

<DateSubmitted>

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB1341

By: Worthen of the House and Scott of the Senate

Title: Open Records Act; prohibiting access to certain records on the Internet or World Wide Web;
effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

SENATE CONFEREES

Scott	_____
Dahm	_____
Fry	_____
Holt	_____
Newhouse	_____
Floyd	_____
Pittman	_____

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

CONFERENCE COMMITTEE
SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1341

By: Worthen and Biggs of the
House

and

Scott and Sharp of the
Senate

CONFERENCE COMMITTEE SUBSTITUTE

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

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

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

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

1 annex together and file the following papers, which constitute a
2 record of the action:

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

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

6 3. The charges given or refused, and the endorsements, if any,
7 thereon; and

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

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

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

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

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

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

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

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

19 F. The Supreme Court may promulgate rules to implement the
20 provisions of this section.

21 SECTION 2. This act shall become effective November 1, 2017.

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23 56-1-8010 SD 05/16/17
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