

BILL SUMMARY
1st Session of the 60th Legislature

Bill No.:	HB1563
Version:	CCS
Request Number:	13747
Author:	Rep. Duel
Date:	5/20/2025
Impact:	\$0

Research Analysis

The Conference Committee Substitute to HB 1563 modifies the requirements for the issuance of a subpoena duces tecum. The measure provides that a subpoena duces tecum may be issued by a defendant to a business or commercial entity for production of books, papers, documents, or recordings to be provided to the defendant at a time and place certain. The court clerk shall issue a subpoena duces tecum signed, and sealed but otherwise blank, to a party requesting it, who shall complete the subpoena before service. As an officer of the court, an attorney may also issue and sign a subpoena duces tecum on behalf of a court in this state. A subpoena authorized in this manner is not to be construed to allow a defendant to access information or recordings related to interviews of victims. The measure outlines the discovery of law enforcement records by the prosecuting agency. The measure requires law enforcement to provide information within 30 days if certain records exist. The prosecution is to make the records available to the defendant within 90 days of the filing of information. The measure outlines the type of information that may be redacted.

Prepared By: Brad Wolgamott

Fiscal Analysis

The CS to HB1563 sets forth new laws related to subpoenaing certain law enforcement videos and records. *Officials with the Department of Public Safety (DPS) have provided the following revised analysis:*

DPS anticipates an annual cost of \$238,070 representing salary, benefits, and incidentals for three new staff members. These three new staff members include one attorney, one administrative assistant, and one dashcam/video technician. This personnel will be responsible for processing and handling the volume of discovery requests to which DPS may be subjected through HB1563.

Therefore, in its current form, HB1563 creates an annual cost of \$238,070 to DPS for personnel to administer the provisions the measure.

The FA1 does not change the fiscal impact of the measure.

The CCS adopts permissive language that removes the impact to DPS. Therefore, as amended, there is no anticipated material impact to state budget or appropriations.

Prepared By: Robert Flipping IV, House Fiscal Staff

Other Considerations

None.

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