

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2800 _____
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: Ken Luttrell

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

FLOOR SUBSTITUTE
FOR

HOUSE BILL NO. 2800

By: Luttrell

FLOOR SUBSTITUTE

An Act relating to open records; amending 51 O.S. 2011, Section 24A.20, which relates to records in litigation or investigation files; providing that political subdivisions shall not be required to provide records otherwise available through the Criminal Discovery Code; providing for sanctions for violations; 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.20, is amended to read as follows:

Section 24A.20 A. Access to records which, under the Oklahoma Open Records Act, would otherwise be available for public inspection and copying, shall not be denied because a public body or public official is using or has taken possession of such records for investigatory purposes or has placed the records in a litigation or investigation file. However, a law enforcement agency may deny access to a copy of such a record in an investigative file if the

1 record or a true and complete copy thereof is available for public
2 inspection and copying at another public body.

3 B. If a record to be requested from a political subdivision is
4 otherwise available to the requestor through the Criminal Discovery
5 Code contained in Title 22 of the Oklahoma Statutes, the Criminal
6 Discovery Code shall be the exclusive source for obtaining the
7 records. If any request for records is made utilizing the Oklahoma
8 Open Records Act for use by any attorney or on any attorney's behalf
9 in violation of this section, said attorney may be subject to
10 sanctions consistent with Section 2011 of Title 12 of the Oklahoma
11 Statutes. After the political subdivision has given notice and a
12 reasonable opportunity to respond, the political subdivision may
13 bring a motion for sanctions for failure to utilize the Criminal
14 Discovery Code in violation of this section in the court in which
15 the action is pending.

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

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18 57-2-11577 AB 03/02/20
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