

EHB 1334

THE STATE SENATE
Wednesday, March 25, 2009

ENGROSSED

House Bill No. 1334

ENGROSSED 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:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The Legislature finds that the Oklahoma City National Memorial Foundation, a not-for-profit corporation, which owns and operates the Oklahoma City National Memorial, including the Oklahoma City Memorial Archives, has as its objective the gathering and maintaining of the most complete collection of documents, photographs, memorabilia, and other materials pertaining to the April 19, 1995, bombing of the Alfred P. Murrah Federal Building in Oklahoma City. The Legislature further finds that some state agencies have custody, control, or possession of certain state records and material pertaining to the Murrah Bombing. It is the

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

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

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

21 B. The State Records Administrator shall enter into an
22 agreement with the Oklahoma City National Memorial Foundation on
23 behalf of the state for the transfer of state records to the

1 Foundation. The agreement shall outline the obligations of the
2 state and the Foundation in regards to the housing, maintenance,
3 ownership, liability, access, restriction, transfer, and destruction
4 of the records.

5 SECTION 3. It being immediately necessary for the preservation
6 of the public peace, health and safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

9 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 3-23-09
10 - DO PASS.