

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 ENGROSSED SENATE
5 BILL NO. 47

 By: Coleman of the Senate

 and

 Pfeiffer of the House

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9 An Act relating to district attorneys; amending 19
10 O.S. 2011, Section 215.22, as last amended by Section
11 4, Chapter 22, O.S.L. 2017 (19 O.S. Supp. 2020,
12 Section 215.22), which relates to destruction and
13 reproduction of records; modifying requirements for
14 destruction of certain records; and providing an
15 effective date.

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

17 SECTION 1. AMENDATORY 19 O.S. 2011, Section 215.22, as
18 last amended by Section 4, Chapter 22, O.S.L. 2017 (19 O.S. Supp.
19 2020, Section 215.22), is amended to read as follows:

20 Section 215.22. A. The district attorney is hereby authorized
21 to destroy all or a portion of his or her office records and files
22 relating to:

23 1. Any felony case or record relating to a felony investigation
24 except where a homicide is involved, ~~provided~~ if a period of ten
 (10) years ~~shall have~~ has elapsed since the last action in ~~said~~ the

1 case ~~and provided~~ or if the district attorney ~~shall digitize~~ has
2 digitized or ~~provide~~ provided computer storage for such felony cases
3 or records;

4 2. Any misdemeanor, wildlife or traffic case or record relating
5 to a misdemeanor, wildlife or traffic investigation, ~~provided if~~ a
6 period of five (5) years ~~shall have~~ has elapsed since the last
7 action in ~~said the~~ case ~~and provided~~ or if the district attorney ~~in~~
8 ~~his or her discretion may digitize~~ has digitized or ~~provide~~ provided
9 computer storage for such misdemeanor, wildlife or traffic cases to
10 be destroyed;

11 3. Any juvenile case, ~~provided if~~ a period of ten (10) years
12 ~~shall have~~ has elapsed since the last action in ~~said the~~ case ~~and~~
13 ~~provided~~ or if the district attorney ~~in his or her discretion may~~
14 ~~digitize~~ has digitized or ~~provide~~ provided computer storage for such
15 juvenile case to be destroyed; and

16 4. Any civil case, ~~provided if~~ a period of ten (10) years ~~shall~~
17 ~~have~~ has elapsed since the last action in ~~said the~~ case ~~and provided~~
18 ~~or if~~ the district attorney ~~in his or her discretion may digitize~~
19 has digitized or ~~provide~~ provided computer storage for such civil
20 case to be destroyed.

21 B. The district attorney is authorized to reproduce a copy of
22 ~~such~~ a record, file or case stored digitally or in computer storage
23 as provided in this section and such copy or computer-generated
24

1 image or record may be used by the district attorney in lieu of the
2 destroyed record, file or case, for all purposes.

3 SECTION 2. This act shall become effective November 1, 2021.
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5 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated
6 03/24/2021 - DO PASS.
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