

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 HOUSE BILL 3224

 By: Nollan of the House

5 and

6 Shaw of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to counties and county officers;
11 amending 19 O.S. 2011, Section 517.1, as last amended
12 by Section 1, Chapter 145, O.S.L. 2017 (19 O.S. Supp.
13 2017, Section 517.1), which relates to retention and
14 disposal of county departmental records; providing
15 exemption from records retention requirement under
16 certain circumstances; and providing an effective
17 date.

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

19 SECTION 1. AMENDATORY 19 O.S. 2011, Section 517.1, as
20 last amended by Section 1, Chapter 145, O.S.L. 2017 (19 O.S. Supp.
21 2017, Section 517.1), is amended to read as follows:

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

1 B. Except as otherwise provided in this section, records shall
2 be kept for a minimum of seven (7) years. However, ~~if the sheriff~~
3 ~~is the sole source for such records, the records shall be kept for a~~
4 ~~minimum of seven (7) years; provided, that~~ the county shall not be
5 required to keep any audio or video recordings from recording
6 equipment attached to the person of a law enforcement officer that
7 do not depict ~~anything other than an~~ or directly relate to:

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

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

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

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

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

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

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20 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,
21 dated 03/05/2018 - DO PASS, As Coauthored.