

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 858, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Dugger

Dugger-MR-FS-Req#1876
2/22/2021 1:38 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 858

By: Dugger of the Senate

and

Talley of the House

FLOOR SUBSTITUTE

An Act relating to counties and county officers;
requiring that a county clerk and a county treasurer
shall keep the personal information of law
enforcement officers confidential; defining term;
requiring law enforcement official to obtain an order
of a court to keep personal information confidential;
directing the office upon receipt of the order to
keep information confidential and not to disclose
unless under certain circumstances; amending Section
1, Chapter 219, O.S.L. 2019 (68 O.S. Supp. 2020,
Section 2899.1), which relates to requests from law
enforcement organizations to keep personal
information confidential; removing certain
limitation; 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 243.1 of Title 19, unless there
is created a duplication in numbering, reads as follows:

1 A. All law enforcement organizations in this state shall be
2 permitted to request to a county clerk that personal information
3 regarding law enforcement officers not be made publicly available on
4 the Internet, but instead kept in a secure location at a county
5 clerk's office where it may be made available to the authorized
6 persons pursuant to law.

7 B. For purposes of this section, "personal information" shall
8 mean:

9 1. The home address of a person;

10 2. The home address of the spouse, domestic partner or minor
11 child of a person; and

12 3. Any telephone number or electronic mail address of a person.

13 C. Any law enforcement official who wishes to have the personal
14 information of an officer that is contained in the records of a
15 county clerk be kept confidential must obtain an order of a court
16 that requires the county clerk to maintain the personal information
17 of the person or entity in a confidential manner. Such an order
18 must be based on a sworn affidavit by the law enforcement official,
19 which affidavit:

20 1. States that the individual whose information is to be kept
21 confidential is an officer; and

22 2. Sets forth sufficient justification for the request for
23 confidentiality.
24

1 Upon receipt of such an order, a county clerk shall keep such
2 information confidential and shall not disclose the confidential
3 information to anyone not specifically authorized by law to view the
4 information, unless disclosure is specifically authorized in writing
5 by that person or the affiant. A county clerk shall not post such
6 confidential information on the Internet.

7 SECTION 2. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 625.1 of Title 19, unless there
9 is created a duplication in numbering, reads as follows:

10 A. All law enforcement organizations in this state shall be
11 permitted to request to a county treasurer that personal information
12 regarding law enforcement officers not be made publicly available on
13 the Internet, but instead kept in a secure location at a county
14 treasurer's office where it may be made available to the authorized
15 persons pursuant to law.

16 B. For purposes of this section, "personal information" shall
17 mean:

- 18 1. The home address of a person;
19 2. The home address of the spouse, domestic partner or minor
20 child of a person; and
21 3. Any telephone number or electronic mail address of a person.

22 C. Any law enforcement official who wishes to have the personal
23 information of an officer that is contained in the records of a
24 county treasurer be kept confidential must obtain an order of a

1 court that requires the county treasurer to maintain the personal
2 information of the person or entity in a confidential manner. Such
3 an order must be based on a sworn affidavit by the law enforcement
4 official, which affidavit:

5 1. States that the individual whose information is to be kept
6 confidential is an officer; and

7 2. Sets forth sufficient justification for the request for
8 confidentiality.

9 Upon receipt of such an order, a county treasurer 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 that person or the affiant. A county
14 treasurer shall not post such confidential information on the
15 Internet.

16 SECTION 3. AMENDATORY Section 1, Chapter 219, O.S.L.
17 2019 (68 O.S. Supp. 2020, Section 2899.1), is amended to read as
18 follows:

19 Section 2899.1. A. All law enforcement organizations in ~~the~~
20 this state of ~~Oklahoma~~ shall be permitted to request to a county
21 assessor that personal information regarding ~~undercover or covert~~
22 law enforcement officers not be made publicly available on the
23 Internet, but instead kept in a secure location at a county
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1 assessor's office where it may be made available to authorized
2 persons pursuant to law.

3 B. For purposes of this section, "personal information" shall
4 mean:

5 1. The home address of a person;

6 2. The home address of the spouse, domestic partner or minor
7 child of a person; and

8 3. Any telephone number or electronic mail address of a person.

9 C. Any law enforcement official who wishes to have the personal
10 information of an ~~undercover or covert~~ officer that is contained in
11 the records of a county assessor be kept confidential must obtain an
12 order of a court that requires the county assessor to maintain the
13 personal information of the person or entity in a confidential
14 manner. Such an order must be based on a sworn affidavit by the law
15 enforcement official, which affidavit:

16 1. States that the individual whose information is to be kept
17 confidential is an ~~undercover or covert~~ officer; and

18 2. Sets forth sufficient justification for the request for
19 confidentiality.

20 Upon receipt of such an order, a county assessor shall keep such
21 information confidential and shall not disclose the confidential
22 information to anyone not specifically authorized by law to view the
23 information, unless disclosure is specifically authorized in writing
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1 by that person or the affiant. A county assessor shall not post
2 such confidential information on the Internet.

3 SECTION 4. This act shall become effective November 1, 2021.

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5 58-1-1876 MR 2/22/2021 1:38:00 PM

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