

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 2998

By: Stiles

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to open records; requiring certain
9 records to be considered as public records;
10 permitting court to seal a record in certain
11 instance; making certain requirements when record is
12 sealed; requiring Supreme Court of Oklahoma to make
13 certain rules; requiring court clerks to obey and
14 follow rules; providing for codification; and
15 providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 24A.30 of Title 51, unless there
19 is created a duplication in numbering, reads as follows:

20 All court records, as defined by Section 32.1 of Title 12 of the
21 Oklahoma Statutes, shall be considered public records and shall be
22 subject to the provisions of the Oklahoma Open Records Act, unless
23 otherwise identified by statute to be confidential. If
24 confidentiality is not required by statute, the court may seal a
record or portion of a record only if a compelling privacy interest
exists which outweighs the public's interest in the record. In all

1 cases where the court is sealing a record or portion of a record,
2 the court shall enter an order which shall be public and shall:

3 1. Make findings of fact which identify the facts which the
4 court relied upon in entering its order;

5 2. Make conclusions of law specific enough so that the public
6 is aware of the legal basis for the sealing of the record;

7 3. Utilizing the least restrictive means for achieving
8 confidentiality; and

9 4. Be narrowly tailored so that only the portions of the record
10 subject to confidentiality are sealed and the remainder of the
11 record is kept open.

12 SECTION 2. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 32.1A of Title 12, unless there
14 is created a duplication in numbering, reads as follows:

15 The Supreme Court of Oklahoma shall immediately make rules
16 regulating the display of court records online. The rules shall
17 ensure that all online data is displayed uniformly in all counties.
18 The Supreme Court of Oklahoma may modify the rules as necessary.
19 Court clerks shall obey and follow the rules.

20 SECTION 3. This act shall become effective November 1, 2014.

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