

An Act

ENROLLED HOUSE
BILL NO. 2289

By: Hilbert of the House

and

Paxton of the Senate

An Act relating to judicial and elected official security and privacy; amending Sections 1, 2, 3, and 5, Chapter 350, O.S.L. 2023 (20 O.S. Supp. 2024, Sections 3011, 3012, 3013, and 3015), which relate to the Oklahoma Judicial Security and Privacy Act of 2023; creating the Oklahoma Elected Official and Judicial Security and Privacy Act of 2025; modifying short title; modifying definitions; modifying certain exception for access to certain records; modifying required contents of certain report; amending 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), which relates to confidentiality of residence and mailing address; adding elected federal and state officials to certain class; updating statutory references; updating statutory language; providing an effective date; and declaring an emergency.

SUBJECT: Judicial and elected official security and privacy

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

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

Section 3011. This act shall be known and may be cited as the "Oklahoma Elected Official and Judicial Security and Privacy Act of ~~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, and shall also include municipal, county, tribal, and federal judges;

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

3. The term "covered information" means:

- a. a home address, including primary residence or secondary residences of an at-risk individual,
- b. a home or personal mobile telephone number, or the direct telephone number of a government-issued cell phone or private extension in the chambers of an at-risk individual,
- c. a personal email address of an at-risk individual,
- d. ~~the Social Security number, driver license number, or home address displayed on voter registration information of an at-risk individual,~~
- ~~e.~~ the bank account or credit or debit card information of an at-risk individual,
- ~~f.~~
- e. the home or other address displayed on property tax records or held by a federal, state, or local government agency of an at-risk individual, including any secondary residence and any investment property at which an at-risk individual resides for part of a year,

~~g.~~

f. a license plate number or home address displayed on vehicle registration information of an at-risk individual,

~~h.~~

g. the identification of children under the age of eighteen (18) of an at-risk individual or any child under the age of twenty-six (26) whose permanent residence is the home of the at-risk individual,

~~i.~~

h. the full date of birth,

~~j.~~

i. 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 at-risk individual,

~~k.~~

j. the name and address of a school or day care facility attended by immediate family of an at-risk individual,

~~l.~~

k. the name and address of an employer of immediate family of an at-risk individual, or

~~m.~~

l. the name and address of a place of worship the at-risk individual or immediate family of an at-risk individual attends;

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

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

- a. primarily serves as a medium for users to interact with content generated by other third-party users of the medium,
- b. enables users to create accounts or profiles specific to the medium or to import profiles from another medium, and
- c. enables one or more users to generate content that can be viewed by other third-party users of the medium;

6. The term "state agency" means:

- a. an executive agency, as defined by Oklahoma Statute,
- b. any county, local or municipal governing body, or regulatory body, and
- c. any state agency in the judicial branch or legislative branch; and

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

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

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

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

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

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

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

1. Possesses a signed release from the elected federal official, state official, judge, or a lawful court order;

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

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

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

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

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

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

Passed the House of Representatives the 21st day of May, 2025.

Presiding Officer of the House
of Representatives

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

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____