

An Act

ENROLLED HOUSE
BILL NO. 1995

By: Nollan of the House

and

Shaw of the Senate

An Act relating to counties and county offices; amending 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), which relates to retention and disposal of county departmental records; authorizing sheriff to keep certain audio or video recordings; directing counties to keep recordings of specific incidents for time certain; directing sheriffs to keep certain audio or video recordings for time certain; requiring retention of written reports and records for time certain; and providing an effective date.

SUBJECT: County records

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:

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

B. Except as otherwise provided in this section, records shall be kept for a minimum of seven (7) years. However, ~~if the sheriff is the sole source for such records, the records shall be kept for a minimum of seven (7) years; provided, that~~ the sheriff may keep any

audio or video recordings from recording equipment attached to the person of a law enforcement officer pursuant to subsection C of this section; provided, the county shall keep for a minimum of one (1) year from the date of incident any such recordings that depict anything other than an or directly relate to:

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

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

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

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

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

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

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

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

Passed the House of Representatives the 16th day of May, 2019.

Presiding Officer of the House
of Representatives

Passed the Senate the 17th day of May, 2019.

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: _____