

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 1041

By: Sykes

6 AS INTRODUCED

7 An Act relating to sealing of records; prohibiting
8 sealing of records without specified authority;
9 requiring written findings under certain
10 circumstances; stating effect on certain prior
11 orders; authorizing challenge of certain order;
12 providing for award of certain fees and costs;
13 establishing cause for certain impeachment or
14 removal; providing for codification; and providing an
15 effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 1012 of Title 20, unless there
17 is created a duplication in numbering, reads as follows:

18 A court shall not seal any records or files unless specifically
19 authorized by the Oklahoma Constitution or by statute. Prior to
20 issuing an order sealing any records or files, the court shall make
21 written findings of fact and conclusions of law that shall be
22 incorporated into the order along with the specific provisions of
23 the Oklahoma Constitution or statute that authorize such an order.
24 The mere fact that the parties agree shall not be grounds to seal

1 any records or files. Any prior orders sealing records or files
2 inconsistent with the requirements of this section are null and
3 void.

4 Any resident of a county wherein such a record or file is sealed
5 shall have standing to challenge the order sealing said records or
6 files. If such an action is contested, the prevailing party shall
7 be entitled to attorney fees and court costs. It shall be cause for
8 impeachment and removal if a judge is found to have sealed files or
9 records in violation of this section.

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

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