

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1351

By: Myers

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5  
6 AS INTRODUCED

7 An Act relating to officers; amending 51 O.S. 2001,  
8 Section 24A.10, as last amended by Section 1, Chapter  
9 158, O.S.L. 2009 (51 O.S. Supp. 2009, Section  
10 24A.10), which relates to the Oklahoma Open Records  
11 Act; adding certain exemption; and declaring an  
12 emergency.

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

14 SECTION 1. AMENDATORY 51 O.S. 2001, Section 24A.10, as  
15 last amended by Section 1, Chapter 158, O.S.L. 2009 (51 O.S. Supp.  
16 2009, Section 24A.10), is amended to read as follows:

17 Section 24A.10 A. Any information, records or other material  
18 heretofore voluntarily supplied to any state agency, board or  
19 commission which was not required to be considered by that agency,  
20 board or commission in the performance of its duties may, within  
21 thirty (30) days from June 6, 1988, be removed from the files of  
22 such agency, board or commission by the person or entity which  
23 originally voluntarily supplied such information. Provided, after  
24 thirty (30) days from the effective date of this act, any

1 information voluntarily supplied shall be subject to full disclosure  
2 pursuant to this act.

3 B. If disclosure would give an unfair advantage to competitors  
4 or bidders, a public body may keep confidential records relating to:

5 1. Bid specifications for competitive bidding prior to  
6 publication by the public body; or

7 2. Contents of sealed bids prior to the opening of bids by a  
8 public body; or

9 3. Computer programs or software but not data thereon; or

10 4. Appraisals relating to the sale or acquisition of real  
11 estate by a public body prior to award of a contract; or

12 5. The prospective location of a private business or industry  
13 prior to public disclosure of such prospect except for records  
14 otherwise open to inspection such as applications for permits or  
15 licenses.

16 C. Except as set forth hereafter, the Oklahoma Department of  
17 Commerce, the Oklahoma Department of Career and Technology  
18 Education, ~~and~~ the technology center school districts, and the  
19 Oklahoma Film and Music Office may keep confidential:

20 1. Business plans, feasibility studies, financing proposals,  
21 marketing plans, financial statements or trade secrets submitted by  
22 a person or entity seeking economic advice, business development or  
23 customized training from such Departments or school districts;

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1           2. Proprietary information of the business submitted to the  
2 Department or school districts for the purpose of business  
3 development or customized training, and related confidentiality  
4 agreements detailing the information or records designated as  
5 confidential; and

6           3. Information compiled by such Departments or school districts  
7 in response to those submissions.

8           The Oklahoma Department of Commerce, the Oklahoma Department of  
9 Career and Technology Education, ~~and~~ the technology center school  
10 districts, and the Oklahoma Film and Music Office may not keep  
11 confidential that submitted information when and to the extent the  
12 person or entity submitting the information consents to disclosure.

13           D. Although they must provide public access to their records,  
14 including records of the address, rate paid for services, charges,  
15 consumption rates, adjustments to the bill, reasons for adjustment,  
16 the name of the person that authorized the adjustment, and payment  
17 for each customer, public bodies that provide utility services to  
18 the public may keep confidential credit information, credit card  
19 numbers, telephone numbers, social security numbers, bank account  
20 information for individual customers, and utility supply and utility  
21 equipment supply contracts for any industrial customer with a  
22 connected electric load in excess of two thousand five hundred  
23 (2,500) kilowatts if public access to such contracts would give an  
24 unfair advantage to competitors of the customer; provided that,

1 where a public body performs billing or collection services for a  
2 utility regulated by the Corporation Commission pursuant to a  
3 contractual agreement, any customer or individual payment data  
4 obtained or created by the public body in performance of the  
5 agreement shall not be a record for purposes of this act.

6 SECTION 2. It being immediately necessary for the preservation  
7 of the public peace, health and safety, an emergency is hereby  
8 declared to exist, by reason whereof this act shall take effect and  
9 be in full force from and after its passage and approval.

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