

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 3040

By: West (Tammy)

7 COMMITTEE SUBSTITUTE

8 An Act relating to open records; amending 51 O.S.  
9 2011, Section 24A.7, as amended by Section 1, Chapter  
10 130, O.S.L. 2014 (51 O.S. Supp. 2019, Section 24A.7),  
11 which relates to personnel records; exempting certain  
12 personal information of public employees from  
13 mandatory disclosure; and providing an effective  
14 date.

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

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

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

- 20 1. Which relate to internal personnel investigations including  
21 examination and selection material for employment, hiring,  
22 appointment, promotion, demotion, discipline, or resignation; or  
23 2. Where disclosure would constitute a clearly unwarranted  
24 invasion of personal privacy such as employee evaluations, payroll

1 deductions, employment applications submitted by persons not hired  
2 by the public body, and transcripts from institutions of higher  
3 education maintained in the personnel files of certified public  
4 school employees; provided, however, that nothing in this subsection  
5 shall be construed to exempt from disclosure the degree obtained and  
6 the curriculum on the transcripts of certified public school  
7 employees.

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

12 1. An employment application of a person who becomes a public  
13 official;

14 2. The gross receipts of public funds;

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

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

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

21 ~~D. Public bodies shall keep confidential the~~ The home address,  
22 addresses, home telephone numbers and social security, Social  
23 Security numbers of any person employed or formerly employed by the  
24 public body, private email addresses, and private mobile phone

1 numbers of current and former public employees shall not be open to  
2 public inspection or disclosure; provided, however, that nothing in  
3 this subsection shall be construed to exempt from disclosure public  
4 records created using a private email address or private mobile  
5 phone.

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

12 SECTION 2. This act shall become effective November 1, 2020.

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