

# An Act

ENROLLED HOUSE  
BILL NO. 1811

By: Loring of the House

and

Shaw of the Senate

An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 1024.4, as amended by Section 1, Chapter 32, O.S.L. 2016 (21 O.S. Supp. 2016, Section 1024.4), which relates to the destruction of obscene material or child pornography; clarifying procedures related to the destruction of obscene material or child pornography; and providing an effective date.

SUBJECT: Destruction of obscene material or child pornography

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1024.4, as amended by Section 1, Chapter 32, O.S.L. 2016 (21 O.S. Supp. 2016, Section 1024.4), is amended to read as follows:

Section 1024.4 Upon final conviction of the accused and any codefendant, ~~any the magistrate, or law enforcement agency or district attorney~~ shall, with the consent of the district attorney, cause any obscene material or child pornography, in respect whereof the accused and any codefendant stands convicted and which remains in the possession or control of such magistrate, law enforcement agency or district attorney, to be destroyed including, but not limited to, the destruction of any computer, hard drive or other electronic storage media of the accused or codefendant on which such obscene material or child pornography was located. For purposes of this section, "final conviction" includes the exhaustion of or failure to timely pursue post-conviction and state and federal habeas corpus review.

SECTION 2. This act shall become effective November 1, 2017.

Passed the House of Representatives the 6th day of March, 2017.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 6th day of April, 2017.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_