

1 STATE OF OKLAHOMA

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

3 SENATE BILL 809

By: Aldridge

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5  
6 AS INTRODUCED

7 An Act relating to counties and county officers;  
8 creating the Personally Identifiable Information Act;  
9 providing short title; stating purpose of act;  
10 defining term; prohibiting the inclusion of certain  
11 information on certain documents; authorizing certain  
12 individuals to request certain information be taken  
13 off certain Internet website; establishing  
14 procedures; setting fine; authorizing county clerks  
15 to reject certain documents; providing exception;  
16 providing for codification; and declaring an  
17 emergency.

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

19 SECTION 1. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 272 of Title 19, unless there is  
21 created a duplication in numbering, reads as follows:

22 A. This act shall be known and may be cited as the "Personally  
23 Identifiable Information Act".

24 B. As used in the Personally Identifiable Information Act:

1. "Personally identifiable information" means one or more of  
the following identifiers when combined with an individual's name:

a. full Social Security number,

- b. full driver license number or state identification card number,
- c. financial institution account number, credit, debit or charge card number, and
- d. date of birth; and

2. "Preparer" means the person or entity who creates, drafts, edits, revises or last changes the documents that are recorded with the county clerk.

C. The preparer of a document shall not include an individual's personally identifiable information in a document that is prepared and presented for recording in the office of the county clerk. This Section shall not apply to documents that were executed by an individual prior to the effective date of this act. All documents described by this act are subject to inspection and copying by the public.

D. If a document that includes an individual's personally identifiable information was recorded with the county clerk and is available on the county clerk's public Internet website, the individual may request the county clerk redact such information from the Internet record. The county clerk shall establish a procedure by which individuals may request that such personally identifiable information be redacted from the Internet record available on the county clerk's public Internet website, at no fee to the requesting

1 individual. The county clerk shall comply with an individual's  
2 request to redact Personally Identifiable Information.

3 E. The county clerk may elect not to accept a document  
4 presented for recording by a preparer if that document contains  
5 Personally Identifiable Information. The preparer shall correct the  
6 document before it may be presented for recording.

7 F. The county clerk shall not be liable for any claims arising  
8 from a violation of this act.

9 G. This act shall not apply to state or federal tax liens,  
10 certified copies of death certificates or other documents required  
11 by law to contain personally identifiable information that are filed  
12 or recorded in the office of the county clerk.

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

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