

Bill Summary
1st Session of the 57th Legislature

Bill No.:	SB 1003
Version:	FS
Request No.:	2095
Author:	Sen. Allen
Date:	03/11/2019

Floor Substitute (FS)

The FS for SB 1003 creates the Oklahoma Environmental, Health and Safety Audit Privilege Act. The measure defines “environmental or health and safety audit” to be a systematic voluntary evaluation of compliance with environmental or health and safety laws or with any permit issued under an environmental or health and safety law conducted by a person associated with the regulated facility or operation.

The measure outlines the contents of the audit report required by the measure and requires the report to be completed within at least six months, unless an extension is approved by the regulatory entity, after the audit is initiated or the acquisition date. The measure further states that the contents of the audit report are privileged and shall not be subject to discovery in administrative, criminal, or civil proceedings unless the owner or operator waives the privilege. The contents of the report may be disclosed if a corrective action is needed or if the confidentiality agreement allows for such a disclosure. The courts may require the disclosure of all or parts of the report under certain circumstances outlined in the measure. The measure also requires the court to suppress material that is disclosed without authorization.

The FS defines the terms “willfully” and “knowingly” to have the same meanings as defined in Title 21 (Crimes and Punishments) and clarifies the meaning of voluntary disclosure. The FS provides immunity from the penalties of the measure for voluntary disclosure in certain circumstances.

Prepared by: Kalen Taylor