

1 ENGROSSED SENATE  
2 BILL NO. 870

By: Sykes of the Senate

3 and

4 McCullough of the House  
5  
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7 An Act relating to sealing of records; prohibiting  
8 sealing of records of certain proceedings without  
9 specified authority; requiring written findings under  
10 certain circumstances; stating effect on certain  
11 prior orders; authorizing challenge of certain order;  
12 providing for award of certain fees and costs;  
13 providing for codification; and providing an  
14 effective date.

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

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 101.1 of Title 43, unless there  
is created a duplication in numbering, reads as follows:

A court shall not seal any records or files relating to Title 43  
of the Oklahoma Statutes unless specifically authorized by the  
Oklahoma Constitution or statute. Prior to issuing an order sealing  
any records or files relating to Title 43 of the Oklahoma Statutes,  
the court shall make written findings of fact and conclusions of law  
that shall be incorporated into the order along with the specific  
provisions of the Oklahoma Constitution or statute that authorize

1 such an order. The mere fact that the parties agree shall not be  
2 grounds to seal any records or files relating to Title 43 of the  
3 Oklahoma Statutes. Any prior orders sealing records or files  
4 relating to Title 43 of the Oklahoma Statutes are null and void.

5 Any resident of a county wherein such a record or file is sealed  
6 shall have standing to challenge the order sealing said records or  
7 files. If such a motion is contested, the prevailing party shall be  
8 entitled to attorney fees and court costs.

9 SECTION 2. This act shall become effective November 1, 2011.

10 Passed the Senate the 15th day of March, 2011.

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Presiding Officer of the Senate

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14 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,

15 2011.

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Presiding Officer of the House  
of Representatives

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