

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 23

By: Quinn

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5  
6 AS INTRODUCED

7 An Act relating to open records; amending 51 O.S.  
8 2011, Section 24A.10, which relates to  
9 confidentiality of certain records; deleting obsolete  
10 language; modifying entities authorized to keep  
11 certain information confidential; and providing an  
12 effective date.

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

14 SECTION 1. AMENDATORY 51 O.S. 2011, Section 24A.10, is  
15 amended to read as follows:

16 Section 24A.10. A. Any information, records or other material  
17 heretofore voluntarily supplied to any state agency, board or  
18 commission ~~which was not required to be considered by that agency,~~  
19 ~~board or commission in the performance of its duties may, within~~  
20 ~~thirty (30) days from June 6, 1988, be removed from the files of~~  
21 ~~such agency, board or commission by the person or entity which~~  
22 ~~originally voluntarily supplied such information. Provided, after~~  
23 ~~thirty (30) days from the effective date of this act, any~~  
24 ~~information voluntarily supplied shall be subject to full disclosure~~  
pursuant to ~~this act~~ Section 24A.1 et seq. of this title.

1 B. If disclosure would give an unfair advantage to competitors  
2 or bidders, a public body may keep confidential records relating to:

3 1. Bid specifications for competitive bidding prior to  
4 publication by the public body; or

5 2. Contents of sealed bids prior to the opening of bids by a  
6 public body; or

7 3. Computer programs or software but not data thereon; or

8 4. Appraisals relating to the sale or acquisition of real  
9 estate by a public body prior to award of a contract; or

10 5. The prospective location of a private business or industry  
11 prior to public disclosure of such prospect except for records  
12 otherwise open to inspection such as applications for permits or  
13 licenses.

14 C. Except as set forth hereafter, the Oklahoma Department of  
15 Commerce, the Oklahoma Department of Career and Technology  
16 Education, the technology center school districts, ~~and~~ the Oklahoma  
17 Film and Music Office, and institutions within the Oklahoma State  
18 System of Higher Education may keep confidential:

19 1. Business plans, feasibility studies, financing proposals,  
20 marketing plans, financial statements or trade secrets submitted by  
21 a person or entity seeking economic advice, business development or  
22 customized training from such Departments or school districts;

23 2. Proprietary information of the business submitted to the  
24 Department or school districts for the purpose of business

1 development or customized training, and related confidentiality  
2 agreements detailing the information or records designated as  
3 confidential; and

4 3. Information compiled by such Departments or school districts  
5 in response to those submissions.

6 The Oklahoma Department of Commerce, the Oklahoma Department of  
7 Career and Technology Education, the technology center school  
8 districts, ~~and~~ the Oklahoma Film and Music Office, and institutions  
9 within the Oklahoma State System of Higher Education may not keep  
10 confidential that submitted information when and to the extent the  
11 person or entity submitting the information consents to disclosure.

12 D. Although they must provide public access to their records,  
13 including records of the address, rate paid for services, charges,  
14 consumption rates, adjustments to the bill, reasons for adjustment,  
15 the name of the person that authorized the adjustment, and payment  
16 for each customer, public bodies that provide utility services to  
17 the public may keep confidential credit information, credit card  
18 numbers, telephone numbers, social security numbers, bank account  
19 information for individual customers, and utility supply and utility  
20 equipment supply contracts for any industrial customer with a  
21 connected electric load in excess of two thousand five hundred  
22 (2,500) kilowatts if public access to such contracts would give an  
23 unfair advantage to competitors of the customer; provided that,  
24 where a public body performs billing or collection services for a

1 utility regulated by the Corporation Commission pursuant to a  
2 contractual agreement, any customer or individual payment data  
3 obtained or created by the public body in performance of the  
4 agreement shall not be a record for purposes of this act.

5 SECTION 2. This act shall become effective November 1, 2015.

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