

# An Act

ENROLLED HOUSE  
BILL NO. 2778

By: Pfeiffer of the House

and

Coleman of the Senate

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

SUBJECT: Counties and county officers

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

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

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

1. Any felony case or record relating to a felony investigation 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 digitized or provide provided computer storage for such felony cases;

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

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

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

B. The district attorney is authorized to reproduce a copy of such record, file or case stored digitally or in computer storage as provided in this section and such copy or computer-generated image or record may be used by the district attorney in lieu of the 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 21st day of April, 2021.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_