

1 ENGROSSED SENATE  
2 BILL NO. 880

By: Thompson of the Senate

3 and

4 Osborn of the House

5  
6 An Act relating to obscene material and child  
7 pornography; amending 21 O.S. 2011, Section 1024.4,  
8 which relates to destruction of obscene material or  
9 child pornography; modifying inclusions; repealing 21  
10 O.S. 2011, Section 1024, which relates to the  
11 destruction of child pornography and obscene  
12 material; and providing an effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1024.4, is  
15 amended to read as follows:

16 Section 1024.4. Upon final conviction of the accused, any  
17 magistrate, law enforcement agency or district attorney shall cause  
18 any obscene material or child pornography, in respect whereof the  
19 accused stands convicted and which remains in the possession or  
20 control of such magistrate, law enforcement agency or district  
21 attorney, to be destroyed including, but not limited to, the  
22 destruction of any computer, hard drive or other electronic storage  
23 media on which such obscene material or child pornography was  
24 located. For purposes of this section, "final conviction" includes

1 the exhaustion of or failure to timely pursue post-conviction and  
2 state and federal habeas corpus review.

3 SECTION 2. REPEALER 21 O.S. 2011, Section 1024, is  
4 hereby repealed.

5 SECTION 3. This act shall become effective November 1, 2016.  
6 Passed the Senate the 8th day of March, 2016.

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8 \_\_\_\_\_  
9 Presiding Officer of the Senate

10 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
11 2016.

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14 Presiding Officer of the House  
15 of Representatives

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