

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL 1346

By: Scott

6  
7 COMMITTEE SUBSTITUTE

8 An Act relating to court records; amending 22 O.S.  
9 2011, Section 977, as amended by Section 4, Chapter  
10 348, O.S.L. 2016 (22 O.S. Supp. 2017, Section 977),  
11 which relates to records of convictions; authorizing  
12 certain entities and persons to obtain birth date  
13 information; providing procedure for authorization to  
14 obtain the information; providing for development of  
15 an online registration and access portal; authorizing  
16 assessment of certain fee; requiring protection of  
17 records; authorizing promulgation of rules; and  
18 providing an effective date.

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

21 SECTION 1. AMENDATORY 22 O.S. 2011, Section 977, as  
22 amended by Section 4, Chapter 348, O.S.L. 2016 (22 O.S. Supp. 2017,  
23 Section 977), is amended to read as follows:

24 Section 977. A. When judgment upon a conviction is rendered,  
the clerk must enter the same upon the minutes, stating briefly the  
offense for which the conviction has been had, and must immediately  
annex together and file the following papers, which constitute a  
record of the action:

1        1. The indictment and a copy of the minutes of the plea or  
2 demurrer;

3        2. A copy of the minutes of the trial;

4        3. The charges given or refused, and the endorsements, if any,  
5 thereon; and

6        4. A copy of the judgment, which shall include a notation of  
7 the year of birth of the defendant and the last four digits of the  
8 Social Security number of the defendant. The judgment shall also  
9 contain the statutory reference to the felony crime the defendant  
10 was convicted of and the date of the offense.

11        B. The court shall obtain both the ~~year~~ date of birth of the  
12 defendant and the last four digits of the Social Security number of  
13 the defendant. The date of birth shall only be released to entities  
14 or persons that comply with the provisions of subsection C of this  
15 section.

16        C. The court shall allow access to date of birth records to:

17        1. Any entity or person that makes application to the Supreme  
18 Court and demonstrates to the satisfaction of the Supreme Court that  
19 the entity or person has a legitimate need for the records. If  
20 approved by the Supreme Court, the entity or person shall receive  
21 written notice of such approval;

22        2. Newspapers, as defined in Section 106 of Title 25 of the  
23 Oklahoma Statutes; and  
24

1       3. Members of the Oklahoma Bar Association who are in good  
2 standing with the Bar and demonstrate to the satisfaction of the  
3 Supreme Court that such records are necessary to provide legal  
4 representation to a client or clients.

5       D. The Supreme Court shall develop an online registration and  
6 access portal to allow entities and persons approved pursuant to  
7 subsection C of this section to access the records provided for in  
8 this section. The Supreme Court may establish an annual fee not to  
9 exceed One Thousand Five Hundred Dollars (\$1,500.00), payable by the  
10 entity or person seeking access to the records, to offset the cost  
11 of creating the online access system and the cost for reviewing the  
12 applications for access to the records. Members of the Bar  
13 Association shall be exempt from paying the fee.

14       E. Any entity or person receiving records pursuant to  
15 subsection C of this section shall be responsible for the protection  
16 of the records.

17       F. The Supreme Court may promulgate rules to implement the  
18 provisions of this section.

19       SECTION 2. This act shall become effective November 1, 2018.

21       56-2-3343           MG           7/17/2018 9:59:43 AM