

1 ENGROSSED HOUSE
2 BILL NO. 2676

By: Walker, Matthews and Hoskin
of the House

3 and

4 Holt of the Senate
5
6
7

8 An Act relating to officers; amending 51 O.S. 2011,
9 Section 24A.3, which relates to definitions under the
10 Oklahoma Open Records Act; deleting certain
11 recordings from exclusion of certain definition; and
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 51 O.S. 2011, Section 24A.3, is
15 amended to read as follows:

16 Section 24A.3 As used in this act:

17 1. "Record" means all documents, including, but not limited to,
18 any book, paper, photograph, microfilm, data files created by or
19 used with computer software, computer tape, disk, record, sound
20 recording, film recording, video record or other material regardless
21 of physical form or characteristic, created by, received by, under
22 the authority of, or coming into the custody, control or possession
23 of public officials, public bodies, or their representatives in
24 connection with the transaction of public business, the expenditure

1 of public funds or the administering of public property. "Record"
2 does not mean:

- 3 a. computer software,
- 4 b. nongovernment personal effects,
- 5 c. unless public disclosure is required by other laws or
6 regulations, vehicle movement records of the Oklahoma
7 ~~Transportation~~ Turnpike Authority obtained in
8 connection with the Authority's electronic toll
9 collection system,
- 10 d. personal financial information, credit reports or
11 other financial data obtained by or submitted to a
12 public body for the purpose of evaluating credit
13 worthiness, obtaining a license, permit, or for the
14 purpose of becoming qualified to contract with a
15 public body,
- 16 e. any digital audio/video recordings of the toll
17 collection and safeguarding activities of the Oklahoma
18 ~~Transportation~~ Turnpike Authority,
- 19 f. any personal information provided by a guest at any
20 facility owned or operated by the Oklahoma Tourism and
21 Recreation Department or the Board of Trustees of the
22 Quartz Mountain Arts and Conference Center and Nature
23 Park to obtain any service at the facility or by a
24 purchaser of a product sold by or through the Oklahoma

1 Tourism and Recreation Department or the Quartz
2 Mountain Arts and Conference Center and Nature Park,
3 g. a Department of Defense Form 214 (DD Form 214) filed
4 with a county clerk, including any DD Form 214 filed
5 before the effective date of this act, or
6 h. except as provided for in Section 2-110 of Title 47 of
7 the Oklahoma Statutes~~7~~:

8 (1) any record in connection with a Motor Vehicle
9 Report issued by the Department of Public Safety,
10 as prescribed in Section 6-117 of Title 47 of the
11 Oklahoma Statutes, or

12 (2) personal information within driver records, as
13 defined by the Driver's Privacy Protection Act,
14 18 United States Code, Sections 2721 through
15 2725, which are stored and maintained by the
16 Department of Public Safety,~~or~~

17 ~~(3) audio or video recordings of the Department of~~
18 ~~Public Safety;~~

19 2. "Public body" shall include, but not be limited to, any
20 office, department, board, bureau, commission, agency, trusteeship,
21 authority, council, committee, trust or any entity created by a
22 trust, county, city, village, town, township, district, school
23 district, fair board, court, executive office, advisory group, task
24 force, study group, or any subdivision thereof, supported in whole

1 or in part by public funds or entrusted with the expenditure of
2 public funds or administering or operating public property, and all
3 committees, or subcommittees thereof. Except for the records
4 required by Section 24A.4 of this title, "public body" does not mean
5 judges, justices, the Council on Judicial Complaints, the
6 Legislature, or legislators;

7 3. "Public office" means the physical location where public
8 bodies conduct business or keep records;

9 4. "Public official" means any official or employee of any
10 public body as defined herein; and

11 5. "Law enforcement agency" means any public body charged with
12 enforcing state or local criminal laws and initiating criminal
13 prosecutions, including, but not limited to, police departments,
14 county sheriffs, the Department of Public Safety, the Oklahoma State
15 Bureau of Narcotics and Dangerous Drugs Control, the Alcoholic
16 Beverage Laws Enforcement Commission, and the Oklahoma State Bureau
17 of Investigation.

18 SECTION 2. This act shall become effective November 1, 2014.
19
20
21
22
23
24

1 Passed the House of Representatives the 5th day of March, 2014.

2
3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2014.

7
8 _____
9 Presiding Officer of the Senate