

1 **SENATE FLOOR VERSION**

2 February 12, 2013

3 SENATE BILL NO. 285

By: David of the Senate

4 and

5 Hulbert of the House

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7
8 An Act relating to authority of district attorney;
9 amending 19 O.S. 2001, Section 215.22, which relates
10 to destruction of records; authorizing destruction of
11 certain records under specified circumstances;
authorizing certain storage of specified records;
making language gender neutral; and providing an
effective date.

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

15 SECTION 1. AMENDATORY 19 O.S. 2001, Section 215.22, is
16 amended to read as follows:

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

20 1. Any felony case or record relating to a felony investigation
21 except where a homicide is involved, provided a period of ten (10)
22 years shall have elapsed since the last action in said case and
23 provided the district attorney in his or her discretion may

1 microfilm or provide computer storage for such felony cases to be
2 destroyed; and

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

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

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

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

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

23 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
24 February 12, 2013 - DO PASS