

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 870

By: Sykes

4
5
6 AS INTRODUCED

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.

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

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

19 A court shall not seal any records or files relating to Title 43
20 of the Oklahoma Statutes unless specifically authorized by the
21 Oklahoma Constitution or statute. Prior to issuing an order sealing
22 any records or files relating to Title 43 of the Oklahoma Statutes,
23 the court shall make written findings of fact and conclusions of law
24 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

11 53-1-633 TEK 3/17/2011 9:43:45 AM

12

13

14

15

16

17

18

19

20

21

22

23

24