

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 58th Legislature (2021)

4   HOUSE BILL 1876

By: West (Tammy) of the House

5   and

6   **Stanley** of the Senate

7  
8  
9   AS INTRODUCED

10           An Act relating to open records; amending 51 O.S.  
11           2011, Section 24A.7, as amended by Section 1, Chapter  
12           130, O.S.L. 2014 (51 O.S. Supp. 2020, Section 24A.7),  
13           which relates to personnel records; exempting certain  
14           personal information of public employees from  
15           mandatory disclosure; and providing an effective  
16           date.

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

17           SECTION 1.           AMENDATORY           51 O.S. 2011, Section 24A.7, as  
18           amended by Section 1, Chapter 130, O.S.L. 2014 (51 O.S. Supp. 2020,  
19           Section 24A.7), is amended to read as follows:

20           Section 24A.7   A.   A public body may keep personnel records  
21           confidential:

22           1.   Which relate to internal personnel investigations including  
23           examination and selection material for employment, hiring,  
24           appointment, promotion, demotion, discipline, or resignation; or

1        2. Where disclosure would constitute a clearly unwarranted  
2 invasion of personal privacy such as employee evaluations, payroll  
3 deductions, employment applications submitted by persons not hired  
4 by the public body, and transcripts from institutions of higher  
5 education maintained in the personnel files of certified public  
6 school employees; provided, however, that nothing in this subsection  
7 shall be construed to exempt from disclosure the degree obtained and  
8 the curriculum on the transcripts of certified public school  
9 employees.

10        B. All personnel records not specifically falling within the  
11 exceptions provided in subsection A or D of this section shall be  
12 available for public inspection and copying including, but not  
13 limited to, records of:

14            1. An employment application of a person who becomes a public  
15 official;

16            2. The gross receipts of public funds;

17            3. The dates of employment, title or position; and

18            4. Any final disciplinary action resulting in loss of pay,  
19 suspension, demotion of position, or termination.

20        C. Except as may otherwise be made confidential by statute, an  
21 employee of a public body shall have a right of access to his own  
22 personnel file.

23        D. ~~Public bodies shall keep confidential the~~ The home address,  
24 addresses, home telephone numbers and social security, Social

1 ~~Security numbers of any person employed or formerly employed by the~~  
2 ~~public body, private email addresses, and private mobile phone~~  
3 ~~numbers of current and former public employees shall not be open to~~  
4 ~~public inspection or disclosure; provided, however, that nothing in~~  
5 ~~this subsection shall be construed to exempt from disclosure public~~  
6 ~~records created using a private email address or private mobile~~  
7 ~~phone.~~

8 E. Except as otherwise required by Section 6-101.16 of Title 70  
9 of the Oklahoma Statutes, public bodies shall keep confidential all  
10 records created pursuant to the Oklahoma Teacher and Leader  
11 Effectiveness Evaluation System (TLE) which identify a current or  
12 former public employee and contain any evaluation, observation or  
13 other TLE record of such employee.

14 SECTION 2. This act shall become effective November 1, 2021.  
15

16 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated  
17 02/10/2021 - DO PASS, As Coauthored.  
18  
19  
20  
21  
22  
23  
24