

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE BILL 1439

By: Rosino

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5
6 AS INTRODUCED

7 An Act relating to injuries to animals; requiring the
8 establishment of a publicly accessible list of
9 certain persons convicted of certain offenses;
10 requiring certain information for the list;
11 prohibiting certain information from the list;
12 requiring court clerks to provide OSBI with certain
information; establishing certain guidelines for
13 maintenance of the list; requiring the OSBI to
14 promulgate certain rules; defining term; providing
15 for codification; and providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1680.5 of Title 21, unless there
19 is created a duplication in numbering, reads as follows:

20 A. Beginning November 1, 2022, the Oklahoma State Bureau of
21 Investigations shall post a publicly accessible list on its web site
22 of any person convicted of a felony offense provided for in Sections
23 1680-1700 of this title.

24 1. The list shall include a photograph taken of the person
convicted of a felony offense as part of the booking process, the
name of the person convicted of a felony, and other identifying data

1 as the OSBI determines is necessary to properly identify the person
2 convicted of a felony.

3 2. The list shall not include the social security number,
4 driver license number, or any other state or federal identification
5 number of the person convicted of a felony.

6 B. The court clerks shall forward a copy of the judgment and
7 sentence document and date of birth of the person convicted of a
8 felony to the OSBI within twenty-one (21) calendar days of the date
9 of judgment and sentence document.

10 C. Upon the first conviction of a person convicted of a felony,
11 the OSBI shall maintain the name and other identifying information
12 for two (2) years following the date of conviction, after which time
13 the OSBI shall remove the name and identifying information of the
14 person convicted of a felony from the list provided that the person
15 is not convicted of another felony offense provided for in Sections
16 1680-1700 of this title, during that two-year period.

17 D. Upon a person's second or subsequent conviction of a felony
18 offense provided for in Sections 1680 through 1700 of this title,
19 the OSBI shall maintain the name and other identifying information
20 on the list for five (5) years following the date of the most recent
21 conviction, after which time the OSBI shall remove the name and
22 identifying information of the person from the list provided that
23 the person is not convicted of another felony offense provided for
24 in Sections 1680-1700 of this title, during that five-year period.

1 E. Pursuant to this section, "conviction" shall mean a judgment
2 entered by a court of competent jurisdiction upon a plea of guilty,
3 a plea of nolo contendere, or a finding of guilt by a jury or the
4 court, notwithstanding any pending appeal or habeas corpus
5 proceeding arising from the judgment.

6 F. The OSBI shall have the authority to promulgate rules to
7 effectuate the purposes of this section.

8 SECTION 2. This act shall become effective November 1, 2022.

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