

An Act

ENROLLED HOUSE
BILL NO. 4192

By: Echols of the House

and

Standridge of the Senate

An Act relating to state government; amending 74 O.S. 2021, Section 3106.4, which relates to personally identifiable data; adding penalties for noncompliant agencies; and providing an effective date.

SUBJECT: State government

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

SECTION 1. AMENDATORY 74 O.S. 2021, Section 3106.4, is amended to read as follows:

Section 3106.4 A. Public bodies shall make available on their Internet website or on a general website if a public body uses a general website, the following:

1. Any administrative rules adopted pursuant to the Administrative Procedures Act, which the public body uses to operate;

2. Any proposed administrative rules submitted by the public body pursuant to the Administrative Procedures Act;

3. Any statutes affecting the public body and its operations;
and

4. Any statutes the public may find useful in interacting with the public body.

B. For purposes of this section, "public body" is defined as provided by paragraph 1 of Section 304 of Title 25 of the Oklahoma Statutes.

C. In addition to the requirements listed in subsection A of this section, any public body that collects personally identifiable data shall make available on its Internet website, or on a general website if a public body uses a general website, the following:

1. What personally identifiable data is being stored;
2. How the personally identifiable data is stored; and
3. With whom the public body shares the personally identifiable data.

D. For purposes of this section, "personally identifiable data" means information which can identify an individual including, but not limited to, name, birth date, place of birth, mother's maiden name, biometric records, Social Security number, official state- or government-issued driver license or identification number, alien registration number, government passport number, employer or taxpayer identification number or any other information that is linked or linkable to an individual, such as medical, educational, financial or employment information.

E. It shall be the responsibility of each agency director to ensure compliance with this section, for existing administrative rules or proposed administrative rules, pursuant to the Administrative Procedures Act, or any statute affecting the public body and its operations that have been enacted or any personally identifiable data that has been collected, within twelve (12) months of the effective date of this act and within twelve (12) months of any new administrative rule or proposed administrative rule, pursuant to the Administrative Procedures Act, or any new statute affecting the public body and its operations or when personally identifiable data is collected. Any noncompliance with this section shall result in removal of the agency director who may only return after being reappointed.

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

Passed the House of Representatives the 23rd day of March, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the 26th day of April, 2022.

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: _____