

OKLAHOMA STATE SENATE  
CONFERENCE  
COMMITTEE REPORT

May 17, 2022

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB 1733

By: Treat and Howard of the Senate and McCall and Moore of the House

Title: Oklahoma Open Records Act; modifying definitions. Effective date.

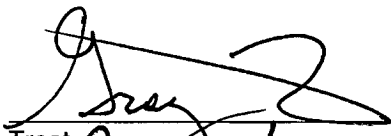
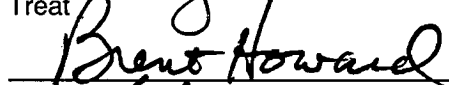
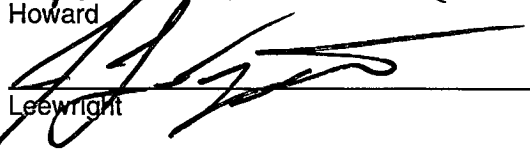
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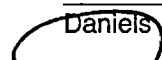
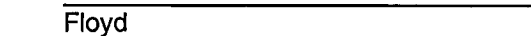
together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the House recede from all Amendments.

Respectfully submitted,

SENATE CONFEREES:

  
Treat  
  
Howard  
  
Leewright  
  
Brooks

  
Daniels  
  
Jech  
  
Floyd

HOUSE CONFEREES:

Conference Committee on Rules

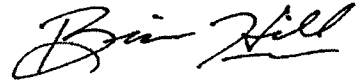
Senate Action \_\_\_\_\_ Date \_\_\_\_\_ House Action \_\_\_\_\_ Date \_\_\_\_\_

SB1733 CCR (A)  
**HOUSE CONFEREES**

Echols, Jon



Hill, Brian



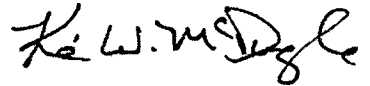
Kannady, Chris

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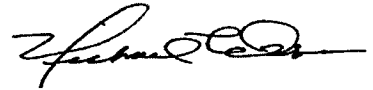
McCall, Charles



McDugle, Kevin



Osburn, Mike



Pfeiffer, John

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Phillips, Logan

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Turner, Mauree

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Virgin, Emily

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West, Tammy



1 ENGROSSED SENATE  
2 BILL NO. 1733

By: Treat and Howard of the  
Senate

3 and

4 McCall of the House  
5  
6

7 An Act relating to the Oklahoma Open Records Act;  
8 amending 51 O.S. 2021, Section 24A.3, which relates  
9 to definitions; modifying definitions; and providing  
10 an effective date.

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

12 SECTION 1. AMENDATORY 51 O.S. 2021, Section 24A.3, is  
13 amended to read as follows:

14 Section 24A.3. As used in the Oklahoma Open Records Act:

15 1. "Record" means all documents, including, but not limited to,  
16 any book, paper, photograph, microfilm, data files created by or  
17 used with computer software, computer tape, disk, record, sound  
18 recording, film recording, video record or other material regardless  
19 of physical form or characteristic, created by, received by, under  
20 the authority of, or coming into the custody, control or possession  
21 of public officials, public bodies, or their representatives in  
22 connection with the transaction of public business, the expenditure  
23 of public funds or the administering of public property. "Record"  
24 does not mean:

- 1 a. computer software,
- 2 b. nongovernment personal effects,
- 3 c. unless public disclosure is required by other laws or
- 4 regulations, vehicle movement records of the Oklahoma
- 5 Transportation Authority obtained in connection with
- 6 the Authority's electronic toll collection system,
- 7 d. personal financial information, credit reports or
- 8 other financial data obtained by or submitted to a
- 9 public body for the purpose of evaluating credit
- 10 worthiness, obtaining a license, permit, or for the
- 11 purpose of becoming qualified to contract with a
- 12 public body,
- 13 e. any digital audio/video recordings of the toll
- 14 collection and safeguarding activities of the Oklahoma
- 15 Transportation Authority,
- 16 f. any personal information provided by a guest at any
- 17 facility owned or operated by the Oklahoma Tourism and
- 18 Recreation Department ~~or the Board of Trustees of the~~
- 19 ~~Quartz Mountain Arts and Conference Center and Nature~~
- 20 ~~Park~~ to obtain any service at the facility or by a
- 21 purchaser of a product sold by or through the Oklahoma
- 22 Tourism and Recreation Department ~~or the Quartz~~
- 23 ~~Mountain Arts and Conference Center and Nature Park,~~
- 24

1           g.    a Department of Defense Form 214 (DD Form 214) filed  
2                   with a county clerk, including any DD Form 214 filed  
3                   before July 1, 2002, or

4           h.    except as provided for in Section 2-110 of Title 47 of  
5                   the Oklahoma Statutes,

6                   (1) any record in connection with a Motor Vehicle  
7                         Report issued by the Department of Public Safety,  
8                         as prescribed in Section 6-117 of Title 47 of the  
9                         Oklahoma Statutes, or

10                  (2) personal information within driver records, as  
11                         defined by the Driver's Privacy Protection Act,  
12                         18 United States Code, Sections 2721 through  
13                         2725, which are stored and maintained by the  
14                         Department of Public Safety;

15        2.    "Public body" shall include, but not be limited to, any  
16 office, department, board, bureau, commission, agency, trusteeship,  
17 authority, council, committee, trust or any entity created by a  
18 trust, county, city, village, town, township, district, school  
19 district, fair board, court, executive office, advisory group, task  
20 force, study group, or any subdivision thereof, supported in whole  
21 or in part by public funds or entrusted with the expenditure of  
22 public funds or administering or operating public property, and all  
23 committees, or subcommittees thereof. Except for the records  
24 required by Section 24A.4 of this title, "public body" does not mean

judges, justices, the Council on Judicial Complaints, the  
Legislature, or legislators. "Public body" shall not include an  
organization that is exempt from federal income tax under Section  
501(c)(3) of the Internal Revenue Code of 1986, as amended, and  
whose sole beneficiary is a college or university, or an affiliated  
entity of the college or university, that is a member of The  
Oklahoma State System of Higher Education. Such organization shall  
not receive direct appropriations from the Oklahoma Legislature.  
The following persons shall not be eligible to serve as a voting  
member of the governing board of the organization:

- a. a member, officer, or employee of the Oklahoma State  
Regents for Higher Education,
- b. a member of the board of regents or other governing  
board of the college or university that is the sole  
beneficiary of the organization, or
- c. an officer or employee of the college or university  
that is the sole beneficiary of the organization;

3. "Public office" means the physical location where public  
bodies conduct business or keep records;

4. "Public official" means any official or employee of any  
public body as defined herein; and

5. "Law enforcement agency" means any public body charged with  
enforcing state or local criminal laws and initiating criminal  
prosecutions, including, but not limited to, police departments,

1 county sheriffs, the Department of Public Safety, the Oklahoma State  
2 Bureau of Narcotics and Dangerous Drugs Control, the Alcoholic  
3 Beverage Laws Enforcement Commission, and the Oklahoma State Bureau  
4 of Investigation.

5 SECTION 2. This act shall become effective November 1, 2022.

6 Passed the Senate the 8th day of March, 2022.

7  
8 Presiding Officer of the Senate

9  
10 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
11 2022.

12  
13 Presiding Officer of the House  
14 of Representatives  
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