

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 3103

By: Osburn

AS INTRODUCED

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

2. Where disclosure would constitute a clearly unwarranted invasion of personal privacy such as employee evaluations,

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

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

12 1. An employment application of a person who becomes a  
13 public 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,  
19 an employee of a public body shall have a right of access to his  
20 or her own personnel file.

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

1 electronic communication devices of current and former public  
2 employees shall not be open to public inspection or disclosure  
3 without written permission from such current or former public  
4 employees or without an order from a court of competent  
5 jurisdiction.

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

12 SECTION 2. This act shall become effective November 1,  
13 2020.

14  
15 57-2-9060 AB 12/27/19  
16  
17  
18  
19  
20  
21  
22  
23  
24