

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1386

By: Gillespie

AS INTRODUCED

An Act relating to court recording; providing legislative findings; amending 20 O.S. 2021, Sections 1314 and 1315, which relate to storage of audio and video records and the Oklahoma Court Information System (OCIS); requiring the Supreme Court and the Administrative Office of the Courts (AOC) to establish certain policies, guidelines, and standards; providing allowable sources of funding for certain equipment; requiring the Legislature to provide certain funding; requiring the AOC to implement certain standards; updating statutory language; defining terms; requiring the Supreme Court to establish a uniform statewide court recording policy; requiring recording systems to support AI-assisted transcripts; requiring recordings to be preserved with certain technical characteristics; requiring recording systems to include confidential audio channels; requiring the AOC to monitor compliance; requiring the Supreme Court and the AOC to enter contracts and acquire necessary equipment; requiring court reporters to complete certain acts when a proceeding is recorded; providing penalties for violations; providing for whistleblower protections; repealing 20 O.S. 2021, Section 1512, which relates to court recording pilot program; providing for noncodification; 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 not to be codified in the Oklahoma Statutes reads as follows:

1 The Legislature finds that public access, transparency, and  
2 accurate recording of judicial proceedings are compelling state  
3 interests essential to accountability and the integrity of  
4 Oklahoma's justice system. The requirements of this act shall be  
5 liberally construed to advance those interests and shall supersede  
6 any conflicting court rule, administrative order, local order, or  
7 policy.

8 SECTION 2. AMENDATORY 20 O.S. 2021, Section 1314, is  
9 amended to read as follows:

10 Section 1314. A. The Supreme Court ~~may provide~~ shall  
11 promulgate by rule for the following the statewide policies  
12 governing court audio and video recording, broadcasting,  
13 livestreaming, and the preservation of public access of judicial  
14 records. The Administrative Office of the Courts shall develop and  
15 implement the technical guidelines and operational standards  
16 necessary to carry out such policies including, but not limited to:

17 1. The Technical specifications for the acquisition, joint  
18 acquisition, installation, maintenance, and operation of equipment  
19 by two or more district courts or court clerks audio and video  
20 recording, broadcasting, and livestreaming systems required by  
21 Section 4 of this act;

22 2. The Standards for digitization, storage, secure  
23 preservation, retention, and archiving of recorded media and related  
24 court records;

1       3. Procedures for portable recording systems for public  
2 proceedings occurring outside of permanent courts;

3       4. Processes for the disposition or transfer of surplus  
4 technology property acquired from local court funds; and

5       ~~3. The guidelines~~

6       5. Guidelines and standards for the microfilming and storage of  
7 court records ensuring full compatibility with the Oklahoma Court  
8 Information System including statewide archival and public access  
9 integration.

10       B. Equipment required by Section 4 of this act shall be funded  
11 through state appropriations, statewide procurement, or other state-  
12 administered funding mechanisms and shall not be funded by local  
13 court budgets.

14       C. The Legislature shall appropriate sufficient funds annually  
15 to ensure implementation, maintenance, and modernization of  
16 recording systems.

17       SECTION 3.       AMENDATORY       20 O.S. 2021, Section 1315, is  
18 amended to read as follows:

19       Section 1315. A. 1. The Supreme Court, by and through the  
20 ~~Office of the Administrative Director~~ Office of the Courts, shall  
21 establish a court information system to be designated the "Oklahoma  
22 Court Information System" for the purpose of providing data  
23 processing services to state agencies, boards, and commissions and  
24

1 other entities pursuant to contract. The Administrative ~~Director~~  
2 Office of the Courts may assess a reasonable fee for such services.

3 2. Court clerks and judges of the district courts of this state  
4 shall utilize the case tracking, accounting, legal research, and  
5 other services of the "~~Oklahoma~~ Oklahoma Court Information ~~System~~"  
6 System at the direction of the Chief Justice of the Supreme Court.  
7 The development and implementation of the system's accounting,  
8 auditing, and financial reporting functions shall be subject to the  
9 approval of the State Auditor and Inspector.

10 B. There is hereby created in the State Treasury a revolving  
11 fund for the Supreme Court to be designated the "Oklahoma Court  
12 Information System Revolving Fund". The fund shall be a continuing  
13 fund, not subject to fiscal year limitations, and shall consist of  
14 all monies received in payment of data processing services furnished  
15 pursuant to contract. The Administrative ~~Director~~ Office of the  
16 Courts, at the end of each month, shall issue a statement of charges  
17 to each entity for which data processing services were furnished.  
18 The cost for data processing services shall be recovered directly  
19 from the entity for which such services were furnished and shall not  
20 be prorated to or payable by those not receiving the services. All  
21 monies accruing to the credit of the fund are hereby appropriated  
22 and may be budgeted and expended by the Supreme Court for the  
23 acquisition, operation, maintenance, repair, and replacement of data  
24 processing equipment and software and for the operational expenses

1 of any court which is subject to the authority of the Administrative  
2 ~~Director~~ Office of the Courts. Expenditures from the fund shall be  
3 made upon warrants issued by the State Treasurer against claims  
4 filed as prescribed by law with the Director of the Office of  
5 Management and Enterprise Services for approval and payment. Until  
6 June 30, 2018, the Office of Management and Enterprise Services  
7 shall, at the request of the Administrative ~~Director~~ Office of the  
8 Courts, transfer an amount not to exceed Five Million Dollars  
9 (\$5,000,000.00) from the Oklahoma Court Information System Revolving  
10 Fund to the District Court Interagency Reimbursement Fund an amount  
11 that the Administrative ~~Director~~ Office of the Courts, with the  
12 approval of the Chief Justice of the Supreme Court, shall deem  
13 appropriate and necessary to perform the duties imposed upon the  
14 district courts by law.

15 C. The Administrative Office of the Courts shall ensure that  
16 all audio and video recording, broadcasting, and livestreaming  
17 systems support accurate transcription and shall implement technical  
18 standards for audio and video quality, certification or approval  
19 requirements for transcription providers, secure verification  
20 processes, archival and retrieval standards, ADA-compliant closed  
21 captioning and interpreter integration, and chain of custody  
22 metadata and audit-trail logging including timestamps, access logs,  
23 and operator identification.

1       SECTION 4.       NEW LAW       A new section of law to be codified  
2 in the Oklahoma Statutes as Section 1510 of Title 20, unless there  
3 is created a duplication in numbering, reads as follows:

4       A. As used in this section and Sections 1314 and 1315 of Title  
5 20 of the Oklahoma Statutes:

6       1. "ADA-compliant" means compliant with 42 U.S.C., Sections  
7 12101 through 12213, including, but not limited to, closed  
8 captioning, interpreter integration, and accessibility features;

9       2. "AI-assisted transcript" means a text transcription  
10 generated through the Supreme Court-approved speech-to-text or  
11 automated transcription technology, used to assist in the creation  
12 of but not replace the certified transcript produced by a court  
13 reporter;

14       3. "Confidential audio channel" means a segregated microphone  
15 or audio feed used for attorney-client communication or other  
16 statutorily protected communication that is recorded for integrity  
17 purposes but is not audible on any public livestream or publicly  
18 accessible recording;

19       4. "Livestream" or "livestreaming" means real-time or near-  
20 real-time electronic transmission of a public proceeding to the  
21 public using an internet platform, statewide portal, or any medium  
22 designated by the Supreme Court;

23       5. "Official record" means the complete set of recorded media,  
24 transcripts, metadata, audit logs, and associated materials that  
25

1 document a judicial proceeding and are required by law to be  
2 preserved;

3 6. "Portable recording equipment" means Supreme Court-approved  
4 audio or video systems used when a proceeding occurs outside an  
5 equipped court;

6 7. "Public access portal" means the statewide online platform  
7 maintained by the Oklahoma Court Information System (OCIS) that  
8 provides public access to recordings, broadcasts, livestreams, and  
9 archived official records of public judicial proceedings;

10 8. "Recorded media" or "recording" means any audio, video, or  
11 audiovisual capture of a judicial proceeding including, but not  
12 limited to, original files, backup files, redundancy systems, and  
13 captures made using portable recording equipment;

14 9. "Redundancy" means dual-path or simultaneous recording  
15 systems ensuring a secondary recording source if the primary  
16 recording fails;

17 10. "Tampering" means altering, corrupting, deleting,  
18 concealing, disabling, shutting off, failing to initiate, or failing  
19 to report defects in recorded media with intent to impair the  
20 accuracy, integrity, or availability of the official record;

21 11. "Technically infeasible" means circumstances involving  
22 temporary equipment failure, loss of connectivity, power outage,  
23 emergency conditions, or other circumstances beyond the control of  
24

1 court personnel and shall not include lack of required equipment;  
2 and

3 12. "Unique recording identifier" means the OCIS-assigned  
4 digital identifier linked to each recording, metadata file, and  
5 transcript to ensure authenticity, auditability, and proof of non-  
6 alteration.

7 B. The Supreme Court shall promulgate, by rule or  
8 administrative order, a uniform statewide policy governing the use  
9 of audio and video recording, broadcasting, and livestreaming  
10 systems in courts in this state. Such rules shall apply to all  
11 courts of record and to all court proceedings required by law to be  
12 open to the public. All courts of record shall audio- and video-  
13 record all public proceedings. Livestreaming shall be provided for  
14 all public proceedings unless technically infeasible. Any rule or  
15 administrative order promulgated under this section shall be  
16 consistent with Sections 1314 and 1315 of Title 20 of the Oklahoma  
17 Statutes and shall not narrow, restrict, or modify its requirements.

18 C. The uniform statewide policy required by subsection B of  
19 this section shall:

20 1. Authorize audio and video coverage of all public proceedings  
21 except as expressly limited by statute;

22 2. Standardize procedures for requests, notice, equipment  
23 placement, and operational standards;



1       3. Prohibit the photographing, recording, broadcasting, or  
2 livestreaming of the following individuals to the extent required by  
3 law, and not by rule, general judicial policy, or administrative  
4 order:

- 5           a. jurors and prospective jurors, as provided in Sections  
6               853 and 853.1 of Title 22 of the Oklahoma Statutes,
- 7           b. minors whose identity or juvenile records are  
8               confidential pursuant to Section 1-6-107 of Title 10A  
9               of the Oklahoma Statutes,
- 10          c. victims or witnesses whose identity or personal  
11               information is confidential or protected pursuant to  
12               Section 142A-9 of Title 21 and Section 60.14 of Title  
13               22 of the Oklahoma Statutes,
- 14          d. vulnerable adults whose records or identifying  
15               information is confidential pursuant to Section 10-110  
16               of Title 43A of the Oklahoma Statutes, and
- 17          e. any other individual whose identity is confidential  
18               pursuant to state or federal law. Such state or  
19               federal law shall be cited in the record of the court  
20               proceeding;

21       4. Ensure that judicial authority may restrict recording,  
22 broadcasting, or livestreaming upon written findings supported by  
23 clear and convincing evidence that a compelling interest requires  
24 restriction and a written finding that the restriction is narrowly

1 tailored. Any restriction shall be stated on the official record  
2 and be subject to accelerated appellate review;

3 5. Specify retention, secure deletion, sealing, and public  
4 access procedures for recordings that become part of the official  
5 court record. Audio and video recordings shall be retained and  
6 stored for not less than ten (10) years or for the duration of all  
7 direct appeals, post-conviction proceedings, and federal habeas  
8 review, whichever is longer;

9 6. Require establishment of a statewide online public access  
10 portal through which recordings of public court proceedings shall be  
11 accessible, subject to statutory confidentiality limitations;

12 7. Require compliance with 42 U.S.C., Sections 12101 through  
13 12213, for all recordings, livestreams, and archives, including  
14 closed captioning, interpreter feed integration, and accessibility  
15 features;

16 8. Require statewide training and certification standards for  
17 audio and video system operators, transcription personnel, and court  
18 administrative staff; and

19 9. Establish minimum equipment standards including, but not  
20 limited to, intelligible audio capture from all speaking  
21 participants, high-definition video sufficient to identify  
22 participants, time-coded recordings compatible with the Oklahoma  
23 Court Information System for indexing and transcript cross-  
24 referencing, technological redundancy to prevent the loss of

1 recordings including dual-path recording or backup capture programs,  
2 secure encrypted storage with audit-trail metadata, streaming  
3 hardware capable of real-time broadcasting with fallback provisions,  
4 and system monitoring tools providing real-time malfunction alerts,  
5 technical support, and replacement schedules to ensure no recording  
6 downtime exceeds seventy-two (72) hours.

7 D. No broader category of exemption shall be created by rule,  
8 general judicial policy, or administrative order under paragraph 3  
9 of subsection C of this section.

10 E. All court recording systems shall support the creation of  
11 AI-assisted transcripts with sufficient clarity, audio fidelity, and  
12 speaker identification to enable accurate automated transcription.  
13 AI-assisted transcripts shall not replace certified transcripts but  
14 shall be made available to court reporters for verification and  
15 correction.

16 F. All livestreams and archived recordings of public  
17 proceedings shall be preserved in identical resolution, frame rate,  
18 and audio fidelity as originally captured. No down-sampling,  
19 degradation, compression, or alteration of quality may occur except  
20 as required for storage integrity. Publicly accessible versions  
21 shall match the original quality.

22 G. All court audio recording systems shall include one or more  
23 confidential audio channels for attorney-client communication or  
24 other protected communications. Confidential channels shall be

1 recorded solely for integrity verification but shall not be audible  
2 on any public livestream or publicly accessible recording.

3 H. Audio and video recordings that have been sealed by order of  
4 the court shall be preserved in full and in their original digital  
5 form for the duration of the applicable retention period. No sealed  
6 recording may be deleted, destroyed, overwritten, or altered.  
7 Access shall be logged and limited to authorized personnel.

8 I. The Administrative Office of the Courts (AOC) shall monitor  
9 statewide compliance with the requirements of this section and with  
10 rules issued pursuant to this section. The AOC shall conduct  
11 periodic audits, verify operational status of equipment, review  
12 audit-trail metadata, and issue annual compliance reports to the  
13 Supreme Court and the Legislature.

14 J. The Supreme Court and the AOC, with approval of the Chief  
15 Justice of the Supreme Court, shall issue requests for proposals,  
16 enter contracts, and acquire equipment, software, services, and  
17 technology necessary to implement this section and Sections 1314 and  
18 1315 of Title 20 of the Oklahoma Statutes.

19 K. Audio or video recordings shall form part of the official  
20 record and shall be transcribed by a certified court reporter or  
21 Supreme Court-authorized transcription provider, retained, and made  
22 available for reference and verification.

23 L. When a court proceeding or portion of a court proceeding is  
24 recorded pursuant to law or rule, the official court reporter shall:

1       1. Retrieve and review the recorded media and, if available,  
2 the auto-generated transcript created from that recording;

3       2. Compare the auto-generated transcript to the recorded media  
4 and make any corrections necessary to ensure that the transcript is  
5 accurate, complete, and verbatim including speaker identifications  
6 where discernible;

7       3. Certify the transcript as an accurate, complete, and  
8 unaltered representation of the recorded portion of the proceeding,  
9 using certification language prescribed by the State Board of  
10 Examiners of Certified Shorthand Reporters;

11       4. Ensure the transcript includes continuous timestamp  
12 references sufficient to locate corresponding segments of the  
13 recorded media; and

14       5. Ensure that the transcript includes the entirety of each  
15 subject of testimony or argument and does not contain selective  
16 portions that materially alter context or meaning.

17       M. The court reporter shall immediately report to the presiding  
18 judge and to the Administrative Office of the Courts any gap,  
19 interruption, omission, or corruption in the recorded media, missing  
20 time frame in the recorded media, or incomplete segment preventing  
21 complete transcript certification. The report required by this  
22 subsection shall be in writing, filed under the case number, and  
23 preserved as part of the official record.

1 N. Failure to comply with this section or any rule promulgated  
2 pursuant to this section may constitute grounds for referral to the  
3 Council on Judicial Complaints pursuant to Section 1651 et seq. of  
4 Title 20 of the Oklahoma Statutes. When noncompliance involves  
5 conduct within the jurisdiction of the Court on the Judiciary as  
6 described in Section 2 of Article VII-A of the Oklahoma  
7 Constitution, the findings of the Council on Judicial Complaints may  
8 form the basis for proceedings in accordance with applicable laws  
9 including, but not limited to, Section 1659 of Title 20 of the  
10 Oklahoma Statutes. Lack of funding or equipment shall not  
11 constitute good cause for noncompliance.

12 O. No person including any court reporter, court clerk,  
13 attorney, judge, vendor, contractor, or agent of the state shall  
14 knowingly and willfully alter, delete, conceal, obscure, corrupt, or  
15 fail to report a gap in recorded media with the intent to impair,  
16 influence, or affect the integrity or accuracy of the official court  
17 record. Any person who engages in conduct prohibited by this  
18 subsection shall be subject to penalties under Section 1513 of Title  
19 20 of the Oklahoma Statutes and prosecution under state law  
20 including, but not limited to, tampering with evidence.

21 P. When recorded media is offered or admitted as evidence, the  
22 court reporter shall ensure that a certified transcript accompanies  
23 the recording; the transcript includes notation of objections, bench  
24 conferences, sealed or confidential portions, and redactions

1 required by law; and the recording is marked and secured in a format  
2 compatible with the Oklahoma Court Information System and any  
3 applicable rules of appellate procedure. If a redacted version is  
4 used for public access, the unredacted original shall be preserved  
5 under seal as part of the official record.

6 Q. No court employee, contractor, or agent shall be  
7 disciplined, terminated, retaliated against, or otherwise penalized  
8 for reporting suspected tampering, corruption, suppression, or  
9 mismanagement of court recordings. Any adverse action within one  
10 (1) year shall be presumed retaliatory unless rebutted by clear and  
11 convincing evidence.

12 SECTION 5. REPEALER 20 O.S. 2021, Section 1512, is  
13 hereby repealed.

14 SECTION 6. This act shall become effective November 1, 2026.  
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