

1 ENGROSSED SENATE
2 BILL NO. 1041

By: Sykes of the Senate

3 and

4 McCullough of the House

5
6 [sealing of records - prohibiting sealing of records
7 without specified authority - requiring written
8 findings - codification - effective date]
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10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 1012 of Title 20, unless there
13 is created a duplication in numbering, reads as follows:

14 A court shall not seal any records or files unless specifically
15 authorized by the Oklahoma Constitution or by statute. Prior to
16 issuing an order sealing any records or files, the court shall make
17 written findings of fact and conclusions of law that shall be
18 incorporated into the order along with the specific provisions of
19 the Oklahoma Constitution or statute that authorize such an order.
20 The mere fact that the parties agree shall not be grounds to seal
21 any records or files. Any prior orders sealing records or files
22 inconsistent with the requirements of this section shall be in
23 compliance within one (1) year of the effective date of this act or
24 shall be null and void.

1 Any resident of a county wherein such a record or file is sealed
2 shall have standing to challenge the order sealing said records or
3 files. If such an action is contested, the prevailing party shall
4 be entitled to attorney fees and court costs. It shall be cause for
5 impeachment and removal if a judge is found to have sealed files or
6 records in violation of this section.

7 SECTION 2. This act shall become effective November 1, 2013.

8 Passed the Senate the 12th day of March, 2013.

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Presiding Officer of the Senate

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12 Passed the House of Representatives the ____ day of _____,
13 2013.

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Presiding Officer of the House
of Representatives

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