

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3040 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Tammy West

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 3040

By: West (Tammy)

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to open records; amending 51 O.S. 2011, Section 24A.7, as amended by Section 1, Chapter 130, O.S.L. 2014 (51 O.S. Supp. 2019, Section 24A.7), which relates to personnel records; exempting certain personal information of public employees from mandatory disclosure; and providing an effective date.

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

SECTION 1. AMENDATORY 51 O.S. 2011, Section 24A.7, as amended by Section 1, Chapter 130, O.S.L. 2014 (51 O.S. Supp. 2019, Section 24A.7), is amended to read as follows:

Section 24A.7 A. A public body may keep personnel records confidential:

1. Which relate to internal personnel investigations including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline, or resignation; or

1 2. Where disclosure would constitute a clearly unwarranted
2 invasion of personal privacy such as employee evaluations, payroll
3 deductions, employment applications submitted by persons not hired
4 by the public body, and transcripts from institutions of higher
5 education maintained in the personnel files of certified public
6 school employees; provided, however, that nothing in this subsection
7 shall be construed to exempt from disclosure the degree obtained and
8 the curriculum on the transcripts of certified public school
9 employees.

10 B. All personnel records not specifically falling within the
11 exceptions provided in subsection A or D of this section shall be
12 available for public inspection and copying including, but not
13 limited to, records of:

14 1. An employment application of a person who becomes a public
15 official;

16 2. The gross receipts of public funds;

17 3. The dates of employment, title or position; and

18 4. Any final disciplinary action resulting in loss of pay,
19 suspension, demotion of position, or termination.

20 C. Except as may otherwise be made confidential by statute, an
21 employee of a public body shall have a right of access to his or her
22 own personnel file.

23 D. ~~Public bodies shall keep confidential the~~ The home address,
24 addresses, home telephone numbers ~~and social security,~~ Social

1 Security numbers of any person employed or formerly employed by the
2 public body, private email addresses, and private mobile phone
3 numbers of current and former public employees shall not be open to
4 public inspection or disclosure; provided, however, that nothing in
5 this subsection shall be construed to exempt from disclosure public
6 records created using a private email address or private mobile
7 phone.

8 E. Except as otherwise required by Section 6-101.16 of Title 70
9 of the Oklahoma Statutes, public bodies shall keep confidential all
10 records created pursuant to the Oklahoma Teacher and Leader
11 Effectiveness Evaluation System (TLE) which identify a current or
12 former public employee and contain any evaluation, observation or
13 other TLE record of such employee.

14 SECTION 2. This act shall become effective November 1, 2020.
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16 57-2-10987 AB 02/11/20
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