

SENATE FLOOR VERSION

April 6, 2022

ENGROSSED 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.

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

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

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

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

10 1. What personally identifiable data is being stored;

11 2. How the personally identifiable data is stored; and

12 3. With whom the public body shares the personally identifiable
13 data.

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

23 E. It shall be the responsibility of each agency director to
24 ensure compliance with this section, for existing administrative

1 rules or proposed administrative rules, pursuant to the
2 Administrative Procedures Act, or any statute affecting the public
3 body and its operations that have been enacted or any personally
4 identifiable data that has been collected, within twelve (12) months
5 of the effective date of this act and within twelve (12) months of
6 any new administrative rule or proposed administrative rule,
7 pursuant to the Administrative Procedures Act, or any new statute
8 affecting the public body and its operations or when personally
9 identifiable data is collected. Any noncompliance with this section
10 shall result in removal of the agency director who may only return
11 after being reappointed.

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

13 COMMITTEE REPORT BY: COMMITTEE ON RULES
14 April 6, 2022 - DO PASS
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