HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2998 By: Stiles

COMMITTEE SUBSTITUTE

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

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

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

All court records, as defined by Section 32.1 of Title 12 of the Oklahoma Statutes, shall be considered public records and shall be subject to the provisions of the Oklahoma Open Records Act, unless otherwise identified by statute to be confidential. If confidentiality is not required by statute, the court may seal a record or portion of a record only if a compelling privacy interest

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

exists which outweighs the public's interest in the record. In all cases where the court is sealing a record or portion of a record, the court shall enter an order which shall be public and shall:

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

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

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

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

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

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

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

COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/26/2014 - DO PASS, As Amended.

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