

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1636

By: Hicks

AS INTRODUCED

An Act relating to the Oklahoma State Bureau of Investigation; amending 74 O.S. 2021, Section 150.5, which relates to investigations; adding individual authorized to submit certain request; updating statutory language and reference; defining terms; requiring certain review upon certain request; stating review criteria; clarifying individuals authorized to make certain review; requiring confirmation of receipt; prohibiting more than one review at given time; stating time frame for which certain review must be concluded; authorizing certain extension of time frame; requiring certain notice; requiring certain coordination; requiring certain consultation and meeting; stating time frame for which additional review is prohibited; authorizing promulgation of rules; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 2021, Section 150.5, is amended to read as follows:

1 Section 150.5. A. 1. Oklahoma State Bureau of Investigation
2 investigations not covered under Section 150.2 of this title shall
3 be initiated at the request of the following persons:

- 4 a. the Governor,
- 5 b. the Attorney General,
- 6 c. the Council on Judicial Complaints upon a vote by a
7 majority of the Council,
- 8 d. the chair of any Legislative Investigating Committee
9 which has been granted subpoena powers by resolution,
10 upon authorization by a vote of the majority of the
11 Committee,
- 12 e. the Director of ~~the Department of~~ Human Services, or
13 designee, as authorized by Section 1-2-105 of Title
14 10A of the Oklahoma Statutes, ~~or~~
- 15 f. a district court judge as authorized by Section 1-2-
16 103 of Title 10A of the Oklahoma Statutes, or
- 17 g. a designated person pursuant to the provisions of
18 Section 2 of this act.

19 2. Requests for investigations shall be submitted in writing
20 and shall contain specific allegations of wrongdoing under the laws
21 of ~~the State of Oklahoma~~ this state.

22 B. The Governor may initiate special background investigations
23 with the written consent of the person who is the subject of the
24 investigation.

1 C. The chair of any Senate committee which is fulfilling the
2 statutory responsibility for approving nominations made by the
3 Governor may, upon a vote by a majority of the committee and with
4 the written consent of the person who is to be the subject of the
5 investigation, initiate a special background investigation of any
6 nominee for the Oklahoma Horse Racing Commission as established by
7 Section 201 of Title 3A of the Oklahoma Statutes or any nominee for
8 the Board of Trustees of the Oklahoma Lottery Commission as
9 established by Section ~~704~~ 705 of Title 3A of the Oklahoma Statutes.
10 The Bureau shall submit a report to the committee within thirty (30)
11 days of ~~the~~ receipt of the request. Any consideration by the
12 committee of a report from the Bureau shall be for the exclusive use
13 of the committee and shall be considered only in executive session.

14 D. 1. All records relating to any investigation being
15 conducted by the Bureau, including any records of laboratory
16 services provided to law enforcement agencies pursuant to paragraph
17 1 of Section 150.2 of this title, shall be confidential and shall
18 not be open to the public or to the Commission except as provided in
19 Section 150.4 of this title; provided, however, officers and agents
20 of the Bureau may disclose, at the discretion of the Director, such
21 investigative information to:

- 22 a. officers and agents of federal, state, county, or
23 municipal law enforcement agencies and to district
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- 1 attorneys, in the furtherance of criminal
2 investigations within their respective jurisdictions,
3 b. employees of the Department of Human Services in the
4 furtherance of child abuse investigations, and
5 c. appropriate accreditation bodies for the purposes of
6 the Bureau's obtaining or maintaining accreditation.

7 2. Any unauthorized disclosure of any information contained in
8 the confidential files of the Bureau shall be a misdemeanor. The
9 person or entity authorized to initiate investigations in this
10 section, and the Attorney General in the case of investigations
11 initiated by the Insurance Commissioner, shall receive a report of
12 the results of the requested investigation. The person or entity
13 requesting the investigation may give that information only to the
14 appropriate prosecutorial officer or agency having statutory
15 authority in the matter if that action appears proper from the
16 information contained in the report, and shall not reveal or give
17 such information to any other person or agency. Violation hereof
18 shall be deemed willful neglect of duty and shall be grounds for
19 removal from office.

20 E. It shall not be a violation of this section to reveal
21 otherwise confidential information to outside agencies or
22 individuals who are providing interpreter services, questioned
23 document analysis, laboratory services, or other specialized
24 services that are necessary in the assistance of Bureau

1 investigations. Individuals or agencies receiving the confidential
2 and investigative information or records or results of laboratory
3 services provided to the Bureau by those agencies or individuals,
4 shall be subject to the confidentiality provisions and requirements
5 established in subsection D of this section.

6 F. It shall not be a violation of this section to reveal for
7 training or educational purposes otherwise confidential information
8 from records relating to any investigation previously conducted by
9 the Bureau, including any records of laboratory services provided to
10 law enforcement agencies pursuant to paragraph 1 of Section 150.2 of
11 this title, so long as ten (10) or more years have passed since the
12 production of the information or record.

13 G. It shall not be a violation of this section to reveal
14 otherwise confidential information from records relating to any
15 investigation being conducted by the Bureau, including any records
16 of laboratory services provided to law enforcement agencies pursuant
17 to paragraph 1 of Section 150.2 of this title or to the public,
18 provided, release of the confidential information has been
19 authorized by the Director of the Bureau for the purposes of
20 developing or obtaining further information reasonably necessary ~~to~~
21 for the successful conclusion of a criminal investigation being
22 conducted by the Bureau or authorized by the Director of the Bureau
23 for the purpose of advising crime victims or family representatives
24 of homicide victims regarding the status of a pending investigation.

1 H. The State Treasurer shall initiate a complete background
2 investigation of the positions with the written consent of the
3 persons who are the subject of the investigation pursuant to
4 subsection I of Section 71.1 of Title 62 of the Oklahoma Statutes.
5 The Bureau shall advise the State Treasurer and the Cash Management
6 and Investment Oversight Commission in writing of the results of the
7 investigation.

8 SECTION 2. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 150.5b of Title 74, unless there
10 is created a duplication in numbering, reads as follows:

11 A. For the purposes of this section:

12 1. "Case file review" means a review of all information,
13 evidence, records, testimonies, and other pertinent information
14 regarding a cold case;

15 2. "Cold case" means a case of violent crime, as provided for
16 in Section 571 of Title 57 of the Oklahoma Statutes, for which all
17 probative investigative leads have been exhausted and for which no
18 likely perpetrator has been identified;

19 3. "Designated person" means an immediate family member or
20 similar individual as determined by the Oklahoma State Bureau of
21 Investigation;

22 4. "Immediate family member" means the spouse, a child by birth
23 or adoption, a stepchild, a parent by birth or adoption, a
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1 stepparent, a grandparent, a grandchild, a sibling, or a stepsibling
2 of a victim;

3 5. "Law enforcement agency" means any department or agency of
4 the state, a county, a municipality, or a political subdivision
5 thereof, with the duties to maintain public order, make arrests, and
6 enforce the criminal laws of this state or municipal ordinances and
7 that employs personnel certified by the Council on Law Enforcement
8 Education and Training; and

9 6. "Victim" means the victim of a violent crime.

10 B. 1. A law enforcement agency shall review the case file
11 regarding a cold case upon written application by a designated
12 person to determine if a reinvestigation would result in probative
13 investigative leads.

14 2. The case file review shall include, but not be limited to:

- 15 a. an analysis of what investigative steps or follow-up
16 steps may have been missed in the initial
17 investigation,
- 18 b. an assessment of whether witnesses should be
19 interviewed or reinterviewed,
- 20 c. an examination of physical evidence to determine if
21 all appropriate forensic testing and analyses were
22 performed in the first instance or if additional
23 testing might produce information relevant to the
24 investigation, and

1 d. a modernization of the file to raise it to current
2 investigative standards to the extent that it would
3 develop probative leads.

4 3. The person or persons employed by a law enforcement agency
5 and performing the case file review shall not have previously
6 investigated the cold case being reviewed.

7 4. The law enforcement agency shall confirm receipt of the
8 request for a case file review in writing within thirty (30) days of
9 receipt of the application pursuant to paragraph 1 of this
10 subsection.

11 5. Only one case file review shall be undertaken at a time with
12 respect to the same victim.

13 6. a. The law enforcement agency reviewing a cold case
14 shall, within six (6) months of receiving an
15 application for a case file review, reach a conclusion
16 about whether a reinvestigation is warranted pursuant
17 to paragraph 1 of this subsection.

18 b. The law enforcement agency shall be authorized to
19 extend the time requirement pursuant to subparagraph a
20 of this paragraph for a period of up to six (6) months
21 at a time if the law enforcement agency determines
22 that the number of case files to be reviewed would
23 make it impracticable to comply with the provisions of
24 this subsection. The law enforcement agency shall

1 provide written notice and an explanation of the
2 reasoning for extending the time frame for conclusion
3 of a case file review to the designated person who
4 made the written application pursuant to paragraph 1
5 of this subsection.

6 C. If there is more than one law enforcement agency that would
7 be subject to reviewing the same cold case, the law enforcement
8 agencies shall jointly coordinate the case file review.

9 D. 1. The law enforcement agency shall consult with the
10 designated person who filed a written application pursuant to
11 paragraph 1 of subsection B of this section and provide the
12 designated person with periodic updates during the case file review.

13 2. The law enforcement agency shall meet with the designated
14 person and discuss the findings to explain the decision whether to
15 engage in a reinvestigation.

16 E. 1. If a case file review is completed and the law
17 enforcement agency concludes that a reinvestigation is not
18 warranted, no additional review shall be taken for the same cold
19 case for at least five (5) years, unless new evidence that is
20 materially significant is discovered.

21 2. If a reinvestigation is completed and a suspect is not
22 identified, no additional case file review or reinvestigation shall
23 be undertaken for the same cold case for at least five (5) years,
24 unless new evidence that is materially significant is discovered.

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F. The Oklahoma State Bureau of Investigation shall promulgate rules to effectuate the provisions of this section.

SECTION 3. This act shall become effective November 1, 2026.

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