

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1284

By: Hamilton

AS INTRODUCED

An Act relating to licensing; amending 51 O.S. 2021, Section 24A.5, as last amended by Section 2, Chapter 404, O.S.L. 2025 (51 O.S. Supp. 2025, Section 24A.5), which relates to inspection, copying, or mechanical reproduction of records; providing certain exception; updating statutory references; updating statutory language; creating the Exotic Entertainer Licensing Act; providing short title; defining terms; prohibiting certain performances without certain license; establishing certain requirements for certain qualification for issuance of certain license; prohibiting certain person from permitting certain performances without certain license; requiring certain verification of certain license; requiring certain person to maintain copy of certain license; requiring certain records to be maintained for a certain time period; requiring certain confidentiality of certain records; construing provisions; creating misdemeanor offense; establishing punishments; creating felony offense; establishing penalties; providing for codification; and providing an effective date.

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

1 SECTION 1. AMENDATORY 51 O.S. 2021, Section 24A.5, as
2 last amended by Section 2, Chapter 404, O.S.L. 2025 (51 O.S. Supp.
3 2025, Section 24A.5), is amended to read as follows:

4 Section 24A.5. All records of public bodies and public
5 officials shall be open to any person for inspection, copying, or
6 mechanical reproduction during regular business hours; provided:

7 1. The Oklahoma Open Records Act, Sections 24A.1 through 24A.34
8 of this title, does not apply to records specifically required by
9 law to be kept confidential including:

- 10 a. records protected by a state evidentiary privilege
11 such as the attorney-client privilege, the work
12 product immunity from discovery and the identity of
13 informer privileges,
- 14 b. records of what transpired during meetings of a public
15 body lawfully closed to the public such as executive
16 sessions authorized under the Oklahoma Open Meeting
17 Act,
- 18 c. personal information within driver records as defined
19 by the Driver's Privacy Protection Act of 1994, 18
20 U.S.C., Sections 2721 through 2725,
- 21 d. information in the files of the Board of Medicolegal
22 Investigations obtained pursuant to Sections 940 and
23 941 of Title 63 of the Oklahoma Statutes that may be
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- 1 hearsay, preliminary unsubstantiated investigation-
2 related findings, or confidential medical information,
3 e. any test forms, question banks and answer keys
4 developed for state licensure examinations, but
5 specifically excluding test preparation materials or
6 study guides,
7 f. last names, addresses, Social Security numbers or tax
8 identification numbers, and proof of identification
9 submitted to the Oklahoma Lottery Commission by
10 persons claiming a lottery prize,
11 g. unless public disclosure is required by other laws or
12 regulations, vehicle movement records of the Oklahoma
13 Transportation Authority obtained in connection with
14 the Authority's electronic toll collection system,
15 h. personal financial information, credit reports, or
16 other financial data obtained by or submitted to a
17 public body for the purpose of evaluating ~~credit~~
18 ~~worthiness~~ creditworthiness, obtaining a license, or
19 permit, or for the purpose of becoming qualified to
20 contract with a public body,
21 i. any digital audio/video recordings of the toll
22 collection and safeguarding activities of the Oklahoma
23 Transportation Authority,
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- 1 j. any personal information provided by a guest at any
2 facility owned or operated by the Oklahoma Tourism and
3 Recreation Department to obtain any service at the
4 facility or by a purchaser of a product sold by or
5 through the Oklahoma Tourism and Recreation
6 Department,
- 7 k. a United States Department of Defense Form 214 (DD
8 Form 214) filed with a county clerk, including any DD
9 Form 214 filed before July 1, 2002,
- 10 l. except as provided for in Section 2-110 of Title 47 of
11 the Oklahoma Statutes:
- 12 (1) any record in connection with a Motor Vehicle
13 Report issued by the Department of Public Safety,
14 as prescribed in Section 6-117 of Title 47 of the
15 Oklahoma Statutes, or
- 16 (2) personal information within driver records, as
17 defined by the Driver's Privacy Protection Act of
18 1994, 18 U.S.C., Sections 2721 through 2725,
19 which are stored and maintained by the Department
20 of Public Safety,
- 21 m. any portion of any document or information provided to
22 an agency or entity of the state or a political
23 subdivision to obtain licensure under the laws of this
24 state or a political subdivision that contains an

1 applicant's personal address, personal phone number,
2 personal email address, any government-issued
3 identification numbers, or other contact information;
4 provided, however, lists of persons licensed, the
5 existence of a license of a person, or a business or
6 commercial address, or other business or commercial
7 information disclosable under state law submitted with
8 an application for licensure shall be public record,
9 unless the business or commercial address is the same
10 as the applicant's personal address, except when the
11 applicant permits in writing the disclosure of the
12 address; provided, however, in no event shall personal
13 identifying information related to a license
14 established pursuant to Section 4 of this act be
15 subject to public disclosure,

16 n. an investigative file obtained during an investigation
17 conducted by the State Department of Health into
18 violations of the Long-Term Care Administrator
19 Licensing Act under Title 63 of the Oklahoma Statutes,
20 or

21 o. documents, evidence, materials, records, reports,
22 complaints, or other information in the possession or
23 control of the Attorney General or Insurance
24 Department pertaining to an evaluation, examination,

1 investigation, or review made pursuant to the
2 provisions of the Patient's Right to Pharmacy Choice
3 Act, the Pharmacy Audit Integrity Act, or Sections 357
4 through 360 of Title 59 of the Oklahoma Statutes;

5 2. All Social Security numbers included in a record may be
6 confidential regardless of the person's status as a public employee
7 or private individual and may be redacted or deleted prior to
8 release of the record by the public body;

9 3. Any reasonably segregable portion of a record containing
10 exempt material shall be provided after deletion of the exempt
11 portions; provided, however, the Department of Public Safety shall
12 not be required to assemble for the requesting person specific
13 information, in any format, from driving records relating to any
14 person whose name and date of birth or whose driver license number
15 is not furnished by the requesting person.

16 The Oklahoma State Bureau of Investigation shall not be required
17 to assemble for the requesting person any criminal history records
18 relating to persons whose names, dates of birth, and other
19 identifying information required by the Oklahoma State Bureau of
20 Investigation pursuant to administrative rule are not furnished by
21 the requesting person;

22 4. Any request for a record which contains individual records
23 of persons, and the cost of copying, reproducing or certifying each
24 individual record is otherwise prescribed by state law, the cost may

1 be assessed for each individual record, or portion thereof requested
2 as prescribed by state law. Otherwise, a public body may charge a
3 fee only for recovery of the reasonable, direct costs of record
4 copying, or mechanical reproduction. Notwithstanding any state or
5 local provision to the contrary, in no instance shall the record
6 copying fee exceed twenty-five cents (\$0.25) per page for records
7 having the dimensions of eight and one-half (8 1/2) by fourteen (14)
8 inches or smaller, or a maximum of One Dollar (\$1.00) per copied
9 page for a certified copy. However, if the request:

- 10 a. is solely for commercial purpose, or
- 11 b. would clearly cause excessive disruption of the
- 12 essential functions of the public body,

13 then the public body may charge a reasonable fee to recover the
14 direct cost of record search and copying; however, publication in a
15 newspaper or broadcast by news media for news purposes shall not
16 constitute a resale or use of a record for trade or commercial
17 purpose and charges for providing copies of electronic data to the
18 news media for a news purpose shall not exceed the direct cost of
19 making the copy. The fee charged by the Department of Public Safety
20 for a copy in a computerized format of a record of the Department
21 shall not exceed the direct cost of making the copy unless the fee
22 for the record is otherwise set by law. A public body may require
23 advance payment of the estimated fees authorized under this section
24 when the estimated cost exceeds Seventy-five Dollars (\$75.00) or if

1 the requestor has outstanding fees from previous requests. Any
2 portion of an advance payment that exceeds the costs of responding
3 to the request shall be returned to the requestor.

4 Any public body establishing fees under the Oklahoma Open
5 Records Act shall post a written schedule of the fees at its
6 principal office and with the county clerk.

7 In no case shall a search fee be charged when the release of
8 records is in the public interest, including, but not limited to,
9 release to the news media, scholars, authors and taxpayers seeking
10 to determine whether those entrusted with the affairs of the
11 government are honestly, faithfully, and competently performing
12 their duties as public servants.

13 The fees shall not be used for the purpose of discouraging
14 requests for information or as obstacles to disclosure of requested
15 information;

16 5. The land description tract index of all recorded instruments
17 concerning real property required to be kept by the county clerk of
18 any county shall be available for inspection or copying in
19 accordance with the provisions of the Oklahoma Open Records Act;
20 provided, however, the index shall not be copied or mechanically
21 reproduced for the purpose of sale of the information;

22 6. A public body must provide prompt, reasonable access to its
23 records but may establish reasonable procedures which protect the
24 integrity and organization of its records and to prevent excessive

1 disruptions of its essential functions. A delay in providing access
2 to records shall be limited solely to the time required for
3 preparing the requested documents and the avoidance of excessive
4 disruptions of the public body's essential functions. In no event
5 may production of a current request for records be unreasonably
6 delayed until after completion of a prior records request that will
7 take substantially longer than the current request. Any public body
8 which makes the requested records available on the Internet shall
9 meet the obligation of providing prompt, reasonable access to its
10 records as required by this paragraph;

11 7. A public body may require a requestor to complete a records
12 request form. If a records request does not describe the requested
13 records with reasonable specificity, a public body may ask the
14 requestor to clarify the request. To have reasonable specificity, a
15 request shall:

- 16 a. specify a general time frame within which the
17 requested records would have been created or
18 transmitted,
- 19 b. seek identifiable records, rather than general
20 information without any qualifiers or other
21 specifications, and
- 22 c. include search terms that are sufficiently specific to
23 assist the public body in identifying the requested
24 records.

1 If a public body has engaged with the requestor to seek the
2 information needed to fulfill the request and to identify the
3 records sought by the requestor, including providing the requestor
4 with general topics or a specific list of records related to the
5 request, the request may be denied if it is still not reasonably
6 specific; and

7 8. A public body shall designate certain persons who are
8 authorized to release records of the public body for inspection,
9 copying, or mechanical reproduction. At least one person shall be
10 available at all times to release records during the regular
11 business hours of the public body.

12 SECTION 2. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 6006.1 of Title 59, unless there
14 is created a duplication in numbering, reads as follows:

15 This act shall be known and may be cited as the "Exotic
16 Entertainer Licensing Act".

17 SECTION 3. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 6006.2 of Title 59, unless there
19 is created a duplication in numbering, reads as follows:

20 As used in this act:

21 1. "Exotic entertainer" means any person who performs in a
22 state of semi-nudity including, but not limited to, dancing,
23 stripping, or engaging in sexually suggestive or lascivious conduct;
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1 2. "Lascivious" means the exposure of genitals, pubic area,
2 anus, or female breast below a horizontal line across the top of the
3 areola, or any simulation thereof, with the intent to arouse or
4 gratify the sexual desire of any person;

5 3. "Semi-nude" means a state of dress in which clothing covers
6 no more than the genitals, pubic area, and areola of the female
7 breast, as well as portions of the body covered by supporting straps
8 or devices;

9 4. "Sexually oriented business" means an adult cabaret or any
10 other business, as defined in Section 1040.55 of Title 21 of the
11 Oklahoma Statutes, that offers live entertainment characterized by
12 the exposure of persons in a state of nudity, semi-nudity, or
13 engaging in sexually suggestive or lascivious conduct; and

14 5. "Sexually suggestive" means any act or performance involving
15 the fondling or erotic touching or simulation of a person's own or
16 another person's clothed or unclothed genitals, pubic area, anus, or
17 female breast.

18 SECTION 4. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 6006.3 of Title 59, unless there
20 is created a duplication in numbering, reads as follows:

21 A. No person shall perform as an exotic entertainer in any
22 sexually oriented business in this state without obtaining a valid
23 exotic entertainer license issued by the Alcoholic Beverage Laws
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1 Enforcement Commission pursuant to the provisions of this act. Such
2 license shall be renewed annually.

3 B. To qualify for issuance of an exotic entertainer license, an
4 applicant shall:

5 1. Be a citizen of the United States of America or an alien
6 lawfully admitted to the United States of America authorized to
7 engage in employment pursuant to the Immigration Reform and Control
8 Act of 1986, 8 U.S.C., Section 1101 et seq. as verified through the
9 federal E-Verify program or a successor program approved by the
10 United States Department of Homeland Security;

11 2. Be at least twenty-one (21) years of age;

12 3. Have not been convicted of any felony violations of Section
13 748, 1021, or 1029 of Title 21 of the Oklahoma Statutes; and

14 4. Provide verified proof of true identity, including a
15 government-issued photographic identification document.

16 SECTION 5. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 6006.4 of Title 59, unless there
18 is created a duplication in numbering, reads as follows:

19 A. No owner, operator, proprietor, or manager of a sexually
20 oriented business shall knowingly permit any person to perform as an
21 exotic entertainer on the premises unless the person possesses a
22 valid exotic entertainer license. Prior to permitting any such
23 performance, the owner, operator, proprietor, or manager shall
24 verify the validity of the license.

1 B. Every owner, operator, proprietor, or manager of a sexually
2 oriented business shall maintain, for each exotic entertainer who
3 performs on the premises, either a secure physical copy or a digital
4 copy that is encrypted and protected against unauthorized access, of
5 the exotic entertainer's valid license. Such records shall be
6 maintained for a minimum of twelve (12) months following the exotic
7 entertainer's last performance on the premises and shall be made
8 available immediately for inspection upon request by the Alcoholic
9 Beverage Laws Enforcement Commission, code enforcement officials, or
10 state-accredited law enforcement officers with jurisdiction.

11 C. All records for exotic entertainers including, but not
12 limited to, applications, personal contact information, schedule, or
13 any other identifying data submitted to and maintained by the owner,
14 operator, proprietor, or manager of a sexually oriented business and
15 the Commission for the purposes of issuing, maintaining, or revoking
16 an exotic entertainer license shall be confidential and not to be
17 open to public inspection or disclosure under Title 51 of the
18 Oklahoma Statutes.

19 D. Nothing in this section shall prohibit the access of
20 confidential licensee information by code enforcement officials or
21 state-accredited law enforcement officers with jurisdiction for the
22 purposes of internal investigations and exemptions pursuant to
23 Section 24A.28 of Title 51 of the Oklahoma Statutes.

1 E. Failure to comply with the verification or record
2 maintenance requirements of this section shall constitute a separate
3 violation for each day of noncompliance.

4 SECTION 6. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 6006.5 of Title 59, unless there
6 is created a duplication in numbering, reads as follows:

7 A. Any person who performs as an exotic entertainer without a
8 valid license, or after the expiration or revocation of a license,
9 shall be guilty of a misdemeanor punishable by a fine not more than
10 Five Hundred Dollars (\$500.00), by imprisonment in the county jail
11 for a period not to exceed one (1) year, or by both such fine and
12 imprisonment. The exotic entertainer license shall be suspended for
13 a period of twelve (12) months upon conviction. A second or
14 subsequent violation shall subject the violator to an administrative
15 fine of Ten Thousand Dollars (\$10,000.00) per offense and suspension
16 of all business licenses issued by the Alcoholic Beverage Laws
17 Enforcement Commission to the entertainer for a period of twelve
18 (12) months.

19 B. Any sexually oriented business found to have violated the
20 provisions of Section 5 of this act shall be subject to an
21 administrative fine of Five Thousand Dollars (\$5,000.00) per
22 offense. A second or subsequent violation shall subject the
23 violator to an administrative fine of Ten Thousand Dollars
24 (\$10,000.00) per offense and suspension of all business licenses

1 issued by the Commission to the offender for a period of twelve (12)
2 months.

3 C. Any owner, operator, proprietor, or manager of a sexually
4 oriented business who knowingly violates Section 5 of this act shall
5 be guilty of a felony punishable by a fine not more than One
6 Thousand Dollars (\$1,000.00), by imprisonment in the custody of the
7 Department of Corrections for a period not less than twelve (12)
8 months and not more than thirty-six (36) months, or by both such
9 fine and imprisonment. A subsequent violation shall be punishable
10 by a fine not more than Five Thousand Dollars (\$5,000.00), by
11 imprisonment for a period not less than twenty-four (24) months and
12 not more than sixty (60) months, or by both such fine and
13 imprisonment, and the person shall be permanently barred from owning
14 or operating a sexually oriented business in this state.

15 SECTION 7. This act shall become effective November 1, 2026.
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