

An Act

ENROLLED SENATE
BILL NO. 285

By: David and Ivester of the
Senate

and

Hulbert of the House

An Act relating to authority of district attorney; amending 19 O.S. 2011, Section 215.22, which relates to destruction of records; authorizing destruction of certain records under specified circumstances; authorizing certain storage of specified records; making language gender neutral; and providing an effective date.

SUBJECT: Authority of district attorney

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

SECTION 1. AMENDATORY 19 O.S. 2011, Section 215.22, is amended to read as follows:

Section 215.22 A. The district attorney is hereby authorized to destroy all or a portion of his or her office records and files relating to:

1. Any felony case or record relating to a felony investigation except where a homicide is involved, provided a period of ten (10) years shall have elapsed since the last action in said case and provided the district attorney ~~in his discretion may~~ shall microfilm or provide computer storage for such felony cases ~~to be destroyed;~~ and

2. Any misdemeanor or traffic case, or record relating to a misdemeanor or traffic investigation, provided a period of five (5) years shall have elapsed since the last action in the said case, and provided the district attorney in his or her discretion may microfilm or provide computer storage for such misdemeanor or traffic cases to be destroyed;

3. Any juvenile case, provided a period of ten (10) years shall have elapsed since the last action in said case and provided the district attorney in his or her discretion may microfilm or provide computer storage for such juvenile case to be destroyed; and

4. Any civil case, provided a period of ten (10) years shall have elapsed since the last action in said case and provided the district attorney in his or her discretion may microfilm or provide computer storage for such civil case to be destroyed.

B. The district attorney is authorized to reproduce a copy of such record, file or case stored on microfilm or in computer storage as provided in this section and such copy or computer-generated image or record may be used by the district attorney in lieu of the destroyed record, file or case, for all purposes.

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

Passed the Senate the 9th day of May, 2013.

Presiding Officer of the Senate

Passed the House of Representatives the 8th day of April, 2013.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____