

An Act

ENROLLED SENATE
BILL NO. 1574

By: Floyd of the Senate

and

Townley and Swope of the
House

An Act relating to the Oklahoma Open Records Act; amending 51 O.S. 2021, Section 24A.3, as last amended by Section 1 of Enrolled House Bill No. 3779 of the 2nd Session of the 59th Oklahoma Legislature, which relates to definitions; modifying definition; updating statutory reference; updating statutory language; and providing an effective date.

SUBJECT: Oklahoma Open Records Act

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

SECTION 1. AMENDATORY 51 O.S. 2021, Section 24A.3, as last amended by Section 1 of Enrolled House Bill No. 3779 of the 2nd Session of the 59th Oklahoma Legislature, is amended to read as follows:

Section 24A.3. As used in the Oklahoma Open Records Act:

1. "Record" means all documents including, but not limited to, any book, paper, photograph, microfilm, data files created by or used with computer software, computer tape, disk, record, sound recording, film recording, video record or other material regardless of physical form or characteristic, created by, received by, under the authority of, or coming into the custody, control or possession of public officials, public bodies or their representatives in connection with the transaction of public business, the expenditure of public funds or the administering of public property. Record shall also mean applications and other documents related to

licensure matters that are filed of record in a district court, including, but not limited to, marriage licenses, process server licenses, closing out sale licenses, transient merchant licenses, pool hall licenses, and bail bondsmen registration. Record does not mean:

- a. computer software, or
- b. nongovernment personal effects;

2. "Public body" shall include, but not be limited to, any office, department, board, bureau, commission, agency, trusteeship, authority, council, committee, trust or any entity created by a trust, county, city, village, town, township, district, school district, fair board, court, executive office, advisory group, task force, study group or any subdivision thereof, supported in whole or in part by public funds or entrusted with the expenditure of public funds or administering or operating public property, and all committees, or subcommittees thereof. Except for the records required by Section 24A.4 of this title, public body does not mean judges, justices, the Council on Judicial Complaints, the Legislature or legislators. Public body shall not include an organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and whose sole beneficiary is a college or university, or an affiliated entity of the college or university, that is a member of The Oklahoma State System of Higher Education. Such organization shall not receive direct appropriations from the ~~Oklahoma~~ Legislature. The following persons shall not be eligible to serve as a voting member of the governing board of the organization:

- a. a member, officer, or employee of the Oklahoma State Regents for Higher Education,
- b. a member of the board of regents or other governing board of the college or university that is the sole beneficiary of the organization, or
- c. an officer or employee of the college or university that is the sole beneficiary of the organization;

3. "Public office" means the physical location where public bodies conduct business or keep records;

4. "Public official" means any official or employee of any public body as defined herein; and

5. "Law enforcement agency" means any public body charged with enforcing state or local criminal laws and initiating criminal prosecutions including, but not limited to, police departments, county sheriffs, the Department of Public Safety, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Alcoholic Beverage Laws Enforcement Commission, and the Oklahoma State Bureau of Investigation.

SECTION 2. This act shall become effective November 1, 2024.

Passed the Senate the 22nd day of May, 2024.

Presiding Officer of the Senate

Passed the House of Representatives the 25th day of April, 2024.

Presiding Officer of the House
of Representatives

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: _____