substitute for
ENGROSSED
Senate Bill No. 695

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 695 - By: WILSON
of the Senate and BROWN of the House.

(officers - confidentiality – exceptions - emergency)

1 SECTION 1. AMENDATORY Section 1, Chapter 166, O.S.L. 2003 (51 O.S.
2 Supp. 2008, Section 24A.27), is amended to read as follows:

3 Section 24A.27 A. Any state environmental agency or public utility shall keep
4 confidential vulnerability assessments of critical assets ~~in both water and wastewater~~
5 ~~systems~~. State environmental agencies or public utilities may use the information for
6 internal purposes or allow the information to be used for survey purposes only. The state
7 environmental agencies or public utilities shall allow any public body to have access to
8 the information for purposes specifically related to the public bodies function.

9 B. For purposes of this section:

10 1. “State environmental agencies” includes the:

11 a. Oklahoma Water Resources Board,

12 b. Oklahoma Corporation Commission,

- 1 c. State Department of Agriculture,
- 2 d. Oklahoma Conservation Commission,
- 3 e. Department of Wildlife Conservation,
- 4 f. Department of Mines, and
- 5 g. Department of Environmental Quality;

6 2. “Public Utility” means any individual, firm, association, partnership,
7 corporation or any combination thereof, municipal corporations or their lessees, trustees
8 and receivers, owning or operating for compensation in this state equipment or facilities
9 for:

- 10 a. producing, generating, transmitting, distributing, selling or furnishing
- 11 electricity,
- 12 b. the conveyance, transmission, reception or communications over a
- 13 telephone system,
- 14 c. transmitting directly or indirectly or distributing combustible
- 15 hydrocarbon natural or synthetic natural gas for sale to the public, or
- 16 d. the transportation, delivery or furnishing of water for domestic
- 17 purposes or for power; and

18 3. “Critical asset” means specific engineering, vulnerability, or detailed design
19 information about proposed or existing critical infrastructure, physical or virtual, that:

- 20 a. relates details about the production, generation, transmission,
- 21 transportation, delivery or distribution of electricity, telephone
- 22 services, natural gas, water, or wastewater,

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

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

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

7 ~~1. Design~~

8 ~~a.~~ design or functional schematics that demonstrate the relationship or
9 connections between devices or systems;

10 ~~2. System~~

11 ~~b.~~ system configuration information;

12 ~~3. Security~~

13 ~~c.~~ security monitoring and response equipment placement and
14 configuration;

15 ~~4. Specific~~

16 ~~d.~~ specific location or placement of systems, components or devices;

17 ~~5. System~~

18 ~~e.~~ system identification numbers, names, or connecting circuits;

19 ~~6. Business~~

20 ~~f.~~ business continuity and disaster planning, or response plans; or

21 ~~7. Investigative~~

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 ENERGY AND UTILITY
5 REGULATION, dated 04-08-09 - DO PASS, As Amended.