

1 ENGROSSED HOUSE
2 BILL NO. 3224

By: Nollan of the House

3 and

4 Shaw of the Senate

5
6
7
8 [counties and county officers - retention and
9 disposal of county departmental records - effective
10 date]
11
12

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

14 SECTION 1. AMENDATORY 19 O.S. 2011, Section 517.1, as
15 last amended by Section 1, Chapter 145, O.S.L. 2017 (19 O.S. Supp.
16 2017, Section 517.1), is amended to read as follows:

17 Section 517.1 A. The governing body of each county may
18 establish a length of time for the county to keep departmental
19 records and authorize the sheriff to properly dispose of or digitize
20 all records not specifically addressed in other statutes.

21 B. Except as otherwise provided in this section, records shall
22 be kept for a minimum of seven (7) years. However, ~~if the sheriff~~
23 ~~is the sole source for such records, the records shall be kept for a~~
24 ~~minimum of seven (7) years; provided, that~~ the county shall be

1 required to keep any audio or video recordings from recording
2 equipment attached to the person of a law enforcement officer
3 according to the video retention schedule for that county created
4 pursuant to subsection C of this section; provided that the county
5 shall keep for a minimum of seven (7) years any such recordings that
6 depict anything other than an or directly relate to:

7 1. An officer-involved shooting,~~use;~~

8 2. Use of lethal force,~~incidents involving;~~

9 3. Incidents resulting in medical treatment,~~incidents where;~~

10 4. Incidents identified in a written application ~~is received~~
11 ~~for the preservation of the specific event,~~ recording of the
12 incident received by a county sheriff within ninety (90) days of the
13 recording of the incident; or upon request of

14 5. Incidents identified for preservation as requested by the
15 ~~district attorney may be kept at a minimum of one (1) year to be~~
16 ~~determined by the county sheriff.~~

17 C. The sheriff's office of each county that utilizes or
18 operates audio or video recordings from recording equipment attached
19 to the person of law enforcement officers within the sheriff's
20 office shall establish, upon approval of the district attorney for
21 that jurisdiction, a video retention schedule that shall consist of
22 requirements for storing and keeping any such audio or video
23 recordings that do not depict or directly relate to the incidents
24 described in paragraphs 1 through 5 of subsection B of this section.

1 The video retention schedule shall establish a method by which
2 recordings shall be classified as either evidentiary or
3 nonevidentiary. Recordings classified as nonevidentiary shall be
4 kept for a minimum of ninety (90) days. Recordings classified as
5 evidentiary shall be kept for a minimum of seven (7) years.

6 D. Any written reports and records related to the audio or
7 video recordings described in subsections B and C of this section
8 shall be kept for a minimum of seven (7) years.

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

10 Passed the House of Representatives the 14th day of March, 2018.

11
12
13 Presiding Officer of the House
14 of Representatives

15 Passed the Senate the ____ day of _____, 2018.

16
17 Presiding Officer of the Senate
18
19
20
21
22
23
24