1	SENATE FLOOR VERSION
	March 1, 2022
2	AS AMENDED
3	SENATE BILL NO. 1733 By: Howard and Treat of the Senate
4	and
5	McCall of the House
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9	An Act relating to the Oklahoma Open Records Act; amending 51 O.S. 2021, Section 24A.3, which relates
10	to definitions; modifying definitions; and providing an effective date.
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13	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
14	SECTION 1. AMENDATORY 51 O.S. 2021, Section 24A.3, is
15	amended to read as follows:
16	Section 24A.3. As used in the Oklahoma Open Records Act:
17	1. "Record" means all documents $_{ au}$ including, but not limited to,
18	any book, paper, photograph, microfilm, data files created by or
19	used with computer software, computer tape, disk, record, sound
20	recording, film recording, video record or other material regardless
21	of physical form or characteristic, created by, received by, under
22	the authority of, or coming into the custody, control or possession
23	of public officials, public bodies, or their representatives in
24	connection with the transaction of public business, the expenditure

SENATE FLOOR VERSION - SB1733 SFLR (Bold face denotes Committee Amendments) of public funds or the administering of public property. "Record"
does not mean:

- computer software, 3 a. nongovernment personal effects, 4 b. 5 с. unless public disclosure is required by other laws or regulations, vehicle movement records of the Oklahoma 6 Transportation Authority obtained in connection with 7 the Authority's electronic toll collection system, 8 9 d. personal financial information, credit reports or other financial data obtained by or submitted to a 10 public body for the purpose of evaluating credit 11 worthiness, obtaining a license, permit, or for the 12 purpose of becoming qualified to contract with a 13 public body, 14 any digital audio/video recordings of the toll 15 e.
- 15 e. any digital additivideo recordings of the torr 16 collection and safeguarding activities of the Oklahoma 17 Transportation Authority,
- 18f. any personal information provided by a guest at any19facility owned or operated by the Oklahoma Tourism and20Recreation Department or the Board of Trustees of the21Quartz Mountain Arts and Conference Center and Nature22Park to obtain any service at the facility or by a23purchaser of a product sold by or through the Oklahoma
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1 Tourism and Recreation Department or the Quartz Mountain Arts and Conference Center and Nature Park, 2 a Department of Defense Form 214 (DD Form 214) filed 3 g. with a county clerk - including any DD Form 214 filed 4 5 before July 1, 2002, or except as provided for in Section 2-110 of Title 47 of 6 h. the Oklahoma Statutes, 7 any record in connection with a Motor Vehicle 8 (1)9 Report issued by the Department of Public Safety, as prescribed in Section 6-117 of Title 47 of the 10 Oklahoma Statutes, or 11 12 (2) personal information within driver records, as defined by the Driver's Privacy Protection Act, 13 18 United States Code, Sections 2721 through 14 2725, which are stored and maintained by the 15 Department of Public Safety; 16 2. "Public body" shall include, but not be limited to, any 17 office, department, board, bureau, commission, agency, trusteeship, 18 authority, council, committee, trust or any entity created by a 19 trust, county, city, village, town, township, district, school 20 district, fair board, court, executive office, advisory group, task 21 force, study group, or any subdivision thereof, supported in whole 22 or in part by public funds or entrusted with the expenditure of 23 public funds or administering or operating public property, and all 24

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1	committees, or subcommittees thereof. Except for the records
2	required by Section 24A.4 of this title, "public body" does not mean
3	judges, justices, the Council on Judicial Complaints, the
4	Legislature, or legislators. "Public body" shall not include an
5	organization that is exempt from federal income tax under Section
6	501(c)(3) of the Internal Revenue Code of 1986, as amended, and
7	whose sole beneficiary is a college or university, or an affiliated
8	entity of the college or university, that is a member of The
9	Oklahoma State System of Higher Education. Such organization shall
10	not receive direct appropriations from the Oklahoma Legislature.
11	The following persons shall not be eligible to serve as a <b>voting</b>
12	member of the governing board of the organization:
13	a. a member, officer, or employee of the Oklahoma State
14	Regents for Higher Education,
15	b. a member of the board of regents or other governing
16	board of the college or university that is the sole
17	beneficiary of the organization, or
18	<u>c.</u> an officer or employee of the college or university
19	that is the sole beneficiary of the organization;
20	3. "Public office" means the physical location where public
21	bodies conduct business or keep records;
22	4. "Public official" means any official or employee of any
23	public body as defined herein; and
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1	5. "Law enforcement agency" means any public body charged with
2	enforcing state or local criminal laws and initiating criminal
3	prosecutions, including, but not limited to, police departments,
4	county sheriffs, the Department of Public Safety, the Oklahoma State
5	Bureau of Narcotics and Dangerous Drugs Control, the Alcoholic
6	Beverage Laws Enforcement Commission, and the Oklahoma State Bureau
7	of Investigation.
8	SECTION 2. This act shall become effective November 1, 2022.
9	COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY March 1, 2022 - DO PASS AS AMENDED
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