

1 ENGROSSED HOUSE
2 BILL NO. 2778

By: Pfeiffer of the House

3 and

4 Coleman of the Senate
5
6

7 An Act relating to counties and county officers;
8 amending 19 O.S. 2011, Section 215.22, as last
9 amended by Section 4, Chapter 22, O.S.L. 2017 (19
10 O.S. Supp. 2020, Section 215.22), which relates to
11 records of the district attorney; clarifying
12 circumstances that allow for the destruction of
13 certain records and files of the district attorney;
14 authorizing the destruction of wildlife cases and
15 records; and providing an effective date.

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

17 SECTION 1. AMENDATORY 19 O.S. 2011, Section 215.22, as
18 last amended by Section 4, Chapter 22, O.S.L. 2017 (19 O.S. Supp.
19 2020, Section 215.22), is amended to read as follows:

20 Section 215.22 A. The district attorney is hereby authorized
21 to destroy all or a portion of his or her office records and files
22 relating to:

23 1. Any felony case or record relating to a felony investigation
24 except where a homicide is involved, provided a period of ten (10)
years shall have elapsed since the last action in said case ~~and~~
~~provided, or where~~ the district attorney ~~shall digitize~~ has

1 digitized or ~~provide~~ provided computer storage for such felony
2 cases;

3 2. Any misdemeanor ~~or~~ case, traffic case, wildlife case or
4 record relating to a misdemeanor ~~or~~, traffic or wildlife
5 investigation, provided a period of five (5) years shall have
6 elapsed since the last action in said case ~~and provided~~ or where the
7 district attorney ~~in his or her discretion may digitize~~ has
8 digitized or ~~provide~~ provided computer storage for such misdemeanor
9 ~~or~~, traffic or wildlife cases to be destroyed;

10 3. Any juvenile case, provided a period of ten (10) years shall
11 have elapsed since the last action in said case ~~and provided~~, or
12 where the district attorney ~~in his or her discretion may digitize~~
13 has digitized or ~~provide~~ provided computer storage for such juvenile
14 case to be destroyed; and

15 4. Any civil case, provided a period of ten (10) years shall
16 have elapsed since the last action in said case ~~and provided~~, or
17 where the district attorney ~~in his or her discretion may digitize~~
18 has digitized or ~~provide~~ provided computer storage for such civil
19 case to be destroyed.

20 B. The district attorney is authorized to reproduce a copy of
21 such record, file or case stored digitally or in computer storage as
22 provided in this section and such copy or computer-generated image
23 or record may be used by the district attorney in lieu of the
24 destroyed record, file or case, for all purposes.

SECTION 2. This act shall become effective November 1, 2021.

Passed the House of Representatives the 3rd day of March, 2021.

Presiding Officer of the House
of Representatives

Passed the Senate the ____ day of _____, 2021.

Presiding Officer of the Senate