

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

SENATE BILL 47

By: Coleman

AS INTRODUCED

An Act relating to district attorneys; amending 19 O.S. 2011, Section 215.22, as last amended by Section 4, Chapter 22, O.S.L. 2017 (19 O.S. Supp. 2020, Section 215.22), which relates to destruction and reproduction of records; modifying requirements for destruction of certain records; and providing an effective date.

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

SECTION 1. AMENDATORY 19 O.S. 2011, Section 215.22, as last amended by Section 4, Chapter 22, O.S.L. 2017 (19 O.S. Supp. 2020, Section 215.22), is amended to read as follows:

Section 215.22. A. The district attorney is hereby authorized to destroy all or a portion of his or her office records and files relating to:

1. Any felony case or record relating to a felony investigation except where a homicide is involved, ~~provided if~~ if a period of ten (10) years ~~shall have~~ has elapsed since the last action in ~~said the~~ the case ~~and provided or if~~ or if the district attorney ~~shall digitize~~ has

1 digitized or ~~provide~~ provided computer storage for such felony cases  
2 or records;

3 2. Any misdemeanor, wildlife or traffic case or record relating  
4 to a misdemeanor, wildlife or traffic investigation, ~~provided if~~ a  
5 period of five (5) years ~~shall have~~ has elapsed since the last  
6 action in ~~said the case and provided or if~~ the district attorney in  
7 ~~his or her discretion may digitize~~ has digitized or ~~provide~~ provided  
8 computer storage for such misdemeanor, wildlife or traffic cases to  
9 be destroyed;

10 3. Any juvenile case, ~~provided if~~ a period of ten (10) years  
11 ~~shall have~~ has elapsed since the last action in ~~said the case and~~  
12 ~~provided or if~~ the district attorney in ~~his or her discretion may~~  
13 ~~digitize~~ has digitized or ~~provide~~ provided computer storage for such  
14 juvenile case to be destroyed; and

15 4. Any civil case, ~~provided if~~ a period of ten (10) years ~~shall~~  
16 ~~have~~ has elapsed since the last action in ~~said the case and provided~~  
17 ~~or if~~ the district attorney in ~~his or her discretion may digitize~~  
18 has digitized or ~~provide~~ provided computer storage for such civil  
19 case to be destroyed.

20 B. The district attorney is authorized to reproduce a copy of  
21 ~~such a~~ record, file or case stored digitally or in computer storage  
22 as provided in this section and such copy or computer-generated  
23 image or record may be used by the district attorney in lieu of the  
24 destroyed record, file or case, for all purposes.

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

2  
3       58-1-506           TEK           11/23/2020 2:01:27 PM  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25