

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1546

By: Denney

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5  
6 AS INTRODUCED

7 An Act relating to officers; amending Section 2,  
8 Chapter 175, O.S.L. 2003, as amended by Section 1,  
9 Chapter 399, O.S.L. 2005 (51 O.S. Supp. 2008, Section  
10 24A.28), which relates to the Oklahoma Open Records  
11 Act; modifying information that may be kept  
12 confidential; and providing an effective date.

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

14 SECTION 1. AMENDATORY Section 2, Chapter 175, O.S.L.  
15 2003, as amended by Section 1, Chapter 399, O.S.L. 2005 (51 O.S.  
16 Supp. 2008, Section 24A.28), is amended to read as follows:

17 Section 24A.28 A. The following information may be kept  
18 confidential:

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

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

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

3        4. Continuity of operations, plans, emergency response plans,  
4 after-action reports, or other records detailing emergency planning,  
5 response activities, or vulnerability assessments of a public body  
6 or public official, whether the activities relate to an act of  
7 terrorism, man-made or natural disaster, or other all-hazards  
8 related event;

9        ~~D.~~ 5. Records including details for response or remediation  
10 after an act of terrorism;

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

13        ~~1. Design~~

14            a. design or functional schematics that demonstrate the  
15 relationship or connections between devices or  
16 systems;

17        ~~2. System,~~

18            b. system configuration information;

19        ~~3. Security,~~

20            c. security monitoring and response equipment placement  
21 and configuration;

22        ~~4. Specific,~~

23            d. specific location or placement of systems, components  
24 or devices;

1       ~~5.~~ System,

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

4       ~~6.~~ Business,

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

7       ~~7.~~ Investigative

8           g.   investigative information directly related to security  
9           penetrations or denial of services; ~~or~~

10       ~~F.~~ 7.   Investigation evidence of an act of terrorism that has  
11       already been committed~~;~~

12       ~~G.~~ 8.   Records received, maintained or generated by the Oklahoma  
13       Office of Homeland Security which include confidential private  
14       business information or an individual's private records~~;~~ or

15       ~~H.~~ 9.   Records received by the Oklahoma Office of Homeland  
16       Security from the United States Department of Homeland Security or  
17       records maintained or generated by the Oklahoma Office of Homeland  
18       Security involving the United States Department of Homeland  
19       Security.

20       ~~I.~~ B.   The following information shall not be kept confidential:

21           1.   Records related to federal grants administered by the  
22       Oklahoma Office of Homeland Security;

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

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

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

6           SECTION 2. This act shall become effective November 1, 2009.

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