

SENATE FLOOR VERSION

February 22, 2024

SENATE BILL NO. 1579

By: Hamilton

An Act relating to the Department of Public Safety; authorizing Commissioner of Public Safety to assign personnel to carry out certain duties related to protecting the public from terrorism and other threats; authorizing the Commissioner to assign Department of Public Safety attorneys to support certain efforts; prohibiting release of certain information; providing exceptions to release of certain information; creating misdemeanor offense; authorizing Commissioner to promulgate rules; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-105.9 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. The Commissioner of Public Safety may assign personnel within the Department of Public Safety to:

1. Collect information concerning the activity and identity of individuals reasonably suspected of involvement in terrorism, threats to public safety, organized crime, criminal conspiracies, or any other threats of violent crime;

1 2. Analyze collected information and disseminate such
2 information to other law enforcement and public safety agencies;

3 3. Coordinate the efforts of this state with local, state, and
4 federal agencies to protect citizens from terrorism, threats to
5 public safety, organized crime, criminal conspiracies, or any other
6 threats of violent crime by creating a clearinghouse of crime-
7 related information for use by local, state, and federal law
8 enforcement agencies; and

9 4. Provide training to peace officers of this state concerning
10 the legal collection, preservation, and dissemination of crime-
11 related information.

12 B. The Commissioner may assign attorneys of the Department of
13 Public Safety to support such criminal analysis and investigative
14 functions, including providing assistance to the district attorney
15 in pursuing search warrants, arrest warrants, and other forms of
16 court orders and process in connection with criminal investigations
17 of the Department.

18 C. Release of information compiled pursuant to this section
19 shall be prohibited except for release of information to law
20 enforcement agencies and prosecutorial authorities for the purpose
21 of crime prevention, criminal investigation, or criminal
22 prosecution. If the Commissioner determines it necessary to do so
23 in the interest of public safety or crime prevention, the
24 Commissioner may authorize the release of information compiled

1 pursuant to this section to leadership of this state or any
2 political subdivision, critical infrastructure personnel, the target
3 of any threat, or any segment of the public. Unauthorized release
4 or unauthorized use of this information shall be a misdemeanor and
5 shall be punishable by imprisonment in the county jail for a term
6 not exceeding (1) year or a fine not exceeding Fifty Thousand
7 Dollars (\$50,000.00), or by both such fine and imprisonment. As
8 used in this section, "unauthorized release" or "unauthorized use"
9 shall include, but not be limited to, giving the information to any
10 person who is not a law enforcement officer or prosecutorial
11 authority unless necessitated by an ongoing criminal investigation,
12 or release of information to a law enforcement officer who is not
13 engaged in a criminal investigation requiring the information or who
14 is not authorized by his or her agency to receive such information,
15 or release of information without the express authority of the
16 Commissioner or in violation of any rules promulgated by the
17 Department of Public Safety. Information collected and compiled
18 under the authority of this section shall be privileged and not
19 discoverable nor subject to subpoena or order for production issued
20 by any court, other than production in a district court criminal
21 proceeding for the prosecution of crimes which are the subject of
22 the information sought.

23 D. The Commissioner shall promulgate rules to implement the
24 provisions of this section.

1 SECTION 2. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

5 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
6 February 22, 2024 - DO PASS
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