

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 3810

By: Moore

COMMITTEE SUBSTITUTE

An Act relating to Justices and judges; defining terms; requiring confidentiality of certain personal information of Justices and judges; establishing that Justices and judges shall be permitted to request to keep certain information confidential; permitting court order to keep certain information confidential; establishing requirements for affidavit; creating penalty for disclosing Justice's or judge's personal information; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1407 of Title 20, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Judge" shall include every district court, associate district court, and special judge and every Judge of the Court of Civil Appeals and the Court of Criminal Appeals;

2. "Justice" shall mean every Justice of the Oklahoma Supreme Court;

1 3. "Personal information" shall mean:

- 2 a. the home address of the Justice or judge,
- 3 b. the home address of the spouse, domestic partner, or
- 4 child or children of the Justice or judge,
- 5 c. any telephone number or electronic mail address of the
- 6 Justice or judge,
- 7 d. the name of the Justice's or judge's child or
- 8 children, and
- 9 e. the name of the child care facility or school the
- 10 Justice's or judge's child or children attends.

11 B. All Justices' and judges' personal information shall be
12 confidential and shall not be publicly available on any state or
13 political subdivision publication, website, or media, but instead
14 kept in a secure location where it may be made available to
15 authorized persons pursuant to law or as specifically authorized in
16 writing by the Justice or judge.

17 C. Any Justice or judge who finds his or her personal
18 information is publicly available may request that the government
19 entity remove the personal information. If the government entity
20 does not remove the personal information upon request, the Justice
21 or judge may obtain an order of a court that requires the government
22 entity to remove the personal information of the Justice or judge.
23 Such an order must be based on a sworn affidavit by the Justice or
24 judge, which affidavit:

1 1. States that the individual whose information is to be kept
2 confidential is a Justice or judge;

3 2. States that the Justice or judge made a request to the
4 government entity to remove the information and it was not removed;
5 and

6 3. Sets forth the name of the publication, website, or list
7 where the Justice's or judge's personal information is available to
8 the public.

9 Upon receipt of such an order, the government entity shall keep
10 such information confidential and shall not disclose the
11 confidential information to anyone not specifically authorized by
12 law to view the information, unless disclosure is specifically
13 authorized in writing by the Justice or judge.

14 SECTION 2. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 593 of Title 21, unless there is
16 created a duplication in numbering, reads as follows:

17 It shall be unlawful to knowingly publish any Justice's or
18 judge's personal information in any publicly available publication,
19 website, or media with the intent to threaten, intimidate, or
20 harass. Any person convicted of violating the provisions of this
21 section shall be guilty of a misdemeanor punishable by imprisonment
22 in the county jail for not more than ninety (90) days, or by a fine
23 of not more than Five Hundred Dollars (\$500.00), or by both such
24 fine and imprisonment.

SECTION 3. This act shall become effective November 1, 2022.

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