

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 858

By: Dugger

4
5
6 AS INTRODUCED

7 An Act relating to counties and county officers;
8 requiring that a county clerk, county treasurer and a
9 county election board shall keep the personal
10 information of law enforcement officers confidential;
11 defining term; requiring law enforcement official to
12 obtain an order of a court to keep personal
13 information confidential; directing the office upon
14 receipt of the order to keep information confidential
15 and not to disclose unless under certain
16 circumstances; amending Section 1, Chapter 219,
17 O.S.L. 2019 (68 O.S. Supp. 2020, Section 2899.1),
18 which relates to requests from law enforcement
19 organizations to keep personal information
20 confidential; removing certain limitation; providing
21 for codification; and providing an effective date.

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

23 SECTION 1. NEW LAW A new section of law to be codified
24 in the Oklahoma Statutes as Section 243.1 of Title 19, unless there
is created a duplication in numbering, reads as follows:

25 A. All law enforcement organizations in this state shall be
26 permitted to request to a county clerk that personal information
27 regarding law enforcement officers not be made publicly available on
28 the Internet, but instead kept in a secure location at a county

1 clerk's office where it may be made available to the 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 officer that is contained in the records of a
11 county clerk be kept confidential must obtain an order of a court
12 that requires the county clerk to maintain the personal information
13 of the person or entity in a confidential manner. Such an order
14 must be based on a sworn affidavit by the law enforcement official,
15 which affidavit:

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

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

20 Upon receipt of such an order, a county clerk 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
24

1 by that person or the affiant. A county clerk shall not post such
2 confidential information on the Internet.

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

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

12 B. For purposes of this section, "personal information" shall
13 mean:

14 1. The home address of a person;

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

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

18 C. Any law enforcement official who wishes to have the personal
19 information of an officer that is contained in the records of a
20 county treasurer be kept confidential must obtain an order of a
21 court that requires the county treasurer to maintain the personal
22 information of the person or entity in a confidential manner. Such
23 an order must be based on a sworn affidavit by the law enforcement
24 official, which affidavit:

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

3 2. Sets forth sufficient justification for the request for
4 confidentiality.

5 Upon receipt of such an order, a county treasurer shall keep
6 such information confidential and shall not disclose the
7 confidential information to anyone not specifically authorized by
8 law to view the information, unless disclosure is specifically
9 authorized in writing by that person or the affiant. A county
10 treasurer shall not post such confidential information on the
11 Internet.

12 SECTION 3. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 2-116.1 of Title 26, unless
14 there is created a duplication in numbering, reads as follows:

15 A. All law enforcement organizations in this state shall be
16 permitted to request to a county election board that personal
17 information regarding law enforcement officers not be made publicly
18 available on the Internet, but instead kept in a secure location at
19 a county election board's office where it may be made available to
20 the authorized persons pursuant to law.

21 B. For purposes of this section, "personal information" shall
22 mean:

23 1. The home address of a person;
24
25

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

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

4 C. Any law enforcement official who wishes to have the personal
5 information of an officer that is contained in the records of a
6 county election board be kept confidential must obtain an order of a
7 court that requires the county election board to maintain the
8 personal information of the person or entity in a confidential
9 manner. Such an order must be based on a sworn affidavit by the law
10 enforcement official, which affidavit:

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

13 2. Sets forth sufficient justification for the request for
14 confidentiality.

15 Upon receipt of such an order, a county election board shall
16 keep such information confidential and shall not disclose the
17 confidential information to anyone not specifically authorized by
18 law to view the information, unless disclosure is specifically
19 authorized in writing by that person or the affiant. A county
20 election board shall not post such confidential information on the
21 Internet.

22 SECTION 4. AMENDATORY Section 1, Chapter 219, O.S.L.
23 2019 (68 O.S. Supp. 2020, Section 2899.1), is amended to read as
24 follows:

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

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

10 1. The home address of a person;

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

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

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

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

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

SECTION 5. This act shall become effective November 1, 2021.

58-1-838 MR 1/21/2021 4:13:46 PM