

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

CONFERENCE COMMITTEE  
SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 2258

By: Miller of the House

and

Daniels of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to statutes and reports; enacting the Uniform Electronic Legal Material Act; defining terms; providing for applicability of act; imposing duties on publishers of certain materials; authorizing certain designation; providing for authentication of legal materials; providing for presumption; specifying burden of proof; prescribing requirements for preservation of materials; providing for reasonable public access; prescribing considerations; providing for uniformity; designating effect of act upon certain enactments; providing for codification; and providing an effective date.

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 31.1 of Title 75, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Uniform Electronic Legal Material Act".

1       SECTION 2.       NEW LAW       A new section of law to be codified  
2 in the Oklahoma Statutes as Section 31.2 of Title 75, unless there  
3 is created a duplication in numbering, reads as follows:

4       As used in this act:

5       1. "Electronic" means relating to technology having electrical,  
6 digital, magnetic, wireless, optical, electromagnetic, or similar  
7 capabilities;

8       2. "Legal material" means, whether or not in effect:

- 9           a. the Constitution of the State of Oklahoma,  
10          b. the Oklahoma Session Laws,  
11          c. the Oklahoma Statutes,  
12          d. the Oklahoma Administrative Code,  
13          e. the Oklahoma Register,  
14          f. a state agency rule that has or had the effect of law,  
15             or  
16          g. the following categories of state administrative  
17             agency decisions:  
18               (1) precedential decisions of the Oklahoma Tax  
19                  Commission,  
20               (2) precedential decisions of the Oklahoma  
21                  Corporation Commission,  
22               (3) precedential decisions of any other agency,  
23                  board, commission, department or other entity of  
24                  state government, or

1           h.    official opinions of the Attorney General;

2       3.   "Official publisher" means:

3           a.    for the Constitution of the State of Oklahoma, the  
4                Oklahoma Secretary of State,

5           b.    for the Oklahoma Session Laws, the Oklahoma Secretary  
6                of State,

7           c.    for the Oklahoma Statutes, the Oklahoma Secretary of  
8                State,

9           d.    for the Oklahoma Administrative Code, the Office of  
10               Administrative Rules within the Office of the Oklahoma  
11               Secretary of State,

12          e.    for the Oklahoma Register, the Office of  
13               Administrative Rules within the Office of the Oklahoma  
14               Secretary of State,

15          f.    for state agency rule that has or had the effect of  
16               law, unless published in the Oklahoma Administrative  
17               Code by the Office of Administrative Rules within the  
18               Office of the Oklahoma Secretary of State, then that  
19               specific state agency that promulgates such rule,

20          g.    for the precedential decisions of the Oklahoma Tax  
21               Commission, the Oklahoma Tax Commission,

22          h.    for the precedential decisions of the Oklahoma  
23               Corporation Commission, the Oklahoma Corporation  
24               Commission,

- 1           i.    for the precedential decisions of any other agency,  
2               board, commission, department or other entity of state  
3               government, then that specific agency, board,  
4               commission, department or other entity of state  
5               government that issues such precedential decision,  
6           j.    for the official opinions of the Attorney General, the  
7               Office of the Attorney General;

8           4.    "Publish" means to display, present, or release to the  
9               public, or cause to be displayed, presented, or released to the  
10              public, by the official publisher;

11          5.    "Record" means information that is inscribed on a tangible  
12               medium or that is stored in an electronic or other medium and is  
13               retrievable in perceivable form; and

14          6.    "State" means a state of the United States, the District of  
15               Columbia, Puerto Rico, the United States Virgin Islands, or any  
16               territory or insular possession subject to the jurisdiction of the  
17               United States.

18          SECTION 3.       NEW LAW       A new section of law to be codified  
19               in the Oklahoma Statutes as Section 31.3 of Title 75, unless there  
20               is created a duplication in numbering, reads as follows:

21               This act applies to all legal material in an electronic record  
22               that is designated as official under Section 4 of this act and first  
23               published electronically on or after the effective date of this act.  
24

1       SECTION 4.       NEW LAW       A new section of law to be codified  
2 in the Oklahoma Statutes as Section 31.4 of Title 75, unless there  
3 is created a duplication in numbering, reads as follows:

4       A. If an official publisher publishes legal material only in an  
5 electronic record, the publisher shall:

- 6       1. Designate the electronic record as official; and
- 7       2. Comply with Sections 5, 7, and 8 of this act.

8       B. An official publisher that publishes legal material in an  
9 electronic record and also publishes the material in a record other  
10 than an electronic record may designate the electronic record as  
11 official if the publisher complies with Sections 5, 7, and 8 of this  
12 act.

13       SECTION 5.       NEW LAW       A new section of law to be codified  
14 in the Oklahoma Statutes as Section 31.5 of Title 75, unless there  
15 is created a duplication in numbering, reads as follows:

16       An official publisher of legal material in an electronic record  
17 that is designated as official under Section 4 of this act shall  
18 authenticate the record. To authenticate an electronic record, the  
19 publisher shall provide a method for a user to determine that the  
20 record received by the user from the publisher is unaltered from the  
21 official record published by the publisher.

22       SECTION 6.       NEW LAW       A new section of law to be codified  
23 in the Oklahoma Statutes as Section 31.6 of Title 75, unless there  
24 is created a duplication in numbering, reads as follows:

1       A. Legal material in an electronic record that is authenticated  
2 under Section 5 of this act is presumed to be an accurate copy of  
3 the legal material.

4       B. If another state has adopted a law substantially similar to  
5 this act, legal material in an electronic record that is designated  
6 as official and authenticated by the official publisher in that  
7 state is presumed to be an accurate copy of the legal material.

8       C. A party contesting the authentication of legal material in  
9 an electronic record authenticated under Section 5 of this act has  
10 the burden of proving by a preponderance of the evidence that the  
11 record is not authentic.

12       SECTION 7.       NEW LAW       A new section of law to be codified  
13 in the Oklahoma Statutes as Section 31.7 of Title 75, unless there  
14 is created a duplication in numbering, reads as follows:

15       A. An official publisher of legal material in an electronic  
16 record that is or was designated as official under Section 4 of this  
17 act shall provide for the preservation and security of the record in  
18 an electronic form or a form that is not electronic.

19       B. If legal material is preserved under subsection A of this  
20 section in an electronic record, the official publisher shall:

- 21       1. Ensure the integrity of the record;
- 22       2. Provide for backup and disaster recovery of the record; and
- 23       3. Ensure the continuing usability of the material.

1       SECTION 8.       NEW LAW       A new section of law to be codified  
2 in the Oklahoma Statutes as Section 31.8 of Title 75, unless there  
3 is created a duplication in numbering, reads as follows:

4       An official publisher of legal material in an electronic record  
5 that is required to be preserved under Section 7 of this act shall  
6 ensure that the material is reasonably available for use by the  
7 public on a permanent basis.

8       SECTION 9.       NEW LAW       A new section of law to be codified  
9 in the Oklahoma Statutes as Section 31.9 of Title 75, unless there  
10 is created a duplication in numbering, reads as follows:

11       In implementing this act, an official publisher of legal  
12 material in an electronic record shall consider:

13       1. Standards and practices of other jurisdictions;

14       2. The most recent standards regarding authentication of,  
15 preservation and security of, and public access to, legal material  
16 in an electronic record and other electronic records, as promulgated  
17 by national standard-setting bodies;

18       3. The needs of users of legal material in an electronic  
19 record;

20       4. The views of governmental officials and entities and other  
21 interested persons; and

22       5. To the extent practicable, methods and technologies for the  
23 authentication of, preservation and security of, and public access  
24 to, legal material which are compatible with the methods and

1 technologies used by other official publishers in this state and in  
2 other states that have adopted a law substantially similar to this  
3 act.

4 SECTION 10. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 31.10 of Title 75, unless there  
6 is created a duplication in numbering, reads as follows:

7 In applying and construing this uniform act, consideration must  
8 be given to the need to promote uniformity of the law with respect  
9 to its subject matter among states that enact it.

10 SECTION 11. NEW LAW A new section of law to be codified  
11 in the Oklahoma Statutes as Section 31.11 of Title 75, unless there  
12 is created a duplication in numbering, reads as follows:

13 This act modifies, limits, and supersedes the Electronic  
14 Signatures in Global and National Commerce Act, 15 U.S.C., Section  
15 7001 et seq., but does not modify, limit, or supersede Section  
16 101(c) of that act, 15 U.S.C., Section 7001(c), or authorize  
17 electronic delivery of any of the notices described in Section  
18 103(b) of that act, 15 U.S.C., Section 7003(b).

19 SECTION 12. This act shall become effective January 1, 2026.  
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