

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1933

By: Sparks

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5  
6 AS INTRODUCED

7 An Act relating to statutes and reports; imposing  
8 duties upon Legislature with respect to bills and  
9 resolutions; requiring preservation of legislative  
10 history; requiring Oklahoma State Senate and House of  
11 Representatives to develop uniform method for  
12 creating and maintaining legislative history;  
13 requiring records of committee proceedings; requiring  
14 access through searchable database; prescribing  
15 requirements; requiring records of proceedings of  
16 floor action; requiring access through searchable  
17 database; requiring preservation of certain  
18 documents; requiring indices; providing for  
19 certification of legislative history; providing for  
20 self-authentication of documents; providing for  
21 applicability of requirements; providing requirements  
22 inapplicable to certain communications; providing for  
23 codification; and providing an effective date.

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

25 SECTION 1. NEW LAW A new section of law to be codified  
26 in the Oklahoma Statutes as Section 26.25 of Title 75, unless there  
27 is created a duplication in numbering, reads as follows:

28 A. When funds are available, the Legislature shall create a  
29 system for the creation and preservation of a legislative history  
30 for each bill and resolution introduced in each regular or special

1 legislative session. The provisions of this subsection shall be  
2 applicable to all resolutions whether such measures have the force  
3 and effect of law or not.

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

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

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1 the committee to which the measure was assigned, and such other  
2 information as the two chambers shall provide.

3 D. A transcript or other recording of the proceedings during  
4 floor action in either the Oklahoma State Senate or House of  
5 Representatives shall be prepared with respect to each bill or  
6 resolution considered during Third Reading and Fourth Reading. The  
7 transcript shall be entered into a searchable database accessible to  
8 the public through the website of each chamber or in such other  
9 format as the Oklahoma State Senate and House of Representatives may  
10 develop in order to allow public access to such testimony. The  
11 database shall allow for searches using the measure number, the  
12 legislative session during which the measure was considered, the  
13 principal author of the measure, the general subject matter of the  
14 measure, and such other information as the two chambers shall  
15 provide.

16 E. A paper copy or an electronic copy of each document,  
17 including charts, graphs, photographs or other written materials,  
18 presented to the members of any standing or special committee of the  
19 Oklahoma State Senate or House of Representatives shall be entered  
20 into the legislative history and shall be preserved and indexed in a  
21 manner that allows retrieval and duplication upon request. The  
22 index shall allow for searches using the measure number, the  
23 legislative session during which the measure was considered, the  
24 principal author of the measure, the general subject matter of the

1 measure, and such other information as the two chambers shall  
2 provide.

3 F. Upon entry of any information in the legislative history  
4 pursuant to the provisions of subsections C, D or E of this section,  
5 the Secretary of the Senate or the Chief Clerk of the House of  
6 Representatives shall notify each member of the Legislature who  
7 testified or presented material so entered. Such member may submit  
8 supplemental information or corrections within thirty (30) calendar  
9 days of such notification.

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

20 H. The provisions of this section shall be applicable to bills  
21 and resolutions introduced during the First Session of the 53rd  
22 Oklahoma Legislature and for each regular or extraordinary session  
23 thereafter.

24 I. The provisions of this section shall not be applicable to:

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

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

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

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

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

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