

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 1995

By: Nollan of the House
and
Shaw of the Senate

7
8
9
10
11 CONFERENCE COMMITTEE SUBSTITUTE

12 An Act relating to counties and county offices;
13 amending 19 O.S. 2011, Section 517.1, as last amended
14 by Section 1, Chapter 145, O.S.L. 2017 (19 O.S. Supp.
15 2018, Section 517.1), which relates to retention and
16 disposal of county departmental records; authorizing
17 sheriff to keep certain audio or video recordings;
18 directing counties to keep recordings of specific
19 incidents for time certain; directing sheriffs to
20 keep certain audio or video recordings for time
21 certain; requiring retention of written reports and
22 records for time certain; and providing an effective
23 date.

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

SECTION 1. AMENDATORY 19 O.S. 2011, Section 517.1, as
last amended by Section 1, Chapter 145, O.S.L. 2017 (19 O.S. Supp.
2018, Section 517.1), is amended to read as follows:

1 Section 517.1 A. The governing body of each county may
2 establish a length of time for the county to keep departmental
3 records and authorize the sheriff to properly dispose of or digitize
4 all records not specifically addressed in other statutes.

5 B. Except as otherwise provided in this section, records shall
6 be kept for a minimum of seven (7) years. However, ~~if the sheriff~~
7 ~~is the sole source for such records, the records shall be kept for a~~
8 ~~minimum of seven (7) years; provided, that~~ the sheriff may keep any
9 audio or video recordings from recording equipment attached to the
10 person of a law enforcement officer pursuant to subsection C of this
11 section; provided, the county shall keep for a minimum of one (1)
12 year from the date of incident any such recordings that depict
13 ~~anything other than an~~ or directly relate to:

14 1. An officer-involved shooting,~~use;~~

15 2. Use of lethal force,~~incidents involving;~~

16 3. Incidents resulting in medical treatment,~~incidents where;~~

17 4. Incidents identified in a written application ~~is received~~
18 for ~~the~~ preservation of the ~~specific event,~~ recording of the
19 incident received by a county sheriff prior to the expiration of one
20 hundred eighty (180) days from the date of the recording of the
21 incident; or ~~upon request of~~

22 5. Incidents identified for preservation as requested by the
23 district attorney ~~may be kept at a minimum of one (1) year to be~~
24 ~~determined by the county sheriff.~~

1 C. The sheriff's office of each county that utilizes or
2 operates audio or video recordings from recording equipment attached
3 to the person of a law enforcement officer within the sheriff's
4 office shall keep for a minimum of one hundred eighty (180) days
5 from the date of incident any audio or video recordings that do not
6 depict or directly relate to the incidents described in paragraphs 1
7 through 5 of subsection B of this section.

8 D. Any written reports and records related to the audio or
9 video recordings described in subsections B and C of this section
10 shall be kept for a minimum of seven (7) years.

11 SECTION 2. This act shall become effective November 1, 2019.

12
13 57-1-8887 GRS 05/09/19
14
15
16
17
18
19
20
21
22
23
24