

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 2289

By: Hilbert of the House

and

Paxton of the Senate

7 An Act relating to elected officials; creating the
8 Oklahoma Federal and Statewide Officials Security Act
of 2025; defining terms; establishing notice system
9 for federal and statewide officials and their
immediate family to ensure compliance; prohibiting
10 state agencies from publicly posting or displaying
certain sensitive information; clarifying exceptions;
11 authorizing the Executive Director of the Office of
Management and Enterprise Services to make notice on
12 behalf of federal and statewide officials; providing
what is proper notice; permitting delegation of
13 authority; providing alternative to individual
notice; directing the Executive Director of the
14 Office of Management and Enterprise Services to
submit report; prohibiting certain acts by entities
15 with respect to certain information; providing
exceptions; prohibiting persons, businesses, and
16 associations from certain activities; providing
exceptions; establishing time within the removal of
17 certain information must be made; prohibiting
transfer of information; providing exceptions;
18 creating a right of action for certain individuals;
providing penalty for violations; clarifying scope of
19 act; providing for severability; providing for
codification; and providing an effective date.

21 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
22 entire bill and insert

23 "An Act relating to judicial and elected official
24 security and privacy; amending Sections 1, 2, 3, and
5, Chapter 350, O.S.L. 2023 (20 O.S. Supp. 2024,

1 Sections 3011, 3012, 3013, and 3015), which relate to
2 the Oklahoma Judicial Security and Privacy Act of
3 2023; creating the Oklahoma Elected Official and
4 Judicial Security and Privacy Act of 2025; modifying
5 short title; modifying definition; modifying certain
6 exception for access to certain records; modifying
7 required contents of certain report; amending 26 O.S.
8 2021, Section 4-115.2, as amended by Section 2,
9 Chapter 147, O.S.L. 2023 (26 O.S. Supp. 2024, Section
10 4-115.2), which relates to confidentiality of
11 residence and mailing address; adding elected federal
12 and state officials to certain class; updating
13 statutory references; updating statutory language;
14 providing an effective date; and declaring an
15 emergency.

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

19 SECTION 1. AMENDATORY Section 1, Chapter 350, O.S.L.
20 2023 (20 O.S. Supp. 2024, Section 3011), is amended to read as
21 follows:

22 Section 3011. This act shall be known and may be cited as the
23 "Oklahoma Elected Official and Judicial Security and Privacy Act of
24 ~~2023~~ 2025".

SECTION 2. AMENDATORY Section 2, Chapter 350, O.S.L.
2023 (20 O.S. Supp. 2024, Section 3012), is amended to read as
follows:

Section 3012. As used in ~~this act~~ the Oklahoma Elected Official
and Judicial Security and Privacy Act of 2025:

1. The term "at-risk individual" means any currently elected
federal official of this state, any current state official elected
statewide, or any active or retired member of the State Judiciary,

1 and shall also include municipal, county, tribal, and federal
2 judges;

3 2. The term "commercial entity" means any corporation,
4 partnership, limited partnership, proprietorship, sole
5 proprietorship, firm, enterprise, franchise, or association engaged
6 in the buying or selling of goods or services for profit;

7 3. The term "covered information" means:

8 a. a home address, including primary residence or
9 secondary residences of an at-risk individual,

10 b. a home or personal mobile telephone number, or the
11 direct telephone number of a government-issued cell
12 phone or private extension in the chambers of an at-
13 risk individual,

14 c. a personal email address of an at-risk individual,

15 ~~d. the Social Security number, driver license number, or~~
16 ~~home address displayed on voter registration~~
17 ~~information of an at-risk individual,~~

18 ~~e. the~~ the bank account or credit or debit card information
19 of an at-risk individual,

20 ~~f. e.~~ e. the home or other address displayed on property tax
21 records or held by a federal, state, or local
22 government agency of an at-risk individual, including
23 any secondary residence and any investment property at
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1 which an at-risk individual resides for part of a
2 year,
3 ~~g.~~ f. a license plate number or home address displayed on
4 vehicle registration information of an at-risk
5 individual,
6 ~~h.~~ g. the identification of children under the age of
7 eighteen (18) of an at-risk individual or any child
8 under the age of twenty-six (26) whose permanent
9 residence is the home of the at-risk individual,
10 ~~i.~~ h. the full date of birth,
11 ~~j.~~ i. a photograph of any vehicle that legibly displays the
12 license plate or a photograph of a residence that
13 legibly displays the address of the residence of an
14 at-risk individual,
15 ~~k.~~ j. the name and address of a school or day care facility
16 attended by immediate family of an at-risk individual,
17 ~~l.~~ k. the name and address of an employer of immediate
18 family of an at-risk individual, or
19 ~~m.~~ l. the name and address of a place of worship the at-
20 risk individual or immediate family of an at-risk
21 individual attends;

22 4. The term "immediate family" means a spouse, child, or parent
23 of an at-risk individual or any other familial relative of an at-
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1 risk individual whose permanent residence is the same as the at-risk
2 individual;

3 5. The term "social media" means any online electronic medium
4 or a live chat system that:

5 a. primarily serves as a medium for users to interact
6 with content generated by other third-party users of
7 the medium,

8 b. enables users to create accounts or profiles specific
9 to the medium or to import profiles from another
10 medium, and

11 c. enables one or more users to generate content that can
12 be viewed by other third-party users of the medium;

13 6. The term "state agency" means:

14 a. an executive agency, as defined by Oklahoma Statute,

15 b. any county, local or municipal governing body, or
16 regulatory body, and

17 c. any state agency in the judicial branch or legislative
18 branch; and

19 7. The term "transfer" means to sell, license, trade, or
20 exchange for consideration the covered information of an at-risk
21 individual or immediate family.

22 SECTION 3. AMENDATORY Section 3, Chapter 350, O.S.L.
23 2023 (20 O.S. Supp. 2024, Section 3013), is amended to read as
24 follows:

1 Section 3013. A. Each at-risk individual may:

2 1. File written notice of the status of the individual as an
3 at-risk individual, for themselves and immediate family, with each
4 state agency that includes information necessary to ensure
5 compliance with this section, as determined by the Administrative
6 Director of the Courts; and

7 2. Request that each state agency described in Section ~~2~~ 3012
8 of this ~~act~~ title mark as private their covered information and that
9 of their immediate family.

10 B. State agencies shall not publicly post or publicly display
11 content that includes covered information of an at-risk individual
12 or immediate family. State agencies, upon receipt of a written
13 request under paragraph 1 of subsection A of this section, shall
14 remove the covered information of the at-risk individual or
15 immediate family from publicly available content not later than
16 seventy-two (72) hours after such receipt.

17 C. Nothing in this section shall prohibit a state agency from
18 providing access to records containing the covered information of ~~a~~
19 an elected federal official of this state, a state official elected
20 statewide, or a member of the judiciary to a third party if the
21 third party:

22 1. Possesses a signed release from the elected federal
23 official, state official, judge, or a lawful court order;
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2. Is subject to the requirements of Title V of the federal Gramm-Leach-Bliley Act, 15 U.S.C., Section 6801 et seq.; or

3. Executes a confidentiality agreement with the state agency.

SECTION 4. AMENDATORY Section 5, Chapter 350, O.S.L. 2023 (20 O.S. Supp. 2024, Section 3015), is amended to read as follows:

Section 3015. Not later than one (1) year after the effective date of ~~enactment~~ of this act, and biennially thereafter, the Administrative Director of the Courts shall submit to the Legislature an annual report that includes:

1. A detailed amount spent by the state and local governments on protecting ~~judges'~~ covered information of elected federal and state officials and judges;

2. Where the ~~judges'~~ covered information of elected federal and state officials and judges was found; and

3. The collection of any new types of personal data found to be used to identify elected federal and state officials or judges who have received threats, including prior home addresses, employers, and institutional affiliations such as nonprofit boards.

SECTION 5. AMENDATORY 26 O.S. 2021, Section 4-115.2, as amended by Section 2, Chapter 147, O.S.L. 2023 (26 O.S. Supp. 2024, Section 4-115.2), is amended to read as follows:

Section 4-115.2. A. 1. The Secretary of the State Election Board is authorized to promulgate rules to keep confidential the

1 residence and mailing address, upon application to do so, of
2 individual registered voters who are members of certain classes as
3 described in paragraph 2 of this subsection.

4 2. Classes shall be limited to any currently elected federal
5 official of this state, any current state official elected
6 statewide, the judiciary, district attorneys, assistant district
7 attorneys, ~~Uniformed Services~~ uniformed services members, law
8 enforcement personnel and the immediate family of law enforcement
9 personnel, correctional officers, the secretary, assistant
10 secretary, employees, and members of a county election board or the
11 State Election Board, persons who are protected by victim's
12 protection orders, the spouses and dependents of the members of such
13 classes, and persons who are certified by the Secretary of State as
14 participants in the Address Confidentiality Program established by
15 Section 60.14 of Title 22 of the Oklahoma Statutes.

16 3. Such address information shall be provided to a candidate or
17 candidate representative or other lawful authority in anticipation
18 or as part of a contest of candidacy or contest of an election as
19 provided for in this title or as part of a petition challenge as
20 provided by law. However, no information concerning the address of
21 a certified Address Confidentiality Program participant shall be
22 released by election officials to any person for any purpose except
23 under court order.

1 B. As used in this section, "immediate family of law
2 enforcement personnel" means a spouse, child by birth or adoption,
3 stepchild or parent living at the same residence as the law
4 enforcement personnel.

5 SECTION 6. This act shall become effective July 1, 2025.

6 SECTION 7. It being immediately necessary for the preservation
7 of the public peace, health or safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval."

10 Passed the Senate the 5th day of May, 2025.

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Presiding Officer of the Senate

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14 Passed the House of Representatives the ____ day of _____,
15 2025.

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Presiding Officer of the House
of Representatives

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1 ENGROSSED HOUSE
2 BILL NO. 2289

By: Hilbert of the House

3 and

4 Paxton of the Senate

5
6 An Act relating to elected officials; creating the
7 Oklahoma Federal and Statewide Officials Security Act
8 of 2025; defining terms; establishing notice system
9 for federal and statewide officials and their
10 immediate family to ensure compliance; prohibiting
11 state agencies from publicly posting or displaying
12 certain sensitive information; clarifying exceptions;
13 authorizing the Executive Director of the Office of
14 Management and Enterprise Services to make notice on
15 behalf of federal and statewide officials; providing
16 what is proper notice; permitting delegation of
17 authority; providing alternative to individual
18 notice; directing the Executive Director of the
19 Office of Management and Enterprise Services to
20 submit report; prohibiting certain acts by entities
21 with respect to certain information; providing
22 exceptions; prohibiting persons, businesses, and
23 associations from certain activities; providing
24 exceptions; establishing time within the removal of
certain information must be made; prohibiting
transfer of information; providing exceptions;
creating a right of action for certain individuals;
providing penalty for violations; clarifying scope of
act; providing for severability; providing for
codification; and providing an effective date.

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

22 SECTION 8. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 401 of Title 51, unless there is
24 created a duplication in numbering, reads as follows:

1 This act shall be known and may be cited as the "Oklahoma
2 Federal and Statewide Officials Security Act of 2025".

3 SECTION 9. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 402 of Title 51, unless there is
5 created a duplication in numbering, reads as follows:

6 As used in this act:

7 1. The term "elected official" means any current federally or
8 statewide elected official of the state;

9 2. The term "commercial entity" means any corporation,
10 partnership, limited partnership, proprietorship, sole
11 proprietorship, firm, enterprise, franchise, or association engaged
12 in the buying or selling of goods or services for profit;

13 3. The term "covered information" means:

14 a. a home address, including primary residence or
15 secondary residences of an elected official,

16 b. a home or personal mobile telephone number, or the
17 direct telephone number of a government-issued cell
18 phone or private extension in the chambers of an
19 elected official,

20 c. a personal email address of an elected official,

21 d. the Social Security number, driver license number, or
22 home address displayed on voter registration
23 information of an elected official,

- e. bank account or credit or debit card information of an elected official,
- f. the home or other address displayed on property tax records or held by a federal, state, or local government agency of an elected official, including any secondary residence and any investment property at which an elected official resides for part of a year,
- g. a license plate number or home address displayed on vehicle registration information of an elected official,
- h. the identification of children under the age of eighteen (18) years of age of an elected official or any child under the age of twenty-six (26) years of age whose permanent residence is the home of the elected official,
- i. the full date of birth,
- j. a photograph of any vehicle that legibly displays the license plate or a photograph of a residence that legibly displays the address of the residence of an elected official,
- k. the name and address of a school or day care facility attended by immediate family of an elected official,
- l. the name and address of an employer of immediate family of an elected official, or

1 m. the name and address of a place of worship the elected
2 official or immediate family of an elected official
3 attends;

4 4. The term "immediate family" means a spouse, child, or parent
5 of an elected official or any other familial relative of an elected
6 official whose permanent residence is the same as the elected
7 official;

8 5. The term "social media" means any online electronic medium
9 or a live chat system that:

10 a. primarily serves as a medium for users to interact
11 with content generated by other third-party users of
12 the medium,

13 b. enables users to create accounts or profiles specific
14 to the medium or to import profiles from another
15 medium, and

16 c. enables one or more users to generate content that can
17 be viewed by other third-party users of the medium;

18 6. The term "state agency" means:

19 a. an executive agency, as defined by Oklahoma Statute,

20 b. any county, local or municipal governing body, or
21 regulatory body, and

22 c. any state agency in the judicial branch or legislative
23 branch; and
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1 7. The term "transfer" means to sell, license, trade, or
2 exchange for consideration the covered information of an elected
3 official or immediate family.

4 SECTION 10. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 403 of Title 51, unless there is
6 created a duplication in numbering, reads as follows:

7 A. Each elected official may:

8 1. File written notice of the status of the individual as an
9 elected official, for themselves and immediate family, with each
10 state agency that includes information necessary to ensure
11 compliance with this section; and

12 2. Request that each state agency described in Section 2 of
13 this act mark as private their covered information and that of their
14 immediate family.

15 B. State agencies shall not publicly post or publicly display
16 content that includes covered information of an elected official or
17 immediate family. State agencies, upon receipt of a written request
18 under paragraph 1 of subsection A of this section, shall remove the
19 covered information of the elected official or immediate family from
20 publicly available content not later than seventy-two (72) hours
21 after such receipt.

22 C. Nothing in this section shall prohibit a state agency from
23 providing access to records containing the covered information of an
24 elected official to a third party if the third party:

1 1. Possesses a signed release from the elected official or a
2 lawful court order;

3 2. Is subject to the requirements of Title V of the federal
4 Gramm-Leach-Bliley Act, 15 U.S.C., Section 6801 et seq.; or

5 3. Executes a confidentiality agreement with the state agency.

6 SECTION 11. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 404 of Title 51, unless there is
8 created a duplication in numbering, reads as follows:

9 Upon written request of an elected official, the Executive
10 Director of the Office of Management and Enterprise Services is
11 authorized to make any notice or request required or authorized by
12 this act on behalf of the elected official. The notice or request
13 shall include information necessary to ensure compliance with this
14 act. The Executive Director may delegate this authority to an
15 appropriate state agency. Any notice or request made under this act
16 shall be deemed to have been made by the elected official and comply
17 with the notice and request requirements of this act.

18 In lieu of individual notices or requests, the Executive
19 Director of the Office of Management and Enterprise Services may
20 provide state agencies, county and municipal governments, commercial
21 entity, persons, businesses, or associations with a list of elected
22 officials and their immediate family that includes information
23 necessary to ensure compliance with this act, as determined by the
24 Executive Director for the purpose of maintaining compliance with

1 this act. Such list shall be deemed to comply with individual
2 notice and request requirements of this act.

3 SECTION 12. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 405 of Title 51, unless there is
5 created a duplication in numbering, reads as follows:

6 Not later than one (1) year after the date of enactment of this
7 act, and biennially thereafter, the Executive Director of the Office
8 of Management and Enterprise Services shall submit to the
9 Legislature an annual report that includes:

10 1. A detailed amount spent by the state and local governments
11 on protecting elected officials' covered information;

12 2. Where the elected officials' covered information was found;
13 and

14 3. The collection of any new types of personal data found to be
15 used to identify elected officials who have received threats,
16 including prior home addresses, employers, and institutional
17 affiliations such as nonprofit boards.

18 SECTION 13. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 406 of Title 51, unless there is
20 created a duplication in numbering, reads as follows:

21 A. Except as provided in subsection B of this section, no
22 person, business, or association shall publicly post or publicly
23 display on the Internet covered information of an elected official
24 or immediate family if the elected official has made a written

1 request to that person, business, or association to not disclose the
2 covered information of the elected official or immediate family.

3 B. Subsection A of this section shall not apply to:

4 1. Covered information that the elected official or immediate
5 family voluntarily publishes on the Internet after the date of
6 enactment of this act; or

7 2. Covered information lawfully received from a state
8 government source or from an employee or agent of the state
9 government.

10 C. After receiving a written request under this section, the
11 person, business, or association shall remove within seventy-two
12 (72) hours the covered information from the Internet and ensure that
13 the information is not made available on any publicly available
14 website controlled by that person, business, or association, and
15 ensure that the covered information of the elected official or
16 immediate family is not made available on any publicly available
17 website controlled by that person, business, or association.

18 D. This section shall not apply to:

19 1. Covered information that the elected official or immediate
20 family voluntarily publishes on the Internet after the date of
21 enactment of this act; or

22 2. A transfer made at the request of the elected official or
23 that is necessary to effectuate a request to the person, business,
24 or association from the elected official.

SECTION 14. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 407 of Title 51, unless there is created a duplication in numbering, reads as follows:

A. An elected official or their immediate family whose covered information is made public as a result of a violation of this act may bring an action seeking injunctive or declaratory relief in any court of competent jurisdiction. If the court grants injunctive or declaratory relief, the person, business, or association responsible for the violation shall be required to pay the costs and reasonable attorney fees of the elected official or immediate family, as applicable.

B. If a person, business, or association knowingly violates an order granting injunctive or declaratory relief under subsection A of this section, the court issuing such order may:

1. If the person, business, or association is a government agency:

- a. impose a fine not greater than Four Thousand Dollars (\$4,000.00), and
- b. award to the elected official or their immediate family, as applicable, court costs and reasonable attorney fees; and

2. If the person, business, or association is not a government agency, award to the elected official or their immediate family, as applicable:

- 1 a. an amount equal to the actual damages sustained by the
2 elected official or their immediate family, and
3 b. court costs and reasonable attorney fees.

4 SECTION 15. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 408 of Title 51, unless there is
6 created a duplication in numbering, reads as follows:

7 A. Nothing in this act shall be construed:

8 1. To prohibit, restrain, or limit the lawful investigation or
9 reporting by the press of any unlawful activity or misconduct
10 alleged to have been committed by an elected official or their
11 immediate family;

12 2. To limit the publication or transfer of covered information
13 that the elected official or their immediate family member
14 voluntarily publishes on the Internet after the date of enactment of
15 this act; or

16 3. To prohibit information sharing by a commercial entity to a
17 federal, state, tribal, or local government, or any unit thereof.

18 B. This act shall be broadly construed to favor the protection
19 of the covered information of elected officials and their immediate
20 family.

21 SECTION 16. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 409 of Title 51, unless there is
23 created a duplication in numbering, reads as follows:

1 If any provision of this act, an amendment made by this act, or
2 the application of such provision or amendment to any person or
3 circumstance is held to be unconstitutional, the remainder of this
4 act and the amendments made by this act and the application of the
5 remaining provisions of this act and amendments to any person or
6 circumstance shall not be affected.

7 SECTION 17. This act shall become effective November 1, 2025.

8 Passed the House of Representatives the 26th day of March, 2025.

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11 Presiding Officer of the House
of Representatives
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13 Passed the Senate the _____ day of _____, 2025.

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15 Presiding Officer of the Senate
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