

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1913

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6 AS INTRODUCED

7 An Act relating to criminal procedure; defining
8 terms; prohibiting government entities from seeking
9 and courts from issuing reverse-location or reverse-
10 keyword court orders; making records or information
11 from reverse-location or reverse-keyword requests
12 inadmissible in proceedings; providing an exception;
13 requiring notification of violations; allowing
14 aggrieved persons to institute civil actions;
15 establishing requirements for assessing punitive
16 damages; authorizing the award of court costs and
17 reasonable attorney fees; providing for codification;
18 and providing an effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 1242 of Title 22, unless there
22 is created a duplication in numbering, reads as follows:

23 A. For the purposes of this section:

24 1. "Government entity" means any department, agency, or
political subdivision of this state or any individual acting for or
on behalf of the state or a political subdivision;

2. "Reverse-keyword court order" means any court order,
including a search warrant, or subpoena compelling the disclosure of

1 records or information identifying any person who electronically
2 searched for a particular word, phrase, or website, or who visited a
3 particular website through a link generated by such a search,
4 regardless of whether or not the order is limited to a specific
5 geographic area or time frame;

6 3. "Reverse-keyword request" means any request, in the absence
7 of a court order, by any government entity for the voluntary
8 provision of records or information identifying any person who
9 electronically searched for a particular word, phrase, or website,
10 or who visited a particular website through a link generated by such
11 a search, regardless of whether the request is limited to a specific
12 geographic area or time frame. Such requests shall include offers
13 to purchase such records or information;

14 4. "Reverse-location court order" means any court order,
15 including a search warrant, or subpoena compelling the disclosure of
16 records or information pertaining to the location of unspecified
17 electronic devices or the unnamed users or owners of such devices,
18 for which the scope extends to an unknown number of electronic
19 devices present in a given geographic area at a given time, whether
20 such location is measured via Global Positioning System (GPS)
21 coordinates, cell tower connectivity, Wi-Fi positioning, or any
22 other form of location detection; and

23 5. "Reverse-location request" means any request, in the absence
24 of a court order, by any government entity for the voluntary

1 provision of records or information pertaining to the location of
2 unspecified electronic devices or the unnamed users or owners of
3 such devices, for which the scope extends to an unknown number of
4 electronic devices present in a given geographic area at a given
5 time, whether such location is measured via Global Positioning
6 System (GPS) coordinates, cell tower connectivity, Wi-Fi
7 positioning, or any other form of location detection. Such requests
8 shall include offers to purchase such records or information.

9 B. 1. No government entity shall seek a reverse-location court
10 order or a reverse-keyword court order from any court.

11 2. No government entity shall seek, secure, obtain, borrow,
12 purchase, or review any information or data obtained through a
13 reverse-location court order or a reverse-keyword court order.

14 3. No court subject to the laws of this state shall issue a
15 reverse-location court order or a reverse-keyword court order.

16 4. No person or entity in this state as a result of any law,
17 regulation, or agreement adopted by this state or any political
18 subdivision shall be obligated to comply with a reverse-location
19 court order or a reverse-keyword court order issued by this state, a
20 political subdivision of this state, any other state, or a political
21 subdivision of any other state.

22 5. No court or political subdivision of this state shall
23 support, assist, or enforce a reverse-location court order or a
24 reverse-keyword court order issued by this state or a political

1 subdivision of this state, any other state, or a political
2 subdivision of any other state.

3 C. 1. No government entity shall make a reverse-location
4 request or a reverse-keyword request.

5 2. No government entity shall seek, secure, obtain, borrow,
6 purchase, or review any information or data obtained through a
7 reverse-location request or a reverse-keyword request.

8 3. No government entity shall seek the assistance of any
9 political subdivision of the federal government or any other state
10 in obtaining information or data from a reverse-location court
11 order, reverse-keyword court order, reverse-location request, or
12 reverse-keyword request if the government entity would be barred
13 from directly seeking such information under the provisions of this
14 section.

15 D. 1. Except as proof of a violation of this section, no
16 record or information obtained, accessed, or otherwise secured in
17 violation of this section, nor evidence derived from such record or
18 information, shall be admissible in any criminal, civil, or
19 administrative proceeding, or any other type of proceeding.

20 2. For the purposes of this section, a record, information, or
21 evidence is derived from a reverse-location court order, reverse-
22 keyword court order, reverse-location request, or reverse-keyword
23 request when the government entity would not have originally
24 possessed the information or evidence but for the violative court

1 order or request, and regardless of any claim that the record,
2 information, or evidence is attenuated from the unlawful order or
3 request, would inevitably have been discovered, or was subsequently
4 reobtained through other means.

5 E. 1. Any person whose name or other identifying information
6 was obtained by a government entity in violation of this section:

7 a. shall be notified of the violation, in writing, by the
8 government entity who committed the violation and of
9 the legal recourse available to that person pursuant
10 to subparagraph b of paragraph 1 of this subsection
11 and paragraph 3 of this subsection, and

12 b. may institute a civil action against such government
13 entity for any of the following:

- 14 (1) One Thousand Dollars (\$1,000.00) per violation or
15 actual damages, whichever is greater,
- 16 (2) punitive damages,
- 17 (3) injunctive or declaratory relief, or
- 18 (4) any other relief the court deems proper.

19 2. In assessing the amount of punitive damages, the court shall
20 consider:

- 21 a. the number of people whose information was disclosed,
- 22 b. whether the violation directly or indirectly targeted
23 persons engaged in the exercise of activities

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1 protected by the Constitution of the United States or
2 the Constitution of Oklahoma, and

3 c. the persistence of violations by the particular
4 government entity.

5 3. In any action brought under this section, the court may
6 award court costs and reasonable attorney fees to a prevailing
7 plaintiff.

8 SECTION 2. This act shall become effective November 1, 2025.

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10 60-1-11173 GRS 12/28/24