

1 STATE OF OKLAHOMA

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

3 SENATE BILL 954

By: Nichols

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5
6 AS INTRODUCED

7 An Act relating to the Department of Public Safety;
8 amending 47 O.S. 2001, Section 2-111, as last amended
9 by Section 3, Chapter 326, O.S.L. 2007 (47 O.S. Supp.
10 2010, Section 2-111), which relates to records of the
11 Department of Public Safety; clarifying scope of
12 authorization for destruction of certain records; and
13 providing an effective date.

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

15 SECTION 1. AMENDATORY 47 O.S. 2001, Section 2-111, as
16 last amended by Section 3, Chapter 326, O.S.L. 2007 (47 O.S. Supp.
17 2010, Section 2-111), is amended to read as follows:

18 Section 2-111. A. All records of the Department of Public
19 Safety, other than those declared by law to be confidential for the
20 use of the Department, shall be open to public inspection during
21 office hours.

22 B. The Commissioner of Public Safety shall supervise the
23 maintaining of all records of the Department and shall adopt rules
24 concerning the destruction and retention of records. Records of the
Department shall not be subject to the provisions of:

1 1. Sections 305 through 317 of Title 67 of the Oklahoma
2 Statutes or be transferred to the custody or control of the State
3 Archives Commission;

4 2. Section 590 of Title 21 of the Oklahoma Statutes; or

5 3. The Records Management Act, Sections 201 through 215 of
6 Title 67 of the Oklahoma Statutes.

7 The Commissioner may, pursuant to an adopted rule, order destruction
8 of records deemed to be no longer of value to the Department or as
9 otherwise authorized pursuant to paragraph 3 of subsection C of this
10 section in carrying out the powers and duties of the Department.

11 C. 1. The Commissioner may cause any or all records kept by
12 the Department of Public Safety to be photographed,
13 microphotographed, photostated, reproduced on film, or stored on
14 computer storage medium. The film or reproducing material shall be
15 of durable material, and the device used to reproduce the records on
16 the film or reproducing material shall accurately reproduce and
17 perpetuate the original records in all detail.

18 2. The photostatic copy, photograph, microphotograph,
19 photographic film or computerized image of the original records
20 shall be deemed to be an original record for all purposes and shall
21 be admissible as evidence in all courts or administrative agencies.
22 A facsimile, exemplification, or certified copy thereof shall be
23 deemed to be a transcript, exemplification, or certified copy of the
24 original.

1 3. The photostatic copies, photographs, microphotographs,
2 reproductions on film, or computerized images shall be placed in
3 conveniently accessible files and provisions made for preserving,
4 examining, and using the copies, photographs, microphotographs,
5 reproductions on film and computerized images. The Commissioner of
6 Public Safety is empowered to authorize the disposal, archival
7 storage, or destruction of the original records or papers.

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

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